INTRODUCTION

This fall semester of the Civil Practice clinic is designed to introduce you to the practice of law. You will actually be “practicing law” under my training and supervision. Your role is one of a “student attorney” which is quite different from that of a law clerk. You will be responsible for the work on your client’s cases, as well as communicating with your clients regarding the progress of their cases.

The course will be an introduction to civil practice from all aspects. You will receive training in lawyering skills such as interviewing, fact investigation, case analysis, drafting legal documents and pleadings, drafting and conducting discovery, negotiating, and litigating cases. Hopefully you will learn from your colleagues in class, your clients, judges and opposing attorneys, and your professor.

Most of all, this course is designed to teach professionalism. You will work diligently on your clients’ cases. We will discuss alternative ways to represent clients and practice law. Legal ethics must be considered in every step of the case development.

PLEASE NOTE: There is no final examination. Attendance is mandatory.

COURSE OUTLINE

READING ASSIGNMENTS are from Dessem, Pretrial Litigation: Law Policy and Practice (DESSEM) and from the Civil Practice (C.P.) manual. Classes are scheduled for Mondays at 12:00 in room 411 and Thursdays from 1:00-3:00 PM in room 411. NOTE: the first class will be in Room 204 (8/25).

The assignments which follow are for the Thursday classes. The Monday class will generally be for lectures and discussions of the substantive law relevant to the types of cases you will be handling, and your civil practice training.

WEEK 1 - August 25th - INTRODUCTION AND ORIENTATION
Monday, August 25th – Fall clinic orientation meeting in Room 204.

Thursday, August 30th - Office procedures, case assignments, office hours, conferences, grading. Basics of interviewing, counseling.

READING ASSIGNMENT: Read the office procedures handbook and Dessem, Chapter 2 (for this week and next).
WEEK 2 – Monday, September 1st – NO CLASS

Thursday, September 4th – INTERVIEWING AND COUNSELING – MOCK INTERVIEWS and INTRODUCTION TO FAMILY LAW / DISSOLUTION OF MARRIAGE AND CUSTODY (2nd hour of class)

READING ASSIGNMENT:  DESSEM, Chapter 2; C.P. pp. 1-10.
CLASS ASSIGNMENT:  During the week of September 3rd, you will be conducting mock interviews. Each of you will be required to participate in two interviews. In one, you will be in the role of the client, in the other you will be the attorney conducting the interview. The interviews and critique generally take between forty-five minutes and an hour. One interview will be done during class on September 6th and discussed by the class. The remainder of the interviews will be scheduled with me.

In order to prepare for the interview, the "attorney" should read the brief description of the client's problem (C.P. p. 7) and review the relevant statutes. The "client" should be familiar with the information in their confidential memos containing the pertinent factual background, and prepare for a good acting assignment.

Following the interview, the attorney must prepare a memo to the file, as discussed on page 9 of the civil practice manual.

WEEK 3 – Monday, September 8th – DISCUSSION OF SOCIAL SECURITY DISABILITY LAW

Thursday, September 11th

READING ASSIGNMENT:  Review materials on Social Security.
CLASS ASSIGNMENT:  During your two-hour class we will discuss further Social Security disability law and family law.

WEEK 4- September 15th - CASE ANALYSIS: DEMAND LETTERS AND INTRODUCTION TO PLEADINGS

Monday class – letter writing.

Thursday, September 18th – discussion letter writing, introduction to pleadings, drafting complaints.

READING ASSIGNMENT:  DESSEM , Chapter 3 (Pretrial Planning & Investigation), pp. 56 -105; C.P. pp. 11-20.
CLASS ASSIGNMENT:  Your assignment for this week is to draft two letters, (C.P. pages 15 and 19). The letters are due in my box by Wednesday, September 17th, before noon.
WEEK 5 – September 22nd - COMPLAINTS, ANSWERS AND MOTIONS

READING ASSIGNMENT: C.P. pp.22-25; DESSEM, Chapter 4.

CLASS ASSIGNMENT: Your assignment for this Thursday’s class is to draft a complaint - problem 2 on page 157 in DESSEM. The complaints are due in my box by Tuesday, September 25th at 9 A.M. Discussion of pleadings, your complaints and motion drafting on Thursday, September 25th.

WEEK 6 and WEEK 7 – September 29th and October 6th - MOTION ARGUMENTS

CLASS ASSIGNMENT: Your assignment for these two weeks is to draft either a motion or a response to a motion with a supporting memorandum brief and an order. You will be assigned one of three motion problems contained in pages 26-32 of the civil practice manual. The first week, one of the motions will be argued in class on Thursday; the second hour will be introduction to Asylum Law (October 2nd); the second week the remaining two motion arguments will be heard the following Thursday.

WEEK 8 - Oct. 13th - “CASE ANALYSIS”

READING ASSIGNMENT: Dessem, The Scope of Civil Discovery, Chapter 6, p. 215.

CLASS ASSIGNMENT: For the class on Monday, October 16th, each student must be prepared to discuss two of his or her cases with the class. You will be given an outline with a proposed format for the discussion.

The purpose of “case analysis” is to discuss what is happening with your cases, to discuss and analyze why you have made the decisions you have in representing your clients, and to discuss any problems or challenges you have encountered during your representation. It is also an opportunity to share with your classmates any “practice tips” you may have learned in the process of handling your case or any creative solutions you came up with in meeting the challenges or problems presented to you. Those of you who have had hearings by this time will be expected to discuss your hearing preparation and strategy with your classmates.

Thursday class: October 16th – Asylum.

WEEK 9 – week of October 20th - DISCOVERY: INTERROGATORIES AND REQUEST TO PRODUCE DOCUMENTS

READING ASSIGNMENT: C.P. pp.33-36; DESSEM, Chapter 7 (pp. 302 -337). C.R.C.P. Rule 33, 34, Form 21A, Form 20 (p. 618 Court Rules).

CLASS ASSIGNMENT: Your assignment for this week is to draft a set of interrogatories and a request for production of documents. The problem is on page 36 of
the civil practice manual. The assignment is due in my box by Tuesday, October 21st by 5:00 p.m.

WEEK 10 – week of October 27th - DISCOVERY: DEPOSITIONS

READING ASSIGNMENT: DESSEM, Chapter 8; C.R.C.P.27, 29, 30, 31, 32.
Discussion of deposition procedures and techniques.

WEEK 11 – week of November 3rd - DISCOVERY: MOCK DEPOSITIONS

READING ASSIGNMENT: C.P. pp. 37-64; DESSEM, Chapter 8.
CLASS ASSIGNMENT: This week you will conduct mock depositions based upon the material in the civil practice manual.

WEEK 12 – November 10th - NEGOTIATIONS: Class Discussion and Mock Negotiations

READING ASSIGNMENTS: DESSEM, Chapter 14.

WEEK 13 – week of November 17th - NEGOTIATIONS: Mock Negotiations – Mary Ann Murphy vs. Boulder Housing Authority

Monday class, November 17th – discussion of cases.

READING ASSIGNMENT: C.P.pp.65-78

CLASS ASSIGNMENT: This week you will be divided into small groups and will conduct mock negotiations based upon the problem in the civil practice manual.

NO CLASSES WEEK OF NOVEMBER 24TH – THANKSGIVING AND FALL BREAK.

WEEK 14 – December 1st - MEDIATION AND ALTERNATIVE DISPUTE RESOLUTION

Monday, December 1st – clinic lunch and case preparation/discussion for upcoming break.

Thursday, December 4th – Discussion on Mediation and Alternative Dispute Resolution

READING ASSIGNMENT: DESSEM, Chapter 15.
ADDENDUM

1. If you qualify for accommodations because of a disability, please submit to me a letter from Disability Services in a timely manner so that your needs may be addressed. Disability Services determines accommodations based on documented disabilities. Contact: 303-492-8671, Willard 322, and www.Colorado.Edu/disabilityservices.

2. Campus policy regarding religious observances requires that faculty make every effort to reasonably and fairly deal with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. In this class, please let me know in advance regarding any possible conflicts.

3. The University of Colorado at Boulder policy on Discrimination and Harassment (http://www.colorado.edu/policies/discrimination.html, the University of Colorado policy on Sexual Harassment and the University of Colorado policy on Amorous Relationships applies to all students, staff and faculty. Any student, staff or faculty member who believes s/he has been the subject of discrimination or harassment based upon race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status should contact the Office of Discrimination and Harassment (ODH) at 303-492-2127 or the Office of Judicial Affairs at 303-492-5550. Information about the ODH and the campus resources available to assist individuals regarding discrimination or harassment can be obtained at http://www.colorado.edu/odh.