

Legal Methods

REQ 7170
Spring 2021

Syllabus

The professor reserves the right to amend or change this syllabus at any time as needed throughout the semester. The syllabus is a helpful guide intended to give students an overview of the course but is subject to be changed or supplemented at the professor's discretion. Please take the time to read and review this syllabus in detail.

Course Information

- **Meeting Times/Locations**

(Class) Mondays 12:45 PM-2:00 PM, Microsoft TEAMS
Wednesdays 12:45 PM-2:00 PM, Microsoft TEAMS

- **Course Website(s)**

Access to Microsoft TEAMS (TEAMS) is **MANDATORY** for REQ 7170. TEAMS is the primary means of communication for REQ 7170. Students will use TEAMS to submit assignments and access course materials (other than readings from the required texts). You can visit the LEGAL METHODS TEAM by clicking [HERE](#).

- **Virtual Classroom Protocols**

This class will be using TEAMS exclusively for class time, supplemental materials, and submission of quizzes and assignments. Please log on to TEAMS before the first class to get acquainted or reacquainted with the platform.

Students should arrive in TEAMS early and as prepared as they would for an in-person class. The class will start promptly at the assigned times. **Cameras should remain on during the scheduled class time. If cameras are off for a sustained time, the professor will assume the student is away from the computer, and the student will be marked absent.** Situations may arise that require cameras to be temporarily disabled. Exercise good judgment, return to class as soon as possible and turn your camera on upon your return. If your camera is not working or malfunctions, please inform the professor.

Class time involves lectures, discussion, and occasionally group work. Students should work diligently to find a dedicated quiet space to attend TEAMS class sessions, to minimize their chances of being disrupted during the session.

TEAMS has a *raise hand* function. To bring order to the virtual classroom, this class will use the *raise hand* button to signal a desire to ask a question or make a comment. Use of mentions (@+name) is encouraged. Students should use the Chat function sparingly. Using the Chat function should not supplant *raising hands* and being heard. Avoid side

conversations in the Chat function as it can be disruptive to others. Students should mute microphones when they are not speaking.

Participation in TEAMS class will be no less extensive than an in-class session. Students should be actively engaged in answering questions, taking notes, writing down questions to ask during class or during office hours, etc. Answering questions, taking notes, and writing down questions will not only help students learn—it will help students stay engaged.

Please raise technology issues early and often so that they can be addressed promptly and minimize the impact on your ability to learn.

The professor will download the TEAMS Attendance Excel log when the class begins and again five minutes after the class begins. If you are late or drop your connection, please send an e-mail clarifying your attendance status to the professor.

- **Academic Success Program (ASP)**

ASP is empowering, individualized, and available to every Vermont Law student. ASP offers skill-building through workshops, one-on-one consultation, and mentoring by upper-level students. If you are looking for ways to shrink the learning curve, ASP can connect you with study-aids and supplemental materials (i.e., CALI, TWEN, and Kaplan Kick Start) that fit your specific needs. Whether you are preparing for the Bar Examination or your first 1L exam, ASP is here to help you. You can visit ASP virtually by clicking [HERE](#).

Instructor

Professor Richard K. Sala

- Office location
- E-mail
- Office hours

Old School House 208 / TEAMS

rsala@vermontlaw.edu

Due to our virtual setting, office hours are by appointment. To schedule an appointment, send an e-mail to kmunyon@vermontlaw.edu. DON'T HESITATE TO REACH OUT! I AM HAPPY TO MEET WITH YOU!

Objectives

In this class, we will focus on strengthening students' legal problem-solving abilities. Students will continue to hone their ability to read critically, conduct fact analysis, identify legal issues, and generate counter-arguments through a series of exercises. Students will draw on these skills in the future when analyzing the wide variety of legal problems that they encounter on law school exams, the bar exam, and in the practice of law. Legal Methods emphasizes fundamental skills such as reading comprehension, rule mastery, issue spotting, outlining, the mechanics of legal analysis, and writing. Legal Methods enhances learning by providing students with

particularized feedback from peers, professors, and external graders so that they can evaluate their work and see a clear pathway for consistent improvement.

Upon successful completion of this course, students will be able to:

- 1) Devise a plan for creating the time and structure needed to succeed in law school;
- 2) Read and case brief a legal opinion efficiently and for comprehension;
- 3) Outline class notes and materials for studying;
- 4) Read fact patterns, identify legal issues, articulate applicable rules, apply the facts of the fact pattern to the elements of the rule, and develop a counter-argument;
- 5) Develop the skills to answer law school examination style multiple choice and essay questions; and

Required Text(s)

- Students will not be required to purchase a textbook for this course. Academic Success will provide Legal Methods students with a copy of *Succeeding In Law School*, Second Edition, Herbert M. Ramo (2010) – ISBN: 978-1-59460-740-0. **Do not write in the book.** Students will return this book to Academic Success after the final day of class.

Method of Teaching

- Come prepared. I will routinely use the Socratic Method. See the following link for a brief discussion of my approach to the Socratic Method:
http://www.law.uchicago.edu/socrates/soc_article.html

Assignments

Guidelines for Completing and Submitting Homework Assignments

- Students must complete all assignments per the syllabus.
- Students must work on *all* assignments independently unless specifically directed to work in a group.
- Students must turn in all assignments by 11:59 PM on the dates indicated in the syllabus unless the syllabus specifies a different time.
- The professor will deduct one full grade for assignments submitted late; the professor will deduct a half grade for each additional day.
- Advanced notification, including an explanation, for absences, tardiness, or late assignments, is preferred. If students cannot provide advanced notice, they must give the professor an explanation as soon as is practicable. When applicable, be prepared to provide supporting documentation upon request.

Grading

Legal Methods is a Pass/Fail course. **There is no final exam or final paper for this course.** Instead, your grade will be based on the following assignments:

ASSIGNMENTS	POINTS (points after the / are for scheduling required meetings)
Assignment 1	3
Assignment 2	3/1
Assignment 3	5/1
Assignment 4	3/1
Assignment 5	6/1
Assignment 6	3
Assignment 7	3
Assignment 8	2/1
Assignment 9	6/1
Assignment 10	6
Assignment 11	3/1
Assignment 12	15

Students earn a grade of *Pass* for work resulting in a final grade above 75% **and** completing no less than 80% of the assigned course work. Students with work resulting in a final grade below 75% **or** who complete less than 80% of the coursework will receive a grade of *Fail*.

Faculty Mentoring Program

Vermont law school enrolls Legal Methods students in the Faculty Mentoring Program. You will receive an e-mail from Dean Shirley Jefferson regarding the Faculty Mentoring Program early in the semester. The program aims to provide students with moral support, academic support, guidance, and mentoring. You will be required to meet with your faculty mentor for a total of no less than 2 hours over the semester.

Professional Disposition

As an instructor, the professor's goal is to provide students opportunities to develop the knowledge, skills, and disposition necessary to succeed during law school and as a practicing attorney. Be a professional. The professor's standards for law students are no different from standards for practicing attorneys. Specifically, the professor will expect the following things:

1. **Attendance:** Attendance is mandatory. The professor will enforce the attendance policy without exception.
 - a. **Attendance Policy¹**
Students are required to attend all classes except where religious observance, serious illness, personal emergency, or a reason that is adequate in the professor's judgment prevents attendance.

The professor will request that students absent from fifteen (15%) percent of the regularly scheduled classes (4 classes), without adequate excuse, be automatically withdrawn from

¹ Vermont Law School, Student Handbook 2020-2021, Section II(A), at 32-33, https://www.vermontlaw.edu/sites/default/files/2020-12/vls-studenthandbook-2020-2021_20201215_1133.pdf

the course with an F-Wd grade. [...] Such withdrawal shall not be effective unless the instructor has personally warned the student. Personal notice shall include but is not limited to a notice placed in the Student's Vermont Law School mailbox or a notice sent to the student's Vermont Law School e-mail address.

Remember that individual faculty may adopt a more stringent attendance policy than specified in the [Vermont Law School Student Handbook](#) if the faculty member gives students written notice of that policy.

If the professor does not arrive within ten minutes of the scheduled beginning of class, and the professor has not provided advanced notice, students may disperse, and the class will not meet.

2. Punctuality: Arrive to class a few minutes early, settle in, and focus once class begins. Students will know that the class has started because the professor will say something like, "Ok. Let's get started." Also, maintain attention until the last moment of class. Do not pack up materials in anticipation of the end of class; it is rude. Students will know that class has ended when the professor says, "That's it for today. I'll see you next time," or words to that effect. In return, the professor will respect students' time. The class will begin and end at the time annotated in this syllabus.

A student will be counted as absent if he/she is not present within 15 minutes of the class's scheduled start time. The professor will consider the student late if he/she is not present within 5 minutes of the class's scheduled start time. If a student is late twice, that counts as one absence. If a student misses more than four classes, that student will fail the course due to absences.²

3. Attention: Pay attention in class. Students should not sleep, talk with neighbors, read material unrelated to class, text message, tweet, post on Instagram, Facebook, or Snapchat, or work on computers other than for required course work. Students should respect their colleagues. When a student asks a question or makes a comment, pay attention, and stay engaged.

4. Participation: Students often have questions during class. Do not withhold questions or comments on course material or whisper them to a neighbor. Students are encouraged to raise their hands and contribute. Do not worry about sounding foolish. It is ok to be wrong. Be brave. A colleague may have the same question.

5. Maturity Don't make excuses, attempt to defend an illegitimate absence, or request an assignment extension unless it is an exception within the Student Handbook.³

6. Responsibility: Each student has the syllabus—read it. Students are responsible for all the material in the syllabus. Always attempt to find course-related answers in the syllabus. If a student

² Vermont Law School, Student Handbook 2020-2021, Section II(A)(1)(d), at 33, https://www.vermontlaw.edu/sites/default/files/2020-12/vls-studenthandbook-2020-2021_20201215_1133.pdf

³ Vermont Law School, Student Handbook 2020-2021, Section II(A)(1)(a), at 32, https://www.vermontlaw.edu/sites/default/files/2020-12/vls-studenthandbook-2020-2021_20201215_1133.pdf

cannot find the answer in the syllabus, contact the professor, and ask questions. Students should not let pride or fear be the reason for missing something important.

7. Communication: Be professional when corresponding by e-mail. Begin correspondence with a greeting. Spelling, grammar, and punctuation are important. Be succinct. Do not use SMS abbreviations. End the e-mail with a closing, sign-off, or good-bye.

8. Honesty and Integrity: Do not cheat—it is not worth it. The professor will not hesitate to refer known or suspected violations of the Honor Code to the Vice Dean for Academic Affairs for further action.⁴ Substantiated Honor Code violations will result in a grade of *Fail* in the course.

Title IX Our school is committed to fostering a safe, productive learning environment. Title IX and our school policy prohibit discrimination based on sex. Sexual misconduct – including harassment, domestic and dating violence, sexual assault, and stalking – is also prohibited at our school.

Our school encourages anyone experiencing sexual misconduct to talk to someone about what happened, so they can get the support they need, and our school can respond appropriately.

If a student wishes to speak confidentially about an incident of sexual misconduct, want more information about filing a report, or have questions about school policies and procedures, please contact our Title IX Coordinator, Shirley Jefferson, (T) 802-831-1333, or (e-mail) sjefferson@vermontlaw.edu.

Our school is legally obligated to investigate reports of sexual misconduct. Therefore it cannot guarantee the confidentiality of a report, but it will consider a request for confidentiality and respect it to the extent possible. Professors are also required to report incidents of sexual misconduct and thus cannot guarantee confidentiality. This policy includes any mention of sexual misconduct that a student might make in their written work. A professor must provide our Title IX coordinator with relevant details such as the names of those involved in the incident.

Accommodations for Disabilities

If a student has a disability and would like to request an accommodation, please review our Disability Policy at Vermont Law School academic accommodations at:

<https://www.vermontlaw.edu/community/students/academic-success/accommodations>

There is also an online form on that web page that a student can complete and upload with supporting documentation. If a student has questions, please make an appointment with the Vice Dean for Students. Vermont Law may not be able to grant accommodations if the student submits the request within two weeks of a midterm or a final examination. Please submit requests as soon as possible.

⁴ Vermont Law School, Student Handbook 2020-2021, Section XII, at 95,

https://www.vermontlaw.edu/sites/default/files/2020-12/vls-studenthandbook-2020-2021_20201215_1133.pdf

Weather

If the school is closed, the class is canceled, and the professor will reschedule the class. If the school is open, but travel is not safe from where a student is coming, exercise discretion. If a student cannot attend due to weather, inform the professor as soon as possible. Again, prior notice of absence due to weather does not automatically qualify an absence as “excused” and will be assessed on a case by case basis. It is for situations like this that we have the four permitted absences.

Course Overview

CLASS	DATE	READING (<i>ITALICS</i>) FOR CLASS / HOMEWORK (BOLD) (DUE AT 11:59 PM ON THE DAY OF CLASS)*	COVERED IN CLASS
1	1/20/21	None	<ul style="list-style-type: none"> - Syllabus - Course overview - TEAMS Overview - Student Panel
2	1/25/21	ASSIGNMENT 1 Submit a copy of the Self-Assessment Form on TEAMS. The Form is available on TEAMS under Files>Classes>Class 2	<ul style="list-style-type: none"> - Scheduling - Preparing for class
3	1/27/21	<p>READ <i>Ramy 75-82 (Case Briefing, Note Taking, and Debriefing)</i>; How To Brief A Case by Orin Kerr</p> <p>ASSIGNMENT 2 [1] Submit a completed copy of your weekly and semester schedule using the Forms provided. The Forms are available on TEAMS under Files>Classes>Class 3 [2] OBTAIN copies of last semester’s exams. [3] Schedule times to meet with your professors to review the previous semester’s exams. [4] Annotate the scheduled date and time at the top of your semester schedule.</p>	<ul style="list-style-type: none"> - Case briefing - Note-taking techniques - After class debriefing
4	2/1/21	<p>READ <i>Ramy 85-100, 202 (Outlining)</i></p> <p>ASSIGNMENT 3 [1] Read United States v. Causby, 328 U.S. 256 (1946). The case is posted on TEAMS under Files>Classes>Class 4. Submit a case brief of Causby based on <i>How To Brief A Case</i> by Orin Kerr. [2]</p>	<ul style="list-style-type: none"> - Outlining (Elements/Rules)

		Schedule two hours of meetings with your <i>faculty mentor</i> . You can schedule (2) 1-hour sessions, (4) 30-minute sessions, etc., as long as the sessions total (2) hours for the semester. [3] Annotate the scheduled date and time for your mentor meetings at the top of your Case Brief.	
5	2/3/21	<p>READ <i>Ramy 212-217(Essay Writing (IRAC))</i> <u>excluding</u> section titled <i>Sample Law School Exam</i></p> <p>ASSIGNMENT 4 [1] Submit electronic copies of all of your current course outlines for the semester. [2] Scheduled a time to review your outlines with an ASP mentor, class TA, or professor. [3] Annotate the scheduled date and time for reviewing your outlines with an ASP mentor, class TA, or professor at the top of each outline.</p>	- Essay writing framework (IRAC)
6	2/8/21	<p>READ <i>Ramy 111-113, 114-120 excluding exercises 1A & 1B, 123-142 excluding exercises 1 & 2 (Applying the Facts to the Law, Developing a Counter-Argument)</i></p> <p>ASSIGNMENT 5 [1] Read the Torts question posted on Teams under Files>Classes>Class 6. [2] Answer Question 1 (Based on the facts, could a jury properly find that Funworld falsely imprisoned Paul?) using the IRAC framework discussed in Legal Methods. [3] Submit the essay and contact Katrina Munyon to schedule a time to review the essay with me one-on-one.</p>	<ul style="list-style-type: none"> - Applying the facts to the law - Developing a counter-argument - Review Torts Rule - Group work
7	2/10/21	<p>READ <i>Ramy 202-212 (Dealing With Multiple Choice)</i></p> <p>ASSIGNMENT 6 Choose three multiple-choice questions from last year's exams or from classes you are currently taking. Conduct and submit an autopsy of the three questions. The</p>	<ul style="list-style-type: none"> - Dealing with multiple choice - Conducting a multiple-choice autopsy

		autopsy Form is available on TEAMS under File>Classes>Class 7. Include the questions and possible responses with your autopsy. If you do not have multiple choice questions, contact me, and I will provide you with multiple-choice questions to use for this assignment.	
8	2/15/21	NO CLASS OUTLINE CATCH-UP DAY REVIEW <i>Ramy 85-100, 202 (Outlining)</i>	- N/A
9	2/17/21	BRING a copy of all (Property/Criminal Law/Civil procedure) Case Briefs and Property Outline. Prepare (3) questions* TBD Pending Scheduling. You will only need to bring the required material for one of the three substantive areas listed above.	- Cohort Breakouts
10	2/22/21	BRING a copy of all (Property/Criminal Law/Civil procedure) Case Briefs and Property Outline. Prepare (3) questions* TBD Pending Scheduling. You will only need to bring the required material for one of the three substantive areas listed above.	- Cohort Breakouts
11	2/24/21	BRING a copy of all (Property/Criminal Law/Civil procedure) Case Briefs and Property Outline. Prepare (3) questions* TBD Pending Scheduling. You will only need to bring the required material for one of the three substantive areas listed above.	- Cohort Breakouts
12	3/1/21	NO CLASS SPRING BREAK	NO CLASS SPRING BREAK
13	3/3/21	NO CLASS SPRING BREAK	NO CLASS SPRING BREAK

12	3/8/21	BRING a copy of all Legal Writing II assignments. Prepare (3) questions.	<ul style="list-style-type: none"> - Writing Panel - VLS Writing Department
13	3/10/21	READ <i>Ramy 185-194 (Study Groups, Study Aids, Study Schedules)</i>	<ul style="list-style-type: none"> - Study groups, study aids, and study schedules
14	3/15/21	READ <i>Study Schedule</i> materials posted on TEAMS under Files>Classes>Class 14	<ul style="list-style-type: none"> - Create a study schedule
15	3/17/21	<p>READ <i>Ramy 29-40 (Dealing With Stress)</i></p> <p>ASSIGNMENT 7 Submit a copy of your midterm and/or final exam study schedule. There is no required template.</p>	<ul style="list-style-type: none"> - Dealing with stress
16	3/22/21	<p>READ <i>Evaluating Your Answers</i> materials posted on TEAMS under Files>Classes>Class 16</p> <p>ASSIGNMENT 8 Schedule a date to review your midterms with your professors. Submit the date and time of your meeting.</p>	<ul style="list-style-type: none"> - Evaluating your answers (Midterm post-mortem)
17	3/24/21	<p>REVIEW <i>Ramy 212-217(Essay Writing (IRAC))</i> <u>excluding</u> section titled <i>Sample Law School Exam; Ramy 111-113, 114-120 excluding exercises 1A & 1B; 123-142 excluding exercises 1 & 2 (Applying the Facts to the Law, Developing a Counter-Argument)</i></p> <p>ASSIGNMENT 9 [1] Read the Property question posted on Teams under Files>Classes>Class 17. [2] Answer Question 1 (Did the buyer acquire title to the three-acre tract or any portion of it? Explain) using the framework discussed in Legal Methods. [3] Submit the essay and contact Katrina Munyon to schedule a time to review the essay with me one-on-one.</p>	<ul style="list-style-type: none"> - Review the Property Rule - Group Work
18	3/29/21	READ <i>MPT Packet</i> posted on TEAMS under Files>Classes>Class 18	<ul style="list-style-type: none"> - MPT

19	3/31/21	READ <i>MPT</i> posted on TEAMS under Files>Classes>Class 19	- Outlining the MPT
20	4/5/21	In Class MPT ASSIGNMENT 10 Submit the MPT. You will receive written feedback.	- In Class MPT
21	4/7/21	BRING a copy of all (Property/Criminal Law/Civil procedure) Case Briefs and Property Outline. Prepare (3) questions* TBD Pending Scheduling. You will only need to bring the required material for one of the three substantive areas listed above.	- Cohort Breakouts
22	4/12/21	BRING a copy of all (Property/Criminal Law/Civil procedure) Case Briefs and Property Outline. Prepare (3) questions* TBD Pending Scheduling. You will only need to bring the required material for one of the three substantive areas listed above.	- Cohort Breakouts
23	4/14/21	BRING a copy of all (Property/Criminal Law/Civil procedure) Case Briefs and Property Outline. Prepare (3) questions* TBD Pending Scheduling. You will only need to bring the required material for one of the three substantive areas listed above.	- Cohort Breakouts
24	4/19/21	ASP Mentor Panel ASSIGNMENT 11 [1] Submit electronic copies of all of your current course outlines for the semester. [2] Scheduled a time to review your outlines with an ASP mentor, class TA, or professor. [3] Annotate the scheduled date and time for reviewing your outlines with an ASP mentor, class TA, or professor at the top of each outline.	- ASP Panel (Preparing for Finals)
25	4/21/21	REVIEW past exams posted on TEAMS under Files>Classes>Class 25	- Issue Spotting - Group Work
26	4/26/21	None	- Course reviews

		<p>ASSIGNMENT 12 [1] Spot 1 issue from at least 2 of the past exams posted on TEAMS under Files>Classes>Class 25. [2] Submit one IRAC for each issue. [3] Scheduled a time to review your answers with an ASP mentor, class TA, or professor. [4] Annotate the scheduled date and time for reviewing your outlines with an ASP mentor, class TA, or professor at the top of each outline.</p>	
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END OF SEMESTER