



You've entered law land...

and now you'll never come back.

Mondays: 5:00 – 7:45 pm |
Professor Kioceaia Stenson, Esq.
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office hours by appointment only

Building a Foundation to Thrive in the Legal Profession

Syllabus¹

I. COURSE DESCRIPTION



What does it mean to “practice law”? Our society, thanks in large part to mainstream media, stereotypes lawyers as brilliant individuals (never shown actually working), who are competitive, argue a lot, beat their chests and shout in courtrooms, fight for justice, are prestigious members of the community, and make loads of money.

This leads many students to think: “I like money and prestige. My mom tells me I am good at arguing; and I am smart; therefore, I will be a good lawyer!” The portrayal of lawyers on TV and in movies is vastly different from reality. Students often narrowly focus on obtaining acceptance into their dream law school without first understanding the realities of the day-to-day practice that will follow. Intelligent students will undoubtedly gain admission to one of their dream schools, but then what?

Students who successfully complete this course will come away with a better understanding of (i) what it means to practice law, (ii) the path to entering the field, and (iii) how to thrive once you’ve joined the profession. This course is designed for:

- (a) Pre-law students who intend to practice law in the future,

Required Purchases

- See Canvas for details.

Recommended Text

- Helene Shapo, et al., *Writing and Analysis in the Law*, Foundation Press (2013), 5th Edition. ISBN-10: 1609302729 | ISBN-13: 9781609302726.
- Andrew J. McClurg, *1L of a Ride: A Well-Traveled Professor’s Roadmap to Success in the First Year of Law School*, (2013) 2nd Edition. ISBN-10: 0314283056 | ISBN-13: 978-0314283054.
- *The Blue Book: A Uniform Citation System*, (May 15, 2013) ISBN-10: 0692400192 | ISBN-13: 978-0692400197.
- **Case law, articles from academic journals, and other reading assignments**, will be provided in digital format to students throughout the term via Canvas. These assigned readings and materials will provide multiple and diverse perspectives.

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- (b) Students considering attending law school, and
- (c) Students with a passing curiosity and interest in learning about the legal profession.

Interested students are invited to work with Professor Stenson to analyze whether the law is the best path for their future career goals and to custom tailor a plan that suits the individual desires, goals, and personality of each unique student. No matter your initial goal, by the end of this course students will be better able to read, speak, think, and write “like a lawyer.” Honing these skills is a tremendous and transferable asset that can be applied to any career field.

Together we will think deeply and critically about the complex problems associated with governing people and behavior, the crucial role of the advocate, the modern practice of law, and modern legal education in America. Students will apply the foundational skills (*e.g.*, legal writing, reading, and thinking 101) learned at the beginning of the course to analyze and briefcase law. Students will engage in the study of various topics covered in the first year of American law schools (property, contracts, torts, civil procedure, criminal law, etc.). Students will hone their oral advocacy skills through various public speaking opportunities, use of the Socratic method, and participation in an in-class mock trial. **This class is interactive.** Students will have the opportunity to learn by doing. Students will also have the opportunity to meet and engage with interesting practitioners in our community, and, if possible, to attend engaging out of class experiences.

Together we will build a fun and supportive classroom community that encourages the lively exchange of ideas, promotes vigorous debate and is respectful of all opinions. Students will receive a unique, academically challenging, and enjoyable introduction to the legal professions!

II. STRUCTURE

This course is a full-year course that is divided into semesters for scheduling and grading purposes. Your grades reset at the beginning of each semester.

III. EXPECTATIONS

- a. Attendance.** Attendance at every class is mandatory. Absence from class will affect your participation grade. If your absences are excessive, it may cause you to fail the course entirely.
 - i. Excused absence.** I will excuse no more than one absence per semester, only if the student makes-up the missed class time by attending a pre-approved event that in some way relates to the subject matter of the course and submitting proof of attendance at the make-up event (*e.g.*, a time-stamped photo of you attending the event, etc.). **Pre-approved means ask me before attending the event, to ensure that the event will qualify for make-up points.**



- ii. **Arriving late / leaving early.** Students who arrive late or leave early may lose attendance and participation points proportionate to the amount of time missed. Students who miss more than ½ of the class are likely to be marked absent and are encouraged to discuss their participation/attendance grade with the Professor immediately.
 - iii. **Sign-in Sheet.** I utilize a sign-in sheet to keep track of attendance. Students are responsible for signing-in at the beginning of each class session. Failure to sign-in, even if you attended the class, will result in an attendance score of 0. No exception. It’s your responsibility to sign-in, even if you are late.
- b. **Participation.** Each student is expected to contribute to the discussion in every class. Each student’s contribution to the class discussion will be tracked. It is the student’s responsibility to speak up in class—whether called on or not—and to meaningfully participate. **Participation credits can only be earned by being in class. Students who do not participate will be given the grade they’ve earned.**
 - i. **Be prepared.** I expect every student to be prepared for class and ready to *read, write, and participate in discussions*. The practice of law requires lots of reading, writing, and critical thinking. I expect you to critically read the assigned text and be prepared to discuss (verbally and sometimes in writing) complex subjects for every class. Students should come to class alert, awake, and mentally prepared to engage in active learning. Students should also be prepared to participate in group activities and interactive workshops.
 - ii. **Random on-call system.** Most modern law schools employ the Socratic Method. A Socratic Method is a form of a cooperative argumentative dialogue between, in the law school context, students and their instructors. It is based on asking and answering questions to stimulate critical thinking and to draw out ideas and underlying presumptions. I will use a random on-call system to determine which students will be participating in various in-class activities, including case discussions, Socratic Method, and other assignments. All students must come to class prepared to participate.²
 - 1. **“Pass”.** Students are **not** allotted any “passes”. If you do not know the answer when called on, say you don’t know. You will lose participation points for the day as a result.

² Students that have an *extreme fear* of public speaking, speech impediment, anxiety, or other *extreme circumstances* that may affect their ability to participate in the random on-call system should come speak with me ASAP. Communication is key! Students with these conditions will not be excluded from participating in-class, but I will work with you, within reason, to make the experience less nerve racking.

IV. GRADES

The grading scale is as follows: 100-90=A; 80-89 = B; 70-79= C; 60-69= D; and ≤ 59 = F. Your grade will be determined by a combination of (a) attendance and participation (approx. 35%), (b) homework and in-class assignments (approx. 35%), and (c) exams (approx. 30%). Professor Stenson reserves the right to alter the weight of each section as needed.

V. WRITING ASSIGNMENTS.³

Lawyers are expected to be great writers. Sadly, the level of technical training received during law school is often insufficient to prepare future lawyers for the expectations that will be unceremoniously dumped on their shoulders as a practicing attorney. To set you up for success, the writing requirements for this class are intensive and designed to prepare you for what will be expected of a future attorney.

Students who do not have a strong foundation in writing will need to do extra work to prepare for the complex writing required in this course. To supplement your writing development, I recommend you work with the writing counselors available to you on campus at the [FIU Center for Excellence in Writing](#). I also recommend that you enroll in other advanced writing classes to improve your drafting abilities. I am happy to work with you individually outside of class.

Assignment requirements. Unless otherwise stated, **all** writing submissions (essays, homework, papers, etc.) **must** follow this format:

- Your submission must be typed in a Microsoft Word Document (not a pdf., not word perfect, not within the body of an email, etc.).
- Your submission must be double-spaced, 12-point font, with 1-inch margins.
- Your submission must be properly cited (using the Bluebook). Every sentence that should be attributed to a cite needs to include an appropriate citation.
- Your submission must be submitted on time. Professor Stenson reserves the right to give zero credit to any assignment that is not submitted on time and may, at her discretion, employ the following penalty for late submissions: submissions received within 24 hours of the deadline may receive at 20 percent deduction. Submissions received more than 24 hours passed the deadline will receive a 30 percent point deduction from the overall grade⁴.
- Unless Professor Stenson says otherwise, students must submit assignments by

³ Some writing assignment assigned during this course may fulfill The Honors College's portfolio learning outcomes. As writing assignments are assigned, you may check to see if they satisfy portfolio learning outcomes by following this link: <http://honors.fiu.edu/current-students/portfolio/>.

⁴ Communication is key! If there is an emergency, requiring an extension, please reach out to me ASAP. Remember, the goal of this course is your success!

doing **both** of the following:

- (1) Submitting an electronic submission, Word Doc format only, using *Canvas*; and
- (2) Hand delivering, in-class, a printed hard-copy submission brought to class and handed to the Professor. The printed copy should be single-sided and stapled (not paper clipped or folded in place of a staple) in the top left-hand corner.

Lawyers are expected to satisfy detailed submission rules depending on the forum of their submission. Doing so is often tedious. But one's failure to follow the rules can result in severe penalties, including losing your client's case, being sanctioned by the court, or losing your license and ability to practice law! I expect you, as self-identified future lawyers to take these requirements seriously. **Your failure to follow submission guidelines will result in an automatic 20 percent grade deduction to the assignment submitted.**

VI. ACADEMIC HONESTY

Students found guilty of academic misconduct, which includes plagiarism, will receive an F in the course and will be subject to further disciplinary action.⁵

Florida International University is a community dedicated to generating and imparting knowledge through excellent teaching and research, the rigorous and respectful exchange of ideas, and community service. All students should respect the right of others to have an equitable opportunity to learn and honestly to demonstrate the quality of their learning. Therefore, all students are expected to adhere to a standard of academic conduct, which demonstrates respect for themselves, their fellow students, and the educational mission of the University. All students are deemed by the University to understand that if they are found responsible for academic misconduct, they will be subject to the Academic Misconduct procedures and sanctions, as outlined in the Student Handbook.

Misconduct includes: *Cheating – The unauthorized use of books, notes, aids, electronic sources; assistance from another person concerning examinations, course assignments, field service reports, class recitations; or the unauthorized possession of examination papers or course materials, whether originally authorized or not. Plagiarism – The use and appropriation of another's work without any indication of the source and the representation of such work as the student's own. Any student who fails to give credit for ideas, expressions, or materials taken from another source, including Internet sources, is responsible for plagiarism.*

⁵ For more information on what constitutes plagiarism and a short quiz, see <https://www.indiana.edu/~tedfrick/plagiarism/index2.html>.

VII. SCHEDULE⁶

Our course session is scheduled to take place during a **2 hour and 45-minute block of time**, once a week, on the day and in the location detailed on your my-FIU account (unless the class is relocated to accommodate a class field trip). Students will be given notice of the time, date, and location of class field trips, so that they may prepare accordingly. Students are expected to arrive on time, whether located on or off-campus. Students who arrive late or leave early may lose partial or full attendance or participation points.

The following outline summarizes the topics that may be explored during the course and the assignments that students are expected to complete. A more detailed schedule will be provided upon enrollment in the course. Students are expected to check Canvas for more detail about weekly assignments, reading requirements, and other projects (and will have an assignment due on the first day of class).

FALL SEMESTER

Part I.

***The Building Blocks: Introduction to Self-reflection, Law School, Legal Analysis, Legal Writing, and Reading Case Law
(with Some Important Detours Along the Way)***

Classes 1 – 6

During Part, I student will receive an introduction to the course, discuss goal setting, and why they are considering the legal profession. We will also explore fundamental skill sets necessary to pursue a legal career (e.g., thinking, reading, and writing like a lawyer). Along the way, we may take a brief detour to discuss important soft skills like networking and building a professional identity. Assignments in the module will assess students' Global Awareness.

No class on Labor Day

Part II.

Applying the Building Blocks: An In-depth Survey of the 1L Core Curriculum

A. Property Law (reading like a lawyer 101)

Classes 7 - 8

⁶ Your instructor reserves the right to adjust the class schedule (topics, assignments, etc.) as necessary throughout the semester. Students are responsible for regularly re-downloading the syllabus from Canvas to ensure that they are reviewing the most up-to-date version of the document.

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Building on Part I, the legal subject area of Property Law will be utilized to cement the fundamental skill sets that the students have learned. We will begin with an experiential learning “Mock Law School Class” on Property Law. The mock class will allow students to try the Socratic Method in the context of discussing case law in a dense subject area. Assignments in the module will assess student’s Global Perspective.

B. Law School Style Testing 101: Mid-term and issue spotter debrief

Classes 9 - 10

Building on Part I, students will take a sample law school exam. The class is taken in class under similar conditions to those in law schools. After taking the exam, students will receive in-depth feedback on taking law school exams and how to do well on them in law school.

C. Civil Procedure: the evolution of a lawsuit from complaint to trial

Classes 11 - 13

Building on Part I, students will be introduced to important procedural topics and the study of Civil Procedure (jurisdiction, dispute resolution, filing a lawsuit, etc.). Students will have the opportunity to draft legal documents. And to meet practitioners.

No class on Veteran’s Day

D. Halfway There (Testing your Knowledge): In-class Final Exam

Class 14

In-class final exam (multiple-choice, short answer, fill in the blank, and any other question formats the Professor chooses) to cement knowledge of material learned and ensure students are prepared to move forward into more challenging subject matter next semester.

SPRING SEMESTER

Part III.

Applying the Building Blocks: An In-depth Survey of the 1L Core Curriculum (Continued)

E. Contracts

Classes 1 - 3

Introduce students to introductory concepts of Contract Law through experiential learning and case law. Contract Law concepts to include- elements of a contract, inquiry, formation offer, acceptance, consideration. Opportunity to meet practitioners in this area of law.

Martin Luther King, Jr. Day- No Class

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F. Torts

Classes 4 - 7

Introduce students to introductory Tort Law concepts through experiential learning and case law. Tort Law concepts to include-intentional torts, negligence, vicarious liability, etc. Students will have the opportunity to meet practitioners in this area of law.

Class 8/9 Mid Term

In-class mid-term exams apply the skills to learn so far to do a second issue spotter test. In-class. This version should be considerably better than your second one.

NO CLASS- SPRING BREAK!

G. Criminal Law

Classes 10 - 11

Introduce students to introductory criminal law concepts through experiential learning and case law. Criminal Law concepts to include—mens rea, actus reus, and statutory interpretation. Students will have the opportunity to meet practitioners in this area of law.

Part VI.

Putting It All Together: Introduction to Oral Advocacy

Classes 12 - 13

Introduce students to introductory oral advocacy concepts through experiential learning. Oral advocacy concepts include—opening statement, closing argument, direct examination, and cross examination. Guided practice with the in-class mock trial team, led by the Panther Mock Trial Team.

Part VII.

The End (Testing your Knowledge of Parts I-IV): In-class Oral Advocacy Presentation

Class 14

In-class final exam. Presentation of a jury trial. This assignment will assess students' Global Engagement.

VIII. HONORS COLLEGE (“HC”) REQUIREMENTS AND POLICIES

Your registration in this course functions as your acceptance of and compliance with the HC policies for students and the FIU Code of Academic Integrity.

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a. Honors Citizenship Requirements.

HC students are required to accumulate at least 20 citizenship points each academic year (Fall and Spring) by attending HC activities. Students attending only one semester (Fall or Spring) are required to accumulate 10 citizenship points. See <http://honors.fiu.edu/academics/policies/citizenship/>.

b. Student Portfolios.

The HC will be using a portfolio method to assess students' learning outcomes. The portfolio allows for maximum flexibility in gauging student learning. Students decide (with instructor consultation) what "artifacts" or assignments to include for consideration in their portfolios to demonstrate achievement of each of five key student learning outcomes over the 4-year Honors experience. See www.honors.fiu.edu/portfolios.

c. Honors Education in the Arts (HEARTS).

The HEARTS program is designed to give HC students opportunities to "explore and appreciate different artistic and cultural traditions and modes of artistic expression. HEARTS will also serve as a clearinghouse (and curatorial framework) for our students to experience the arts on campus and in the community by providing them with information about cultural activities and access to performances with free or discounted tickets. See <http://honors.fiu.edu/current-students/hearts/>.

d. Community Service.

As always, HC students must also complete 20 volunteer service hours. These hours DO NOT count toward the 20 citizenship points discussed above. See <http://honors.fiu.edu/current-students/community-service/>.

e. Global Learning Outcomes for all IDH 3034-35 courses

This is a Discipline-specific Global Learning course that counts towards your FIU Global Learning graduation requirement.

1. **Global Awareness.** Students will be able to demonstrate knowledge of the interrelatedness of local, global, international, and intercultural issues, trends, and systems.
2. **Global Learning Course Outcome.** Students will demonstrate knowledge of the interrelated global dynamics (social-cultural, political, economic, etc.) that shape aesthetics, values, and authority in diverse cultural contexts.
3. **Global Perspectives.** Students will be able to develop a multi-perspective analysis of local, global, international, and intercultural problems.

4. **Global Learning Course Outcome.** Students will be able to analyze multiple global forces that shape their understanding of aesthetics, values, and authority—economic, political, sociological, technological, cultural, etc.
5. **Global Engagement.** Students will be able to demonstrate a willingness to engage in local, global, international, and intercultural problem-solving.
6. **Global Learning Course Outcome** Students will be able to develop solutions to local, global, international, and/or intercultural problems related to aesthetics, values, and authority.



f. Academic Misconduct Procedures and Penalties.

In the HC, the term “honor” refers both to academic accomplishment and character. Students in Honors should therefore adhere to and be held to the highest standards of personal academic accountability. Academic dishonesty in any form, including plagiarism, is antithetical to the very definition of being an Honors student at FIU. An Honors College student found responsible for academic misconduct will be dismissed from the College.

An Honors faculty member may bring charges of academic misconduct against an Honors student if the faculty member suspects plagiarism or other forms of academic misconduct. The faculty member will decide whether to pursue informal resolution, file formal resolution charges, or take no further action, and will follow the procedures outlined in the HC website (<http://honors.fiu.edu/academics/policies/>), and the Academic Misconduct Procedures, available at <http://www.fiu.edu/~oabp/misconductweb/1acmisconductproc.htm>.

Please refer to the following documents for additional information:

- FIU Code of Academic Integrity – <http://www.fiu.edu/~dwyere/academicintegrity.html>, and
- FIU HC Plagiarism Policy – http://honors.fiu.edu/current_policy_plagiarism.html.

g. Religious Observances.

Every effort will be made, where feasible and practical, to accommodate students whose religious practices coincide with class requirements or schedule. Please make sure to notify your instructor *at the beginning of the semester* of which dates you will be absent or any anticipated problems with completing course work.

h. Physical, Mental and Sensory Challenges.

Every effort will be made, where feasible and practical, to accommodate students with disabilities. Should you require accommodations, contact the Disability Resource Center (University Park: GC 190, (305) 348-3532) (North Campus: WUC139, (305) 919-5354) if you have not done so already.

Thank you for giving me the opportunity to be a part of
your professional journey!

- Prof. Stenson

APPENDIX A

Optional, but recommended reading for pre-law students serious about attending law school.

- **The Blue Book: A Uniform Citation System**, (May 15, 2013)
ISBN-10: 0692400192 | ISBN-13: 978-0692400197.
- Richard M. Fisch and Jeremy Paul, **Getting to Maybe: How to Excel on Law School Exams**. ISBN-10: 0890897603 | ISBN-13: 978-0890897607.
- Mark Herman, **The Curmudgeon's Guide to Practicing Law**.
ISBN-10: 1590316762 | ISBN-13: 978-1590316764.
- Steven J. Harper, **The Lawyer Bubble: A Profession in Crisis** (2013). ISBN-10: 0465058779 | ISBN-13: 978-0465058778.
- The staff of the Harvard Crimson, **55 Successful Harvard Law School Application Essays**. ISBN-10: 0-312-3611-6 | ISBN-13: 978-0312-36611-7.
- Cassandra L. Hill and Katherine T. Vukadin, **Legal Analysis: 100 Exercises for Mastery**, Practice for Every Law Student. ISBN-13: 978-1422483244 | ISBN-10: 142248324X.

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APPENDIX B

Grading points SAMPLE (SUBJECT TO CHANGE) table from last Fall⁷

<u>Category</u>	<u>Activity</u>	<u>Points</u>
Attendance and participation (approx. 35%)	• Attendance (12 pts ea. x 14 class sessions)	[168]
	• Participation (12 pts ea. x 14 class sessions)	[168]
Subtotal =		336
Homework (“HW”) and in-class assignments (“IC”) (approx. 35%)	1. [IC] Bring requested items (scissors, glue, etc.)	[4]
	2. [IC] Syllabus activity on the first day of class.	[10]
	3. [IC] Participation in in-class activity related to Law School Resources	[10]
	4. [HW] Bananas Critical Thinking Prompt 1 – Outline Submission	[25]
	5. [IC] Thinking Like a Lawyer Group Exercise	[10]
	6. [IC] Participation in Email Editing Activities	[10]
	7. [HW] Critical Thinking Prompt 1 – Memorandum (draft 1)	[50]
	8. [IC] Participation in simulated mock law school class discussion	[10]
	9. [HW] Submit 3 detailed case briefs (<i>Pierson, Ghen, Popov</i>)	[50]
	10. [HW] Bring two printed copies of your midterm exam	[5]
	11. [IC] Group issue spotting and structure	[20]
	12. [HW] In-depth CREAC of a particular issue	[40]
	13. [HW] Peer review of classmate’s midterm exam	[20]
	14. [IC] Analyzing a Complaint	[20]
	15. [IC] Civ Pro Pop	[5]
	16. [HW] Compl. drafting exercise	[50]
	17. [IC] Drafting an answer to a complaint	[25]
Subtotal =		364
Mid-term exam (approx. 10%)	• In-class mid-term exam (Property law school exam / hypothetical, students are expected to apply the foundational skills learned at the beginning of the course).	[100]
Final exam (approx. 20%)	• In-Class Final exam	[200]
Subtotal =		300
TOTAL (AKA, your final grade) =		1,000

⁷ The point break downs indicated within this table are approximations that may be adjusted throughout the semester, at your instructor’s discretion, without notice to students. Students are responsible for completing all assignments thoroughly, creatively and with attention to detail. Poor work product will earn a like grade.

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APPENDIX C

Grading points SAMPLE (SUBJECT TO CHANGE) table from last Spring⁸

<u>Category</u>	<u>Activity</u>	<u>Points</u>
Attendance and participation (approx. 35%)	• Attendance (12 pts ea. x 14 class sessions)	[168]
	• Participation (12 pts ea. x 14 class sessions)	[168]
Subtotal =		[336]
Homework (“HW”) and in-class assignments (“IC”) (approx. 35%)	1. [IC] Show and tell exercise	[24]
	2. [HW] Professional Development Plan	[20]
	3. [IC] Negotiation Simulation 1	[50]
	4. [IC] Statutory Analysis Exercise (Criminal Law)	[15]
	5. [HW] Draft Closing Argument or Opening Statement	[50]
	6. [IC] Mock Trial Preparation	[15]
	7. [HW] Submit Assigned Trial Piece One	[55]
	8. [IC] Presentation of Mock Trial Scrimmage	[20]
	9. [IC] Peer Review of Your Work on Trial One	[30]
	10. [HW] Submit Assigned Trial Piece Two	[55]
	11. [IC] Peer Review of Your Work on Trial One	[30]
Subtotal =		[364]
Mid-term exam (approx. 10%)	• In-class mid-term exam (Issue spotter styled law school exam / hypothetical fact pattern, students are expected to apply the foundational skills learned at the beginning of the course and to use all knowledge learned throughout the course to provide a detailed answer to the question).	[100]
Final exam (approx. 20%)	• Final exam (In-class Presentation of Mock Trial Presentation)	[200]
Subtotal =		300
TOTAL (AKA, your final grade) =		1,000

⁸ The point break downs indicated within this table are approximations that may be adjusted throughout the semester, at your instructor’s discretion, without notice to students. Students are responsible for completing all assignments thoroughly, creatively and with attention to detail. Poor work product will earn a like grade.