

LAW 3000: Introduction to American Law

Fall 2017
3 credits, Grading: A/F

Tuesdays & Thursdays, 9:45 – 11:00 am
Location: Law School, Mondale Hall, Room 50

Instructor: Dr. Francis X. Shen, J.D., Ph.D.
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Course Email: law3000@umn.edu
(and access to course website provided on first day of class)

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Description: Law pervades all areas of modern life. Yet it remains mysterious to those without legal training. This course will introduce you to the tools that lawyers use to locate, interpret, and apply the law. Students will learn to think like lawyers through a series of contemporary case studies that require reading, writing, thinking, and problem solving like a lawyer. Cases will be drawn from topics such as contracts, torts, civil procedure, criminal law, and others.

Prerequisites: This is a three-credit open-enrollment course for sophomores, juniors and seniors (Law 3000) and for graduate students (Law 5000). Undergraduate and graduate students will be graded separately. There are no prerequisites, but freshmen are advised that the course is designed for students who have completed at least one year of college.

Office Hours: Tuesdays and Thursdays, 11 am – 12:00 pm and by appointment

Optional TF Review Sessions: Mon, 2-4 pm w/ Julia in Law School Room 20 (starts 9/11)
Tues, 11 am - 1 pm w/ Jakob in Law School Room N202 (starts 9/12)
Wed, 1-3 pm w/ Luke in N202 (starts 9/13)
Thur, 4-6 pm w/ Kathryn in Law School Room N204 (starts 9/14)

Readings: All readings will be posted on the course web site, hosted by the West Education Network (TWEN). Information about the course web site will be provided during class.

Requirements: Successful completion of the course requires: (1) regular attendance; (2) regular participation in classroom discussion and activities; (3) timely completion of all legal writing assignments (described below).

Honors: This course may be taken with an honors contract. Interested students should speak with Professor Shen about the additional requirements for Honors credit.

I. Course Learning Objectives

By the end of this course, students will be able to:

- ***Read like a lawyer*** by reading and briefing legal cases; reading and understanding basic contractual agreements; interpreting statutes, regulations, administrative guidance, and other sources of the law; and recognizing and discussing basic legal terminology.
- ***Prepare like a lawyer*** by being able to anticipate and assess risks; learning through reflection and self-critique; paying attention to detail; using practical judgment; and listening attentively.
- ***Research like a lawyer*** by utilizing legal search engines such as Westlaw to find sources of legal authority, and gather relevant case law.
- ***Write like a lawyer*** by writing analytically and persuasively in legal memoranda on core legal topics, and producing written legal analysis of complex fact patterns as is regularly required of all students in law school.
- ***Speak like a lawyer*** by engaging in the Socratic method during active classroom learning, and communicating orally with peers and the teaching staff in classroom group activities.
- ***Think like a lawyer*** by problem solving with the tools of legal reasoning, and communicating clear and concise legal arguments, including stating the relevant issue; identifying, and explaining the relevant rule or doctrine; applying the rule or doctrine to relevant facts; and reaching a conclusion.
- ***Appreciate critical social and ethical issues in law*** by discussing and critiquing issues related to diversity, race, culture, class, identity, and the like.

II. Course Format and Procedures

This is a three-credit course offered by the Law School and taught by a regular member of the Law School faculty, Professor Francis X. Shen.

The course will meet for 75 minutes, two times a week (9:45 – 11:00 am, Tuesday and Thursday) over the duration of the semester.

The course will employ the Socratic method and active classroom learning, both standard approaches in Law School classrooms. Students will be expected to come to class prepared to engage with their peers and the Professor in exploring the assigned material.

Each class session will involve a mix of lecture, discussion, active learning, and problem solving (sometimes in small groups). Lecture and discussion will be grounded in the assigned reading material, and will also at times incorporate additional materials to be presented or distributed by the Professor. Guest speakers and optional opportunities outside the classroom will provide additional enrichment.

III. Course Readings

All course materials will be provided via the course website. The assigned readings will primarily consist of legal cases (edited to reduce length and improve readability), and other sources of law such as statutes, contracts, legal rules, and the like. Short commentary will be assigned to help understand the legal materials. In addition to the reading, emphasis will be placed on a series of hypothetical problems that we will discuss and debate in class.

IV. Course Requirements and Grading

Grading for the course will be based on the following components:

1. **Class attendance (5%).** Attendance will be taken daily, and more than two unexcused absences may result in a reduction of the final overall class grade. Note also that excessive absences may result in a failing grade for the course.
2. **Class participation (10%).** Class participation includes participation in exchanges with the professor and peers, as well as participation in group work and active learning during class.
3. **Writing Assignment 1: Case Brief (10%).** This assignment will require students to: carefully read legal cases, identify the central legal issues; understand the procedural posture; find the case holding; and use proper legal citation. [*Due by Mon, Sept 18, 5:00 pm central time, following course submission procedures.*]

4. **Writing Assignment 2: Criminal Law (10%).** This writing assignment will require students to apply law to facts in the context of criminal law. [*Due by Mon, Oct 9, 5:00 pm central time*]
5. **Writing Assignment 3: Contracts (10%).** This writing assignment will require students to apply law to facts in the context of contracts. [*Due by Mon, Oct 30, 5:00 pm central time*]
6. **Writing Assignment 4: Torts (10%).** This writing assignment will require students to apply law to facts in the context of tort law. [*Due by Mon, Nov 20, 5:00 pm central time*]
7. **Writing Assignment 5: Civil Procedure, Torts, Contracts and Criminal Law (45%).** The final writing assignment will require students to identify and analyze legal issues from amongst several hypothetical legal fact patterns, across all of the substantive topics covered in the class. [*Due by Tues, Dec 12, 5:00 pm central time*]

Grading

Grading for this course will be on the A/F scale. Undergraduate and graduate students will be graded separately. Graduate students must meet with the Professor to discuss additional requirements.

In some instances, grading will involve determining whether an answer is correct, e.g. was the case cited using the correct citation format? In other instances, you will be assessed on how well you identified and then addressed a legal issue. In those instances, the following rubrics will be employed.

- *Exemplary / Excellent* (issue was discussed accurately, comprehensively, succinctly and with great precision and clarity)
- *Very Good* (issue was discussed well, but could have done more in one or more of the areas of: accuracy, comprehensiveness, succinctness, precision, clarity, and so forth)
- *Good / Satisfactory / Competent* (issue was mostly spotted and competently discussed, but without the requisite quality to merit a higher rating)
- *Under Developed / Unsatisfactory* (issue was spotted, at least partially, but discussion of the issue failed to adequately address critical points, incorrectly applied law, or showed some other similar deficiency)
- *Very Inadequate / Woefully Under Developed* (discussion may have touched upon some relevant points, but overall the answer is lacking in the identification and application of law, as well as in quality of writing)

- *No Credit* (no discussion of issue, discussion was completely off point or erroneous, and so forth)

Per University policy, letter grades will be awarded according to the following guidelines.¹

Grade	Grade points	Definition
A	4.000	achievement that is outstanding relative to the level necessary to meet course requirements
A-	3.667	
B+	3.333	
B	3.000	achievement that is significantly above the level necessary to meet course requirements
B-	2.667	
C+	2.333	
C	2.000	achievement that meets the course requirements in every respect
C-	1.667	
D+	1.333	
D	1.000	achievement that is worthy of credit even though it fails to meet fully the course requirements
F	0.000	represents failure (or no credit) and signifies that the work was either (1) completed but at a level of achievement that is not worthy of credit or (2) was not completed and there was no agreement between the instructor and the student that the student would be awarded an I (see also I)

¹ https://onestop.umn.edu/grades_and_transcripts/grades/grade_basis.html

In addition, writing in the course will generally be evaluated using the following rubric, with an emphasis on writing clearly and precisely, with proper citation to legal authority.

	Not Good	Good	Better	Best
Precision / Clarity	The writing is imprecise and unclear.	The writing is mostly precise, but leaves the reader guessing at crucial points.	The writing is precise in all of its major claims, but becomes unclear or convoluted along the way.	The writing is precise throughout, with great attention paid to detail.
Legal Authority	The paper does not cite the proper legal authority (or mis-understands it).	The paper cites the proper legal authority, and understands the basic holdings.	The paper cites the proper legal authority and at least attempts to analyze / explain its complexities.	The paper cites the proper legal authority and demonstrates unique depth in its analysis of that law.

V. Schedule of Topics and Assignments

Note: This schedule will be updated to reflect guest speaker availability.

Date	Topic
Tues, Sept 5, 2017	Thinking Like a Lawyer
Thur, Sept 7, 2017	Reading and Briefing Cases
Tues, Sept 12, 2017	Organizing Legal Arguments (“IRAC”)
Thur, Sept 14, 2017	Statutory Interpretation
Tues, Sept 19, 2017	Statutory Interpretation / Criminal Law
Thur, Sept 21, 2017	Criminal Law
Tues, Sept 26, 2017	Criminal Law
Thur, Sept 28, 2017	Criminal Law Guest speaker: UMN Pre-Law Advisor Erin Reichelt
Tues, Oct 3, 2017	Criminal Law
Thur, Oct 5, 2017	Guest speaker: Professor Robert Stein
Tues, Oct 10, 2017	Contracts Guest speaker: Professor Dan Schwarcz
Thur, Oct 12, 2017	Contracts
Tues, Oct 17, 2017	Contracts
Thur, Oct 19, 2017	Contracts
Tues, Oct 24, 2017	Contracts
Thur, Oct 26, 2017	In-class Exercise: Arbitration & Mediation
Tues, Oct 31, 2017	Torts
Thur, Nov 2, 2017	Torts
Tues, Nov 7, 2017	Guest speaker: Dean Garry Jenkins
Thur, Nov 9, 2017	Guest Speaker: Professor Paul Vaaler
Tues, Nov 14, 2017	Torts
Thur, Nov 16, 2017	Civ Pro Guest speaker: Professor Mitchell Zamoff
Tues, Nov 21, 2017	Civ Pro
Thur, Nov 23, 2017	No class – Thanksgiving
Tues, Nov 28, 2017	Civ Pro
Thur, Nov 30, 2017	Civ Pro
Tues, Dec 5, 2017	Admissions & Career Center Presentation
Thur, Dec 7, 2017	Final Substantive Class: Wrap-up and review Prof Shen Special Presentation on Neurolaw + End-of-semester Social
Fri, Dec 8, 2017, 3-5 pm	
Tues, Dec 12, 2017	No class

UNIVERSITY POLICY STATEMENTS

Student Conduct Code

The University seeks an environment that promotes academic achievement and integrity, that is protective of free inquiry, and that serves the educational mission of the University. Similarly, the University seeks a community that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the University; and that does not threaten the physical or mental health or safety of members of the University community. As a student at the University you are expected adhere to Board of Regents Policy: Student Conduct Code. To review the Student Conduct Code, please see:

http://www1.umn.edu/regents/policies/academic/Student_Conduct_Code.html.

Note that the conduct code specifically addresses disruptive classroom conduct, which means "engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or student learning. The classroom extends to any setting where a student is engaged in work toward academic credit or satisfaction of program-based requirements or related activities."

Scholastic Dishonesty

You are expected to do your own academic work and cite sources as necessary. Failing to do so is scholastic dishonesty. Scholastic dishonesty means plagiarizing; cheating on assignments or examinations; engaging in unauthorized collaboration on academic work; taking, acquiring, or using test materials without faculty permission; submitting false or incomplete records of academic achievement; acting alone or in cooperation with another to falsify records or to obtain dishonestly grades, honors, awards, or professional endorsement; altering, forging, or misusing a University academic record; or fabricating or falsifying data, research procedures, or data analysis. (Student Conduct Code: http://www1.umn.edu/regents/policies/academic/Student_Conduct_Code.html) If it is determined that a student has cheated, he or she may be given an "F" or an "N" for the course, and may face additional sanctions from the University. For additional information, please see:

<http://policy.umn.edu/Policies/Education/Education/INSTRUCTORRESP.html>.

The Office for Student Conduct and Academic Integrity has compiled a useful list of Frequently Asked Questions pertaining to scholastic dishonesty:

<http://www1.umn.edu/oscai/integrity/student/index.html>. If you have additional questions, please clarify with your instructor for the course. Your instructor can respond to your specific questions regarding what would constitute scholastic dishonesty in the context of a particular class-e.g., whether collaboration on assignments is permitted, requirements and methods for citing sources, if electronic aids are permitted or prohibited during an exam.

Makeup Work for Legitimate Absences

Students will not be penalized for absence during the semester due to unavoidable or legitimate circumstances. Such circumstances include verified illness, participation in intercollegiate athletic events, subpoenas, jury duty, military service, bereavement, and religious observances. Such circumstances do not include voting in local, state, or national elections. For complete information, please see:
<http://policy.umn.edu/education/makeupwork>.

Appropriate Student Use of Class Notes and Course Materials

Broadly disseminating class notes beyond the classroom community or accepting compensation for taking and distributing classroom notes undermines instructor interests in their intellectual work product while not substantially furthering instructor and student interests in effective learning. Such actions violate shared norms and standards of the academic community. See:
<http://policy.umn.edu/Policies/Education/Education/CLASSNOTESSTUDENTS.html>.

Sexual Harassment

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment in any University activity or program. Such behavior is not acceptable in the University setting. See:
<http://www1.umn.edu/regents/policies/humanresources/SexHarassment.html>.

Equity, Diversity, Equal Opportunity, and Affirmative Action:

The University will provide equal access to and opportunity in its programs and facilities, without regard to race, color, creed, religion, national origin, gender, age, marital status, disability, public assistance status, veteran status, sexual orientation, gender identity, or gender expression. See:
http://www1.umn.edu/regents/policies/administrative/Equity_Diversity_EO_AA.html.

Disability Accommodations

The University of Minnesota is committed to providing equitable access to learning opportunities for all students. The Disability Resource Center is the campus office that collaborates with students who have disabilities to provide and/or arrange reasonable accommodations.

If you have, or think you may have, a disability (e.g., mental health, attentional, learning, chronic health, sensory, or physical), please contact Disability Resource Center at 612-

626-1333 to arrange a confidential discussion regarding equitable access and reasonable accommodations.

If you are registered with Disability Resource Center and have a current letter requesting reasonable accommodations, please contact your instructor as early in the semester as possible to discuss how the accommodations will be applied in the course.

For more information, please see the Disability Resource Center website, <https://diversity.umn.edu/disability/>.

Mental Health and Stress Management

As a student you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance and may reduce your ability to participate in daily activities. University of Minnesota services are available to assist you. You can learn more about the broad range of confidential mental health services available on campus via the Student Mental Health Website: <http://www.mentalhealth.umn.edu>.

Academic Freedom and Responsibility

Academic freedom is a cornerstone of the University. Within the scope and content of the course as defined by the instructor, it includes the freedom to discuss relevant matters in the classroom. Along with this freedom comes responsibility. Students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Students are free to take reasoned exception to the views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.