

* Professors reserve the right to reasonably modify this syllabus during the semester as the need arises.

2. Course Materials/ Books

Required:

Daicoff, Susan, Comprehensive Law Practice: Optimizing the Positive Social Consequences of Law, Lawyering, Judging, and Dispute Resolution (Carolina Academic Press 2010).

3. Class Policies and Procedures

Nature of the Course

Class time will be informal lecture and discussion, and will be devoted to covering: 1) specific points from the reading, 2) points outside the reading that are important, and 3) hypothetical problems and exercises to enhance what you have gleaned from the reading.

Course Objectives

To understand lawyers' obligations to society and the individual lawyer's obligations to the client, the court, one's self, and the profession, in the context of modern theories of legal practice.

Class Preparation

You must come to class prepared. You are prepared if you have read, thought about, and are ready to discuss the materials assigned for a particular class meeting. As in your other classes, we will not necessarily cover each and every concept covered in the assigned reading. We will assume that you have actually read and understood the reading unless you raise a question.

Class Attendance, Participation, & Professionalism

This class will follow the attendance policies detailed in the Student Handbook. Be aware that:

1. Class begins promptly at 6:05 p.m.

2. PhoenixLaw requires that every student attend at least 85% of all class meetings for each class. Any student whose absences exceed 15% of the total number of class meetings will be dismissed from the course with an “F” grade. The professor must inform the registrar when a student has violated the attendance policy. The registrar will inform the student, the professor, and the Associate Dean for Academic Affairs in writing that the student has been dismissed from the course, and the professor will no longer allow the student to attend classes. For the purposes of this policy, neither PhoenixLaw nor the ABA distinguishes between excused and unexcused absences. However, if extraordinary circumstances have caused a student’s absences to exceed the limit, the student may appeal the dismissal in writing to the Associate Dean and continue to attend classes pending the Associate Dean’s decision, which shall conclude the matter.

3. This class will meet 13 times; therefore, students may miss a maximum of two (2) classes without violating the attendance policy. The third absence will take your attendance just under 85%, resulting in dismissal from the class.

4. Faculty shall give students the opportunity, whenever possible; to make up any missed academic assignments or tests within a reasonable time when the student is participating in a religious observance, and we will be happy to accommodate. Students should make arrangements to make up missed assignments or tests in advance of the specific holiday.

Full participation is not an option, but a requirement. Class participation will constitute 10% of your final grade for the course. Professionalism includes extension of appropriate courtesy to your colleagues and the professors. Attempts to monopolize the class discussion are unprofessional and will be dealt with accordingly.

In-class computer use is restricted to taking notes, writing, and performing online searches *directly related to the topic(s) under discussion in class at the time!!* Students using the computer for other activities during class are subject to discipline.

Grading

Class Participation	10%
Class Presentation	20%
Comprehensive Law Paper	70%

Comprehensive Law Paper

You will be required to prepare a written paper in lieu of a final exam for this course. This paper will be at least 20 pages in length, excluding footnotes. The requirements for this paper are consistent with those requirements for your Advanced Writing Requirement (AWR), and preparation and submission of this paper will satisfy your AWR. Please see the Student Handbook for AWR requirements, and be sure to utilize the topic approval form. You will be required to submit at least one outline and two drafts of the research paper for comments from the supervising faculty member before you submit the final paper.

Topic due	August 27, 2010
Outline due	September 17, 2010
First draft due	October 8, 2010
Second draft due	November 12, 2010
Final draft due	December 6, 2010

Collaboration and Plagiarism

Plagiarism and cheating appear first in the list of Honor Code violations by the law school's specific intention. Your grades must be based on a fair evaluation of your work and your work alone. With regard to the work for this course, the rules on collaboration and plagiarism are as follows:

1. You may collaborate on the class Presentation, and in group exercises conducted during class. Collaboration means that you may share a) ideas on how to approach the research, b) research materials, and c) ideas on how to approach the written and oral expression of your findings.
2. Cite to proper authority wherever and whenever you should. Never use another's work without giving appropriate credit.

Professionalism and Ethics

Professionalism and ethical behavior are the cornerstones of building your reputation as a lawyer of impeccable character. You are expected to adhere to the Rules of Professional Conduct that govern members of the Arizona State Bar, as if you were already admitted to the practice of law. In addition, during your time studying law at PSL, please:

- Do not hide research materials that are for public use.
- Do not mark pages by folding them or by use of highlighters, pens, or

pencils.

- Do not tear out pages from any of the resources that are available for public use.
- Do not allow a colleague to utilize your research to complete an assignment and do not collaborate on an assignment, unless specifically directed to do so.
- If your action feels wrong or in violation of professional standards, it is probably wrong, so don't do it.

TWEN

We plan to utilize a TWEN page for this course. Please sign up on it immediately. This is how you will receive group communications, handouts and copies of class lecture powerpoints. Because we may, on occasion, communicate with you by e-mail, please check your account regularly.

4. Course Schedule / Reading Assignments

This class meets Fridays from 6:05 to 8:05 pm. The schedule details the information we will cover in each week's classes. The reading assignments are designed to prepare you for discussion and the work you will perform as the semester progresses.

Please note that the syllabus is a guide. We may not cover all of the assigned reading during class, and we may speed up or slow down as we go through the semester, depending upon matters such as the length and complexity of class discussions. We expect passionate and scintillating discussions, sparkling conversation, and thoughtful insights from the students. We anticipate that we will feature several guest speakers at dates and times to be arranged at the convenience of the speakers.

Unless directed otherwise, bring your textbooks to each class session.

1. Friday, August 20, 2010

Introduction

- a. Moral crisis within the legal profession of dissatisfaction/frustration (and within law schools, too)
- b. What type of lawyer do I want to be? Discuss:

- i. The “wise counselor” model;
 - ii. Quality of life issues.
- c. Introduce and define Professor Susan Daicoff’s “vectors” of:
 - Collaborative law
 - Creative problem solving
 - Holistic justice
 - Preventative law
 - Problem-solving courts
 - Procedural justice
 - Restorative justice
 - Therapeutic jurisprudence (TJ)
 - Transformative mediation

Reading Assignment: Daicoff, Introduction & Chapters 1-3

2. Friday, August 27, 2010

Comprehensive Law Skills

- a. Active Listening
- b. Empathy
- c. Questioning
- d. Confrontation
- e. ID & understanding emotions (ex. Stages of grief)
- f. Managing emotions (ex. “diffusing” angry clients or attorneys)
- g. Making a MH referral
- h. Establishing/maintaining boundaries (discuss counter-transference)
- i. TJ- assessing the needs of the client

Reading Assignment: Daicoff, Chapter 4

Comprehensive Law Paper (AWR) topic due

3. **Friday, September 3, 2010**

Therapeutic Jurisprudence (Presented by Guest Lecturer, Prof. David B. Wexler)

Reading Assignment: Daicoff, Chapter 5

4. **Friday, September 10, 2010**

Preventative law

Reading Assignment: Daicoff, Chapter 6

5. **Friday, September 17, 2010**

TJ & PL problems and exercises

Reading Assignment: Daicoff, Chapter 7

Outline of Comprehensive Law Paper due

6. **Friday, September 24, 2010**

Collaborative law

- a. using the 'team approach'
- b. deferring to/ using/ respecting & valuing experts in other professions:
 - i. psychologist & psychiatrists & other MH professionals
 - ii. accountants
 - iii. social workers

Reading Assignment: Daicoff, Chapter 12

7. Friday, October 1, 2010

Procedural Justice

Reading Assignment: Daicoff, Chapter 8

8. Friday, October 8, 2010

Creative problem solving

Reading Assignment: Daicoff, Chapter 9

First Draft of Comprehensive Law Paper due

Friday, October 15, 2010 -- FALL BREAK

9. Friday, October 22, 2010

Holistic law

Dispute resolution—Mediation (Transformative mediation)

Reading Assignment: Daicoff, Chapters 10, 11 & 13

10. Friday, October 29, 2010

Restorative justice—Victims' Rights

- a. Arizona's Victims' Bill of Rights
- b. How does it work in court: the careful balance of a Defendant's rights against the victim's rights

Reading Assignment: Daicoff, Chapter 14

11. Friday, November 5, 2010

Problem Solving Courts:

- a. Drug Courts
- b. DUI Courts
- c. Mental Health Courts
- d. Domestic Violence Courts

Reading Assignment: Daicoff, Chapter 15

12. Friday, November 12, 2010

Practicing law comprehensively

Integrating TJ & comprehensive law topics into reality

Reading Assignment: Daicoff, Chapter 16

Second Draft of Comprehensive Law Paper due

13. Friday, November 19, 2010

Class projects and presentations

Friday, November 26 to Friday December 3-- READING PERIOD

Monday, December 6, 2010 -- Final draft of Comprehensive Law Paper due