



**SUFFOLK UNIVERSITY LAW SCHOOL  
LEGAL PRACTICE SKILLS PROGRAM**

Student Handbook

2009-2010

<http://www.law.suffolk.edu/academic/lps/>

Dear Student:

Welcome to Suffolk University Law School and the Legal Practice Skills (“LPS”) Program, a nationally ranked program.<sup>1</sup> Your LPS course will focus on legal writing, research, and analysis, the skills that you will need to successfully practice law. In addition, these skills serve as the foundation for your courses in law school.

Overall, your LPS professor will teach you skills necessary to analyze a client’s problem, communicate your analysis in writing, and edit your writing to serve the interests of your client. Specifically, in LPS, you will learn how to read cases critically, research legal issues, write office memoranda, draft correspondence, and write legal memoranda in support of or in opposition to trial motions. You will also learn the basics of oral advocacy and have the opportunity to present an oral argument.

A unique aspect of your LPS course is the extensive instruction and critique you will receive. For example, your LPS professor will provide you with feedback on your assignments, both on an individual basis and in class. Also, each semester, your LPS professor will hold a conference with you to provide individual guidance.

This handbook contains information and rules for your LPS course. The rules and policies are based upon expectations and responsibilities in the legal profession. You must read these rules carefully. If you have any questions regarding the LPS course, you may direct them to me or to your individual LPS professor.

Best wishes to you as you begin your study of the law.

Sincerely,

Kathleen Elliott Vinson  
Professor of Legal Writing  
Director, Legal Practice Skills Program

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<sup>1</sup> U.S. News and World Report (2009)

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## DIRECTORY

<b><u>LEGAL PRACTICE SKILLS PROFESSORS</u></b>	<b><u>Office</u></b>	<b><u>Telephone #</u></b>
Professor Kathleen Elliott Vinson, Director	370F	617-573-8210
Professor Julie Baker	370J	617-573-8136
Professor Sabrina DeFabritiis	370H	617-573-8108
Professor Shailini Jandial George	370B	617-573-8074
Professor Geraldine Griffin	370I	617-573-8139
Professor Stephanie Roberts Hartung	370A	617-305-3026
Professor Lisa Healy	370C	617-573-8699
Professor Philip Kaplan	370G	617-573-8212
Professor Rosa Kim	370K	617-573-8776
Professor Leigh Mello	370M	617-573-8519
Professor Samantha Moppett	370D	617-573-8135
Professor Ann McGonigle Santos	370E	617-573-8558
Professor Gabriel Teninbaum	370N	617-305-6208
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Faculty Assistant—Trish McLaughlin	370L	617-573-8197

## I. ACADEMIC INTEGRITY/PLAGIARISM

### A. Suffolk University Law School's Rules and Regulations on Academic Integrity

The Rules and Regulations on Academic Integrity, including plagiarism, appear in the Suffolk University Law School Student Handbook. See Dean of Students, Suffolk Univ. Law Sch., Suffolk Univ. Law Sch. Student Handbook 2009-2010 (2009), available at <http://www.law.suffolk.edu/offices/deanofstu/handbook/regs/>.

### B. LPS Rules on Academic Integrity

In addition to the Rules and Regulations on Academic Integrity in the Suffolk University Law School Student Handbook, LPS students are also required to adhere to the following LPS rules with regard to all LPS assignments. A violation of these LPS rules may be considered a violation of Academic Integrity and be viewed as a serious infraction of the Rules and Regulations of the Law School. Students are responsible for asking their LPS professors for guidance if they are in doubt about a particular situation.

1. **Citation to Authority**<sup>2</sup>— To avoid allegations of plagiarism, students must provide proper citation to authority. Citations must conform to the rules set forth in *The Bluebook: A Uniform System of Citation*. See *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds. 18th ed. 2005) (The Bluebook).

#### Plagiarism Explanations & Examples

plagiarism, *n.* Taking the literary property of another, passing it off as one's own without appropriate attribution, and reaping from its use any benefit from an academic institution.

To help you avoid common mistakes and learn appropriate attribution, consider the explanations and examples based on the following law review excerpt:

A "handicap" could be defined by listing certain traditionally-recognized handicapping conditions, or a legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered "handicapping conditions" in that state. These approaches are problematic, however, because they can lead to legislation that does not include certain groups of handicapped people simply because the legislature was not aware of a particular handicap.

Maureen O'Connor, Student Author, *Defining "Handicap" for Purposes of Employment Discrimination*, 30 Ariz. L. Rev. 633, 636 (1988).

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<sup>2</sup> Materials adapted, in part, from The Legal Writing Institute.

- a. Students must place **words directly taken from someone else**, whether written or spoken, in quotation marks.<sup>3</sup> To properly acknowledge the direct use of someone else's words, students must:

- (1) place quotation marks around the words; and
- (2) provide a citation.

Example: The term "handicap" may be defined in general terms, or a legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered "handicapping conditions" in that state.☆☆

To avoid plagiarism, you need (i) quotation marks around the words printed in italics **and** (ii) a citation at the star.

- b. If a student **changes some of the words** in the phrase or sentence, the student must (i) place the changed words in brackets, (ii) enclose the phrase or sentence in quotation marks, **and** (iii) provide a citation.

Example: The term "handicap" may be defined in general terms, or a legislature may choose to provide a more inclusive list of the kinds of disabilities that will be considered "handicapping conditions" in that state.☆☆

To avoid plagiarism, you need (i) brackets around the underlined words, (ii) quotation marks around the words in italics, **and** (iii) a citation at the star.

- c. Students must cite when **paraphrasing someone else's** words. Even if a few words are changed or the order of the original sentence is mixed up, students must provide a citation.

Example: It is problematic to define a handicap by providing a list of the types of disabilities that will be covered because certain groups of handicapped people might be excluded.☆☆ The legislature might simply be unaware of certain handicaps.☆☆

To avoid plagiarism, you need citations at the stars.

- d. Students must cite when **borrowing an idea from someone else**. To avoid plagiarism, students must provide a citation if a sentence expresses an idea that is borrowed from someone else.

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<sup>3</sup> When quoting 50 words or more, use block quotes (indent and single-space) rather than quotation marks. See *Bluebook* Rule 5.1.

Example: The term “handicap” is difficult to define in a statute. Any attempt to provide a complete list of covered disabilities, however, will be inadequate; some conditions will inevitably be omitted. ☆

To avoid plagiarism, you need a citation at the star.

- e. If a student’s **analysis or conclusion builds on someone else’s ideas**, the student must cite to that person’s ideas. Legal writers often build on other sources to arrive at their own analysis or conclusion. Sometimes a source may trigger a related idea. In these instances, a student must include a citation to the original source, with an appropriate signal.

Example: When defining statutory terms, legislators should not attempt to draft a complete list specifying everything the statute is intended to cover. Such lists will inevitably be incomplete; someone will later make a claim that the legislators did not anticipate. ☆ Further, the statutory list may quickly become outdated. ☆

To be a careful legal scholar, you should cite the source at the stars.

- f. Students must cite a source when an **idea about a case** came from that source, rather than the case itself.

Example: Assume that the law review excerpt above led you to the following idea about the Arline case: Arline illustrates that it is possible for the statutory definition included in section 504 of the Rehabilitation Act to be construed in such a way as to bring many handicapped individuals within its reach. Sch. Bd. v. Arline, 480 U.S. 273 (1987). ☆

To be a careful legal scholar, you should cite at the star not only to the case but also to O’Connor’s law review note, including the page number where she discusses Arline, even though you would have read Arline.

- g. Student must apply rules I.B.1.a-f to all drafts **and** final submissions.

## 2. **Student Collaboration**

- a. While collaboration at the idea stage is encouraged, students may **not** give aid to, or receive aid from, another student. "Giving or receiving aid" includes, without limitation, the following:
  - (1) working together to outline or write an assignment or any part of an assignment;
  - (2) copying or reviewing any part of another student's work and handing it in as their own;
  - (3) dividing up assignments: each student is responsible for answering each question in each assignment;
  - (4) reading an assignment or part of an assignment of another student before all students have submitted final drafts.
- b. By submitting an assignment for LPS credit, each student **expressly warrants** that he or she:
  - (1) has not given aid to another student;
  - (2) has not received aid from another student; and
  - (3) has submitted a document consisting exclusively of his or her own work.

## 3. **Assistance from Others**

- a. Students may not seek assistance on LPS assignments from third parties.
  - (1) Third parties include, but are not limited to, family members and friends.
  - (2) Assistance includes, but is not limited to, outlining, reading, writing, or editing assignments.
- b. Students may not make use of any writing or editing service or help, whether free of charge or for hire.
- c. Students may not review any written product relevant to an LPS assignment unless an LPS professor provides express permission.

- d. Students may, however, receive appropriate assistance from:
  - (1) their LPS professor; and
  - (2) an Academic Support Program (“ASP”) Professor, if the student’s LPS professor has referred him or her to ASP.
  
- e. By submitting an assignment for LPS, each student **expressly warrants** that he or she:
  - (1) has not given aid to another student;
  - (2) has not received aid from a third party, other than the LPS professor or an ASP faculty member; and
  - (3) has submitted a document consisting exclusively of his or her own work; and
  - (4) has complied with the rules of the course, the professor and law school, including signing a certificate of compliance.

#### 4. **Computer Assisted Legal Research**

Students will be trained to research in the books and on-line, such as Westlaw and Lexis. If an assignment or question requires use of manual research, i.e., in the books, then using computer assisted legal research without express, specific permission is a violation of Academic Integrity and viewed as a serious infraction of the Rules and Regulations of the Law School.

## II. **PROFESSIONALISM**

A student’s legal career begins when he or she begins law school. Accordingly, students are expected to behave professionally. Professional behavior includes, but is not limited to, the following:

### A. **Attendance**

Students must be prepared for class and attend all classes on time.

- 1. Pursuant to Suffolk University Law School’s Rules and Regulations, a student can miss no more than eight class hours in a four-credit course. Sanctions for failing to attend class include requiring the student to withdraw from the course or excluding the student from the course and

awarding the student a failing grade. See Dean of Students, Suffolk Univ. Law Sch., Suffolk Univ. Law Sch. Student Handbook 2009-2010 (2009) available at <http://www.law.suffolk.edu/offices/deanofstu/handbook/regs/>.

2. Students are responsible for obtaining all information and assignments given during missed classes.

**B. Work Quality**

Students must produce quality work that does not contain spelling, citation, punctuation, or typographical errors.

**C. Professional Courtesy**

1. Students must act courteously in the classroom. Students may not:
  - a. instant message;
  - b. have their cell phones on while in the classroom; or
  - c. access the Internet, unless specifically instructed to do so.
2. Students must treat others with professional courtesy. This includes, but is not limited to, fellow students, faculty members, administrators, librarians, and support staff.

**D. Library**

Students are expected to use library resources responsibly and professionally, including being quiet when using the materials.

**1. Defacing Sources**

Students must not deface, mark, or cut out any source in the Suffolk University Law Library. Defacing includes, but is not limited to, writing in sources. Even "helpful" comments constitute defacing library sources.

**2. Reshelving Sources**

Students must return library material to their proper shelves promptly. Many students and other library patrons share the same sources.

### III. LATE ASSIGNMENT POLICY

#### A. General Policy

One of the essential skills of the LPS course and the legal profession is to complete work on time, in an organized, thorough, and professional manner. The LPS Program sanctions late papers. Professors generally give both a day and time deadline. In fairness to all students and based on the expectations and responsibilities of the legal profession, papers even a few minutes late are treated as late. LPS professors will deduct one half grade from an assignment for each twenty-four (24) hour period, or part of a twenty-four (24) hour period, that the paper is late, including weekends. For example, if a paper is due at 10:00 a.m. on Tuesday, September 8, 2009, and the student would have received a B, and the student passes the paper in at 9:00 a.m. on Wednesday, September 9, 2009, the LPS professor will deduct one half grade from that student's grade on the paper, and the student will receive a B-.

#### B. Exceptions

Professors may accept late papers in limited circumstances. If your situation appears to present excusable, extraordinary circumstances, you should discuss this with your LPS professor **before** the deadline. Requests for extensions made after the deadline will generally not be granted unless it is unreasonable to have expected you to contact the professor beforehand.

#### C. Check Assignments

All assignments scored on the "check" system count in each student's aggregate grade. Each professor will announce his or her policy regarding late check assignments.

### IV. ASSIGNMENT COMPLETION REQUIREMENTS

Pursuant to Suffolk University Law School's Rules and Regulations on Attendance and Assignment Policy, students must complete all graded and ungraded assignments as directed by their LPS professor. Failure to complete any LPS assignment may result in an unsatisfactory grade for the course.

If a student receives an unsatisfactory grade (C- or below) on an assignment, the student may be at risk of receiving an unsatisfactory grade for the LPS course. See Dean of Students, Suffolk Univ. Law Sch., Suffolk Univ. Law Sch. Student Handbook 2009-2010 (2009), available at <http://www.law.suffolk.edu/offices/deanofstu/handbook/regs>.

Although the closed memorandum assignment is ungraded, if the memo is turned in late or is unsatisfactory, an LPS Professor may deduct points from the next memo assignment, the fall open memorandum assignment.

**V. WRITTEN WORK REQUIREMENTS**

**A. Format**

Each page must be typed, double-spaced on 8 1/2 x 11 inch white paper with one-inch margins on all sides. The pages must be left justified and the type size must be 12 point in Times New Roman font. All pages must be numbered and stapled together.

**B. Page Limits**

Page limits will vary from assignment to assignment. LPS professors will strictly enforce the page limits and will read only material within the page limits. There may be a grade deduction for exceeding the page limit.

**VI. LPS GRADES**

**A. Assignments**

Professors are available to discuss comments and suggestions made on an assignment. Pursuant to Suffolk University Law School policy, professors, however, will not change a grade.

**B. Grade Breakdown**

Students will receive a grade for this course comprised of the following:

<b>PERCENTAGE</b>	<b>ASSIGNMENT</b>
Ungraded*	Closed Research Memorandum
10%	Open Research Memorandum
20%	Rewrite Open Research Memorandum
20%	Advocacy Memorandum
25%	Rewrite of Advocacy Memorandum
5%	Oral Argument
5%	Citation Quiz
5%	Research Quiz
10%	Other Assignments (exercises, client letter, etc.)

\*See p. 7 regarding penalty for late or unsatisfactory work on this memo.

*The LPS Faculty reserves the right to change the schedule of classes, the program of instruction, the requirements for LPS credits, and any LPS rule or regulation. Any such change may be made applicable to students already enrolled in the Law School.*

## **VII. Health Services**

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 concerns or other stressful events may lead to diminished academic performance or may reduce your ability to participate in daily activities. Suffolk University services are available to assist you in addressing these and other concerns you maybe experiencing. You can learn more about the broad range of confidential mental health services available on campus at the following website:<http://www.suffolk.edu/offices/989.html>.