Spring 2018 Landlord/Tenant Practicum Syllabus

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Class Time: As Arranged
Office: 573-442-0116
Location: Mid-Missouri Legal Services, 1201 W. Broadway

COURSE DESCRIPTION:

The Landlord/Tenant Practicum serves indigent individuals in Mid Missouri. Rule 13 certified law students will represent tenants who are being evicted and/or who wish to sue their landlords for habitability or security deposit non-return, among several other issues. Students may also represent tenants who reside in public or subsidized housing in administrative actions brought by or against a Housing Authority.

PRE-REQUISITE/CO-REQUITE:

Landlord/Tenant Law and Practice (LAW 5698) is a pre or co-requisite. Professional Responsibility (LAW 5280) is a pre or co-requisite. Credits earned in the Landlord/Tenant Practicum DO NOT count toward the 6-hour Externship limit. Students are NOT required to enroll in the Externship (LAW 5570) course.

COURSE LEARNING OUTCOMES AND GOALS:

- Students will learn to assess and evaluate factual and legal issues under Missouri’s Rules of Civil Procedure and Landlord/Tenant laws, as well as various housing agencies’ administrative procedures and policies regarding government funded residential housing.
- Students will develop basic trial skills associated with litigating a residential landlord/tenant dispute, including drafting pleadings and other legal documents, engaging in settlement negotiations, and preparing for and conducting trials.
- Students will learn to present procedural and substantive arguments on behalf of clients in court and administrative proceedings.
- Students will learn to assess cases for ethical considerations and practice exercising good ethical judgment.
- Students will learn to conduct comprehensive and emotionally sensitive client interviews and counseling sessions.
- Students will learn skills for managing case work and other professional obligations in a law firm setting.
- Students will be exposed to typical issues facing both landlords and tenants in and around their community.

COURSE MATERIALS:


Other readings and assignments may be assigned.
ATTENDANCE:

Due to the nature of this course, attendance at all class sessions and individual meetings is mandatory. In the event you will need to miss class, you must contact me via phone or email immediately. It is understood life happens, but if I don’t know about it, I can’t work with you.

Failure to attend a client meeting or court appearance will result in dismissal from the course and a failed grade being given. Attending without proper attire is considered failure to attend.

As this is a non-traditional course, students will be expected to be flexible with their schedules. The course will meet as follows:

- Full Group Meeting: ___________________________ at Mid-Missouri Legal Services
- In-House Work at Mid-Missouri Legal Services: Students will be scheduled to work approximately 10 hours per week at MMLS. Students will also be required to work as needed on client casework at the MMLS office.
- Court/Administrative Hearings: As Scheduled
- Individual Meetings: As Scheduled

Students will need to complete a minimum of 150 hours combined class/meeting/client work throughout the semester. Students must work all 15 weeks of the semester, regardless of number of hours reached.

Students will need to complete the following number of hours by the following dates:

- Friday – February 16, 2018 – 45 hours
- Friday – March 9, 2018 – 80 hours
- Friday – April 27, 2018 – 150 hours by 5:00 p.m.

If meeting the required number of hours becomes an issue, students must schedule a meeting with me as early as possible. Students should bring a proposed schedule for making up hours. I will work with students whenever possible, but only if the student makes me aware of potential issues. Failure to meet the required number of hours or approach me in the event of problems will result in the student receiving a failing grade for the practicum.

TIMESHEETS:

Timesheets must be kept throughout the semester. Time spent working on items for MMLS purposes may be counted, but course homework may not. Examples of items which may be counted:

- Casework
- Emails/letters to or from professor
- Research done at home for cases/etc
- Class Meetings
- All other approved events

Students should keep track of their time using their method of choice, but at a minimum must include the task/client, date and time spent on the task/client. An electronic timesheet is kept in the practicum folder on the computer network at MMLS for your use.
GRADING:

Grading in the course is based upon the MacCrate Skills and Values Assessment and is scored using the traditional MU Law grading scale. Attached is a copy of the assessment form used as a basis for computing grades.

Students must write and submit a reflection paper on their experiences and critically evaluate their work using the Assessment as a guide. Students are required to reflect at least once on each skill/value on the Assessment sheet during the semester. There is no mandatory length on this reflection paper, but the paper is one of the primary sources of information for grading purposes, so you should put your best foot forward.

ON-SITE WORK:

Students will be scheduled to work a set schedule each week. It is understood that at times students will need to adjust their schedules. Students should discuss with instructor the need to adjust their schedules as soon as known, but no later than 24 hours in advance, except in emergency situations. Additional time will be required and times will vary from week to week as case work requires.

PROFESSIONALISM:

As you are working in a law firm, the upmost professionalism is expected at all times. This includes being on-time for meetings and appointments and especially court appearances.

Office attire is semi-casual when not meeting with clients (for example, a nice pair of jeans with a polo or button down shirt is fine – try to avoid t-shirts). When you are meeting with a client, dress should be business casual (for example, men should wear slacks and a dress shirt, women should wear slacks/skirt/etc with a nice shirt). Professional dress is expected when going to court or meeting with an opposing counsel (Simple example here – suits).

COMPUTER USAGE:

MMLS has instituted a computer and Internet policy for all users of the technology at the office. Students should refrain from accessing non-work related Web Sites while at the office and using MMLS computers. Some sites have been blocked completely (example, Facebook) and no attempt should be made to access these sites.

Any attempts to circumvent the computer security will result in immediate dismissal from the class and a non-passing grade being given.

DISABILITIES:

If you anticipate barriers related to the format or requirements of this course, if you have emergency medical information to share with me, or if you need to make arrangements in case the building must be evacuated, please let me know as soon as possible.

If disability related accommodations are necessary (for example, a note taker, extended time on exams, captioning), please register with the Disability Center (http://disabilityservices.missouri.edu), S5
Memorial Union, 573-882-4696, and contact Denise Boessen and Christina Wells at the law school of your eligibility for reasonable accommodations. For other MU resources for students with disabilities, click on "Disability Resources" on the MU homepage.
MacCrate Skills and Values Assessment

I. Fundamental Lawyering Skills

A. Problem Solving
In order to develop and evaluate strategies for solving a problem or accomplishing an objective, a lawyer should be familiar with the skills and concepts involved in:
1. Identifying and Diagnosing the Problem
2. Generating Alternative Solutions and Strategies
3. Developing A Plan of Action
4. Implementing the Plan
5. Keeping the Planning Process Open to New Information and New Ideas

B. Legal Analysis and Reasoning
In order to analyze and apply legal rules and principles, a lawyer should be familiar with the skills and concepts involved in:
1. Identifying and Formulating Legal Issues
2. Formulating Relevant Legal Theories
3. Elaborating Legal Theory
4. Evaluating Legal Theory
5. Criticizing and Synthesizing Legal Argumentation

C. Legal Research
In order to identify legal issues and to research them thoroughly and efficiently, a lawyer should have:
1. Knowledge of the Nature of Legal Rules and Institutions
2. Knowledge of and Ability to Use the Most Fundamental Tools of Legal Research
3. Understanding of the process of Devising and Implementing a Coherent and Effective Research Design

D. Factual Investigation
In order to plan, direct, and (where applicable) participate in factual investigation, a lawyer should be familiar with the skills and concepts involved in:
1. Determining the Need for Factual Investigation
2. Planning a Factual Investigation
3. Implementing the Investigative Strategy
4. Memorializing and Organizing Information in an Accessible Form
5. Deciding Whether to Conclude the Process of Fact-Gathering
6. Evaluating the Information That Has Been Gathered

E. Communication
In order to communicate effectively, whether orally or in writing, a lawyer should be familiar with the skills and concepts involved in:
1. Assessing the Perspective of the Recipient of the Communication
2. Using Effective Methods of Communication
F. Counseling
In order to counsel clients about decisions or course of action, a lawyer should be familiar with the skills and concepts involved in:
1. Establishing a Counseling Relationship That Respects The Nature & Bounds of a Lawyer's Role
2. Gathering Information Relevant to the Decision to Be Made
3. Analyzing the Decision to Be Made
4. Counseling the Client About the Decision to Be Made
5. Ascertaining and Implementing the Client's Decision

G. Negotiation
In order to negotiate in either a dispute-resolution or transactional context, a lawyer should be familiar with the skills and concepts involved in:
1. Preparing for Negotiation
2. Conducting a Negotiation Session
3. Counseling the Client About the Terms Obtained From the Other Side in the Negotiation and Implementing the Client's Decision

H. Litigation and Alternative Dispute-Resolution Procedures
In order to employ - or to advise a client about - the options of litigation and alternative dispute resolution, a lawyer should understand the potential function and consequences of these processes and should have a working knowledge of the fundamentals of:
1. Litigation at the Trial-Court Level
2. Litigation at the Appellate Level
3. Advocacy in Administrative and Executive Forums
4. Proceedings in Other Dispute-Resolution Forums

I. Organization and Management of Legal Work
In order to practice effectively, a lawyer should be familiar with the skills and concepts required for efficient management, including:
1. Formulating Goals and Principles for Effective Practice Management
2. Developing Systems and Procedures to Ensure that Time, Effort, and Resources Are Allocated Efficiently
3. Developing Systems and Procedures to Ensure that Work is Performed and completed at the Appropriate Time
4. Developing Systems and Procedures for effectively Working with Other People
5. Developing Systems and Procedures for Efficiently Administering a Law Office

J. Recognizing and Resolving Ethical Dilemmas
In order to represent a client consistently with applicable ethical standards, a lawyer should be familiar with:
1. The Nature and Sources of Ethical Standards
2. The Means by Which Ethical Standards are Enforced
3. The Processes for Recognizing and Resolving Ethical Dilemmas
II. Fundamental Values of the Profession
A. Provision of Competent Representation
As a member of a profession dedicated to the service of clients, a lawyer should be committed to the values of:
   1. Attaining a Level of Competence in One's Own Field of Practice
   2. Maintaining a Level of Competence in One's Own Field of Practice
   3. Representing Clients in a Competent Manner

B. Striving to Promote Justice, Fairness, and Morality
As a member of a profession that bears special responsibilities for the quality of justice a lawyer should be committed to the values of:
   1. Promoting Justice, Fairness, and Morality in One's Own Daily Practice
   2. Contributing to the Profession's Fulfillment of its Responsibility to Ensure that Adequate Legal Services Are Provided to Those Who Cannot Afford to Pay for Them
   3. Contributing to the Profession's Fulfillment of its Responsibility to Enhance the Capacity of Law and Legal Institutions to Do Justice

C. Striving to Improve the Profession
As a member of a self-government profession, a lawyer should be committed to the values of:
   1. Participating in Activities Designed to Improve the Profession
   2. Assisting in the Training and Preparation of New Lawyers
   3. Striving to Rid the Profession of Bias Based on Race, Religion, Ethnic Origin, Gender, Sexual Orientation, or Disability, and to Rectify the Effects of These Biases

D. Professional Self-Development
As a member of a learned profession, a lawyer should be committed to the values of:
   1. Seeking Out and Taking Advantage of Opportunities to Increase His or Her Knowledge and Improve His or Her Skills
   2. Selecting and Maintaining Employment That Will Allow the Lawyer to Develop As A Professional and To Pursue His or Her Professional and Personal Goals