

Law School 101

ORIENTATION 2017

Policies and Procedures

You are responsible for reading the policies and procedures section of the Orientation app. A few highlights:

- Blind grading. Come to SAO with questions/concerns, not professor.
- Regular and punctual attendance is required.

Policies and Procedures, *cont.*

Grade change policy: After a final grade had been submitted to, and recorded by, the [Student Affairs Office], it shall not be changed except for good cause submitted in writing to the Associate Dean for Academic Affairs and approved by the Dean of the Law School. Good cause is best exemplified by arithmetical error, but may include other reasons. It is not good cause to change a grade for humanitarian or other reasons merely to affect a student's grade point average, for example, to achieve honors status, to be eligible for graduation, to be removed from scholastic probation, or to be redeemed from dismissal for academic failure.

Texas Law Resources

Services for Students with Disabilities

Academic Advising

- Optional session in Fall re: elective
- Mandatory session in Spring

Skills Sessions

- All in the app and on calendar

Academic Support

The Green Grocer



Case Synthesis: Putting It All Together

Your task:

- Listen carefully to each of the following stories, describing a parent making decisions on a case by case basis about a teen's social outings.
- Interpret the parent's statements in an attempt to identify the parent's decision in each case the apparent policies supporting the decision.
- Refine your understanding of the parent's rules as you see multiple cases and think about how they build on one another.

Case Briefing

Brief: a short, structured, summary of the important elements of an opinion.

Structure of Opinions

1. Caption and citation
2. Author
3. **Facts:** Place close attention to determinative facts.
4. Procedural history: How did the case get before the court?
5. What legal **issues** do these facts raise? What question has the court been asked to answer?
6. What **rule** does the court apply?
7. What conclusion does the court come to? What's the **result/holding**?
8. **Analysis/reasoning:** justifying the “fit” between the facts and the selected rule, citing authorities that support this choice of rule and distinguishing authorities that do not.
9. Concurring/dissenting opinions

Parker v. Twentieth Century Fox

FACTS: Parker signed K to be lead in movie musical, Bloomer Girl. D broke contract, offered P a role in dramatic Western (Big Country, Big Man) filming in Australia. P loses director/screenplay approval rights. P did not accept. P sues for lost salary.

PROCEDURAL HISTORY: P sues for breach of K, wins at SJ. D appeals.

ISSUE: Is Parker entitled to her lost salary under the contract even though she turned down the alternative role?

RULE: Wrongfully fired employee gets agreed salary for period of service, less the amount the employee has earned or could have earned during the same period. Employer must show that new job was comparable or substantially similar to job fired from.

Parker v. Twentieth Century Fox, *cont.*

HOLDING: Affirmed; Parker was not required to mitigate her damages by accepting an inferior job.

REASONING: D has not proved affirmative defense that the offered job would be comparable or substantially similar to the original job. “By no stretch of the imagination” can a dramatic lead be considered the same as the lead in a song-and-dance movie. The new film is an inferior job. Lost director/screenplay approval.

Concurring/dissenting opinions: None here. Thought exercise: What would you write?

DEFINITIONS, Statutory language, dicta, etc.

- Summary judgment
- Mitigation
- Breach/breach of contract
- Affirmative defense
- Affirmed

Or, just watch this.

<https://www.youtube.com/watch?v=YE2u-673ZQk#t=131>

Facts that Matter

Study tip: A good way to prepare for class is to ask yourself after you have briefed each case: “what facts have to change for the outcome to change and why?”

What are we looking for in class and on exams?

We want to see if you can use the rules:

- Identify legal issues in unexpected situations
- Decide which rule to apply
- Reason analogically from the cases we read
- Make persuasive arguments
- Think about consequences

Tips

Review, review, review

- Review your notes and briefs each week
- It's too late to start learning the rules at exam time.
- Use exam prep time to work on old exams and to meet with your study group and go over problems.

Start outlining early in the semester and outline as you go. Finish your outline the last day of class.

Get a study group/partner and work problems.

Do not get obsessed with study guides.

Computers are not necessary in class.

Parting advice from law profs

Nobody Gets Hurt, Nobody Gets Arrested

Legal Research and Writing is your most important class.