

**The University of Akron
School of Law**

Criminal Law Lab (CLL)

9200:684 -- 2 credits

REQUIRED FOR WHOM?

Criminal Law Lab (CLL) is REQUIRED to be taken only by students who have a 2.30 or lower GPA end fall semester of the first year. All students must take CLL during spring semester of the 1st year in lieu of the 2 credit required Legal Analysis, Research & Writing (LARW) II class. (LARW II would be deferred to the summer session immediately following that spring semester of 1st year.)

HOW DOES CLL RELATE TO THE CRIMINAL LAW COURSE?

The 2 credit CLL course is taken during the same spring semester of 1st year as the 3 credit required Criminal Law course. In CLL, students perform various writing assignments based on criminal law issues that are designed to improve writing and analytical skills. Students also write two formal legal memos and receive individual and group instructions to further develop skills.

HOW IS CLL STRUCTURED?

CLL is a lab-based course designed to develop legal writing and analytical skills. This course covers formulating a rule of law from one or more legal authorities, placing the rule in a rule-structure, analyzing application of that rule to a set of facts, and organizing a legal discussion of that analysis. Because successful readers are actively involved with the text, the course teaches students how to be active learners.¹ That is, students will not only be taught that they need to monitor their learning of legal concepts and legal reasoning techniques, but also how to do this monitoring.

Covers formulating a rule of law from one or more legal authorities, placing the rule in a rule-structure, analyzing application of that rule to a set of facts, and organizing a legal discussion of that analysis.
Criminal Law Parallel

Students will read and analyze criminal law questions governed by:

- Statutory and common law interpretation,
- Conjunctive, disjunctive, factors, balancing, defeasible, declarative rule structures, and
- Single and multi-issue analysis

Students will:

- Use class case-briefs to learn how to derive meaning from cases.
- Learn how to monitor their time and effort and create effective cooperative learning groups in order to increase opportunities for practice and feedback.
- Learn how to spot issues through brainstorming and using recurring factual patterns that might give rise to particular issues.

¹ Laurel Currie Oaes, *Beating the Odds: Reading Strategies of Law Students Admitted Through Alternative Admissions Programs*, 83 IOWA L. REV. 139 (1997).

- Identify what skillful legal analysis looks like and how to check for it in their work.
- Read and analyze criminal law issues governed by common rule structures.
- Apply the above skills to a memorandum of law.

WHAT SKILLS ARE TAUGHT IN CLL?

Ethics of legal writing

Professionalism

Problem-solving

Factual analysis and reasoning

General principles of legal analysis and reasoning

- Case book method
- Case briefing
- Issue spotting
- Identifying determinative facts

Time management and Organization

- Large scale
- Small scale

Statute interpretation

Research

- Traditional
- Electronic

Style and formalities

Predictive writing (persuasive writing covered in LARWII)

WHAT ELSE WILL STUDENTS LEARN IN CLL?

How to be an active learner. That is, students will not only be taught that they need to monitor their learning of legal concepts and legal reasoning techniques, but also how to do this monitoring.

- Student briefs will be used to teach them how to derive meaning from cases. By learning how to monitor their time and effort and creating effective cooperative learning groups will increase their opportunities for practice and feedback.
- Learn to issue-spot by utilizing brainstorming and using recurring factual patterns that might give rise to particular issues.

What skillful legal analysis looks like, how to check their own work and make sure students are performing it.

The importance of encoding their learning and the many techniques available to facilitate their encoding efforts:

- Preparing structured course outlines that show the hierarchical relationships among the legal concepts being studied,
- Developing concept maps that visually express the relationships among the ideas studied,
- Creating flow charts that depict logical flows in the analytical process,
- Using different types of mnemonic devices.

HOW WILL STUDENTS BE GRADED?

A student's Criminal Law grade is based on attendance and class participation, quality of daily work assignments, and three writing assignments (annotated outline, a single issue closed-research memo, and a multi-issue open research memo)

HOW WILL CLL IMPACT MY FUTURE SCHEDULING?

The attached tracks illustrate various options for CLL students such as:

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|----|------------------------------|--|
| 1. | Full-Time, 3 year plan: | CLL in spring 1 st year
LARW II only in summer of 1 st year |
| 2. | Part-Time, 4 year plan: | CLL in spring 1 st year
*LARW II and Property OR Civil Procedure in summer of 1 st year |
| 3. | Part-Time, 5 or 6 year plan: | CLL in spring 1 st year
*LARW II and Property or Civil Procedure in summer of 1 st year
OR Property and Civil Procedure in fall/spring of 2 nd year |

*ARE THERE ANY SUMMER EMPLOYMENT RESTRICTIONS FOR PART-TIME STUDENTS IN CLL?

Students who are required to enroll in the Criminal Law Lab course in the spring semester shall be required to take LARW II in the subsequent summer semester unless excused from enrollment by the Dean due to extraordinary circumstances. A student thus required to take LARW II in the summer may not be employed during that time if the student also enrolls in any other course while enrolled in the summer LARW II course. *(This employment policy was approved by the Law Faculty on 2.26.09 and is effective with the fall 2009 entering class.)*

WHAT IS THE RATIONALE FOR REQUIRING CLL FOR STUDENTS AT RISK?

Pursuant to ABA Standard 302(a), “[a] law school shall require each student receive substantial instruction in . . . legal analysis and reasoning, legal research, problem solving, and oral communication [and] writing in a legal context, including at least one rigorous writing experience in the first year...” Further, ABA Standard 303(a) provides that “[a] law school shall monitor students’ academic progress and achievement from the beginning of and periodically throughout their studies.”

Writing is the cornerstone of a good legal education.

- If you cannot think clearly, you cannot write clearly
- Clear thinking is an “aider and abettor” in doctrinal courses
- Legal writing skills are transferrable and necessary for success in other law school courses.²

Numerous studies indicate that students who perform below average in law school are at a greater risk for failing the bar exam.³ This applies to virtually every law school and Akron is no exception.⁴ Since July 2004 only 36% of Akron Law students with a LGPA below 2.5 pass the Ohio Bar Exam.⁵ Criminal Law Lab is an “early intervention” program designed to provide students with the skills necessary to succeed in law school. The skills-training students can learn from the Criminal Law Lab increases the likelihood of earning a higher LGPA and decreases the risk of failing the bar exam.

QUESTIONS? Please contact Dean’s Club Professor of Law and Faculty Director of Academic Resource Center Willa Gibson at (330) 972-6132 or at willal@uakron.edu or Interim OASP Director Katherine Kelly at (330) 972-8065 or at ksk10@uakron.edu.

Crim Law Lab 2009 Entering Class – 2.26.09

² Patricia A. Broussard, Howard University, The Nuts & Bolts of Teaching Legal Writing- Part 1, Association of American Law Schools: Workshop for Beginning Legal Writing Teachers (June 26, 2005), at 17.

³ Christian C. Day, *Law Schools Can Solve the “Bar Pass Problem”*—“Do the Work,” 40 CAL. W.L. REV. 321, 329 (2004); see also, Douglas Rush and Hisako Matsuo, *Does Law School Curriculum Affect Bar Examination Passage? An Empirical Analysis of Factors Which Were Related to Bar Examination Passage Between 2001 and 2006 at a Midwestern Law School*, Berkley Electronic Press 1889, (2006).

⁴ Linda F. Wightman, Law School Admission Counsel, Research Reports Series, LSAC National Longitudinal Bar Passage Study, 23 (1998).

⁵ July 2004 through February 2008, of the 144 Akron Law students with a LGPA under 2.5, 52 passed the Ohio Bar Exam.