

**TOPICS IN LEGAL PRACTICE: CHANGING LAWS (LAW 713)  
2021 SYLLABUS and COURSE POLICIES**

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**ABOUT THE COURSE:**

This course meets daily from 9:00 a.m.-12:15 p.m. on Tuesday, January 19 through Friday, January 22.

The goal of this course is to give students a working knowledge of the skills and techniques for advocating for change of a public policy issue. The assignments within the course are designed to provide you with tangible projects to practice these skills. Much of the material will be presented in a “flipped” classroom; as such, you are responsible for reviewing all of the content before class and participating in the in-class activities during each class session. We will not spend much time lecturing during the in-class portion of the class; rather, the in-class sessions will contain a mix of large group discussion, small group discussions, and individual work. We have assigned each student to a Topic Area, and you will meet with the other students from your Topic Area for the small group discussions.

Within your Topic Area, you will identify a specific public policy issue to address. The specific issue will relate directly or indirectly to racial injustice in Maine. You will use this policy issue as the basis for all of your assignments during the course as you advocate for change of your particular policy issue. Note: you will each have your own individual issue, which may or may not overlap with the issues that other students in your Topic Area have selected. Because of the wide range of issues, we will not be teaching the substantive doctrine for your issue or for any of the Topic Areas generally. Instead, the course focuses on the skills and techniques used by lawyers when advocating for policy change, and you should think of the faculty in the course as facilitators of the discussions and activities. Different faculty members will work with your small group on each day of the course. For most of your work, you will receive oral feedback from faculty and your peers through the small group discussion. You will receive written feedback from a faculty member on your final project for the course.

**REQUIRED COURSE MATERIALS:**

All materials and/or links to materials for the course will be posted on the course page on Brightspace.

**COURSE COMMUNICATION SYSTEM: BRIGHTSPACE AND EMAIL**

We will use Brightspace and email for posting announcements and sending communications related to the course. Check the Brightspace page and your student email each day during the course.

**COURSE GOALS:**

The Changing Laws course focuses on introducing and developing the following:

<b>LEARNING OBJECTIVES</b>	<b>EXERCISES &amp; ASSESSMENTS</b>
<b>Upon successful completion of this course, you will know / understand:</b>	<b>Opportunities you will be given to practice the knowledge/skill:</b>
<ul style="list-style-type: none"><li>• Understand basics of State and local government structures</li><li>• Understand the sources of law and policy in Maine State and local governments</li><li>• Understand how to research in statutes and regulations</li><li>• Understand where to find Maine-specific legal materials</li><li>• Present a request to work on advocacy to address a social justice problem, with justification for the need to do so</li><li>• Understand the role of power in policy development</li><li>• Evaluate the options for a policy change strategy including: administrative rulemaking, state and local legal changes</li><li>• Understand various options for written and oral advocacy</li></ul>	<ul style="list-style-type: none"><li>• Draft a “Pitch Memo”</li><li>• Map the targets, influencers, allies, and opposition for a policy question and draft a “Power Map”</li><li>• Draft a proposed law</li><li>• Write an advocacy blog post</li><li>• Deliver oral testimony in support of your proposed law</li><li>• Prepare written testimony in support of your proposed law</li></ul>

## **GRADING POLICY:**

You will receive a Pass/Low Pass/Fail grade for your work in the Changing Laws course. That grade will reflect your preparation for and participation in all of the in-class activities, completion of all written assignments, and successful completion of the oral and written testimony assignments.

### **Grade Penalties**

You are expected to participate in all in-class activities and to complete and turn in all written assignments during the course. Failure to do so may result in a “Low Pass” or, if you miss multiple activities and assignments or the final project, a “Fail” grade for the course. The final project for the course is written testimony. The following grade penalties apply if the final project is submitted past the due date:

- Any paper submitted more than 48 hours past the due date and time will result in a “Low Pass” for the course.
- Any paper submitted more than 5 days after the due date and time will result in a “Fail” grade for the course.

Your attendance is required at all four class sessions of the course for you to receive credit for the course. If extraordinary circumstances prevent you from attending a class session, contact one of the professors immediately, but if you miss the class session, you may not get credit for the course.

## **COURSE POLICIES:**

### **Class Preparation**

Class preparation is extremely important. The American Bar Association standards require that students spend a very significant amount of time in out-of-class academic activities, per credit that is awarded. Under Maine Law’s policy, which is consistent with the ABA’s policy, because this is a one credit course, students are required to complete at least 30 hours and 20 minutes of out-of-class work.

### **Academic Integrity, Plagiarism, and Outside Help**

Each student should know the standards of conduct and expectations of academic integrity. Violations of academic integrity include any actions that attempt to promote or enhance the academic standing of any student by dishonest means. Cheating on an examination, plagiarism, making statements known to be false or misleading, falsifying the results of one's research, improperly using library materials or computer files, or altering or forging academic records are examples of violations of this policy. Acts that violate academic integrity disrupt the educational process and are not acceptable.

Evidence of a violation of the academic integrity policy will normally result in disciplinary action, including referral to the UMS Student Conduct Code process. A copy of the complete Academic Integrity Policy is available on the University of Maine System website or the MyLaw Portal.

### **ZOOM Policy**

This course will be conducted entirely remotely, using ZOOM for the in-class time. We will provide a short break during each class session. When you are using ZOOM to access the class meeting, please adhere to the following policies:

- Log into the ZOOM meeting, **using your maine.edu account**, before the scheduled class meeting time to ensure that your equipment is working properly.
- Turn on your video during the class. If this is not possible for you, please discuss with one of the professors as soon as possible.
- Mute your microphone when you are not speaking.
- Use the “Raise Hand” function to signal that you have a question / comment.
- Do not use the “Private Chat” function to communicate with classmates during class. However, you may use it to communicate privately with a professor if you are experiencing technical problems during class.
- Please eat your meals before or after and not during class.

### **Inclement Weather**

Because this class is entirely remote over the course of four days, the class will be held remotely in the event of inclement weather, unless a power outage prevents faculty and students from accessing the ZOOM meeting. We will communicate to you via email if there are any changes that need to be made to the remote class because of weather or power outages.

### **Class Recording Policy**

As a general rule, the recording of all classes is prohibited without permission. If a student will be absent from class and wishes to record a missed class session, the student must first contact the course professor for permission. If permission is granted, the student must arrange for a classmate to facilitate the recording. All class recordings are for personal use only and may not be uploaded to the internet or otherwise shared, transmitted, or published without the prior consent of the professor. If a professor denies a request to record a class, then a student must find an alternative method for making up the missed material.

Students who are requesting the recording of classes pursuant to the Americans with Disabilities Act or in the case of exceptional circumstances, such as hospitalization, must contact the Associate Dean for Student Services.

## **Accommodation Policy**

The Law School is committed to providing students with disabilities equal access to all programs and services. If you think you have a disability and would like to request accommodations, please contact the Disability Services Center (DSC). Timely notification is essential. The Disability Services Center can be reached by calling 207-780-4706 or by email [dsc-usm@maine.edu](mailto:dsc-usm@maine.edu). If you have already received an accommodation letter from the Disability Services Center and would like to discuss your accommodations for this course, please contact Associate Dean Sherry Abbott Niang who serves as the liaison to the DSC.

## **Health and Wellness Resources for Maine Law Students**

Maintaining your physical and mental health is essential to learning the law and succeeding in law school. Law school is a context where mental health or substance use struggles can be exacerbated. If you ever find yourself struggling, please do not hesitate to ask for help. Maine Law is committed to promoting wellness for all students. Please review the Health & Wellness Resources listed on the MyLaw Portal. The resources include free, confidential counseling services (207-780-4050) and the Maine Assistance Program for Lawyers and Law Students (207-266-5951). You can also contact the Maine Law Office of Student Services (207-780-4352).

## SCHEDULE AND ASSIGNMENTS:

### Class 1: Tuesday, January 19

Learning Objectives	Pre-Class Assignments	In-Class Activities	Post-Class <sup>1</sup>
<ul style="list-style-type: none"> <li>• Understand basics of State and local government structures</li> <li>• Understand the sources of law and policy in Maine State and local governments</li> <li>• Understand how to research in statutes and regulations and where to find Maine-specific legal materials</li> <li>• Identify a social justice problem</li> <li>• Present a request to work on advocacy to address your social justice problem, with justification for the need to do so</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Read</b> William P. Quigley, <i>Letter to a Law Student Interested in Social Justice</i></li> <li>• <b>Complete</b> Module on State &amp; Local Governments on Brightspace</li> <li>• <b>Complete</b> Module on Sources of State &amp; Local Law &amp; Policy on Brightspace</li> <li>• <b>Complete</b> Research Module on Brightspace</li> <li>• <b>Identify</b> a social justice problem in the topic area to which you have been assigned (check Brightspace for your topic area). This will be the problem you work on during the four-day course.</li> <li>• <b>Study</b> the sample “Pitch Memo”</li> <li>• <b>Draft</b> a “Pitch Memo” to address the social justice problem you have identified</li> <li>• <b>Share</b> your “Pitch Memo” with the other students in your topic group by 5:00 p.m. on Sunday, January 17</li> <li>• <b>Review</b> the “Pitch Memos” of the other students in your topic group before class</li> </ul>	<ul style="list-style-type: none"> <li>• Q&amp;A on pre-class material (bring questions to class)</li> <li>• Small group discussion of “Pitch Memos”</li> <li>• Workshop time: research and/or refine Pitch Memo</li> </ul>	<ul style="list-style-type: none"> <li>• Refine your Pitch Memo and submit through the Assignment link for it on Brightspace</li> </ul>

<sup>1</sup> Note: the Post-Class column is for assignments that are to follow-up / complete the material for that day. The assignments to prepare for the next class are in the next day’s Pre-Class Assignment column.

## Class 2: Wednesday, January 20

Learning Objectives	Pre-Class Assignments	In-Class Activities	Post-Class
<ul style="list-style-type: none"> <li>• Understand the role of power in policy development</li> <li>• Map the targets, influencers, allies, and opposition for a policy question</li> <li>• Evaluate the options for a policy change strategy including: administrative rulemaking, state and local legal changes</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Read</b> Grassroots Policy Project, <i>Race, Power, Policy: Dismantling Structural Racism</i></li> <li>• <b>Read</b> Wellstone, <i>Organizer's Guide to the Galaxy: Strategic Planning</i></li> <li>• <b>Read</b> Jacques-Edouard Tiberghien, <i>Power Analysis Briefing: Review of Tools and Methods</i></li> <li>• <b>Read</b> Penda Hair, <i>Louder than Words: Lawyers, Communities, and the Struggle for Justice</i>, (please read the Executive Summary, Introduction, and at least one case study; you can skim the rest of the report)</li> <li>• <b>Optional Reading:</b> Michael Grinthal, <i>Power With: Practice Models for Social Justice Lawyering</i>, 5 U. Pa. J.L. &amp; Soc. Change 25 (2011)</li> </ul>	<ul style="list-style-type: none"> <li>• Sketch out "power map" for your policy question</li> <li>• Evaluate and decide on a strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Submit through Brightspace the draft / sketch of your power map</li> </ul>

### Day 3: Thursday, January 21

Learning Objectives	Pre-Class Assignments	In-Class Activities	Post-Class
<ul style="list-style-type: none"> <li>• Understand various options for written advocacy</li> <li>• Draft a proposed law to address your policy problem</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Read</b> <i>A Guide to Reading, Interpreting and Applying Statutes</i></li> <li>• <b>Read</b> <i>Googling for Meaning</i></li> <li>• <b>Complete</b> Module on Drafting Laws on Brightspace</li> <li>• <b>Review</b> samples of proposed and amended legislation for shackling issue</li> <li>• <b>Draft</b> a proposed law to address your policy problem and a preamble or statement of purpose to accompany it</li> <li>• <b>Complete</b> Module on Types of Written Advocacy on Brightspace</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Discuss</b> proposed laws</li> <li>• <b>Draft</b> a blog post to advocate for solution to your policy problem</li> </ul>	<ul style="list-style-type: none"> <li>• Submit through Brightspace the draft of your blog post</li> </ul>



## Day 4: Friday, January 22

Learning Objectives	Pre-Class Assignments	In-Class Activities	Post-Class
<ul style="list-style-type: none"> <li>• Provide oral testimony in support of your proposal</li> <li>• Prepare written testimony to support your proposal</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Complete</b> Module on Delivering Oral and Written Testimony on Brightspace</li> <li>• <b>Study</b> sample oral testimony from hearings on shackling legislation</li> <li>• <b>Study</b> sample of written testimony</li> <li>• <b>Prepare</b> questions to ask your classmates for the Q&amp;A portion of their testimony</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Deliver</b> oral testimony in support of your proposed law</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Prepare and Submit</b> written testimony in support of your proposed law</li> </ul>

## **ASSIGNMENT DETAILS AND REQUIREMENTS**

### **1. Identify a public policy problem, which will be the basis of your work in the course.**

**Due:** 5:00 p.m., Sunday, January 17 via Google Drive (see Brightspace for details)

**Assignment:** Identify a problem related directly or indirectly to racial injustice in Maine that could be addressed in whole or in part by a policy change (or new policy). Your problem must relate to the topic area to which you were assigned (see Group Assignments on Brightspace for your topic). Be creative, and think of contemporary issues that are stemming from state or local laws or policies (or lack thereof), but also think of narrow, identifiable issues instead of broad, sweeping ones (i.e. changing the policy about shackling juvenile defendants in the courtroom vs. overhauling the entire juvenile justice system). The problem you select will be the basis of your work during the course, including the in-class activities and written documents.

### **2. Pitch Memo**

**Due:** Submit a preliminary “Pitch Memo” to your classmates in your Topic Area Group by 5:00 p.m., Sunday, January 17. See Brightspace for submission instructions. Submit Revised Pitch Memo by 5:00 p.m., Tuesday, January 19.

**Assignment:** Draft a preliminary Pitch Memo to a senior partner. In the preliminary draft, complete the “Rationale for Support” section, in which you should outline the rationale for why your problem is one that needs to be addressed. You do not need to complete the “Request” section in the preliminary draft. Refine the Pitch Memo after class, complete the Request section, and submit revised version through Brightspace.

**Format and Length:** 12-point, Times New Roman font; one-inch margins; single spaced paragraphs, with double space between paragraphs (see sample); maximum 2 pages, including heading information.

### 3. Power Map

**Due:** Submit through Brightspace the Power Map you started in during class by 5:00 p.m., Wednesday, January 20

**Assignment:** Prepare a Power Map for your policy problem. You may want to revise the one you initially drafted during class to reflect what you learned through the discussion with your Topic Group during class.

**Format:** To be explained during class.

### 4. Proposed Law

**Due:** Submit through Brightspace by 9:00 a.m., Thursday, January 21

**Assignment:** Draft a proposed statute, ordinance, or rule to address your problem. Include a Preamble or other statement of purpose, using straightforward language to describe the purpose of your proposed law.

**Format and Length:** 12-point, Times New Roman font; one-inch margins; single-spaced paragraphs, with double-space between paragraphs. There is no limit on the length.

### 5. Blog Post

**Due:** Submit through Brightspace by 5:00 p.m., Thursday, January 21

**Assignment:** Write a draft of a blog post about your issue.

**Format and Length:** 12-point, Times New Roman font; one-inch Margins; double-spaced; maximum 600 words.

## 6. Oral Testimony

**Due:** In-class on Friday, January 22

**Assignment:** You must now present your proposed law (or amended law) to the appropriate committee or other decision-making entity to convince the members to support your proposal. Prepare and deliver oral testimony supporting your proposed law. Your classmates and faculty will act as members of the committee. Answer questions from the “committee members” regarding your proposal.

**Format:** three minutes for testimony and five minutes to respond to questions from “committee members.”

## 7. Written Testimony

**Due:** Submit through Brightspace by 9:00 a.m., Monday, Feb. 1

**Assignment:** Prepare written testimony to the appropriate committee in support of your proposed (or amended) law.

**Format and Length:** 12-point, Times New Roman font; one-inch Margins; double-spaced; maximum 6 pages.