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OFFICE OF THE
SENATE COUNCIL

1. General Information

1a. Submitted by the College of: LAW

Date Submitted: 6/13/2013

1b. Department/Division: Law Instruction

1c. Contact Person

Name: Douglas Michael

Email: michaeld@uky.edu

Phone: 71485

Responsible Faculty ID (if different from Contact)

Name:

Email:

Phone:

1d. Requested Effective Date: Semester following approval

1e. Should this course be a UK Core Course? No

2. Designation and Description of Proposed Course

2a. Will this course also be offered through Distance Learning?: No

2b. Prefix and Number: Law 827

2c. Full Title: Federal Appellate Advocacy and Procedure

2d. Transcript Title:

2e. Cross-listing:

2f. Meeting Patterns

LECTURE: 2-3

2g. Grading System: Letter (A, B, C, etc.)

2h. Number of credit hours: 2-3

2i. Is this course repeatable for additional credit? No

If Yes: Maximum number of credit hours:

If Yes: Will this course allow multiple registrations during the same semester?

2j. Course Description for Bulletin: This course provides an introduction to appellate practice and procedure in federal court. This course is designed to provide students the basic substantive knowledge and skills needed to advocate effectively in a federal court of appeals. The course begins with a discussion of the function of the court of appeals and the function and the determination of whether to appeal, including the effect of an appeal. The course discusses initiating and perfecting an appeal from state and federal courts, relief pending appeal, and the record on appeal. The course provides an intensive training in appellate skills and includes written and oral assignments. The writing assignments include the preparation of a notice of appeal, a brief, and various motions, including a motion to dismiss for lack of jurisdiction and a motion for panel or en banc rehearing. The course also provides a comprehensive study of the Federal Rules of Appellate Procedure, including the standards and procedures for obtaining a writ of certiorari from the Supreme Court, and the local rules of the Court of Appeals for the Sixth Circuit, including electronic filing. The course includes instruction on oral advocacy, mock arguments on the briefs, and the options and procedures for obtaining further review of an adverse appellate decision. In addition, federal practitioners and federal appellate judges will be invited to discuss appellate advocacy. The course satisfies the College of Law's Professional Skills requirement.

2k. Prerequisites, if any:

2l. Supplementary Teaching Component:

3. Will this course taught off campus? No

If YES, enter the off campus address:

4. Frequency of Course Offering: Fall,

Will the course be offered every year?: Yes

If No, explain:

5. Are facilities and personnel necessary for the proposed new course available?: Yes

If No, explain:

6. What enrollment (per section per semester) may reasonably be expected?: 16

7. Anticipated Student Demand

Will this course serve students primarily within the degree program?: Yes

Will it be of interest to a significant number of students outside the degree pgm?: No

If Yes, explain: [var7InterestExplain]

8. Check the category most applicable to this course: Traditional – Offered in Corresponding Departments at Universities Elsewhere,

If No, explain:

9. Course Relationship to Program(s).

a. Is this course part of a proposed new program?: No

If YES, name the proposed new program:

b. Will this course be a new requirement for ANY program?: No

If YES, list affected programs:

10. Information to be Placed on Syllabus.

a. Is the course 400G or 500?: No

b. The syllabus, including course description, student learning outcomes, and grading policies (and 400G-/500-level grading differentiation if applicable, from 10.a above) are attached: Yes

Distance Learning Form

Instructor Name:

Instructor Email:

Internet/Web-based: No

Interactive Video: No

Hybrid: No

1. How does this course provide for timely and appropriate interaction between students and faculty and among students? Does the course syllabus conform to University Senate Syllabus Guidelines, specifically the Distance Learning Considerations?

2. How do you ensure that the experience for a DL student is comparable to that of a classroom-based student's experience? Aspects to explore: textbooks, course goals, assessment of student learning outcomes, etc.

3. How is the integrity of student work ensured? Please speak to aspects such as password-protected course portals, proctors for exams at interactive video sites; academic offense policy; etc.

4. Will offering this course via DL result in at least 25% or at least 50% (based on total credit hours required for completion) of a degree program being offered via any form of DL, as defined above?

If yes, which percentage, and which program(s)?

5. How are students taking the course via DL assured of equivalent access to student services, similar to that of a student taking the class in a traditional classroom setting?

6. How do course requirements ensure that students make appropriate use of learning resources?

7. Please explain specifically how access is provided to laboratories, facilities, and equipment appropriate to the course or program.

8. How are students informed of procedures for resolving technical complaints? Does the syllabus list the entities available to offer technical help with the delivery and/or receipt of the course, such as the Information Technology Customer Service Center (<http://www.uky.edu/UKIT/>)?

9. Will the course be delivered via services available through the Distance Learning Program (DLP) and the Academic Technology Group (ATL)? NO

If no, explain how student enrolled in DL courses are able to use the technology employed, as well as how students will be provided with assistance in using said technology.

10. Does the syllabus contain all the required components? NO

11.I, the instructor of record, have read and understood all of the university-level statements regarding DL.

Instructor Name:

SIGNATURE|MICHAELD|Douglas C Michael|Law 827 NEW College Review|20130607

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Courses	Request Tracking
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New Course Form

https://myuk.uky.edu/sap/bc/soap/rfc?services=

[Open in full window to print or save](#)

Generate F

Attachments:

Upload File

	ID	Attachment
Delete	1872	Federal Appellate Advocacy Syllabus.doc

First 1 Last

Select saved project to retrieve... Get New

(*denotes required fields)

1. General Information

- a. * Submitted by the College of: LAW Today's Date: 6/13/2013
- b. * Department/Division: Law Instruction
- c.
 - * Contact Person Name: Douglas Michael Email: michaeld@uky.edu Phone: 71485
 - * Responsible Faculty ID (if different from Contact) Email: Phone:
- d. * Requested Effective Date: Semester following approval OR Specific Term/Year
- e. Should this course be a UK Core Course? Yes No

If YES, check the areas that apply:

 - Inquiry - Arts & Creativity Composition & Communications - II
 - Inquiry - Humanities Quantitative Foundations
 - Inquiry - Nat/Math/Phys Sci Statistical Inferential Reasoning
 - Inquiry - Social Sciences U.S. Citizenship, Community, Diversity
 - Composition & Communications - I Global Dynamics

2. Designation and Description of Proposed Course.

- a. * Will this course also be offered through Distance Learning? Yes No
- b. * Prefix and Number: Law 827
- c. * Full Title: Federal Appellate Advocacy and Procedure
- d. Transcript Title (if full title is more than 40 characters):
- e. To be Cross-Listed with (Prefix and Number):
- f. * Courses must be described by at least one of the meeting patterns below. Include number of actual contact hours for each meeting pattern type.

<input type="checkbox"/> 2-3 Lecture	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Recitation	<input type="checkbox"/> Discussion
<input type="checkbox"/> Indep. Study	<input type="checkbox"/> Clinical	<input type="checkbox"/> Colloquium	<input type="checkbox"/> Practicum
<input type="checkbox"/> Research	<input type="checkbox"/> Residency	<input type="checkbox"/> Seminar	<input type="checkbox"/> Studio
<input type="checkbox"/> Other	If Other, Please explain:		
- g. * Identify a grading system: Letter (A, B, C, etc.) Pass/Fail Graduate School Grade Scale
- h. * Number of credits: 2-3
- i. * Is this course repeatable for additional credit? Yes No

If YES: Maximum number of credit hours:

If YES: Will this course allow multiple registrations during the same semester? Yes No

j. * Course Description for Bulletin:

This course provides an introduction to appellate practice and procedure in federal court. This course is designed to provide students the basic substantive knowledge and skills needed to advocate effectively in a federal court of appeals. The course begins with a discussion of the function of the court of appeals and the function and the determination of whether to appeal, including the effect of an appeal. The course discusses initiating and perfecting an appeal from state and federal courts, relief pending appeal, and the record on appeal. The course provides an intensive training in appellate skills and includes written and oral assignments. The writing assignments include the preparation of a notice of appeal, a brief, and various motions, including a motion to dismiss for lack of jurisdiction and a motion for panel or en banc rehearing. The course also provides a comprehensive study of the Federal Rules of Appellate Procedure, including the standards and procedures for obtaining a writ of certiorari from the Supreme Court, and the local rules of the Court of

k. Prerequisites, if any:

l. Supplementary teaching component, if any: Community-Based Experience Service Learning Both

3. * Will this course be taught off campus? Yes No

If YES, enter the off campus address:

4. Frequency of Course Offering.

a. * Course will be offered (check all that apply): Fall Spring Summer Winter

b. * Will the course be offered every year? Yes No

If No, explain:

5. * Are facilities and personnel necessary for the proposed new course available? Yes No

If No, explain:

6. * What enrollment (per section per semester) may reasonably be expected? 16

7. Anticipated Student Demand.

a. * Will this course serve students primarily within the degree program? Yes No

b. * Will it be of interest to a significant number of students outside the degree pgm? Yes No

If YES, explain:

8. * Check the category most applicable to this course:

Traditional – Offered in Corresponding Departments at Universities Elsewhere

Relatively New – Now Being Widely Established

Not Yet Found in Many (or Any) Other Universities

9. Course Relationship to Program(s).

a. * Is this course part of a proposed new program? Yes No

If YES, name the proposed new program:

b. * Will this course be a new requirement for ANY program? Yes No

If YES, list affected programs::

10. Information to be Placed on Syllabus.

a. * Is the course 400G or 500? Yes No

If YES, the *differentiation for undergraduate and graduate students must be included* in the information required in 10.b. You must include: (i) identify additional assignments by the graduate students; and/or (ii) establishment of different grading criteria in the course for graduate students. (See SR

b. * The syllabus, including course description, student learning outcomes, and grading policies (and 400G-/500-level grading differentiation if applicable above) are attached.

- ▣ Courses are typically made effective for the semester following approval. No course will be made effective until all approvals are received.
- ▣ The chair of the cross-listing department must sign off on the Signature Routing Log.
- ▣ In general, undergraduate courses are developed on the principle that one semester hour of credit represents one hour of classroom meeting per week for a semester, exclusive of any laboratory meeting. Laboratory meeting, generally, requires two hours per week for a semester for one credit hour. (from SR 5.2.1)
- ▣ You must also submit the Distance Learning Form in order for the proposed course to be considered for DL delivery.
- ▣ In order to change a program, a program change form must also be submitted.

Rev 8/09

Submit as New Proposal Save Current Changes

Federal Appellate Practice and Procedure Class Syllabus

Charles P. Wisdom Jr.
Adjunct Professor
Office: 859-685-4903
Home: 859-269-8484
Mobile: 859-420-5029
E-mail: cp.wisdom@yahoo.com

I. Course Content

This course provides an introduction to appellate practice and procedure in federal court. The course is designed to provide students the basic substantive knowledge and skills needed to advocate effectively in a federal court of appeals. The course begins with a discussion of the legal and practical concerns that must be considered in every federal appeal, including the function of the court of appeals and the determination of whether to appeal. The course provides an intensive introduction to basic appellate skills. The major assignment, which focuses on writing, is the preparation of a brief. A series of minor assignments, including drafting a notice of appeal, motion to dismiss appeal for lack of jurisdiction, and motion for panel or en banc rehearing, complete the writing requirements. The course also provides a comprehensive discussion of the Federal Rules of Appellate Procedure, the local rules of the Court of Appeals for the Sixth Circuit, and electronic filing in the court of appeals, and a brief review of appellate practice in the United States Supreme Court. The course concludes with instruction on oral advocacy and mock arguments on the briefs. In addition, federal practitioners and federal judges may be invited to discuss appellate advocacy.

II. Texts/Assignments

We will use RUGGERO J. ALDISERT, *WINNING ON APPEAL: BETTER BRIEFS AND ORAL ARGUMENT* (2d ed. 2003), as our primary text. We will also use the Federal Rules of Appellate Procedure, and the local rules of the United States Court of Appeals for the Sixth Circuit, which are available at www.ca6.uscourts.gov; The Bluebook: *A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds., 19th ed. 2010); ANTONIN SCALIA & BRYAN A. GARNER, *MAKING YOUR CASE: THE ART OF PERSUADING JUDGES* (2008); and

WILLIAM STRUNK JR. & E. B. WHITE, *THE ELEMENTS OF STYLE* (4th ed. 2000). I recommend, but do not require: DAVID C. FREDERICK, *THE ART OF ORAL ADVOCACY* (2d ed. 2011). I will distribute a copy of other material that you will use in drafting a brief and other appellate documents.

You will be given writing assignments and participate in a mock argument. You will also be expected to be prepared for each class and to participate in class. All written assignments must comply with the Federal Rules of Appellate Procedure and the local rules of the Court of Appeals for the Sixth Circuit.

III. Computers

I allow the use of computers during class to take notes and to access the rules of the courts of appeals. Otherwise, I do not condone the use of computers during class time.

IV. Grading/Exams

This is a three-credit course. Your grade will be based on your written and oral assignments and your class participation. This course satisfies the College of Law's Professional Skills requirement. There is no final exam.

V. Class Attendance

A student who misses twenty-five percent or more of classes will not receive credit for the course. This is a non-modifiable ABA rule. The twenty-five percent rule for a three-hour class is the equivalent of eleven absences. Thus, for this class, which meets for seventy-five minutes, each absence counts as 1.5 absences.

VI. Office Hours

My office hours are 8:30 a.m. to 5:00 p.m. I am also available by appointment.

VII. Honor Code

All work pertaining to this class is subject to the Honor Code.