APPLICATION FOR NEW COURSE

Sul	bmitted by the College of Law Date: Aug 11, 2009			
De	partment/Division proposing course: Law			
Pro	oposed designation and Bulletin description of this course:			
a.	Prefix and Number LAW 966			
h	Title* US Attorney Appellate Division Externship			
b.	The OS Attorney Appenate Division Externship			
4	If title is longer than 24 characters, offer a sensible title of 24 characters or less: US Atty App Div Ext			
c.	Courses must be described by at least one of the categories below. Include number of actual contact hours per week			
(7) CLINICAL () COLLOQUIUM () DISCUSSION () LABORATORY () LECTURE			
() INDEPEND. STUDY () PRACTICUM () RECITATION () RESEARCH () RESIDENCY			
(SEMINAR () STUDIO () OTHER – Please explain:			
d.	Please choose a grading system: Letter (A, B, C, etc.)			
e.	Number of credit hours: 2			
_				
f.	Is this course repeatable? YES NO If YES, maximum number of credit hours:			
g.	Course description:			
	The goals of this externship are to develop practical appellate litigation skills, especially appellate brief-writing skills; to give practical experience in researching legal topics; and to increase understanding of the appellate process, especially as relates to federal government litigation and the rules of the U.S. Court of Appeals for the Sixth Circuit. Students will be supervised by attorneys in the U.S. Attorney's Office Appellate Section. There are no prerequisites for this externship, other than status as a second- or third-year student at the College of Law. Students in this externship are not required to seek admission under the student practice rules; however, students are subject to a background check by the Federal Bureau of Investigation prior to final enrollment in the course.			
h.	Prerequisite(s), if any:			
i.	Will this course also be offered through Distance Learning? YES □ NO ☑			
	If YES, please check one of the methods below that reflects how the majority of the course content will be delivered:			
	Internet/Web-based			
Sup	oplementary teaching component: 🛛 N/A or 🔲 Community-Based Experience 🔲 Service Learning 🔲 Bot			
То	be cross-listed as:			
- 0	Prefix and Number printed name Cross-listing Department Chair signature			

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5.	Requ	uested effective date (term/year): Fall / 2009		
6. 7.	Will	rse to be offered (please check all that apply): Fall Spring Summer the course be offered every year? O, please explain:	r 🛚 YES	□ NO
8.	Why Clin	o, please explain: vis this course needed? ical and practical experience-based and community-engagement courses are a priority in the Coloeen offered on an experimental basis twice and has been very successful.	lege of Law. T	his course
9.	a.	By whom will the course be taught? Adjunct Professor Charles Wisdom	_	
	b.	Are facilities for teaching the course now available? If NO, what plans have been made for providing them?	⊠ YES	□ NO
10.	Wha	t yearly enrollment may be reasonably anticipated?		
11.	a.	Will this course serve students primarily within the department?	Yes	☐ No
	b.	Will it be of interest to a significant number of students outside the department? If YES, please explain.	☐ YES	⊠ NO
12.		the course serve as a University Studies Program course [†] ? ES, under what Area?	☐ YES	⊠ NO
		OF SPRING 2007, THERE IS A MORATORIUM ON APPROVAL OF NEW COURSES FOR	USP.	
13.	Chec	ck the category most applicable to this course:		
		traditional – offered in corresponding departments at universities elsewhere		
		relatively new – now being widely established		
	[not yet to be found in many (or any) other universities		
14.	Is thi	is course applicable to the requirements for at least one degree or certificate at UK?	Yes	☐ No
15.	Is thi	is course part of a proposed new program?	YES	⊠ NO
	If YJ	ES, please name:		
16.		adding this course change the degree requirements for ANY program on campus?	☐ YES	⊠ NO

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‡In order to change the program(s), a program change form(s) must also be submitted.									
The major teaching objectives of the proposed course, syllabus and/or reference list to be used are attached.									
Check box if course is 400G- or 500-level, you must include a syllabus showing differentiation for undergraduat and graduate students by (i) requiring additional assignments by the graduate students; and/or (ii) the establishment of different grading criteria in the course for graduate students. (See SR 3.1.4)									
Within the department, who should be contacted for further information about the proposed new course? Douglas C. Michael									
: Associate Dean for Academic Affairs	Phone:	Email:	michaeld@uky.edu						
Signatures to report approvals:									
N/A			/						
DATE of Approval by Department Faculty	printed name	Reported	by Department Chair	Staryout					
March 26, 2000	David A. Da	(
			d by College Days) -					
DATE of Approval by Conege Faculty	римскі паняс	Reporte	d by Contact Down	<u>sig</u> nature					
			/						
* DATE of Approval by Undergraduate Council	printed name	Reported by Un	dergraduate Council Chair	signature					
			/						
* DATE of Approval by Graduate Council	printed name	Reported by	Graduate Council Chair	signature					
			/						
* DATE of Approval by Health Care Colleges Council (HCCC)	printed name	Reported by Health	Care Colleges Council Chair	signature					
* DATE of Approval by Senate Council		Reported by Of	fice of the Senate Council						
* DATE of Approval by University Senate		Reported by Of	fice of the Senate Council						
` ` ` ` · · · · · · · · · · · · · · · ·	Check box if If the course is 400G- course is and graduate students 400G or 500. establishment of diffe Within the department, who should be cont Douglas C. Michael E. Associate Dean for Academic Affairs Signatures to report approvals: N/A DATE of Approval by Department Faculty * DATE of Approval by College Faculty * DATE of Approval by Graduate Council * DATE of Approval by Graduate Council * DATE of Approval by Health Care Colleges Council (HCCC) * DATE of Approval by Senate Council	Check box if If the course is 400G- or 500-level, you may course is and graduate students by (i) requiring additionally 400G or 500. establishment of different grading criteria. Within the department, who should be contacted for further info Douglas C. Michael experiment and a secondary of the printed name. N/A DATE of Approval by Department Faculty * DATE of Approval by Undergraduate Council * DATE of Approval by Graduate Council * DATE of Approval by Health Care Colleges Council (HCCC) * DATE of Approval by Senate Council	Check box if course is 400G- or 500-level, you must include a syllabus and/or reference and graduate students by (i) requiring additional assignments be establishment of different grading criteria in the course for grad Within the department, who should be contacted for further information about the proposed course. Associate Dean for Academic Affairs Phone: 71485 Email: Signatures to report approvals: N/A DATE of Approval by Department Faculty printed name Reported Phone: Approval by College Faculty Printed name Reported Phone: Phone: Ph	The major teaching objectives of the proposed course, syllabus and/or reference list to be used are attached. Check box if If the course is 400G- or 500-level, you must include a syllabus showing differentiation for uncourse is and graduate students by (i) requiring additional assignments by the graduate students; and/or (400G or 500. establishment of different grading criteria in the course for graduate students. (See SR 3.1.4) Within the department, who should be contacted for further information about the proposed new course? Douglas C. Michael: Associate Dean for Academic Affairs Phone: 71485 Email: michaeld@uky.edu Signatures to report approvals: N/A DATE of Approval by Department Faculty printed name Reported by Department Chair * DATE of Approval by Undergraduate Council * DATE of Approval by Graduate Council * DATE of Approval by Graduate Council * DATE of Approval by Health Care Colleges Council (HCCC) * DATE of Approval by Senate Council Reported by Office of the Senate Council					

^{*}If applicable, as provided by the University Senate Rules. (http://www.uky.edu/USC/New/RulesandRegulationsMain.htm)

USAO/UK LAW EXTERNSHIP

Class Syllabus — Fall 2009 Charles P. Wisdom Jr. 260 W. Vine Street, Suite 300 Lexington, Kentucky 40507 Office: 859-685-4903

E-mail: charles.wisdom@usdoj.gov

I. COURSE CONTENT

This course is an externship with the U.S. Attorney's office. The goals of this course are to develop practical litigation skills, especially appellate brief-writing skills; to give practical experience in researching legal topics; and to increase understanding of the appellate process, especially as it relates to federal government litigation in the U.S. Court of Appeals for the Sixth Circuit. To accomplish these goals, you are required to commit 100 hours to this program over the course of the semester. This commitment includes attending the following lectures, which are planned to occur every two weeks, and which will be held in the evening:

Lecture 1: Introduction

- A. Federal Court System and Role of U.S. Attorney
- B. General Information and Rules of Appellate Procedure

Lecture 2: Overview of the Appellate Section

- A. The Appellate Section
- B. Division of Responsibility Between Trial and Appellate AUSA
- C. The Mechanics of an Appeal
- D. Steps Preparatory to Writing the Appeal
- E. Post-Briefing Matters
- F. Post-Decision Matters
- G. Habeas

Lecture 3: Writing the Brief

- A. Legal Research
- B. Steps Before Writing
- C. Form and Parts of the Brief
 - 1. The General Approach
 - 2. The Parts of the Brief
- D. Style
 - 1. Argument Headings and Subheadings

- 2. Reference to Appellant/Defendant
- 3. Names
- 4. Rules
- 5. Numerals
- 6. Counts
- 7. Abbreviations for Agencies
- 8. Contractions
- 9. Underlining, Italicizing, and Bold in Text
- 10. Capitalization
- 11. Commas
- 12. Colons
- 13. Hyphens
- 14. Dashes
- 15. Ellipses
- 16. Use of Quotation Marks and Omitted Material
- 17 Hard Spaces at End of Line
- 18. Page Breaks
- 19. Words and Phrases to Avoid
- 20. Passive Voice
- 21. Reference to the Government's Argument
- 22. Placement of the Word "Only"

E. Citation

- 1. Citation to Briefs, Appendices, and the Pre-Sentence Report
- 2. Citation of Exhibits
- 3. Case Citations
- 4. Constitutions, Statutes, and Rules
- 5. Books and Treatises
- 6. Law Review and Other Periodical Articles
- 7. Newspapers
- 8. Short Citation Forms
- 9. Introductory Signals
- 10. String Citations

Lecture 4: Oral Argument

- A. Preparation For Oral Argument
 - 1. Admission to the Court of Appeals
 - 2. Initial Preparation
 - 3. Outlining the Oral Argument
 - 4. The Moot Court and Additional Preparation
- B. The Argument
 - 1. The Beginning of the Argument

- 2. Responding to Questions
- 3. Maintaining Credibility With the Court
- 4. Length of the Argument
- C. After the Argument

Lecture 5: Further Review of the Decision in the Court of Appeals

- A. Reporting Adverse Circuit Decisions and Obtaining Solicitor General Approval to Seek, or Not to Seek, Rehearing En Banc
- B. Motion for Panel Rehearing, Motion for Modification of the Opinion, Motion for Clarification of the Mandate, and Motion to Remove a Prosecutor's Name From the Opinion
- C. Motion for Publication of the Opinion

Lecture 6: Adverse Decisions and Government Appeals

- A. The Authorization Process
- B. Considerations Relevant to the Decision Whether to Appeal
- C. Resources
- D. Common Types of Appeals
 - 1. Appeals from Suppression Appeals
 - 2. Appeals from Orders Dismissing the Indictment or Granting a Post-Verdict Motion for a New Trial or Judgment of Acquittal
 - 3. Appeals from Adverse Guideline Decisions and Other Sentencing Appeals
 - a. Appeals Involving the Misapplication of the Guidelines, and Departures
 - b. Non-Guideline Appeals
 - 4. Adverse Discovery Orders
 - 5. Mandamus
 - 6. Motions for Stay Pending Appeal

Lecture 7: Special Consultation or Approval Requirements

- A. Environment and Natural Resource Division
- B. National Park Service and the Fish and Wildlife Service
- C. Tax Division
- D. Civil Rights Division
- E. The Antitrust Division
- F. The Civil Division

Lecture 8: Motion Practice

A. Routine Motions

- Motion to Consolidate Appeals for Scheduling and Oral Argument
- 2. Motion to Consolidate Briefing Obligations
- 3. Motion for Additional Words
- 4. Motion for Additional Time to File Brief
- 5. Motion for Order Extending the Time Within Which to File a Petition for Panel Rehearing and Petition for Rehearing En Banc
- B. Non-Routine Procedural Motions
 - 1. Motion to Expedite Appeal
 - 2. Motion for a Stay of a District Court Order
- C. Dispositive Motions
- D. Motion to Remand
- E. Motions to Publish an Unpublished Opinion
- F. Motions to Correct the Record
- G. Other Resources

II. ASSIGNMENTS

You will be given research and writing assignments based on issues that arise in pending litigation. You will also prepare for and participate in a moot court of an oral argument that you will attend at the U.S. Court of Appeals in Cincinnati. I intend to choose an argument on the court's October calendar that will accommodates your schedule. You will, of course, observe other arguments scheduled that day. Finally, you are required by the University to keep a written journal of your experience.

III. GRADING/EXAMS

This is a pass-fail course. The pass or fail grade will be based on your work during the semester, including your research and writing assignments, participation in moot court, and journal.

IV. UNEXCUSED ABSENCES AND LATE ASSIGNMENTS

I will make every effort to schedule lectures and work hours around your schedule. I only ask advance notice of any conflicts. You are required by my office to keep a log of your time.

V. OFFICE HOURS

My usual hours are 8:30 a.m. to 5:00 p.m. I will also be available by appointment at mutually agreeable times.

VI. HONOR CODE

Please refer to the University's Honor Code.