

Introduction, Syllabus and General Information

*Welcome to **Affirmative Litigation Training** co-sponsored by **Center for Legal Aid Education** and the **Sargent Shriver National Center on Poverty Law**.*

This training has both in-person and online components. **Online activities will take place during the weeks of July 11, July 18 and July 25. The three day in-person event takes place at Wachusett Village Inn in Westminister, MA, August 2 – 4, 2011.**

Read this document first to get grounded in the training design, curriculum and time commitments involved. This document focuses on the online components of the course.

A window agenda for the in-person training will be available on the website.

During this training you will:

- Learn how to construct a case plan and strategy for prosecuting an affirmative “impact” case designed to change a policy or practice that effects a group of clients
- Begin to learn the substantive law that controls the power and willingness of courts to entertain your case, including jurisdiction, causes of action, state action, standing, mootness, sovereign immunity, exhaustion, preclusion and abstention
- Practice skills associated with this work including case planning, complaint drafting, and oral motion practice
- Experiment with these concepts by applying them to a mock case specifically designed to test many of these concepts

This training involves a significant time commitment. To get the most benefit from it, make explicit arrangements with your supervisor or supervisors beforehand to get enough relief so that you can set aside the time needed and have back-up available in the event that an emergency arises during a critical point in the training. We are at your service to talk with you and your supervisor to strategize about what you will need.

Time Commitments:

- **Pre-training:** Approximately 90 minutes of self paced activities before the training starts
- **Weeks 1-3 Online:** Approximately 7-8 hours during each of the three online weeks.
- **Live Link-Ups (LLUs).** During Weeks One and Two of the online course, there is a 90 full group meeting conducted by telephone and a web based meeting tool called Adobe Connect. These meetings are on **Wednesday, July 13 and Wednesday, July 20, from 2:00 – 3:30 p.m. EST.** Please make sure you calendar these meeting dates since your participation in these is required.
- **Small group meetings.** During Weeks One, Two and Three, you will participate in a small group meeting conducted by conference call. We urge you to sign up for your preferred timeslots for these meetings by clicking on **Activity 0-3: Sign-up for small group meetings.**
- Other activities are more flexible in their timing and need only be completed by the deadlines on the calendar. Each activity is briefly described below and also noted on the calendar.

Following is a list of the activities for the three weeks of online training, plus pre-training assignments. There is a version of this document on the course website. Just click on the “course syllabus” link in Activity 0—1 to go to it.

You should always read this detailed information before beginning an activity.

If you have any questions as you proceed with any of the assignments, please call or email the course lead trainer, Ellen Hemley. We want you to have a great experience with this course and we are at your service to respond to any questions or issues that arise. **Contact Ellen at 617-946-4672 x4111 or by email at ehemley@legalaideducation.org. If you run up against technical problems or challenges with the website, please contact Jaime Roosevelt, our Office Manager and Program Coordinator, at 617-946-4672 x4112 or by email at jroosevelt@legalaideducation.org .**

NOTE: All times are Eastern Standard Time (EST).

Pre-Training Activities to Complete Before July 11:

- **Activity 0-1:** Read this syllabus and review the online calendar. Organize your personal calendar for the live link-ups. Get familiar with what the site looks like and where the course materials are. Review online course tutorials which provide an introduction to the ALT course and the online campus. You can contact Jaime at the number and email address above at any time for guidance. **Due by Thursday, July 7, at 5PM. (30')**

- **Activity 0-2:** Complete the pre-training survey. The link is located on the Activity 0-2 page. The purpose of the survey is to help the trainers learn about your background and experience. Your responses will only be shared with the trainers in compiled form and will not be shared with anyone else. **Due by Thursday, July 7, at 5PM. (15')**
- **Optional Live Link Up:** There will be an optional Live Link Up offered as an online campus tutorial & help session. A reservation link will be emailed to you in order to register for this optional Live Link Up. You can attend a session either **Wednesday, July 6th from 2:00-3:00PM** or **Thursday, July 7, from 2:00-3:00PM.**
- **Activity 0-3:** Share this syllabus and estimated time commitments with your supervisor, ask them to read it, and then have a concrete conversation with them about how you will have the time available to complete the course activities. **Due by Friday, July 8, at 5PM. (30')**
- **Activity 0-4:** Sign up for small group meetings during Weeks One, Two and Three. Please sign up for these meetings in advance. **Due by Friday, July 8, at 12PM. (15')**

Week One: July 11 – July 15 (8 - 10 hours)

- **Activity 1-1:** Introduce yourself in the course discussion space. Create your participant profile. **Due by Monday July 11, at 5PM.** Reply to another participant's introduction post. **Due by 8PM on Tuesday, July 12. (30')**
- **Activity 1-2:** Review the Rebecca Just case file and materials on pre-filing considerations. Respond to questions in the discussion forum. Read the relevant portions of Chapter 1 of the Federal Practice Manual **Due by 8PM on Tuesday, July 12. (30')**
- **Activity 1-3:** Join and participate in the Week One Live Link Up. We'll be introducing ourselves, learning more about the structure of the course, discussing how affirmative litigation gets started, and reviewing preliminary considerations in case analysis and planning – all leading up to complaint drafting. **We will meet from 2-3:30PM EST Wednesday, July 13. (75')**
- **Activity 1-4:** Review materials and watch video presentation on Jurisdiction, Causes of Action and State Action. A copy of the DVD has been sent to you. Also, go to the Discussion Forum to discuss your thoughts on how above concepts relate to the Rebecca Just case. (If time permitting, you are encouraged to review the supplemental readings on these topics. Links to the supplemental readings are also provided as a resource within Week One Resources on the course site.) **Due by 8 PM on Wednesday, July 13. (60')**

- **Activity 1-5:** Participate in small group phone-based meeting and online discussions. **Each participant will be assigned one time slot either Wednesday July 14th or Thursday, July 15. (120')**
- **Activity 1-6:** Utilize concepts of Jurisdiction, Cause of Action, and State Action from the Rebecca Just case to complete Worksheet 1. Upload your completed Worksheet for review by faculty. You will receive feedback from a faculty member by July 18th. **Upload your completed Worksheet by 3 PM on Friday, July 15. (60')**

Note: This and the following worksheets are real case planning tools that we recommend incorporating into your analysis of any complex litigation.

- **Activity 1-7:** Complete Week One online evaluation. **Due by 8 PM Monday, July 18. (15')**

Week Two: July 18 – July 22 (10 hours)

- **Activity 2-1:** Review materials on Standing and Mootness and consider their application to the Rebecca Just case. If time permits, you are encouraged to review reading materials from the Federal Practice Manual, chapter 3, pages 1-45. Also go to the Discussion Forum and post your responses to questions on Standing and Mootness as these relate to Rebecca Just. **Due by 8 PM on Monday, July 18. (60')**
- **Activity 2-2:** Watch the multi-media presentation on Sovereign Immunity and the 11th Amendment. We have mailed a copy of the DVD to you. If time permits, you are encouraged to review reading materials from the Federal Practice Manual, chapter 8, pages 1-19. **Due by 8 PM on Tuesday, July 19. (75')**
- **Activity 2-3:** Join and participate in the Week 2 Live Link Up. This session will focus on complaint drafting, facts, and relief, and on other questions that you have about the materials and concepts explored so far. **We will meet from 2-3:30PM EST Wednesday, July 20. (90)**
- **Activity 2-4:** Participate in a facilitated small group phone-based meeting with several other course participants and a faculty member. Discussion will focus on concepts presented in Week 2 and their application to the Rebecca Just case file. Also use the discussion forum to communicate with others in the ALT course. **Each participant will be assigned one time slot either Thursday, July 21 or Friday, July 22 (75')**
- **Activity 2-5:** Complete Worksheet 2; Selection of Parties. **Upload your completed Worksheet by 3PM on Friday, July 22. (120')**

- **Activity 2-6:** Complete the Week 2 evaluation. A link to this survey is listed on this activity page. **Complete evaluation by 8PM on Monday, July 25. (15')**

Three: July 25 – July 29 (10 hours)

- **Activity 3-1:** Read Chapter 4 of the Federal Practice Manual on drafting and filing a complaint. A link to the online version of this chapter is included on the course homepage under this activity. **Complete Worksheet 3 by 8 PM on Monday, July 25. (120')**
- **Activity 3-2:** Participate in the Week Three discussions. Each participant will be assigned to a discussion either **Tuesday, July 26, or Wednesday, July 27. (60')**
- **Activity 3-3:** Draft a complaint for the Just case. These complaints will be reviewed in individual review sessions while we are onsite at Wachusett. **You must upload your complaint by 8 PM on Thursday, July 28. Please feel free to submit it earlier. (5 hours)**
- **Activity 3-4:** Complete the final evaluation. A link to the online survey is available on the this activity page. **Please complete the survey by 8PM on Monday, August 1. (15')**

Join us at Wachusett on August 2nd for the in-person portion of the course!