

Welcome to the Child Welfare Appellate Clinic (“CWAC”). Our Office Manual is posted on Canvas under “Files.” The manual has a lot of important information about the clinic, administrative items, our goals, and our expectations. Please take a look at it.

Class meetings: Wednesdays, 1:30-3:30pm, 236 HH

Attendance, Class Participation, and Opt-Outs: Regular attendance and preparation for and participation in class discussions are essential parts of this course. As a general matter, you should be prepared to discuss the course material at each meeting. That said, we are aware that the material covered in this course might include topics some find difficult or upsetting to discuss. If you would find it personally difficult to discuss a particular topic in class, let us know in advance, and we will not expect you to participate in the relevant conversation. It is important for law students to develop the skill of speaking publicly about hard legal issues, but we do not wish to put any of you on the spot to discuss a subject that you, for personal reasons, do not wish to have to talk about in the classroom setting.

Beyond that, with COVID-19 still ever present, we recognize that one of us may become ill, need to take care of someone who is ill, or be emotionally affected because of the effect of this pandemic on their loved ones. For these reasons, this year more than ever it is important that you keep the lines of communication open with us about your circumstances, whatever they are, so that we can (a) help you as best we can, and (b) prepare accordingly so our class sessions can run smoothly. This course is meant to challenge and motivate you, not to stress you out or add too much to your plate during times of emotional strain. If you are facing difficult circumstances and need to opt out of participating in a class session, tell us.

Mental Health Resources: Law school can be challenging, particularly during a global pandemic. The Law School has a designated counselor, [Reena Sheth](#), who is available to students for consultation, therapy, and outreach. The Law School partners with counselors throughout the University to further meet students’ needs. The University also offers urgent/crisis resources after business hours at 734-764-8312. You can learn more about the available counseling services and find information on how to schedule an appointment with a counselor on the law’s school [mental health resources website](#).

Students with Disabilities: The University of Michigan is committed to providing equal opportunity for participation in all programs, services and activities. Request for accommodations by persons with disabilities may be made by contacting the Services for Students with Disabilities (SSD) Office located at G 664 Haven Hall. The SSD phone number is [734-763-3000](#). Once your eligibility for an accommodation has been determined, SSD will contact the Law School's Office of

Student Life (734-764-0516, lawstudentlife@umich.edu) with a recommendation, and Student Life will work with you and SSD to finalize and facilitate your accommodations. For more information about this process, please feel welcome to contact the Office of Student Life.

Materials: Each of you will receive a “source book” that contains a number of important resources for understanding child welfare law in Michigan. We will provide most resources on the class Canvas site. Readings and assignments below will be available on Canvas unless marked with “SB,” which means it is in the source book. There is no textbook.

Building Community: We believe that building community is critical to the learning experience in the clinic. As such, we’ll take time each class to get to know one another. We might begin class with a short icebreaker. During class, we’ll be doing a lot of small group work and will create opportunities for us to connect.

Feedback: We want to make sure this is the best learning experience possible for each of you and will work hard to improve each week. To help with that, here is the link to a Google Form (<https://forms.gle/w69pAtiRtHfXrLn98>) where you can leave anonymous feedback anytime you want. (The link is also on our Canvas page). Let’s not wait until the midterm eval to make this experience better for you.

Below is a list of class topics for each week, along with the reading assignment and writing assignment that must be completed for that class. Unless otherwise noted all writing assignments are due **by the Monday before class (any time that day)** on Canvas.

DATE	CLASS TOPICS	READING	ASSIGNMENT
Week 1 Aug 31	<ul style="list-style-type: none"> • Introduction • Impact of appellate advocacy • The value of offering a compelling story 	<ul style="list-style-type: none"> • “Marie and Her Sons” • CWAC Office Manual • <u>In re Gach</u> and <u>In re Hicks/Brown</u> (skim for general sense of the case facts and holding of the court) 	<ul style="list-style-type: none"> • Self-Assessment (due no later than Aug 29th; please upload to Canvas) • Student questionnaire located at https://forms.gle/tY5ovXkCYJLZdGJQ6
Week 2 Sept 7	<ul style="list-style-type: none"> • Interviewing Clients 	<ul style="list-style-type: none"> • Michigan Rules of Professional Conduct (SB) [Quickly skim the 	<ul style="list-style-type: none"> • Marie and Her Sons Rewrite Exercise

	<ul style="list-style-type: none"> Terminating Parental Rights – Law and Practice 	<ul style="list-style-type: none"> rules, ignore the comments for now] Excerpt from “The Clinic Seminar,” pp. 137-170 Collaboration- Clinic Seminar MCL 712A.2 et seq (SB) MCR 3.900 et seq (SB) Child Welfare System Flowchart 	<ul style="list-style-type: none"> Learning the Law Exercise Collaboration Exercise (for discussion in supervision)
Week 3 Sept 14	<ul style="list-style-type: none"> Writing effective narratives Legal writing structure Representing tough clients 	<ul style="list-style-type: none"> Robbins, “Fiction 101” CREAC handout Read your partner’s Week 3 Rewriting Statement of Facts Exercise before supervision 	<ul style="list-style-type: none"> Rewriting Statement of Facts Exercise CREAC Identification Exercise (bring to class)
Week 4 Sept 21	<ul style="list-style-type: none"> Using CREAC 	<ul style="list-style-type: none"> Read student example of Week 4 Writing Assignment (to be circulated day before class) – Make sure to identify CREAC elements 	<ul style="list-style-type: none"> Drafting a CREAC Exercise
Week 5 Sept 28	<ul style="list-style-type: none"> Using case law to support different legal rules 	<ul style="list-style-type: none"> In re Mason MCL 712A.19b(3)(g) 	<ul style="list-style-type: none"> Using Authority to Support Rules exercise
Week 6 Oct 5	<ul style="list-style-type: none"> Editing Winning Briefs – Marilena David Martin, Deputy Director, State Appellate Defenders Office 	<ul style="list-style-type: none"> The Wrong Stuff” “Writing That Wins” A Dozen Words And Phrases To Doubt” 	

Week 7 Oct 12	<ul style="list-style-type: none"> View from the Bench – Judge Elizabeth Gleicher, Judge Brock Swartzle, Michigan Court of Appeals 	<ul style="list-style-type: none"> Come to class with questions for judges Mid-semester student review meetings will take place this week 	
Week 8 Oct 19	<ul style="list-style-type: none"> Why TPR? Reading and Interpreting Statutes 	<ul style="list-style-type: none"> Garrison, “Why TPR” “Foster Care as Punishment: The New Reality of Jane Crow” 	

Around this point in the semester, we find that our class plans need to be slightly more flexible, as students are in the middle of researching legal issues, strategizing about approaches to cases, and drafting and editing briefs. As you can see below, we do not always predetermine class readings or assignments for these classes. We also leave room in the class plan for students to present their cases, brainstorm as a group, or workshop pieces of their briefs. We'll update class plans week to week.

Week 9 Oct 26	<ul style="list-style-type: none"> Case Workshopping Oral argument discussion 	<ul style="list-style-type: none"> “The Don'ts of Oral Argument” 	
Week 10 Nov 2	<ul style="list-style-type: none"> Case Workshopping 	<ul style="list-style-type: none"> TBA 	

Week 11 Nov 9	<ul style="list-style-type: none"> • Oral Argument Simulation 		
Week 12 Nov 16	<ul style="list-style-type: none"> • Oral Argument Simulation 		
Nov 23	<ul style="list-style-type: none"> • No Class 	Happy Thanksgiving	
Week 13 Nov 30	<ul style="list-style-type: none"> • Celebration of Our Work 	<ul style="list-style-type: none"> • Six Word Exercise 	