

DRAFT FULL SYLLABUS
LEGAL RESEARCH AND WRITING I
FALL SEMESTER 2010

Professor Mary Trevor
Section F: M, W 4-4:50 p.m. (Moot Court Room)

Introduction

Welcome to Hamline University School of Law and to Legal Research and Writing I (LRW I), Fall Semester of 2010. This syllabus covers the basic course requirements and the weekly sequence of classes, readings, and assignments for the fall semester. You will receive the syllabus for LRW II (Spring Semester, 2011) toward the end of this semester, and you will also take that course with me.

Please be sure to also review the course Student Manual, which will be posted when available. It covers, in detail, the course requirements and information for both LRW I and II, including, among other items, the course goals and assignments, the attendance policy, the format and submission requirements for graded assignments, the ethical and conduct requirements, the penalties for late submission of assignments, the grading criteria for assignments, and the calculation of semester-end grades.

Please note that this syllabus is only a draft. I will distribute the final version of the syllabus in hard copy, along with hard copies of the Student Manual and a short, quick-reference version of this syllabus, in our first class of the fall. I will also post the materials on my TWEN site. If you have any questions before we meet in class, please feel free to contact me.

I hope you have a great year in Legal Research and Writing!

Communication

You may contact me in person at my office, 306D; by phone at 651-523-2487; or by email at mtrevor@hamline.edu. Before the semester starts, or between semesters, email is best. Once the semester starts, I will post office hours, but please feel free to email, phone, stop by any time, or make an appointment. During tutorial and grading periods, my office hours will be more limited than usual, but you are welcome to phone or email to ask questions or set up an appointment.

During the school year, I will use an online TWEN (The West Education Network) site to post course materials, send group and individual course-related emails, conduct sign-ups for course activities, and allow for submission of certain class assignments. Please register on my TWEN site **as soon as** you receive your Westlaw password during Orientation, and remember to check

the site and your email regularly so you do not miss any important information. If your email changes, please be sure to update your registration.

I will also be working with a Teaching Assistant who will help out with class, hold office hours, grade some assignments, and generally be available for questions. You will meet my Research Assistant and receive contact information for her at the start of classes.

Professionalism and Personal Technology Use

Please take special note of the section in the Student Manual that addresses Professionalism. It is my hope and expectation that all students will comport themselves professionally.

In this syllabus, I would like to address the use of technology specifically. Laptops are allowed in my class, and we will use them for various exercises and to access resources. But misuse of technological devices—laptops and others—can be distracting to your classmates and me. Accordingly, during class, in addition to practicing the usual courtesies, please refrain from using your laptop by engaging in such activities as visiting web sites that the class has not been instructed to visit; displaying wallpaper, screen savers, or other material that can reasonably be expected to offend or distract your classmates; and instant messaging, emailing, blogging, tweeting, or other social networking. Please also refrain generally from using technologies to engage in communication activities such as texting, phoning, or using pagers. Failure to abide by this policy may result in the loss of the privilege to use the technology in question during the class where the violation occurred; repeated violations may result in additional sanctions, including point deductions, within my discretion.

Textbooks and Textbook Suggestions

The following texts are **required** for LRW I:

The Bluebook: A Uniform System of Citation (Columbia Law Review Ass'n et al. eds., 19th ed. 2010) ("Bluebook" or "BB")

Linda H. Edwards, Legal Writing: Process, Analysis, and Organization (5th ed. 2010) ("Edwards")

Anne Enquist & Laurel Currie Oates, Just Writing: Grammar, Punctuation, and Style for the Legal Writer (3d ed. 2009) ("Just Writing")

Tracy McGaugh & Christine Hurt, Interactive Citation Workbook for the Bluebook: A Uniform System of Citation (2010 ed.) ("ICW")*

The release of the ICW books this year will be delayed so you will not be able to get them in the bookstore before classes start. I will give you updated information when classes begin.

Amy E. Sloan, Basic Legal Research: Tools and Strategies (4th ed. 2009) ("Sloan")

*Use of the ICW requires you to access the LexisNexis website. You will receive a LexisNexis password during Orientation at the same time you receive your Westlaw password.

Suggestions about Required Textbooks: Because they are year-old editions, you may be able to purchase used copies of Sloan and Just Writing. While the Edwards book is in a new edition, much of its content is the same as that in the Fourth Edition, so you may be able to get by with purchasing a used copy of the Fourth Edition. You will, however, need to buy the new editions of the Bluebook and the ICW because the new editions involve substantial changes from the old. Be sure to hang on to all the books at the end of fall semester; you will continue to use them for later semesters in the course.

Suggestions about Recommended Textbooks: You will see recommended textbooks listed at the Bookstore and in our Student Manual. While you certainly may purchase any that might appear to be particularly helpful for you, I would not recommend buying any of them automatically. I would be happy to consult with you about any purchases you are considering. Once the semester starts, I might recommend a particular book if I think it would be helpful for you, but even then you are not required to buy anything for the fall beyond the required books listed in this syllabus.

Syllabus Pointers

As you will have noted on your schedule from the Registrar's Office, our class is scheduled to meet for two hours per week. But the actual scheduling in any given week may vary due to other course activities, such as guest lectures or workshops, tutorials, and simulations. So please check the syllabus carefully each week and do not assume any particular meeting schedule or place. If any syllabus changes come up, I will announce them as far in advance as possible.

Writing assignments. The major assignments of the semester—the Closed Memorandum and Research Memorandum—should be submitted to the Registrar's Office by 11:00 a.m. on the due dates. Please time stamp each assignment envelope in the machine in the Registrar's Office. In addition, please email me an electronic copy of your assignment by 11:00 a.m. on the due date. I will give you directions in class for the submission of other assignments.

Reading assignments. Please do the required reading assignment before the class for which it is assigned. You may need to come back to early reading assignments over the course of the semester to get full benefit from the reading. You will be held responsible for information in the reading that we do not cover in class, including information on grammar, punctuation, and legal citation. Except in the ICW, where both reading and

exercises are required, you need not complete exercises in the text unless I specifically assign them.

Citation Exercise assignments. For each citation exercise, you are required to read through the applicable chapter of the ICW, review the accompanying rules in the Bluebook, and then complete the online exercises. The online exercises can be found at <http://www.lexisnexis.com/icw/>. You will be required to complete 9 citation assignments. Generally, you have one week to complete ICW exercises, and they are due by class time on Monday, unless otherwise specified.

Research Exercise assignments. You will be required to complete 9 research assignments. These assignments will be accessed online. Generally, you have one week to complete research exercises, and they are due by class time on Wednesday, unless otherwise specified.

Grading

You will receive grades for the following assignments during the fall semester: One Case Legal Analysis Exercise, Closed Memorandum, Research Memorandum, mandatory tutorials, Research Exercises, Citation Exercises, and the Research and Citation Exam. Please see the Student Manual for more information about grading.

I will announce in class when and how the graded written assignments will be returned to you. After you receive your graded assignment, please review my comments carefully: you are responsible for taking them into account for later assignments, and may be marked down on the later assignments if you do not. Therefore, if you have any questions about my comments, I am happy to meet with you to go over them.

Dates to Notice Now

Specially scheduled guest librarian lecture: Thursday, Sept. 9, from 4-4:50 p.m. (other guest lectures will be scheduled during regular class hours)

Closed Memorandum Due: Monday, October 4, at 11:00 a.m.

Research Memorandum Due: Monday, November 15, at 11:00 a.m.

Research and Citation Exam: Wednesday, Dec. 1, at 4:00 p.m. (there is some possibility that this date may be moved to earlier in the week; I will let you know if there will be any change)

Until Classes Start

Please do not hesitate to contact me if you have any questions about this syllabus, the Student Manual, or the class in general. I will not be in my office regularly before the start of classes in August, but I do check my email regularly if you want to contact me to set up an appointment.

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Week 1 Week of August 23, 2010 – Both Class Meetings

Class discussion topics

Introduction to the LRW course: Explanation of the class, texts, goals, policies, tutorials, assignments, Student Manual, and Code of Conduct

Introduction of the Closed Memorandum assignment

The legal system and case briefing: follow-up to Orientation

Analysis of cases, statutes, and rules; different kinds of rule structures; different kinds of lawyer reasoning

Establishing credibility: Clarity, organization, and citation to authority

Readings to prepare for class

Edwards, Chaps. 1-3, 14 (pp. 185-98)

Just Writing, Introduction

Bluebook, Introduction

ICW, Chap. 16 (reading only; do not do the exercise yet)

Upcoming assignments

◆Writing

The Closed Memorandum assignment packet will be distributed in Monday's class. Please note that the assignment will be due at the Registrar's Office on Monday, October 4, 2010 at 11:00 a.m.

Brief the Closed Memorandum cases, not for submission but for your own use in class discussion and class exercises over the next several weeks. If, however, you would like feedback from me about your case briefs, feel free to submit copies to me.

◆Reading

Legal Research and Writing Student Manual (including the Code of Conduct in Appendix B). Please review right away and let me know if you have any questions.

Week 2 Week of August 30, 2010 – Both Class Meetings

Class discussion topics

Predictive writing

Case analysis and synthesis for predictive writing

How to write about the results of your analysis for predictive writing (IRAC)

Distribution and discussion of One Case Legal Analysis Exercise

Case citation

Readings to prepare for class

Edwards, Chaps. 4-5, 7-8

Bluebook, pp. 3-14

Upcoming assignments

◆Writing

Begin work on the One Case Legal Analysis Exercise, due by Thursday, September 9 before the start of the guest librarian lecture. I will give instructions for this exercise in class this week. You will be submitting the completed exercise electronically. I will give you directions in class for the electronic submission.

◆Citation

ICW, Exers. 1 and 2, due by class time on Wednesday, Sept. 8. Ordinarily, ICW exercises will be due on Mondays, but the schedule is different for this first ICW assignment due to the Labor Day weekend. ICW exercises are done online; we will discuss how to do them in class.

Week 3 Week of September 6, 2010 – Class Meetings on Wednesday and Thursday

Class discussion topics

How to write about the results of your analysis for predictive writing (IRAC), cont.

The parts of an office memorandum:

Heading
Question(s) Presented
Brief Answer(s)
Facts
Discussion
Conclusion

Case citation, cont.

Introduction to legal research and the research process (Thurs. Guest Librarian Lecture)

Readings to prepare for class

Edwards, Chaps. 9 and 11

Sloan, Chap. 1 (pp. 1-15 and 22-23) and Chap. 2

Assignments due this week

◆Writing

Prepare to synthesize the Closed Memorandum cases. We will do a synthesis exercise in class.

One Case Legal Analysis Exercise, due before the start of the guest librarian lecture on Thursday, Sept. 9. You will be submitting this exercise electronically. I will give you directions in class for the electronic submission.

Begin work on the Closed Memorandum and prepare for tutorials.

◆Citation

ICW, Exers. 1 and 2, due by class time on Wednesday, Sept. 8.

Upcoming assignments

◆Research

Research Exer. 1 (Introduction to the Research Process), due by class time on Wednesday, Sept. 15.

Special notes

Class will meet at our regular time and place on Wednesday, Sept. 8. We will also have a specially scheduled guest librarian lecture about legal research and the research process on Thursday Sept. 9 from 4-4:50 p.m. in Room 101. Other librarian guest lectures will meet during regular class hours.

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Week 4 Week of September 13, 2010 – Both Class Meetings

Class discussion topics

The parts of an office memorandum, cont.

In-class drafting of the Question Presented and Brief Answer sections of the Closed Memorandum

Case citation, cont.

Encyclopedias and ALR Annotations (Wed. Guest Librarian Lecture)

Readings to prepare for class

Edwards, Chap. 13, pp. 167-74.

Sloan, Chap. 3 (pp. 29-33, 40-41, 50-51)

Assignments due this week

◆Research

Research Exer. 1 (Introduction to the Research Process), due by class time on Wednesday, Sept. 15.

Upcoming assignments

◆Writing

Work on the Closed Memorandum and prepare for tutorials.

◆Citation

ICW, Exers. 3 and 5, due by class time on Monday, Sept. 20

◆Research

Research Exers. 2 and 3 (Encyclopedias and ALR Annotations), due by class time on Wednesday, Sept. 22

**Week 5 Week of September 20, 2010 – Both Class Meetings
-- Tutorials Begin**

Class discussion topics

Class feedback about OCLA exercise

Policy and fairness in legal analysis

Citation vs. Quotation; Plagiarism

Treatises and Periodicals (Wed. Guest Librarian Lecture)

Readings to prepare for class

Edwards, Chap. 1 (pp. 9-10); Chap. 14 (pp. 206-12)

Review the Legal Research and Writing Student Manual (including the Code of Conduct in Appendix B).

Sloan, Chap. 3 (pp. 33-40, 51-53)

Assignments due this week

◆Citation

ICW, Exers. 3 and 5, due by class time on Monday, Sept. 20

◆Research

Research Exers. 2 and 3 (Encyclopedias and ALR Annotations), due by class time on Wednesday, Sept. 22.

Upcoming assignments

◆Writing

Work on the Closed Memorandum and prepare for tutorials.

◆Citation

ICW, Exer. 16, due by class time on Monday, Sept. 27

◆Research

Research Exers. 4 and 5 (Treatises and Periodicals), due by class time on Wednesday, Oct. 6 (extra time due to Closed Memo coming up)

Special notes

Closed Memorandum tutorials will start this week. Please bring a draft of the Discussion section of the memorandum and any questions you have. Remember that each tutorial is worth four points, and you must come prepared to the tutorial to receive the points.

I will post limited office hours this week. Please feel free to phone or email with any questions you have if you do not catch me during office hours.

To avoid last-minute crises for the Closed Memorandum, check on printer supplies and resolve computer problems now or during the next week.

**Week 6 Week of September 27, 2010 – Both Class Meetings
-- Tutorials Continue**

Class discussion topics

Editing and revising.

In-class citation, quotation, and writing exercises.

Readings to prepare for class

Edwards, Chap. 11

Just Writing, pp. 16-24

Bring Just Writing to Class

Assignments due this week

◆Citation

ICW, Exer. 16, due by class time on Monday, Sept. 27

Upcoming assignments

◆Writing

Work on the Closed Memorandum and prepare for tutorials.

◆Research

Continue work on Research Exers. 4 and 5 (Treatises and Periodicals), due by class time on Wednesday, Oct. 6 (extra time due to Closed Memo coming up)

Special notes

Closed Memorandum tutorials continue this week. Please bring a draft of the Discussion section of the memorandum and any questions you have. Remember that each tutorial is worth four points, and you must come prepared to the tutorial to receive the points.

I will post limited office hours this week. Please feel free to phone or email with any questions you have if you do not catch me during office hours. I will have drop-in office

hours on Friday for the Closed Memo. I will tell you in class how those will work.

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**Week 7 Week of October 4, 2010 – Both Class Meetings
-- Closed Memo Due**

Class discussion topics

Simulated client interview based on Research Memorandum scenario

Print case law and case digest research (Wed. Guest Librarian Lecture)

Readings to prepare for class

Sloan, Chap. 4 (pp. 77-98 and 108-27) and Chap. 5

Assignments due this week

◆Writing

Closed Memorandum due at the Registrar's Office by 11:00 a.m. on Monday, October 4, 2010. Please check the relevant Student Manual sections to make sure that your assignment is properly formatted and prepared for hand-in. I will announce when and how your graded Closed Memorandum will be handed back.

After you have turned in your memorandum to the Registrar's Office, please submit it to me electronically as well by 11:00 a.m. on the 4th. I will give you directions in class for the electronic submission. Please note that timely electronic submission of your memorandum to me does NOT count for the purpose of meeting the submission deadline; only timely submission of the memorandum in hard copy at the Registrar's Office, consistent with the requirements set out in the Student Manual, will count.

◆Research

Research Exers. 4 and 5 (Treatises and Periodicals), due by class time on Wednesday, Oct. 6

Upcoming assignments

◆Writing

The Research Memorandum assignment packet will be distributed at the end of class on Monday, October 4, 2010. The Research Memorandum will be due at 11:00 a.m. in the Registrar's Office on Monday, November 15, 2010.

◆Research

Research Exers. 6 and 7 (Print Case Law and Citators), due by class time on Wednesday, October 13

Special notes

No tutorials or regularly scheduled office hours during grading. Feel free to contact me by phone or email with any questions or to make an appointment.

Congratulations on completing your first major Legal Writing assignment!

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Week 8 Week of October 11, 2010 – Both Class Meetings

Class discussion topics

Class hours this week will be used for workshops by Westlaw and Lexis trainers addressing online research. Please come at the regular class time each day. I will let you know which room to go to; as with the guest librarian lectures, multiple LRW sections will be combined for the workshops.

Readings to prepare for class

Sloan, Chaps. 10 and 11

Assignments due this week

◆Research

Research Exers. 6 and 7 (Print Case Law and Citators), due by class time on Wednesday, Oct. 13

Upcoming assignments

◆Writing

Work on research and case analysis for the Research Memorandum.

◆Citation

ICW, Exer. 9, due by class time on Monday, October 18

◆Research

Research Exer. 8 (Westlaw and Lexis research), due by class time on Wednesday, October 20

Special notes

No tutorials or regularly scheduled office hours during grading. Feel free to contact me by phone or email with any questions or to make an appointment.

Week 9 Week of October 18, 2010 – Both Class Meetings

Class discussion topics

Question Presented and Brief Answer sections of the Research Memorandum

Organizational strategies for the Research Memorandum Discussion section

Secondary source citation

Readings to prepare for class

Edwards, Chaps. 10 and 12; review Chap. 13 (pp. 168-74)

Assignments due this week

◆Citation

ICW, Exer. 9, due by class time on Monday, October 18

◆Research

Research Exer. 8 (Westlaw and Lexis research), due by class time on Wednesday, October 20

Upcoming assignments

◆Writing

Continue work on the Research Memorandum.

◆Citation

ICW, Exer. 11, due by class time on Monday, October 25

Special notes

Have a great Fall Break!

I will announce in class this week when your and how your graded Closed Memorandum will be returned.

No tutorials or regularly scheduled office hours during grading. Feel free to contact me by phone or email with any questions or to make an appointment.

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Week 10 Week of October 25, 2010 – Both Class Meetings

Class discussion topics

Research Memorandum, cont.

Facts section of the Research Memorandum

Conclusion section of the Research Memorandum

Restatements

Reading to prepare for class

Edwards, Chap. 13 (pp. 175-81)

Assignments due this week

◆Citation

ICW, Exer. 11, due by class time on Monday, October 25

Upcoming assignments

◆Writing

Work on the Research Memorandum and prepare for tutorials.

◆Research

Research Exer. 9 (Restatements) , due by class time on Wednesday, November 1

Special notes

No tutorials or regularly scheduled office hours during grading. Feel free to contact me by phone or email with any questions or to make an appointment.

**Week 11 Week of November 1, 2010 – Both Class Meetings
-- Group Tutorials**

Class discussion topics

Introduction to Drafting

In-class group and individual drafting exercises

Research Memorandum check-in after group tutorials

Readings to prepare for class

Drafting packet

Assignments due this week

◆Research

Research Exer. 9 (Restatements) , due by class time on Wednesday, November 1

Upcoming assignments

◆Writing

Work on the Research Memorandum and prepare for tutorials.

◆Citation

ICW, Exers. 12 and 13, due by class time on Monday, November 8

Special notes

Group Research Memorandum tutorials will meet this week on Monday and Tuesday. Please bring a copy of your Research Memo authority list; your Research Memorandum rough outline with notations about where you will be citing your authorities; and a packet or file of your authorities, organized so as to make them easily accessible during the group discussion.

Please remember that each tutorial is worth four points, and you must come prepared to the tutorial to receive the points.

I will post limited office hours this week due to tutorials. Please feel free to phone or email with questions or to set up an appointment if you do not catch me during office hours.

To avoid last-minute crises for the Research Memorandum, check on printer supplies and resolve computer problems now or during the next week.

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**Week 12 Week of November 8, 2010 – Both Class Meetings
-- Individual Tutorials**

Class discussion topics

Advanced citation skills

Writing skills

Research Memorandum wrap-up

Reading to prepare for class

Edwards, Chap. 15

Bring Just Writing to Class

Assignments due this week

◆Citation

ICW, Exercises 12 and 13, due by class time on Monday, November 8

Upcoming assignments

◆Writing

Work on the Research Memorandum and prepare for your tutorial.

Special notes

Individual Research Memorandum tutorials will meet this week. Please bring a draft of: your Question Presented and Brief Answer sections for the new issue; your Facts section; and the Discussion section for the new issue. Please remember that each tutorial is worth four points, and you must come prepared to the tutorial to receive the points.

I will post limited office hours this week. Please feel free to phone or email with any questions you have if you do not catch me during office hours.

I will have drop-in office hours on Friday for the Research Memorandum. I will tell you in class how those will work.

**Week 13 Week of November 15, 2010 – One Two-Hour Class Meeting TBA
-- Research Memo Due**

Class discussion topics

Simulated Mediation of Research Memorandum dispute, followed by group discussion. The class will be specially scheduled because it will last for two hours. I will let you know time and place as far ahead as possible.

Reading to prepare for class

To prepare for the Simulated Mediation, you may find it helpful to review any materials you have received in your P³ class about mediation.

Assignments due this week

◆Writing

Research Memorandum due at the Registrar's Office at 11:00 a.m. on Monday, November 15, 2010. Please check the relevant Student Manual sections to make sure that your assignment is properly formatted and prepared for hand-in. I will announce when and how your graded Research Memorandum will be handed back.

After you have turned in your memorandum to the Registrar's Office, please submit it to me electronically by 11:00 a.m. on the 15th as well. I will give you directions in class for the electronic submission. Please note that timely electronic submission of your memorandum to me does NOT count for the purpose of meeting the submission deadline; only timely submission of the memorandum in hard copy at the Registrar's Office, consistent with the requirements set out in the Student Manual, will count.

Special notes

I will post limited office hours this week due to grading. Please feel free to phone or email with questions or to set up an appointment if you do not catch me during office hours.

Week 14 Week of November 22, 2010 – Monday Class Meeting Only

Class discussion topics

Research and Citation Exam review session

Special notes

No regularly scheduled office hours for the rest of the semester. You may meet with me by appointment between now and mid-January 2011 if you have questions or concerns.

I will announce in class when and where you may pick up your graded Research Memorandum. Let me know if you will be out of town; I am happy to mail it to you.

Enjoy the Thanksgiving holiday!

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Week 15 Week of November 29, 2010 – Both Class Meetings
-- Research & Citation Exam, Wednesday Class

Class discussion topics

Taking law school examinations

End-of-semester evaluation

Research/Citation Exam administered in Wednesday class

Readings to prepare for class

Nothing specific; review class materials for research/citation exam on Wednesday

Special notes

No regularly scheduled office hours for the rest of the semester. You may meet with me by appointment between now and mid-January 2010 if you have questions or concerns.

I will announce in class when and where you may pick up your graded Research Memorandum. Let me know if you will be out of town; I am happy to mail it to you.

Congratulations on completing your first semester of Legal Writing! Thank you for all your hard work.

See you in January 2011 for second semester. Please be sure to check the Registrar's website before classes start up again to see whether any changes have been made to the scheduling or rooms for any of your classes.