LEGAL RESEARCH AND WRITING II
DRAFT FULL SYLLABUS, SPRING 2011
FIRST HALF OF THE SEMESTER[1]
TREVOR (SECTION F)

COURSE OVERVIEW

The opening pages of this syllabus briefly address the basic course requirements for Legal Research and Writing II; the balance of the syllabus details the weekly sequence of readings, assignments, and classes for the semester. Please consult the Student Manual and its Code of Conduct, posted on the course TWEN site, for more detailed course requirements and information, including some added information for the assignments in the second semester of the course.

The policies for the course remain the same as they were in the fall. As a reminder, in the Student Manual you will find various materials relating to the requirements for the first two semesters of the course, including an overview of the goals and assignments, the attendance policy, the format and submission requirements for written graded assignments, the ethical and conduct requirements for the course, and an explanation of the grading for the course.

If you have any questions at any point in the semester, feel free to contact me at mtrevor@hamline.edu or at 651-523-2487 or at my office, 306D. I will post office hours, but feel free to stop by any time or email me to make an appointment.

Graded Assignments and Midterm[2]

The graded assignments this semester are the Quick-Turn-Around Email Assignment (due on Monday, January 31), the Motion Memorandum (due on Friday, March 4), the Client Letter (due in mid/late March), the Contract Drafting Assignment and the Pleading Drafting Assignment (due in late March/early April), and the Motion Oral Argument (presented starting in mid-April). The materials in the Motion Memorandum assignment packet will form the basis for all of these assignments. The assignment packet will be distributed in your first class meeting of the semester, on Wednesday, January 19.

In addition, you will have a take-home midterm shortly after your return from Spring Break that will introduce you to one type of writing that is expected on the bar exam: the Multistate Practice Test (MPT). For that midterm, you will write an objective memo in a limited period of

[1] Please note that this version of the syllabus is a draft, and it only covers the first 7 weeks of the semester. The full syllabus, covering the entire semester, will be posted on the law school website and on the course TWEN site as soon as it is done. In the course of completing the full syllabus, in addition to adding in the last half of the semester, some minor changes may be made to the material in this draft, and some information in this draft may be supplemented. If you have any questions about the second half of the semester, please feel free to contact me.
[2] Please note that the dates for the second half of the semester are approximate, as indicated. They will be firmed up in the final version of the syllabus.

time based only on materials you will receive in a packet. To prepare for this midterm, you should review feedback from me for the objective memos you wrote in the fall, but you will not need to know any law for the exam and no other preparation will be necessary.

Tutorials

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There will be one set of tutorials this semester, the Alpha (group research) and Beta (individual draft review) tutorials for the Motion Memorandum. Tutorial scheduling will again be done through the sign-up sheets on the TWEN site.

Syllabus Pointers

As in the fall, our class is scheduled to meet for two hours per week in the Moot Court Room. 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.

Please note that the syllabus is intended to serve as a guide to the material to be discussed each week in class and I may modify it if necessary. If any syllabus changes come up, I will announce them as far in advance as possible.

Writing assignments. The major writing assignment of the semester – the Motion Memorandum ("Motion Memo") – should be submitted to the Assignment Drop Box on the TWEN site by 11:00 a.m. on the due date of Friday, March 4, 2011. I will give you directions in class for the submission of other assignments.

During the semester, I may assign additional class exercises and ungraded writing assignments beyond the graded ones listed here.

Reading assignments. As in the fall, 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, but you may find it helpful to do so.

Citation Exercise assignments. As in the fall, 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 **TBA**[3]

[3] As indicated in this draft, there will most likely be 4 ICW exercises assigned during the first half of the semester. There may be 2 or 3 ICW exercises assigned in the second half of the semester.

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 **TBA**[4] 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.

Professionalism, Classroom Environment, and Personal Technology Use

Please take special note of the section in our Student Manual that addresses Professionalism (page **TBA**[5] of the manual). It is my hope and expectation that all students will comport themselves professionally in all aspects of the course.

As in the fall, I will make every effort to make the classroom a welcoming, respectful place that is conducive to a shared learning experience for all. Technological devices, however, can be distracting to your classmates and me and thus undermine that goal. Accordingly, during class, in addition to practicing the usual courtesies, please refrain from using text messaging, instant messaging, or email; visiting web sites that the class has not been instructed to visit; using cell phones, pagers, or any other communication device; and displaying wallpaper, screen savers, or other material on your laptop computer screen that can reasonably be expected to offend or distract your classmates. 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—Required *Note that the books are the same as the ones required for the fall*

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")

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

[4] As indicated in this draft, there will most likely be 2 research exercises assigned during the first half of the semester. There may be 2 or 3 research exercises assigned in the second half of the semester.
[5] Updating of the manual for the spring semester is in progress.

In addition, you will be assigned readings that are available online, and you will receive some readings copied (with permission) from sources not available online.

Textbooks—Recommended

As in the fall, I have a list of recommended texts. I am happy to share it with you if you are interested in consulting other sources.

TWEN Site and Lexis site

Please check to see that your TWEN site access is continuing to function properly, and continue to check regularly for emails from the site. If you registered using an email address that you no longer check regularly, please change your registration to an address you do check regularly.

Please also check that your Lexis site access is continuing to function properly. You may note that the appearance of some things on the Lexis site has changed; Lexis has implemented some changes to the layout of its site which should have been implemented by the start of spring semester.

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WEEK 1 Week of Jan. 17, 2011 One Class Hour

Class Discussion Topics

Overview of the semester
Introduction of Motion Memorandum assignment
Introduction to statutes

Readings to prepare for class

Edwards, pp. 2-3 (Predicting vs. Persuading) and Chapter 17 (Ethics, Judges, and Briefs)

Sloan, Chapter 11 (Developing a Research Plan)

Upcoming Assignments

The Motion Memorandum assignment packet will be distributed in class this week. The Motion Memorandum will be due **via the TWEN Assignment Drop Box by 11:00 a.m. on Friday, March 4, 2011.** You will need the information in the packet for almost all of your work this semester. The packet materials will also be posted on our TWEN site.

You should begin research on the Motion Memorandum assignment right away so you will be prepared for the Alpha group research tutorials, which will begin the week of February 14, 2011.

Optional Tutorials

Optional feedback tutorials for the Research Memorandum will be held this week and next. Please contact me if you would like to set up an appointment. Be sure to pick up your graded Research Memorandum from my assistant, Pam Buth, if you have not done so already. I will assume that you have seen my feedback on that assignment when I grade the assignments for this semester, and I will mark down extra, as appropriate, for problems repeated in assignments this semester that you already received feedback on for assignments in the fall semester. In addition, you will wish to have reviewed my feedback on that assignment as you prepare for our MPT midterm this semester.

Notes:

Law school classes begin on Tuesday, January 18, 2011. Our first class of the semester will meet on Wednesday, January 19 at our regular time (4:00 p.m.) and, subject to any changes on Piperline, in the same room as in the fall: the Moot Court Room.

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WEEK 2 Week of Jan. 24, 2011 Two Class Hours

Class Discussion Topics

Print Statutes, Rules, and Constitutions (Mon. Guest Librarian Lecture)
Professional email
Quick-Turn-Around Email Assignment

Readings to prepare for class

Sloan, Chapter 6 (Statutory Research)

3 Articles available on Westlaw:

1) Wayne Schiess, *E-Mail Like a Lawyer*, Mich. B.J., Sept. 2010, at 48.
►Enter this citation to get the article on Westlaw: 89-SEP MIBJ 48

2) Gerald Lebovits, *E-Mail Netiquette for Lawyers*, N.Y. St. B.J., Nov./Dec. 2009, at 64.
►Enter this citation to get the article on Westlaw: 81-DEC NYSTBJ 64

3) K.K. DuVivier, *E-Etiquette: Thoughtful E-Mail Correspondence*, Colo. Law., Mar. 2007, at 79.
►Enter this citation to get the article on Westlaw: 36-MAR COLAW 79

Upcoming Assignments

♦Writing

The Quick-Turn-Around Email assignment will be due by the start of class on Monday, Jan. 31. As directed in class, you will submit this assignment, in the form of a professional email, to my Groupwise email account (mtrevor@hamline.edu).

♦Research

Research Exer. 1 (Print Statutes, etc.), due by class time on Wednesday, Feb. 2

Notes

Sign up on the TWEN site this week, as directed in class, if you wish to choose which client you will represent for the Motion Memorandum and most related assignments this semester. If you have not chosen by 5:00 p.m. on Tuesday this week (Jan. 25), I will assign you to a client. I will post the client assignments on the TWEN site by Noon on Wednesday, January 26.

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WEEK 3 Week of Jan. 31, 2011 Two Class Hours

<u>Class Discussion Topics</u>

Class hours this week will be used for workshops by Westlaw and Lexis trainers addressing online statute, rule, and constitution 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

No new readings this week. You may find it helpful to review Sloan, Chapter 6, pp. 174-83, which covers electronic statute research.

Assignments due this week

♦Writing

The Quick-Turn-Around Email assignment is due by the start of class on Monday, Jan. 31. As directed in class, submit this assignment, in the form of a professional email, to my Groupwise email account (mtrevor@hamline.edu).

♦Research

Research Exer. 1 (Print Statutes, etc.), due by class time on Wednesday, Feb. 2

Upcoming Assignments

♦Writing

Continue work on the Motion Memorandum, due via the TWEN Assignment Drop Box by 11:00 a.m. on Friday, March 4, 2011.

♦ Citation

ICW Chapter 6 (Federal Statutes), due by class time on Monday, Feb. 7

♦Research

Research Exer. 2 (Electronic Statutes, etc.), due by class time on Wednesday, Feb. 9

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WEEK 4 Week of Feb. 7, 2011 Two Class Hours

<u>Class Discussion Topics</u>

Motion practice
Introduction to advocacy
Trial memoranda

Readings to prepare for class

Edwards, Chapter 18 (Formulating and Structuring a Favorable Rule) & 20 (Writing the Working Draft)

Sirico and Schultz Handout

<u>The True Story of the Three Little Pigs</u> (on reserve in the law library under my name)

Assignments due this week

♦ **Citation**

ICW Chapter 6 (Federal Statutes), due by class time on Monday, Feb. 7

♦**Research**

Research Exer. 2 (Electronic Statutes, etc.), due by class time on Wednesday, Feb. 9

Upcoming Assignments

♦**Writing**

Continue work on the Motion Memorandum, due via the TWEN Assignment Drop Box by 11:00 a.m. on Friday, March 4, 2011.

♦ **Citation**

ICW Chapter 7 (State Statutes) due by class time on Monday, Feb. 14

Notes

Tutorial sign-ups will be posted on the TWEN site this week at a date and time TBA.

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WEEK 5 Week of Feb. 14, 2011 Two Class Hours; Alpha (Group Research) Tutorials Start

<u>Class Discussion Topics</u>

Advocacy and trial memoranda, cont.

Readings to prepare for class

Edwards, Chapter 21 (The Argument and Format of the Brief) & 22 (The Statement of Facts)

Sirico and Schultz Handout

Assignments due this week

♦Research

Research Status Report due via the Assignment Drop Box on the TWEN site by Noon on Monday, Feb. 14

♦ Citation

ICW Chapter 7 (State Statutes), due by class time on Monday, Feb. 14

Upcoming Assignments

♦Writing

Continue work on the Motion Memorandum, due via the TWEN Assignment Drop Box by 11:00 a.m. on Friday, March 4, 2011.

♦ Citation

ICW Chapters 8 and 10 (Statute Short Cites and Case Subsequent History), due by class time on Monday, Feb. 21

Notes

Alpha (group research) tutorials start this week.

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

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WEEK 6 **Week of Feb. 21, 2011** **Monday Class Hour Only; Alpha (Group Research) Tutorials Continue; Beta (Individual Draft) Tutorials Start**

<u>Class Discussion Topics</u>

Advocacy and trial memoranda, cont.
Citation review

Readings to prepare for class

Edwards, Chapter 23 (Editing the Brief)

Assignments due this week

♦ Citation

ICW Chapters 8 and 10 (Statute Short Cites and Case Subsequent History), due by class time on Monday, Feb. 21

Upcoming Assignments

♦Writing

Continue work on the Motion Memorandum, due via the TWEN Assignment Drop Box by 11:00 a.m. on Friday, March 4, 2011.

Notes

Classes will meet for the Monday class hour only this week. **Please bring your Bluebook and your ICW.**

Alphas continue; Beta tutorials begin this week. Prepare and bring the following to your Beta tutorial:

TBA

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

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WEEK 7 Week of Feb. 28, 2011 No Class Hours; Beta (Individual Draft) Tutorials; Motion Memo Due on Friday

<u>Class Discussion Topics</u>

No class this week

Readings to prepare for class

No new reading assignment this week.

Assignments due this week

Motion Memorandum due via the TWEN Assignment Drop Box by 11:00 a.m. on Friday, March 4, 2011.

Notes

Beta tutorials continue this week. Prepare and bring the following to your Beta tutorial:

TBA

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

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