

**Legal Research and Writing I  
Fall 2012 Preliminary Syllabus**

**SECTION C**

**(Mon. & Wed.; 10:20 a.m. – 11:20 a.m.; Room 4)**

**Professor Derik Fettig**

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**Office Hours: To be posted; always available for drop-ins or by appointment**

**Introduction**

This syllabus covers the Legal Research and Writing class for the fall semester. It sets out the basic requirements and the weekly sequence of classes, readings, and assignments. You will receive the syllabus for the spring semester of the Research and Writing class at the end of the fall semester.

[Please note that this is a preliminary syllabus, so the final version may have changes. The assignments for the first two weeks will remain unchanged, however.]

The *Legal Research and Writing Student Manual* explains in detail the requirements of the course, including course assignments and learning outcome goals, the attendance policy, the format and submission requirements for graded written 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. It also includes the *LRW Code of Conduct* in its Appendix. Both the *Manual* and *Code* apply to all students in the LRW classes, and they apply all year. A hard copy of the *Manual* will be distributed to you the first day of class. An online copy is available on my TWEN site.

**Contact Information**

Please feel free to contact me using the information at the top of this syllabus. I will post my office hours, but please feel free to stop by any time. You can access an electronic copy of this syllabus, the *Legal Writing Student Manual*, my office hours, and other information related to the course on my TWEN site.

Veronica Mason will be the teaching assistant for your LRW section. She will hold office hours, grade some assignments, conduct some classes, and generally be available to assist with the class. You should feel free to consult with Veronica during her office hours, which will be posted at the beginning of the semester, or contact her by email. Veronica's contact information will be provided to you at the beginning of the semester.

## Assignments

**Writing assignments.** These assignments are due on the dates specified in the syllabus. Closed Memo One (CM1) and Closed Memo Two (CM2) 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 upload an electronic copy of your assignment to our class TWEN site on the due date. You will submit your One Case Legal Analysis assignment and the Client Letter assignment in electronic format only, either on the class TWEN site or by email; final instructions for submitting those assignments will be provided in class.

**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 *Interactive Citation Workbook*, where both reading and exercises are required, you need not complete exercises in the texts unless I specifically assign them.

**Citation Exercises (ICW).** For each citation exercise, you are required to read through the applicable chapter of the *Interactive Citation Workbook*, review the accompanying rules in *The Bluebook*, and then complete the online exercises. You will be required to complete ten citation assignments. Generally, you have one week to complete ICW exercises, and they are due by class time on Wednesdays unless otherwise specified. Each ICW exercise is worth one point, and you must submit the exercise by the due date to receive the point. Note that for some exercises, only certain questions will be assigned. You may be required to re-do exercises that contain substantial errors to receive the one point credit.

**Grammar Exercises.** You will be required to complete a grammar pretest and twelve grammar exercises. These assignments will be accessed online through *Core Grammar for Lawyers*, available at [www.coregrammarforlawyers.com](http://www.coregrammarforlawyers.com). Generally, you have one week to complete grammar assignments. You may test out of some of the grammar exercises if the pretest shows you are proficient with a particular grammar concept. The grammar exercises are not awarded points, but you must complete them to pass the course. Also, professionalism points may be deducted if exercises are completed after the due dates.

**Research Exercises.** You will also complete four graded research exercises during fall semester. Each exercise must be submitted to your teaching assistant by class time on the Monday two weeks after it was assigned. Each exercise must be done to "near perfection." Your teaching assistant will explain the near perfection standard to you in detail at your first class addressing research skills. If you have questions about the standard, please ask. If an exercise does not meet the required standard but reflects satisfactory effort, you will have one week to redo it to meet the standard. You may be required to redo an exercise a number of times until you

have completed it correctly. If you redo the exercise satisfactorily and on time, you will receive full point credit. You may not choose to skip an exercise or submit work that does not meet the standard and simply not earn point credit. All exercises must be completed by the end of the semester or you will receive an incomplete in the course. For each exercise that is submitted on time (or redone on time) and that meets the standard, you will earn two points toward your final point total at the end of the year. The exercises are worth a total of eight points.

**Resume Assignment.** Learning to write like a legal professional includes learning to write a resume. You will be required to write and self-edit a resume that must be submitted to the Career Services Office via Symplicity by October 28 at 11:59 p.m. A Career Services professional will review your resume and return it to you with comments by November 7. You will then incorporate those comments and re-submit it to Career Services by November 14. This assignment is not worth points in the Legal Writing course, but failure to complete and submit the assignment by the indicated deadlines will result in loss of professionalism points and may result in an incomplete in the course.

### **Grading**

You will receive grades for the following assignments during the fall semester: One Case Legal Analysis Exercise, Closed Office Memorandum One, Closed Memorandum Two, Client Letter, two mandatory tutorials, ten Citation Exercises, four Research Exercises, and a final in-class research and citation Exam. You will also be awarded four “professionalism points,” which will only be deducted for cause. Please see the *Student Manual* for more information about grading.

### **Tutorials**

Note that individual writing tutorials are an important learning opportunity for the class and count in your grade calculation. Attendance at tutorials is mandatory. Each tutorial is worth four points. Please come prepared to tutorials with the materials indicated in the syllabus.

### **Due Dates**

See the *Student Manual* for policies regarding late assignments. Points will be deducted for late assignments.

### **Technology Policy**

While you may bring laptops to class for note-taking, students using web browsers, electronic games, or email during class will be asked to leave and will not be permitted to bring their laptops to class for the duration of the course, at my discretion.

Technological devices can be distracting to your classmates and to me, and can undermine my goal to provide an atmosphere conducive to learning for all students.

Accordingly, during class please also refrain from using cell phones or tablet computers for non-class purposes. I reserve the right to impose appropriate sanctions for violations of this policy, including loss of professionalism points.

### **Textbooks**

The following textbooks and materials are required for the course:

George W. Kuney & Donna C. Looper, *Mastering Legal Analysis and Drafting* (2009)

David S. Romantz & Kathleen Elliott Vinson, *Legal Analysis, The Fundamental Skill* (2d ed. 2009)

Christine Kunz, et al., *The Process of Legal Research* (8th ed. 2012)

*The Bluebook: A Uniform System of Citation* (19th ed. 2010)

Tracy L McGaugh & Christine Hurt, *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation* (revised 2011 edition) **Note: the revised 2011 edition is substantially the same as the 2011 edition. If you choose, you can buy a used copy of the 2011 edition.**

Ruth Ann McKinney & Katie Rose Guest Pryal, *Core Grammar for Lawyers* (ebook) available at [www.coregrammarforlawyers.com](http://www.coregrammarforlawyers.com) (Sign up on Core Grammar website after classes begin. You can purchase an access code to the site in the bookstore or online.)

	<b>Monday Class</b>	<b>Wednesday Class</b>
Week 1 Aug. 16	<b>Classes begin on Thursday. No LRW class this week.</b>	
Week 2 Aug. 20	<p><b>Topics covered:</b> Course Introduction; Closed Memo One (CM1) introduction; Research for CM1 authorities</p> <p><b>Reading Assignment:</b> LA (Legal Analysis) ch. 1 &amp; 2, Foundations and Rules</p> <p><b>Writing Assignment:</b> Closed Memo One assigned (due Sept. 24); One Case Legal Analysis (OCLA) assigned (due Sept. 5)</p> <p><b>Grammar Assignment:</b> Grammar Pretest in <i>Core Grammar for Lawyers</i>.</p>	<p><b>Topics covered:</b> Reading CM1 cases; CREAC; kinds of authority</p> <p><b>Reading Assignment:</b> MLA (Mastering Legal Analysis) pp. 3-5, 15-22, Rule and Reading Cases</p> <p><b>Writing Assignment:</b></p> <p><b>Citation Assignment:</b></p> <p><b>Due:</b></p>
Week 3 Aug. 27	<p><b>Topics covered:</b> Case analysis; CREAC; formulating a rule</p> <p><b>Reading Assignment:</b> LA ch. 7, CREAC</p> <p><b>Writing Assignment:</b></p> <p><b>Grammar Assignment:</b> Core Grammar Exercises (CG) A 1-2</p> <p><b>Due:</b> CG Grammar Pretest must be completed by class time.</p>	<p><b>Topics covered:</b> CM1 cases; rule developed from one case; analogical reasoning exercise</p> <p><b>Reading Assignment:</b> LA ch. 3 &amp; 4, Analogical and Rule-based Reasoning</p> <p><b>Writing Assignment:</b></p> <p><b>Citation Assignment:</b></p> <p><b>Due:</b></p>
Week 4 Sept. 3	<b>Topics covered: Labor Day—No class</b>	<p><b>Topics covered:</b> Introduction of additional CM1 cases; Citation (TA taught)</p> <p><b>Reading Assignment:</b> MLA ch. 3, Citation; <i>Bluebook</i>, Introductory sections; MLA ch. 5, Research Memos</p> <p><b>Writing Assignment:</b></p> <p><b>Citation Assignment:</b> ICW 1 &amp; 2</p> <p><b>Due:</b> OCLA due by class time; CG A 1-2</p>

<p>Week 5 Sept. 10</p>	<p><b>Topics covered:</b> Synthesis from multiple Cases; parts of Office Memorandum</p> <p><b>Reading Assignment:</b> MLA pp. 22-36, Case Synthesis &amp; CREAC;</p> <p><b>Writing Assignment:</b></p> <p><b>Grammar Assignment:</b> CG A 3-4</p> <p><b>Due:</b></p>	<p><b>Topics covered:</b> Common problems in OCLA; editing</p> <p><b>Reading Assignment:</b> MLA ch. 2, Legal Drafting</p> <p><b>Writing Assignment:</b> OCLA returned; tutorials begin</p> <p><b>Citation Assignment:</b> ICW 3 &amp; 5</p> <p><b>Due:</b> ICW 1 &amp; 2</p>
<p>Week 6 Sept. 17</p>	<p><b>Topics covered:</b> Introduction to research; Encyclopedias &amp; Treatises</p> <p><b>Reading Assignment:</b> Process of Legal Research, ch. 1, Introduction; ch. 3, pp. 27-48, Encyclopedias and Treatises</p> <p><b>Writing Assignment:</b> Tutorials</p> <p><b>Grammar Assignment:</b> CG D 1-2</p> <p><b>Research Assignment:</b> Assignment 1</p> <p><b>Due:</b> CG A 3-4</p>	<p><b>Topics covered:</b> Self-Editing; citation review (TAs)</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b> Tutorials; bring draft of your CM1 to class.</p> <p><b>Citation Assignment:</b></p> <p><b>Due:</b> ICW 3 &amp; 5</p>
<p>Week 7 Sept. 24</p>	<p><b>Topics covered:</b> Research; Periodicals and ALRs</p> <p><b>Reading Assignment:</b> Process of Legal Research, ch. 3, pp. 49-59, Periodicals and ALRs</p> <p><b>Writing Assignment:</b></p> <p><b>Grammar Assignment:</b> CG D 3-4</p> <p><b>Research Assignment:</b> Assignment 2</p> <p><b>Due:</b> Closed Memo One due in Registrar's Office by 11:00 a.m.</p>	<p><b>Topics covered:</b> CM2 introduced; Client interview; Client letter assigned</p> <p><b>Reading Assignment:</b> MLA ch. 4, Letters; handout on Interviewing</p> <p><b>Writing Assignment:</b> Client letter (due by class time on October 10)</p> <p><b>Citation Assignment:</b> None this week</p> <p><b>Due:</b> CG D 1-2</p>

<p>Week 8 Oct. 1</p>	<p><b>Topics covered:</b> Research; Restatements and Jury Instructions</p> <p><b>Reading Assignment:</b> Process of Legal Research, ch. 3, pp. 60-74</p> <p><b>Writing Assignment:</b></p> <p><b>Grammar Assignment:</b></p> <p><b>Research Assignment:</b> Assignment 3</p> <p><b>Due:</b> Research Assignment 1; CG D 3-4</p>	<p><b>Topics covered:</b> Westlaw or Lexis training</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b></p> <p><b>Citation Assignment:</b> ICW 7 &amp; 11 (selected questions)</p> <p><b>Due:</b></p>
<p>Week 9 Oct. 8</p>	<p><b>Topics covered:</b> Research; research strategy</p> <p><b>Reading Assignment:</b> Process of Legal Research, ch. 2, Focusing on your Client's Situation</p> <p><b>Writing Assignment:</b></p> <p><b>Grammar Assignment:</b></p> <p><b>Research Assignment:</b> Assignment 4</p> <p><b>Due:</b> Research Assignment 2</p>	<p><b>Topics covered:</b> CM2; new office memo parts</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b></p> <p><b>Citation Assignment:</b> ICW 12 &amp; 13 (selected questions)</p> <p><b>Due:</b> Client letter due by class time; ICW 7 &amp; 11 (selected questions)</p>
<p>Week 10 Oct. 15</p>	<p><b>Topics covered:</b> Thesis sections for CM2; introduction to drafting</p> <p><b>Reading Assignment:</b> MLA ch. 2, Legal Drafting (review)</p> <p><b>Writing Assignment:</b></p> <p><b>Grammar Assignment:</b> CG F 1-2</p> <p><b>Due:</b> Research Assignment 3</p>	<p><b>Topics covered:</b> Westlaw or Lexis training</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b></p> <p><b>Citation Assignment:</b> ICW 16</p> <p><b>Due:</b> ICW 12 &amp; 13 (selected questions)</p>

<p>Week 11 Oct. 22</p>	<p><b>Topics covered:</b> Drafting; in class exercise</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b> Resume must be uploaded to Symplicity by October 28 at 11:59 p.m.</p> <p><b>Grammar Assignment:</b> CG F 3-4</p> <p><b>Due:</b> Research Assignment 4; CG F 1-2</p>	<p><b>Topics covered:</b> Common problems in CM1</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b> Tutorials begin on CM2</p> <p><b>Citation Assignment:</b></p> <p><b>Due:</b> ICW 16</p>
<p>Week 12 Oct. 29</p>	<p><b>Topics covered:</b> Citation review (TAs)</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b> Tutorials</p> <p><b>Grammar Assignment:</b> Grammar exercises done for the semester</p> <p><b>Due:</b> CG F 3-4</p>	<p><b>Topics covered:</b> TA class on grammar and editing</p> <p><b>Reading Assignment:</b></p> <p><b>Writing Assignment:</b> Tutorials</p> <p><b>Citation Assignment:</b></p> <p><b>Due:</b> ICW 16</p>
<p>Week 13 Nov. 5</p>	<p><b>Topics covered:</b> Mediation simulation (one 2 hour block class this week)</p> <p><b>Reading Assignment:</b> ADR handouts</p> <p><b>Citation Assignment:</b> ICW 9, questions 1-5, 8-11, &amp; 13-16</p> <p><b>Due:</b> CM2 due in Registrar's Office by 11:00 a.m.</p> <p><b>Note:</b> Class will meet for one two-hour block this week. Your instructor will let you know when and where the class will meet.</p>	<p><b>Topics covered:</b> Mediation simulation (one 2 hour block class this week)</p> <p><b>Note:</b> Class will meet for one two-hour block this week. Your instructor will let you know when and where the class will meet.</p>
<p>Week 14 Nov. 12</p>	<p><b>Topics covered:</b> Citation and exam review (TAs)</p> <p><b>Reading Assignment:</b></p> <p><b>Due:</b> ICW 9, questions 1-5, 8-11, &amp; 13-16</p>	<p><b>Topics covered:</b> In-class Exam</p>

Week 15 Nov. 19	<b>Topics covered:</b> Last day of class; course evaluation; exam writing discussion	<b>No Class. Thanksgiving break.</b>
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