HAMLINE UNIVERSITY
School of Law

Faculty:	Professor Andrew Crouse acrouse01@hamline.edu Office Location: 228W Office Hours: Wednesdays, 11:00-1:00
TAs:	Jackie Schmiedlin Office Hours: TBA
Course:	Legal Research and Writing III (Weekday)
Semester:	Fall 2012
Class Schedule:	Fridays, 12:40-2:50
Room:	Law Room 103

Recommended Texts

Author	Mary Beth Beazley	Wilson R. Huhn	Alan L. Dworsky
Title and edition of text	A Practical Guide to Appellate Advocacy, 3d ed.	The Five Types of Legal Argument, 2d ed.	The Little Book on Oral Argument
Publisher	Aspen	Carolina Academic Press	Fred B Rothman & Co
ISBN	978-0735585102	978-1594605161	978-0837705576
How referenced in this syllabus	Beazley	Huhn	Dworsky

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Learning Outcomes for the Course

1. Confidence in legal research techniques
2. Facility in discussing complex legal issues
3. Familiarity with written discovery
4. Refinement of legal analysis skills
5. Enhancement of persuasive writing skills
6. Development of basic oral advocacy skills

Course Expectations

HUSL Policies on attendance, lateness and preparation
The program of instruction at the School of Law is based on an active and informed exchange between instructor and student and between student and student. Regular, prepared class attendance helps develop skills essential to the competent practice of law. A student who violates the attendance policy, including the instructor's specification of class expectation described below, may lose his or her right to take the exam in the course, to receive course credit or may receive other penalties described below and in Academic Rule 108. Persistent or frequent lateness or unpreparedness may also be the basis for reduction of the grade awarded in a course. *See* Academic Rule 108 for further details.

This is your last semester of LRW, so it will be more challenging. To the extent possible, I would like to simulate a professional legal environment in which you are the junior attorney assigned to our case and I am your supervising attorney. This simulation should inform all your actions throughout the semester: your attendance and participation in class; your level of professionalism; and your effort on each assignment. This semester's assignments will serve as the framework for our simulation and provide you with an opportunity to improve your legal skills.

Of course, we are not actually in a professional legal environment, and I am first and foremost your teacher. Please do not hesitate to contact me if you need assistance.

Plagiarism and Outside-of-Class Discussion Policy

This syllabus incorporates by reference the plagiarism polices outlined in Academic Rule 114 (Code of Conduct) and the first-year LRW Student Manual.

In addition, you are not allowed to discuss the substance of a particular assignment with your classmates (or anyone else) before that assignment's deadline unless I give you express permission to do so.

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Attendance Policy

I expect you to attend every class. You are permitted one unexcused absence; for each subsequent unexcused absence, I will deduct 5 percentage points from your semester point total.

To receive an excused absence, you must email me in advance of the class you intend to miss (absent unforeseen circumstances) and present a valid excuse.

Punctuality Policy

I expect you to show up on time. I reserve the right to deduct up to 5 percentage points from your semester point total for excessive tardiness.

Participation Policy

I expect you to participate in class discussion. I reserve the right to increase your semester point total by up to 5 percentage points for high-quality class participation.

Personal Technology Policy

I expect you to use your computer, if you use one at all, for note-taking only. I reserve the right to deduct up to 5 percentage points from your semester point total for inappropriate computer use. Also, you are not allowed to use mobile phones, digital music players, and the like during class.

Electronic Communication Policy

I will use TWEN to distribute class materials and send emails. You are responsible for reading every TWEN posting and email.

Any emails you send to me should conform to the professional communication standards you learned in LRW I and II. These standards include:

- a subject line specific to the subject of your email;
- an appropriate salutation;
- an appropriate tone;
- full sentences;
- appropriate language choices; and
- an appropriate closing.

Your email should also suggest an answer to your question or propose a solution to your problem. I reserve the right to deduct up to 5 percentage points from your semester point total for unprofessional email communications.

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Late Assignment Policy

Written Assignments: Assignments uploaded to TWEN (or emailed to me, depending on the assignment's instructions) after the appointed time and date, will receive a 10% point deduction for lateness. Assignments uploaded to TWEN after the appointed time on succeeding days will receive an additional 10% deduction for each day late (up to a 50% total deduction). All deductions will be rounded to the nearest whole number. You must complete every written assignment.

Failure to submit your Appellate Brief (Tutorial Version) at or before your tutorial will result in a 50% deduction on that assignment.

TWEN provides 24/7 technical support and other resources:

TWEN Technical support
1-800-850-9378; west.support@thomson.com)

TWEN Non-technical support
1-800-486-4876; west.twensupport@thomson.com)

Oral Assignments: An unexcused failure to appear at a scheduled oral assignment will result in a 50% point deduction. You must complete every oral assignment.

Extensions: Under limited circumstances, such as illness or family emergency, I will consider granting you an extension to complete an assignment. Only Prof. Mary Trevor, the Director of Legal Writing, however, can grant you an extension to complete your Appellate Brief (Final Version). Please contact Prof. Trevor (mtrevor@hamline.edu) if you need such an extension. Absent an emergency, you must ask for an extension in advance of the assignment deadline. Computer problems are not a valid reason for an extension.

General Overview of Graded Assignments

Quick Turnaround Research Question: This research assignment will be assigned and completed within the same class period. The goal of this assignment is to simulate a situation in which a supervising attorney asks a junior attorney to quickly and concisely answer a legal question.

Oral Research Presentation: Before you submit your Appellate Brief assignment, you will formally present your research findings to me. The goal of this assignment is to simulate a typical interaction between a junior attorney and a supervising attorney. This interaction will require you to discuss complex legal issues and respond to rigorous questioning.

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Written Discovery: After presenting your research findings and before you submit your Appellate Brief, you will draft written discovery based upon the factual and legal issues in the Appellate Brief assignment. The goal of this assignment is to introduce you to written discovery.

Appellate Brief (Tutorial and Final Versions): The major writing assignment of the semester will be an Appellate Brief. This assignment will require you to employ your research, analysis, and writing skills to persuade a court to adopt your client's position on two or more issues of law. The Appellate Brief assignment will be based on a mock case file from which you must extract the relevant facts and legal issues.

You will submit two versions of your brief. First, you will submit a Tutorial Version, which I will grade and discuss with you in your individual tutorial. This version is not a rough draft; rather, it is a version you would feel comfortable submitting to an attorney who employs you. It will include a statement of facts, the standard(s) of review, a summary of the argument, and an argument section. Later, you will submit a Final Version, which should incorporate any suggestions gleaned from your tutorial and include the other required appellate brief sections.

Appellate Oral Argument: All students will participate in the Appellate Oral Argument exercise, which will be based on the Appellate Brief. For the Oral Argument, you will represent the same party that you represented in the brief.

Grading Components

Assignment	*Points*	*Date*
Quick Turnaround Research Question	9	Friday, Feb. 1
Written Discovery	9	Friday, Feb. 15
Oral Research Presentation	9	Weeks of Feb. 18 & 25
Appellate Brief (Tutorial Version)	9	Weeks of Mar. 11 & 18
Appellate Brief (Final Version)	36	Friday, Apr. 5
Appellate Oral Argument	18	Week of Apr. 15
	90 Total	

Grading Criteria for Written and Oral Assignments

The specific instructions for each assignment will include the grading criteria for that assignment.

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Format of Writing Assignments

The specific instructions for each assignment will include the format requirements for that assignment.

Pass/Fail Assignment Policy

I will ask you to complete various Pass/Fail assignments over the course of the semester. To receive a "Pass," you must demonstrate a reasonable, good faith effort. If you receive a "Fail," you must resubmit the assignment until your receive a "Pass." If you fail to either submit a Pass/Fail assignment or ultimately achieve a "Pass," I will deduct 5 percentage points from your semester point total for each such assignment.

Weekly Assignments & Discussions

Please note that these entries serve merely as a guide. I may change them if necessary. If I do make any changes, I will announce them as soon as possible.

Week 1: Jan. 18 IN-CLASS ACTIVITIES and DISCUSSIONS Welcome and Introduction RECOMMENDED READING None ASSIGNMENTS DUE THIS WEEK N/A
Week 2: Jan. 25* IN-CLASS ACTIVITIES and DISCUSSIONS Legal Research Refresher Explanation of Oral Research Presentation Assignment Explanation of Quick Turnaround Research Question Assignment ***Class time may be extended by 30 minutes for Westlaw and Lexis presentations.** RECOMMENDED READING Beazley, Chap. 3 ASSIGNMENTS DUE THIS WEEK N/A

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Week 3: Feb. 1

IN-CLASS ACTIVITIES and DISCUSSIONS
Quick Turnaround Research Question Assignment

RECOMMENDED READING:
N/A

ASSIGNMENTS DUE THIS WEEK
Choice your client on TWEN by 12:00 p.m.
Sign up on TWEN for Oral Research Presentation by 12:00 p.m.

Week 4: Feb. 8

IN-CLASS ACTIVITIES and DISCUSSIONS
Overview of Written Discovery
Explanation of Written Discovery Assignment

RECOMMENDED READING:
TBA

ASSIGNMENTS DUE THIS WEEK
N/A

Week 5: Feb. 15

IN-CLASS ACTIVITIES and DISCUSSIONS
Types of Arguments
Explanation of Appellate Brief Assignment

RECOMMENDED READING:
Huhn, Chaps. 2-7 & 10

ASSIGNMENTS DUE THIS WEEK
Written Discovery Assignment due by 12:00 p.m.

Week 6: Feb. 22

IN-CLASS ACTIVITIES and DISCUSSIONS
Appellate Brief Argument—Issue Organization

RECOMMENDED READING:
Beazley, Chaps. 4 & 5

ASSIGNMENTS DUE THIS WEEK
Oral Research Presentations (Plaintiff) this week
Sign up on TWEN for Individual Tutorial by 12:00 p.m.

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Week 7: Mar. 1

IN-CLASS ACTIVITIES and DISCUSSIONS
Appellate Brief Argument—Macro Organization

RECOMMENDED READING:
Beazley, Chaps. 4 & 5

ASSIGNMENTS DUE THIS WEEK
Oral Research Presentations (Defendant) this week

Week 8: Mar. 8

IN-CLASS ACTIVITIES and DISCUSSIONS
Appellate Brief Sections

RECOMMENDED READING:
Beazley, Chaps. 2, 8 & 9

ASSIGNMENTS DUE THIS WEEK
N/A

Week 9: Mar. 15

IN-CLASS ACTIVITIES and DISCUSSIONS
Appellate Brief Sections Cont.

RECOMMENDED READING:
Beazley, Chaps. 6 & 7

ASSIGNMENTS DUE THIS WEEK
Individual Tutorials (Plaintiff) this week
Appellate Brief (Tutorial Version) due 24 hours before your scheduled tutorial

Week 10: Mar. 22

IN-CLASS ACTIVITIES and DISCUSSIONS
Appellate Brief Editing
Citation & Grammar Review

RECOMMENDED READING:
N/A

ASSIGNMENTS DUE THIS WEEK
Individual Tutorials (Defendant) this week
Appellate Brief (Tutorial Version) due 24 hours before your scheduled tutorial
Sign up on TWEN for Oral Argument Practice and Oral Argument by 12:00 p.m.

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Week 11: SPRING BREAK
Week 12: Apr 5 IN-CLASS ACTIVITIES and DISCUSSIONS Oral Argument Explanation of Appellate Oral Argument Assignment RECOMMENDED READING: Dworsky book, in full Beazley, Chap. 13 ASSIGNMENTS DUE THIS WEEK Appellate Brief (Final Version) due by 12:00 p.m.
Week 13: Apr. 12 IN-CLASS ACTIVITIES and DISCUSSIONS Oral Argument Cont. RECOMMENDED READING: Review Dworsky and Beazley reading assignments from last week ASSIGNMENTS DUE THIS WEEK Oral Argument Practice this week
Week 14: Apr. 19, 2012 IN-CLASS ACTIVITIES and DISCUSSIONS No Class (Graded Oral Arguments) RECOMMENDED READING: N/A ASSIGNMENTS DUE THIS WEEK Graded Oral Arguments this week

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