

**LEGAL RESEARCH AND WRITING I
FALL 2013 SYLLABUS
SECTION W (WEEKEND) (Saturdays, 1:00-3:10 p.m.)
PROFESSOR MARY DUNNEWOLD**

Introduction

This syllabus covers the Legal Research and Writing class for the fall semester (LRW I). 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 Legal Research and Writing class (LRW II) at the end of the fall semester.

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 point allocations for assignments and other requirements of the class, 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 Student Manual and Code apply to all students in the first-year LRW classes, and they apply to both the fall and spring semester of the class, regardless of instructor. A paper copy of the Student Manual will be distributed to you the first day of class. Please be sure to review it carefully and let me know if you have any questions.

Contact Information and Teaching Assistant

During the semester, you can contact me in my office in the Dean's Suite, by phone at 651-523-3082, or by email at mdunnewold@hamline.edu. Once the semester starts, I will post office hours, but please feel free to stop by any time to see if I am in. Please check the TWEN site for my office hours, since they may periodically change.

I also have a teaching assistant who will help with the class, Bobbi Hermanson-Albers. Bobbi 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 Bobbi during her office hours, which will be posted at the beginning of the semester. You can also contact her by email at bhermansonalbers01@hamline.edu.

Westlaw, LexisNexis, Bloomberg Law, and the TWEN site for our course

Westlaw, LexisNexis, and Bloomberg Law are major fee-based online legal research sources. Each of these companies provides free access to their products for law students. If you have not received your passwords for these services, please contact the law library. Please register your passwords as soon as possible after you receive them. On Westlaw, please also register for the TWEN (The West Education Network) site for our course. I do not require a password for you to register for my TWEN course.

I send emails to the class using the TWEN site and will post the *Student Manual*, syllabi, assignments, handouts, examples, and other useful information on TWEN. You will be required to submit some assignments using TWEN, and we will use TWEN for sign-ups for certain activities. In addition, the majority of out-of-class communication will be conducted via TWEN email. So it is critical that you register on TWEN right away. Once you are registered for the class TWEN site, I will assume you are receiving all the information I send out via TWEN.

Attendance

Class attendance is mandatory. Please see the *Student Manual* for information about the attendance policy and sanctions for violating it. Also, please be punctual and plan to stay to the end of each class. If you anticipate that you may need to leave class for any reason, please speak to me ahead of time.

Grading and Late Assignments

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, Grammar, and Citation Exam. Points will be deducted for late assignments. You will also be awarded four “professionalism points,” which will only be deducted for cause, at my discretion. I may also assign non-graded exercises, which must be completed and submitted to pass the course. Failure to submit these assignments on time may result in a deduction of professionalism points.

Please see the *Student Manual* for more information about grading, including individual assignment point values, and for the details of the policies regarding late assignments. Also check the individual assignments for requirements and submission information. Note that the points awarded for assignments do not convert to letter grades according to percentages; the critical

information to note for purposes of tracking your progress in the course is whether your grade is above, at, or below the average point total awarded for that assignment.

Assignments

Writing assignments. Writing assignments are due on the dates specified in the syllabus. Closed Memo One (CM1) and Closed Memo Two (CM2) must be submitted electronically via the class TWEN site assignment drop box by 8:00 a.m. on their due dates. You must also submit a paper copy that is identical to your electronic submission at the beginning of LRW class that same day. Submission instructions for the One Case Legal Analysis (OCLA) assignment and the Client Letter assignment will be given 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* (ICW), where both reading and exercises are required, you need not complete exercises in the texts unless I specifically assign them.

Citation Exercises (ICW). You will be required to complete ten citation exercises. 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 exercises online. Generally, you have one week to complete ICW exercises. Each ICW exercise is worth one point, and you must complete the exercise by the due date and time to receive the point.

Note that for some citation exercises, only certain questions will be assigned; the questions to be completed will be announced.

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* (CG), available at www.coregrammarforlawyers.com. You may test out of some grammar exercises if the pretest shows you are proficient with a particular grammar concept. The assigned exercises are listed on the last page of this syllabus. Please do them in the order listed.

Note that, except for the pretest and the final due date, there are no individual due dates for the grammar exercises listed in the syllabus – you will work on them at your own pace. The grammar exercises are not awarded points, but you must complete all of them by Wednesday, Nov. 26, at 5 p.m. to pass the course. Professionalism points may be deducted if the pretest or the exercises are not completed by the due dates.

Research Exercises. This class will also instruct you in fundamental legal research skills. Fall semester, we will cover secondary sources and learn about services offered by commercial legal research vendors. For each unit, you are required to complete an online tutorial and assessment before the beginning of class. Completion of the online tutorial and assessment is worth 2 points. In class, we will then apply the information you learned in the online tutorial by completing hands-on exercises. Because completion of in-class exercises will depend on understanding the basics of the material when you come to class, completing the online tutorials before class time is essential. You will then submit the in-class exercises to your teaching assistant at the end of class to receive credit. Each in-class exercise is worth 3 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 (CSO) via Symplicity by Monday, October 21 at 11:59 p.m. A Career Services professional will review your resume and return it to you with comments by Friday, November 1. You will then incorporate those comments and re-submit your resume to Career Services by Friday, November 15. This assignment is not worth points in the LRW course, but failure to complete and submit the assignments by the indicated deadlines, or failure to submit a satisfactory assignment (as judged by the CSO professionals), will result in loss of professionalism points and may result in an Incomplete in the LRW course.

Tutorials. We will do a variety of types of tutorials in the class, including individual and, as time allows, group. Tutorials, whether for writing or research, are an important learning opportunity for the class and count in your grade calculation. Attendance at tutorials, whether in person or through other mode (e.g., email, Skype, Google plus, and/or phone) is mandatory. Each tutorial is worth four points. Please be prepared for tutorials with the materials indicated in this syllabus.

Email Policy and Electronic Communications

Law school prepares students for a profession. You entered the profession on the first day of Orientation. Using social networking inappropriately or sending unprofessional emails can cause immediate problems and have long-lasting negative repercussions in the legal profession.

To help you develop and maintain professional communication habits, I require that you comply with a few simple rules when you send me an email. (It would be a good idea to follow these rules for emails to other faculty and staff at the law school, too.) Please include a correct and specific subject line. If you simply respond to an old email without changing the subject line as needed, I might not recognize your email's importance or how quickly it needs a response, and both you and I might have trouble finding it later if we need to check it. Use a respectful title to open your email text and a respectful closing. Include text that explains the purpose of the email more specifically than the subject line does. All email content should be spelled fully and correctly, punctuated correctly, and proofread.

Your use of social networking and email outside of class assignments and communications to me is, of course, your own affair. But I urge you to start developing an awareness, if you have not already, that what you say on a social networking site or in an email may become a matter of broad public knowledge, whether you intend it to or not. Consider whether a communication you are sending or posting is one that you would want a prospective employer or others in the legal profession to see.

Professionalism

As a legal professional, you are expected to act with integrity at all times. At this stage of your legal career, "professionalism" means not only being prepared for and engaged in class and doing your own best work, but also being respectful of other students' views, opinions, and work.

The classroom environment must be conducive to learning for all students. Proper conduct in the classroom is intended to encourage everyone to participate in, to derive benefit from, and ultimately to enjoy the class. It is perfectly acceptable and, indeed, professionally required, that you demand professional behavior from your classmates in and out of class. You should be guided by the

above professional standards in all your classroom and law school conduct. You should avoid even the appearance of impropriety in your in-class and out-of-class behavior.

Technology Policy

While you may bring laptops to class for note-taking, only word processing programs may be open during class unless I direct you otherwise. 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.

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 text messaging, instant messaging, or email; using cell phones, pagers, or any other communication device; and from displaying wallpaper, screen savers, or other material that can reasonably be expected to offend or distract your classmates. 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. Please check with me before buying any recommended texts:

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. 2013)

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* (2013 edition)

Ruth Ann McKinney & Katie Rose Guest Pryal, *Core Grammar for Lawyers* (ebook) available at www.coregrammarforlawyers.com (Sign up on the Core Grammar website before or after classes begin. Please

purchase an access code to the site online.)

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| <p>Week 1 Aug. 17</p> | <p>Topics covered: Course intro; Closed Memo One (CM1) intro; Kinds of authority; CM1 cases; CREAC intro</p> <p>Reading: <i>Legal Analysis</i> (LA) Chapters 1 & 2 (Foundations and Rules) <i>Mastering Legal Analysis</i> (MLA) pp. 3-5, 15-22 (Rule and Reading Cases)</p> <p>Writing Assignment: One Case Legal Analysis (OCLA) (due Sept. 7) Closed Memo 1 (CM1) (due Sept. 26)</p> <p>Grammar Assignment: Grammar Pretest in <i>Core Grammar for Lawyers</i> (CG) (must be completed by class time on Aug. 24)</p> |
| <p>Week 2 Aug. 24</p> | <p>Topics covered: Case analysis; CREAC; Formulating a rule (based on one case); Analogical reasoning; OCLA</p> <p>Reading: LA Chapters 3 & 4 (Analogical and Rule-based Reasoning) LA Chapter 7 (CREAC) MLA Chapter 1, pp. 22-36 (Case Synthesis & CREAC) (recommended—covers some of same material as LA ch. 7)</p> <p>Citation Assignment: ICW 1, 2, & 3 (due in two weeks)</p> <p>Due Today: CG Grammar Pretest must be completed by class time. Other CG exercises completed at your own pace before Nov. 26. See last page of syllabus for complete roster of required CG exercises.</p> |
| <p>Week 3 Sept. 7</p> | <p>Topics covered: Analysis of additional CM1 cases; Parts of Office Memorandum; Citation form</p> <p>Reading: MLA Chapter 5 (Research Memos) MLA Chapter 3 (Citation) <i>Bluebook</i> Introduction (pp. 1-2)</p> <p>Citation Assignment: ICW 16</p> <p>Due Today: OCLA due. Upload to TWEN site before class and bring a hard copy to submit in class. ICW 1, 2, 3 due by class time</p> |

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| <p>Week 4 Sept. 14</p> | <p>Topics covered: Common problems in OCLA; Introduction to Research</p> <p>Reading: MLA Chapter 2 (Legal Drafting)</p> <p>Writing Assignment: OCLA returned Tutorials begin</p> <p>Research Assignment: Complete online unit on Introduction to Research before class time.</p> <p>Citation Assignment: ICW 5 & 11</p> <p>Due Today: ICW 16 due by class time</p> |
| <p>Week 5 Sept. 21</p> | <p>Topics covered: Questions Presented and Brief Answers; Citation Review; Introduction to Westlaw and Lexis</p> <p>Reading: No reading assignment this week.</p> <p>Writing Assignment: Tutorials continue</p> <p>Research Assignment: No research assignment this week.</p> <p>Due Today: ICW 5 & 11 due by class time</p> |
| <p>Week 6 Sept. 28</p> | <p>Topics covered: CM2 introduced; Client Letter introduced; Research: Encyclopedias</p> <p>Reading: MLA Chapter 4 (Letters)</p> <p>Writing Assignment: Client letter (due Oct. 12)</p> <p>Research Assignment: Complete online unit on Encyclopedias before class time.</p> <p>Due Today: CM1 due in TWEN Assignment Drop Box by 8:00 a.m. on September 28.; identical paper copy due at start of class</p> |

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| <p>Week 7 Oct. 5</p> | <p>Topics covered: CM2 and multi-issue analysis; Research: Treatises</p> <p>Reading: No reading assignment this week.</p> <p>Research Assignment: Complete online unit on Treatises before class time.</p> <p>Due Today: No assignments due today</p> |
| <p>Week 8 Oct. 12</p> | <p>Topics covered: New office memo parts; Research: ALRs</p> <p>Reading: No reading assignment this week.</p> <p>Research Assignment: Complete online unit on ALRs before class time.</p> <p>Due Today: Client letter due as directed</p> <p style="text-align: center;"><i>Resume assignment due to Career Services by October 21 at 11:59 p.m.</i></p> |
| <p>Week 9 Oct. 26</p> | <p>Topics covered: Thesis sections; Advanced citation and editing; Research: Law Reviews</p> <p>Writing Assignment: Tutorial options will be offered this week and next week.</p> <p>Research Assignment: Complete online unit on Law Reviews before class time.</p> <p>Citation Assignment: ICW 12 & 13</p> <p>Due Today: No assignments due today</p> |

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| <p>Week 10 Nov. 2</p> | <p>Topics covered: Intro to drafting and memo-related drafting exercise</p> <p>Reading: MLA Chapter 2 (Legal Drafting) (review)</p> <p>Writing Assignment: Tutorials continue</p> <p>Due Today: ICW 12 & 13 due by class time</p> |
| <p>Week 11 Nov. 9</p> | <p>Topics covered: Mediation Simulation</p> <p>Reading: Mediation Packet</p> <p>Citation Assignment: ICW 7 & 9</p> <p>Due Today: CM2 due in TWEN Assignment Drop Box by 8:00 a.m. on Saturday, Nov. 9; identical paper copy due at start of class</p> |
| <p>Week 12 Nov. 16</p> | <p>Topics covered: Exam review; General exam tips</p> <p>Due Today: ICW 7 & 9 due by class time</p> |
| <p>Week 13 Nov. 23 (Weekend classes end)</p> | <p>Topics covered: Evaluations; In-class Research, Grammar, and Citation Exam.</p> <p>Class will finish approximately an hour early (approximately 2:15-2:20).</p> <p>Final Due Date for Grammar Exercises: Wednesday, Nov. 26, at 5 p.m. Earlier completion is encouraged!</p> |

Grammar Pretest and Exercises to be Done During the Semester

Pretest and Exercises are found online in: *Core Grammar for Lawyers (CG)* – www.coregrammarforlawyers.com

Grammar Pretest: Complete by the beginning of class on August 24

Grammar Exercises: To be done at your own pace. All must be completed by Wednesday, Nov. 26, at 5 p.m. to pass the course. Earlier completion is encouraged!

CG A 1-2

CG A 3-4

CG D 1-2

CG D 3-4

CG F 1-2

CG F 3-4

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