

**FALL 2013 *DRAFT* SYLLABUS**  
**LEGAL RESEARCH AND WRITING I (SECTION 1)**  
**T, Th 2:30-3:30 (Room 105)**  
**HAMLIN UNIVERSITY SCHOOL OF LAW**  
**PROFESSOR MARY B. TREVOR**  
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**This Syllabus; Contact Information**

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 my syllabus for the spring semester of the Legal Research and Writing class (LRW II) at the end of the fall semester. *Please note that this version of the syllabus is a draft. Although I do not anticipate any major changes, it will not be finalized until the start of class. There may be some changes and some additions. I will distribute a paper copy of the final version on the first day of class and post it electronically, so you need not print out this draft.*

Before the semester starts, or between semesters, you can contact me by email (in general, email is better than phone) to ask questions or set up an appointment at my office. During the semester, in addition to being available by email and for appointments, I will hold weekly office hours. In any case, please feel free to stop by my office any time to see if I am available.

The teaching assistants for the class will be Veronica Mason ([vmason01@hamline.edu](mailto:vmason01@hamline.edu)) and Ryann Sparrow ([rsparrow01@hamline.edu](mailto:rsparrow01@hamline.edu)). Once the semester starts, Veronica and Ryann will be available by email, hold office hours, grade some assignments, conduct some classes, and generally be available to assist with the class. You should feel free to consult either Veronica or Ryann during their office hours, which will be posted at the beginning of the semester.

**Other Course Information Materials**

1) The Legal Research and Writing Student Manual (Manual) explains the course requirements and learning outcome goals. It includes, among other information, the assignments and exercises, the grading criteria and point allocations for assignments and exercises, the special format and submission requirements for major assignments, the attendance policy, the ethical and conduct requirements, the penalties for late submission of assignments, and the calculation of semester-end grades.

2) The Legal Research and Writing Code of Conduct (Code) elaborates on the Hamline Law School Code of Conduct (<http://law.hamline.edu/registrar/policies.aspx>) for legal writing-specific (and legal research-specific) situations, and provides comments and illustrations concerning ethical problems that you may confront in the LRW class.

The Manual and the Code will apply for both my LRW I and LRW II classes. I will distribute them in paper on the first day of class in LRW I and will assume that you have retained them for LRW II. I will also post them electronically. Please be sure to review both carefully, let me know if you have any questions, and keep them at hand for your reference during both LRW I and II.

### **Required Website Registrations**

1) Westlaw, LexisNexis, and Bloomberg Law are the three major commercial legal research vendors. We will be using their websites regularly for research and other work. If you have not received password or registration information for these services, please contact the law library. Please register on all these sites as soon as possible—ideally, before classes start—once you receive the registration information.

2) Please use your registration on Westlaw to register for the TWEN<sup>1</sup> site for our course; no password is required. The TWEN site will be our source for all class-related electronic communication. I will use it to post class materials (including syllabi, the Manual, the Code, and other materials), and I will send class emails using the site. You will, among other things, submit some assignments and exercises using the site. Therefore, it is critical that you register on TWEN right away—ideally, before classes start—and that you do so using an email account that you check every day. Once you register, I will assume you are receiving all the information I send out via TWEN or post on TWEN.

3) During the semester, as detailed below, you will do grammar exercises online. This work will start right away, using *Core Grammar for Lawyers*, an exercise-based ebook by Ruth Ann McKinney & Katie Rose Guest Pryal. The ebook is available at [www.coregrammarforlawyers.com](http://www.coregrammarforlawyers.com) (“the Core Grammar (CG) website”). Please sign up on the website before classes begin. The name of the class you are signing up for is *Legal Research and Writing (Trevor)*, and the class code is 313-124-4279. You need only subscribe for this school year, but you may get a longer subscription if you choose.

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<sup>1</sup>The West Education Network.

## **Required Texts**

The following textbooks (with abbreviations used in this syllabus noted) are required for the course:

George W. Kunej & Donna C. Looper, *Mastering Legal Analysis and Drafting* (2009) (“MLA”)

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

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

Tracy L McGaugh & Christine Hurt, *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation* (2013 edition) (“ICW”)

These texts will be available at the law school bookstore; you may also be able to order used copies of older editions online.

## **Grading; Compliance with Deadlines and Submission Requirements**

You will earn grades (points) for the following coursework during the fall semester: One Case Legal Analysis Exercise, Closed Memo One, Closed Memo Two, Client Letter, two Tutorials, ten Citation Exercises, \_\_\_\_ Research Exercises, and the Research and Citation Exam. The tentative point values for each assignment are listed below, as applicable. In addition, you will start the semester with four professionalism points. (You will also do some ungraded work, including preparing a resume, completing grammar exercises, and doing assigned readings.) Points awarded are subject to deductions for late assignment submission, non-compliance with format or submission requirements, and non-professional behavior.

Please see the Manual for more information about grading, including which aspects of the course are graded anonymously and how semester-end grades are calculated.

## **Assignment Overview (with tentative point values, as applicable)**

This syllabus includes information for the following assignments, which are presented below in brief overview and incorporated into the weekly class meeting grid that follows. For more details, please consult the Manual and each individual assignment. Occasionally,

information provided here or in the Manual may become outdated for some reason by the time the assignment is distributed; if there is any conflict in information, go by the information provided in the assignment itself and in class.

### **Assignment Overview, cont.**

**Writing assignments.** Closed Memo One (CM1) and Closed Memo Two (CM2) are the major assignments of the semester, and they are subject to special formatting and submission requirements that are detailed in the Manual. The formatting and submission requirements for the One Case Legal Analysis (OCLA) and Client Letter assignments are specific to those assignments and will be detailed in the assignments themselves. (CM1—15 points; CM2—30 points; OCLA—4 points; Client Letter—4 points)

**Tutorials.** As part of your work on the CM1 and CM2, you are required to attend individual tutorials with me to review drafts of your work. These tutorials are an important learning opportunity in this class and therefore are each worth four points. To earn the points, you must come prepared to each tutorial with the material indicated on the TWEN sign-up sheet. (Tutorials—4 points each)

**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 texts unless I specifically assign them.

**Citation Exercises (ICW).** For each citation exercise, you are required to read through the applicable chapter of the ICW, review the accompanying rules in the BB, and then complete the chapter exercise online, using the workstation on the LexisNexis website. For some chapters, only certain questions in the chapter exercise will be assigned. You will be required to complete ten citation exercises. Generally, you will have one week to complete each exercise. Each ICW exercise is worth one point, and you must complete all assigned questions in the exercise satisfactorily by the due date to receive the point. (Citation Exercises—Total of 10 points)

**Grammar Exercises (CG).** You will be required to complete a grammar pretest and twelve grammar exercises using *Core Grammar for Lawyers* (CG). If the pretest shows you are proficient with a particular grammar concept, you will test out of (not be required to complete) the related exercise for that concept. Generally, you will have one week to complete grammar exercises. The grammar exercises are not awarded points, but you must complete each of the twelve exercises (either by doing the exercise or testing

out) to pass the course. Professionalism points may be deducted for exercises not completed satisfactorily or submitted after the due date.

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### **Assignment Overview, cont.**

**Research Exercises.** This class will instruct you in fundamental legal research skills. In the fall semester, we will cover secondary sources and learn about services offered by commercial legal research vendors. For most research classes, you will be required to complete an online tutorial before the class on that topic. 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. You must complete both the pre-class online tutorial and the in-class exercises satisfactorily and on time to receive the full points allocated for each research lesson. (Research Exercises-- \_\_\_\_\_ 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 \_\_\_\_\_ at 11:59 p.m. A CSO professional will review your resume and return it to you with comments by \_\_\_\_\_. You will then revise your resume in light of those comments and re-submit it to CSO via Symplicity by \_\_\_\_\_ at 11:59 p.m. The resume assignment is not awarded points, but you must complete both submissions of it to pass the course. Failure to submit (or re-submit) the assignment in a satisfactory and timely fashion (as determined by the CSO professionals) will result in loss of professionalism points and may result in an Incomplete in the course.

**Research and Citation Exam.** At the end of the semester, you will take an in-class research and citation exam; it may also cover certain grammar or style concepts as well. More information about the exam will be provided later in the semester, and there will be an in-class review session before the exam. (Exam—25 points)

**Professionalism Points.** Law school prepares students for a profession. You entered the profession on the first day of Orientation. As a legal professional, you are expected to act professionally at all times. “Professionalism” includes being prepared for and engaged in class; doing your own best work; complying with course rules and requirements; and being respectful of others’ views, opinions, and work. In recognition of the importance of this aspect of your training as a legal professional, you will automatically be awarded four professionalism points at the start of the semester. They will only be deducted for cause, at my discretion, based on behavior related either to particular assignments or the class more generally. Please check the Manual for more information about

professionalism. (Professionalism—4 points)

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### **Laptop and Technology Use Policy**

I encourage you to bring your laptop (or equivalent) to each class because we will frequently access our TWEN site and other websites for class activities. In addition, you may wish to use your laptop for note-taking. But only note-taking, and use of sites that I (or a guest lecturer) have directed you to open or find, are allowed on laptops during class. Students using their laptops for non-class activities, including displaying or exchanging materials that can reasonably be expected to offend or distract others in the classroom, will be asked to leave and may not be permitted to bring their laptops to class for the duration of the course.

In general, 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 refrain from using text messaging, instant messaging, twitter, or email; using cell phones, pagers, or any other communication device; or using any device not listed here whose use violates the spirit of this policy.

I reserve the right to impose appropriate sanctions for violations of this policy, including loss of professionalism points.

### **Email Policy and Electronic Communication Heads-Up**

Your education as a professional includes increasing your awareness of the impact your electronic communications can have on your career. Sending unprofessional emails or engaging in unprofessional social networking can cause immediate problems and have long-lasting negative repercussions in the legal profession.

To help you get into the habit of corresponding as a professional, I require that you comply with the following 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.)

- Do not use an email account whose address might be seen as offensive or inappropriate.
- 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 either of us needs to check it.
- Use a respectful title to start your email message and a respectful closing to end it.

- Be sure your message explains the purpose of the email clearly and specifically. Do not use emoticons, slang, or text messaging abbreviations.

**Email Policy and Electronic Communication Heads-Up, cont.**

- Do not send emails that include only an attachment and no message.
- Before you hit “Send,” proofread your email.
- Before you hit “Send,” check to make sure that the email is addressed to the person for whom it is intended.
- Substantial or repeated failure to comply with these email requirements may result in the loss of professionalism points.

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.

<b>Week</b>	<b>Tuesday Class</b>	<b>Thursday Class</b>	<b>Plan Ahead: Assigned this week</b>
Week 1 Aug. 19	<b>No LRW class on Tuesday this week. Law school classes begin on Wednesday.</b>	<b>Topics Today:</b> Course Introduction; Closed Memo One (CM1) introduction; kinds of authority  <b>Read for Today:</b> R & V ch. 1 & 2 (The Foundations of Legal Analysis; Rules)	<b>Writing Assigned:</b> Closed Memo One (due Sept. 30; tutorials start week of Sept. 16); One Case Legal Analysis (OCLA) (due Sept. 5)  <b>Grammar Assigned (Thursday):</b> CG Pre-Test <sup>2</sup>
Week 2 Aug. 26	<b>Topics Today:</b> Reading CM1 cases; rules; formulating a rule from one case  <b>Read for Today:</b> MLA ch. 1 pp. 3-5, 15-22 (Rules; Reading Cases)	<b>Topics Today:</b> CREAC; analogical and rule-based reasoning  <b>Read for Today:</b> R & V ch. 3, 4, & 7 (Inductive Analysis and Analogical Reasoning; Deductive Analysis and Rule-based Reasoning; The Legal Argument: CREAC)  <b>Due Today:</b> CG Pre-Test <sup>3</sup>	<b>Grammar Assigned (Thursday):</b> CG A 1-2
Week 3 Sep. 2 (Labor Day on Monday)	<b>Topics Today:</b> CREAC and analogical reasoning, cont.; citation (TAs)  <b>Read for Today:</b> MLA ch. 3 (Citation and Quotation: Why, When, and How); BB Introduction to the Nineteenth Edition, and Introduction to the Bluepages (p. 3)	<b>Topics Today:</b> Analysis of additional CM1 cases; synthesis of rules from multiple cases  <b>Read for Today:</b> MLA ch. 1 pp. 22-36 (Synthesizing Multiple Cases—Putting It All Together)  <b>Due Today:</b> OCLA; CG A 1-2	<b>Citation Assigned (Tuesday):</b> ICW ch. 1  <b>Grammar Assigned (Thursday):</b> CG A 3-4

<sup>2</sup> Unless otherwise indicated, citation (ICW), grammar (CG), and research online tutorial exercises are due a week from the date assigned: Tuesdays for citation, Thursdays for grammar and research. The exercises are completed and submitted on the ICW, CG, and \_\_\_\_\_ websites.

<sup>3</sup> Assignments and exercises due on any given day are due by the start of class unless otherwise indicated.

<b>Week</b>	<b>Tuesday Class</b>	<b>Thursday Class</b>	<b>Plan Ahead: Assigned this week</b>
Week 4 Sept. 9	<p><b>Topics Today:</b> Parts of Office Memorandum; other types of reasoning</p> <p><b>Read for Today:</b> MLA ch. 5 (Research Memoranda); R &amp; V ch. 6 (Policy-Based Reasoning and Other Considerations)</p> <p><b>Due Today:</b> ICW ch. 1</p>	<p><b>Topics Today:</b> Introduction to research; Research strategy</p> <p><b>Due Today:</b> CG A 3-4</p>	<p><b>Citation Assigned (Tuesday):</b> ICW ch. 2 &amp; 3</p> <p><b>Grammar Assigned (Thursday):</b> CG B 1-2 and 3-4</p>
Week 5 Sept. 16	<p><b>Topics Today:</b> Parts of Office Memorandum, cont.; common problems in OCLA (OCLA exercises returned today)</p> <p><b>Due Today:</b> ICW ch. 2 &amp; 3</p> <p><b>**CM1 Tutorials start this week</b></p>	<p><b>Topics Today:</b> Research—WestlawNext and Lexis Advance</p> <p><b>Due Today:</b> CG B 1-2 and 3-4</p> <p><b>**CM1 Tutorials continue</b></p>	<p><b>Citation Assigned (Tuesday):</b> ICW ch. 5 &amp; 16</p> <p><b>Research Assigned (Thursday):</b> Encyclopedia online tutorial</p>
Week 6 Sept. 23	<p><b>Topics Today:</b> Self-editing (bring draft of your CM1 to class); citation review (TAs)</p> <p><b>Due Today:</b> ICW ch. 5 &amp; 16</p> <p><b>**CM1 Tutorials continue</b></p>	<p><b>Topics Today:</b> Research—Encyclopedias</p> <p><b>Due Today:</b> Encyclopedia online tutorial</p> <p><b>**CM1 Tutorials continue</b></p>	<p><b>Research Assigned (Thursday):</b> Treatises online tutorial</p>
Week 7 Sept. 30	<p><b>Topics Today:</b> CM2 introduced; Client interview</p> <p><b>Read for Today:</b> Handout on Interviewing</p> <p><b>Due *MONDAY*:</b> CM1 due in Registrar's</p>	<p><b>Topics Today:</b> Research—Treatises</p> <p><b>Due Today:</b> Treatises online tutorial</p>	<p><b>Writing Assigned:</b> Client letter (due Oct. 14)</p> <p><b>Research Assigned (Thursday):</b> ALR annotations online tutorial</p>

	Office by 11:00 a.m.		
<b>Week</b>	<b>Tuesday Class</b>	<b>Thursday Class</b>	<b>Plan Ahead: Assigned this week</b>
Week 8 Oct. 7	<b>Topics Today:</b> CM2, cont.; Client letter; Email communications  <b>Read for Today:</b> MLA ch. 4 (Letters); Other readings TBA	<b>Topics Today:</b> Research—ALR Annotations  <b>Due Today:</b> ALR Annotations online tutorial	<b>Citation Assigned (Tuesday):</b> ICW ch. 6 & 7  <b>Research Assigned (Thursday):</b> Periodicals online tutorial (due in two weeks)
Week 9 Oct. 14 (Break week)	<b>Topics Today:</b> CM2, cont.; new office memo parts  <b>Due Today:</b> Client letter; ICW 6 & 7	<b>Fall Break—No Class</b>	<b>None</b>
Week 10 Oct. 21	<b>Topics Today:</b> Thesis sections for CM2; Introduction to drafting  <b>Read for Today:</b> MLA ch. 2 (Legal Drafting, Generally)	<b>Topics Today:</b> Research—Periodicals  <b>Due Today:</b> Periodicals exercise online tutorial	<b>Citation Assigned (Tuesday):</b> ICW ch. 12 & 13 (due in two weeks)  <b>Grammar Assigned (Thursday):</b> CG D 1-2
Week 11 Oct. 28	<b>Topics Today:</b> Drafting in-class exercises  <b>Due _____:</b> Resume must be uploaded to Syplicity by _____ at 11:59 p.m.  <b>**CM2 Tutorials start this week</b>	<b>Topics Today:</b> Common problems in CM1 (CM1 returned by today at latest)  <b>Due Today:</b> CG D 1-2  <b>**CM2 Tutorials continue</b>	<b>Grammar Assigned (Thursday):</b> CG D 3-4
Week 12 Nov. 4	<b>Topics Today:</b> Citation review (TAs)  <b>Due Today:</b> ICW ch. 12 & 13	<b>Topics Today:</b> TA class on grammar and editing  <b>Due Today:</b> CG D 3-4	<b>None</b>

	<b>**CM2 Tutorials continue</b>	<b>**CM2 Tutorials continue</b>	
<b>Week</b>	<b>Tuesday Class</b>	<b>Thursday Class</b>	<b>Plan Ahead: Assigned this week</b>
Week 13 Nov. 11	<p><b>Topics Today:</b> Mediation simulation</p> <p><b>Read for Today:</b> ADR handout</p> <p><b>Due Today:</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 for the simulation. I will let you know when and where the class will meet.</p>	<p><b>Note:</b> Class will meet for one two-hour block this week for the simulation. I will let you know when and where the class will meet.</p>	<p><b>Citation Assigned (Tuesday):</b> ICW ch. 9, questions 1-5, 8-11, &amp; 13-16</p>
Week 14 Nov. 18	<p><b>Topics Today:</b> Citation and exam review (TAs)</p> <p><b>Due Today:</b> ICW ch. 9, questions 1-5, 8-11, &amp; 13-16</p>	<p><b>Topics Today:</b> Last day of regular class; course evaluation; exam-writing discussion</p>	
Week 15 Nov. 25	<p><b>Topics Today:</b> In-class exam</p>	<p><b>No Class. Thanksgiving break.</b></p>	