

LEGAL WRITING SYLLABUS
FALL 2008
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Legal Writing Sections D and G

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Introduction

Hamline Law School's first-year course in Legal Research and Writing is designed to help you develop effective legal research and writing skills in a supportive environment. Lawyers spend their entire professional careers communicating (with judges, juries, legislators, clients, adversaries, colleagues, supervisors) no matter what their individual career paths may be. In this course, you will learn how to locate and analyze legal reference materials relevant to hypothetical problems and how to write the results of your analysis in a concise, logical manner. The skills you will develop in this course deal with the process of communicating about the law. Like other first-year courses, Legal Research and Writing will teach you how to "think like a lawyer."

Additionally, employers place significant emphasis on research and writing skills in making hiring decisions. You are likely to use your writing from this course when you apply for jobs. Diligence in this course is likely to help you perform better on law school exams. Most law school exams require you to articulate issues, identify and explain legal rules, and apply those rules to a fact problem. These skills, among others, will be practiced in this course. The goal is that at the end of this course, you will be able to write and communicate effectively with clients and other audiences.

The Legal Research and Writing course consists of Legal Writing class and Legal Research Lab. This is the syllabus for Legal Writing class; there is a separate syllabus for Legal Research Lab. You will receive copies of both syllabi in your first Legal Writing class. They will also be posted on TWEN.

Legal Writing class will meet for two class hours per week except as otherwise indicated on the syllabus. (In addition, Legal Research Lab will meet one class hour per week.) Please note that this syllabus is intended to serve as a guide to the material to be discussed each week, and it may be modified as the semester proceeds. Not all readings will be discussed in class. I will announce modifications of the syllabus as far in advance as possible.

Please do the required reading and required writing assignments before the first Legal Writing class of the week for which they are assigned, unless either the syllabus or I direct you otherwise. I may assign exercises for class discussion and additional ungraded writing assignments throughout the semester to further strengthen your analytical and writing skills. You may also work through the exercises in the textbooks to further develop your skills.

For additional information about this class, including the goals and objectives, attendance policy, assignments, and grading see the Legal Research and Writing Student Manual. The Student Manual is posted on the Fall 2008 Syllabi page of the Registrar's web page (under "Legal Research & Writing Program") and on my TWEN site. You will receive a copy of the Student Manual in the first class meeting.

Communication

You may contact me in person at my office, Law/Grad 306B; by phone at (651) 523-2645 (office), (507) 202-0794 (cell); by email at kholst01@hamline.edu; or on the TWEN site. Before the semester starts, email is best. Once the semester starts, I will have office hours by appointment, but please feel free to email, phone, or stop by any time. During tutorial and grading periods, my office hours will be more limited than usual, but you are welcome to phone or email to ask a question or set up an appointment.

During the school year, I will use an online TWEN (The West Education Network) site to post course materials. I will also use the site to send group and individual course-related emails, and to conduct sign-ups for course activities. Please register on my TWEN site as soon as you have received your Westlaw password (be sure to register with the email address you use regularly) and remember to check the site and your email regularly so you do not miss any important information. If your email information changes, please be sure to update your registration.

Class Schedules

Section D

Legal Writing class: Monday and Wednesday 4:00-4:50 p.m. in Room 240A.

Legal Research Lab: Tuesday 4:00-4:50 p.m. in Room TBA **OR** Thursday 4:00-4:50 p.m. in Room TBA. Labs will not meet the first week of classes; you will sign up for one of these times during your first Legal Writing class. Your Teaching Assistant is Michael Goodwin.

Section G

Legal Writing class: Monday and Wednesday 3:00-3:50 p.m. in Room 240A.

Legal Research Lab: Tuesday 2:00-2:50 p.m. in Room TBA **OR** Thursday 3:00-3:50 p.m. in Room TBA. Labs will not meet the first week of classes; you will sign up for one of these times during your first Legal Writing class. Your Teaching Assistant is KrisAnn Norby-Jahner.

Textbooks

The following texts are required for the fall semester of the LRW course (including both the writing class and the research lab):

Linda H. Edwards, Legal Writing: Process, Analysis, and Organization (4th ed., Aspen Publishers 2008) ("Edwards")

Anne Enquist & Laurel Currie Oates, Just Writing: Grammar, Punctuation, and Style

for the Legal Writer (2d ed., Aspen Publishers 2005) (“Enquist & Oates”)

Linda J. Barris, Understanding and Mastering the Bluebook (Carolina Academic Press 2008)

The Bluebook: A Uniform System of Citation (Columbia Law Review Ass’n et al. eds., 18th ed. 2005)

Amy E. Sloan, Basic Legal Research: Tools and Strategies (3d ed., Aspen Publishers 2006)

When you go to the Bookstore, you will note lists of recommended texts. I do not suggest buying any of them automatically. You may choose to purchase one or more if you think it would be particularly helpful for you. I would also be happy to consult with you about any purchases you are considering. Once the semester starts, I might recommend a particular purchase if I think it would be helpful for you, but even then you are not required to buy anything for this semester beyond the required books listed in this syllabus.

LRW Graded Assignments

You will receive grades for the following assignments during the fall semester:

- One-Case Legal Analysis Exercise,
- Closed Office Memorandum,
- Research Memorandum,
- Research Skills Exam,
- Mandatory tutorials, and
- Research lab assignments (due weekly in your research lab; the assignments are listed in the Legal Research Syllabus).

Consult your syllabus materials for the due dates for all graded assignments. You will find more detailed information about the nature of the assignments and their point values in the course Manual.

Take particular note of the memorandum assignments and the mandatory tutorials. The Closed Office Memorandum and the Research Memorandum are the two major assignments of the fall semester. Unlike with your other assignments, you will hand in the memorandum assignments outside of class by turning in each completed assignment to the Registrar's Office by 11:00 a.m. on the due dates listed below and electronically via the TWEN Assignment Drop Box. Please note that the course Manual establishes particularly strict requirements for the formatting and hand-in of these assignments.

The mandatory tutorials are also a very important part of the writing class. Before you hand in your Closed Office Memorandum and Research Memorandum, you will meet with me individually in one or two tutorial sessions to discuss your work on the assignment. While you should find the tutorials to be helpful, you will find them most helpful when you are well prepared

and you must come prepared to get full credit for them.

I will announce in class when and how the graded assignments will be returned to you. After you receive your graded assignment, please review my comments carefully and arrange to meet me if you have any questions. Please allow at least one week's time after receiving your assignment before scheduling a meeting with me to discuss your grade.

Westlaw and LexisNexis

Please register your Westlaw and LexisNexis passwords as soon as possible after you have received them (passwords will be distributed during the first class). You may need to be registered for LexisNexis to access the research assignments. On Westlaw, please also register for my TWEN (The West Education Network) course after I have given you the registration password (during the first class). I send emails from and will post the Student Manual, syllabi, assignments, examples of completed assignments, and other useful information on TWEN.

Computer Use & Classroom Etiquette

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 professionally required that you demand professional behavior of your classmates in and out of class.

Technological devices (such as laptops), in particular, can be distracting to your classmates and me and thus undermine that goal. Accordingly, during class, in addition to usual courtesies, refrain from text or instant messaging and email; using cell phones, pagers, or any other communication device; refrain from displaying wallpaper, screen savers, or other material on your laptop computer screen that can reasonably be expected to offend or distract your classmates.

Behavior that interferes with the learning ability of your classmates will be sanctioned accordingly.

Week 1 Week of August 18, 2008, One Legal Writing class this week

Class discussion topics

Introduction to the Legal Writing course

Research Lab overview and sign up for Research Lab time

Closed Office Memorandum assignment overview and description of the sequence of learning in the first six weeks of the course

The legal system, including the court system and the importance of case law

Assignments

Reading

This syllabus, particularly the Research Lab time options on page 2

Edwards: Introduction; Chapters 1, 2, and 3

Writing

No writing assignment this week

Notes

Legal Writing class will meet on Wednesday only this week.

The Closed Office Memorandum problem will be distributed in class. The assignment is due Monday, September 29, 2008.

Week 2 Week of August 25, 2008, Two Legal Writing classes this week

Class discussion topics

Course policies and procedures; Legal Research and Writing Student Manual

Case analysis and formulating a rule from a case

Closed Office Memorandum cases

Introduction to the paradigm for legal analysis

One Case Legal Analysis assignment

Assignments

Reading

Closed Office Memorandum packet

Legal Research and Writing Student Manual

Edwards: Chapters 4, 7, and 8

Writing

Brief the Closed Office Memorandum cases in preparation for class discussion and class exercises. (The case briefs will not be turned in.)

Work on the One Case Legal Analysis, due by 11:00 a.m., Friday, September 5, 2008. This assignment should be submitted electronically through the TWEN site. The assignment will be distributed and explained in class.

Week 3 Week of September 1, 2008, One Legal Writing class this week

Class discussion topics

One Case Legal Analysis assignment

Discussion and synthesis of Closed Office Memorandum cases

Paradigm for legal analysis

Parts of an office memorandum:

Heading

Question(s) Presented

Brief Answer(s)

Facts

Discussion

Conclusion

Assignments

Reading

Edwards: Chapters 5, 9, and 11

Writing

The One Case Legal Analysis is due by 11:00 a.m. on Friday, September 5, 2008.
Submit the assignment electronically through the Assignment Drop box on TWEN.

Notes

Monday is Labor Day.

Legal Writing class will meet on Wednesday only this week.

Week 4 Week of September 8, 2008, Two Legal Writing classes this week

Class discussion topics

Discussion and synthesis of Closed Office Memorandum cases

Paradigm for legal analysis

Parts of an office memorandum

Common problems in the One Case Legal Analyses

Kinds and weight of legal authorities

Audience, purpose, and tone of an office memorandum

Legal writing style and conventions

Assignments

Reading

Edwards: Chapter 13, pages 167-174

Enquist & Oates: pages 1-5; Chapters 1, 2, 3, and 4

Writing

Work on Closed Office Memorandum and prepare for tutorial.

Week 5 Week of September 15, 2008, Two Legal Writing classes this week

Class discussion topics

Parts of an office memorandum

In-class drafting of the Question Presented and Brief Answer sections of the Closed Office Memorandum

Common problems in the One Case Legal Analyses

Common writing problems, including form and attribution of quotations

Citation

Boundaries of collaboration and plagiarism

Assignments

Reading

Edwards: Chapter 14

Enquist & Oates: Chapters 5 and 6

Writing

Work on the Closed Office Memorandum and prepare for tutorial

Tutorials

Closed Office Memorandum Tutorials begin this week. Please bring a draft of the Discussion section of the memorandum and any questions you may have to your tutorial.

Notes

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

Week 6 Week of September 22, 2008, No Legal Writing class this week

Class discussion topics

N/A

Assignments

Reading

Edwards: Chapter 15

Enquist & Oates: Chapter 7; page 175; Chapters 8 and 9

Writing

Work on the Closed Office Memorandum and prepare for tutorial

Tutorials

Closed Office Memorandum Tutorials continue this week. Please bring a draft of the Discussion section of the memorandum and any questions you may have to your tutorial.

Notes

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

Week 7 Week of September 29, 2008, One Legal Writing class this week

Class discussion topics

Introduction to the Research Memorandum assignment and description of the learning sequence for the next five weeks

Client interviewing

Assignments

Reading

No reading assignment this week

Writing

Closed Office Memorandum due at the Registrar's Office by 11:00 a.m. on Monday, September 29, 2008 and electronically via the TWEN Assignment Drop Box. Please check the Student Manual ("Format of Writing Assignments" and "Procedures for Handing in Writing Assignments" sections) to make sure that your assignment is properly formatted and prepared for hand-in.

Notes

Congratulations on completing your first major Legal Writing assignment!

Legal Writing class will meet on Wednesday only this week.

The Research Memorandum problem will be distributed in class. The Research Memorandum is due Monday, November 17, 2008.

Please note that I may have reduced office hours while grading the Closed Office Memoranda.

Week 8 Week of October 6, 2008, One Legal Writing class this week

Class discussion topics

Research Memorandum problem

Review of the structure of the legal system and hierarchy of authority

Legal research process

Legal research strategies for the Research Memorandum

Review of collaboration and plagiarism rules

Assignments

Reading

Research Memorandum packet

Edwards: review Chapters 2 and 3 (previously assigned in Week 1)

Writing

Work on the Research Memorandum

Notes

Legal Writing Class will meet on Wednesday only this week.

The required reading for this week on the research process is very important as you begin your in-depth research for the Research Memorandum problem.

Please note that I may have reduced office hours while grading the Closed Office Memoranda.

Week 9 Week of October 13, 2008, No Legal Writing class this week

Class discussion topics

N/A

Assignments

Reading

Edwards: Chapters 6 and 10

Writing

Work on the Research Memorandum

Notes

No Legal Writing class this week.

Fall Break is Thursday and Friday.

Please note that I may have reduced office hours while grading the Closed Office Memoranda.

Week 10 Week of October 20, 2008, One Legal Writing class this week

Class discussion topics

Research Memorandum

Research strategies for the Research Memorandum

Statutory research and analysis

Parts of the Research Memorandum:

 Heading

 Question(s) presented

 Brief answer(s)

 Facts

 Discussion

 Conclusion

Assignments

Reading

Edwards: Chapters 12 and 13 (part of Chapter 13 was previously assigned in Week 4)

Writing

Work on the Research Memorandum and prepare for tutorials

Notes

Legal Writing class will meet on Wednesday only this week.

Please note that I may have reduced office hours while grading the Closed Office Memoranda.

Week 11 Week of October 27, 2008, Two Legal Writing classes this week

Class discussion topics

Research Memorandum

Parts of the Research Memorandum

Peer review of Questions Presented and Brief Answers for the memorandum

Writing tips

Assignments

Reading

No reading assignment this week

Writing

Bring two (double spaced) copies of Questions Presented and Brief Answers to Wednesday class period for peer review exercise

Work on the Research Memorandum and prepare for tutorials

Tutorials

Alpha Research Memorandum Tutorials begin this week. Please bring to your tutorial: the research checklist, a draft of the Question(s) Presented, a draft of the Brief Answer(s), a detailed outline of the entire memorandum showing where specific authorities will be used in the Discussion section, and any questions you may have.

Notes

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

Week 12 Week of November 3, 2008, No Legal Writing class this week

Class discussion topics

N/A

*You will be meeting with the Career Services Office during one of the regularly scheduled class periods this week. Date to be announced.

Assignments

Reading

No reading assignment this week

Writing

Work on the Research Memorandum and prepare for tutorials

Tutorials

Alpha Research Memorandum Tutorials continue this week. Please bring to your tutorial: the research checklist, a draft of the Question(s) Presented, a draft of the Brief Answer(s), a detailed outline of the entire memorandum showing where specific authorities will be used in the Discussion section, and any questions you may have.

Beta Research Memorandum Tutorials begin this week. Please bring a draft of the Discussion section of the memorandum and any questions you may have to your tutorial. You may also bring drafts of the Facts and Conclusion.

Notes

Please remember that each tutorial is worth four points, and you must come prepared to the tutorial to receive the points. I will not be keeping regular office hours during tutorials.

Week 13 Week of November 10, 2008, One Legal Writing class this week

Class discussion topics

Research Memorandum

Common writing problems

Citation, including signals and parentheticals

Assignments

Reading

No reading assignment this week

Writing

Work on the Research Memorandum and prepare for tutorials

Tutorials

Beta Research Memorandum Tutorials continue this week. Please bring a draft of the Discussion section of the memorandum and any questions you may have to your tutorial. You may also bring drafts of the Facts and Conclusion.

Notes

Legal Writing class will meet on Monday only this week.

Please remember that each tutorial is worth four points, and you must come prepared to the tutorial to receive the points. I will not be keeping regular office hours during tutorials.

Week 14 Week of November 17, 2008, One two-hour Legal Writing class this week

Class discussion topics

Alternative dispute resolution methods

Simulated mediation of the Research Memorandum problem

Assignments

Reading

Alternative Dispute Resolution packet prepared by the Dispute Resolution Institute

Writing

Research Memorandum is due at the Registrar's Office at 11:00 a.m. on Monday, November 17, 2008 and electronically via the TWEN Assignment Drop Box. Please check the Student Manual ("Format of Writing Assignments" and "Procedures for Handing in Writing Assignments" sections) to make sure that your assignment is properly formatted and prepared for hand-in.

Notes

Legal Writing class will meet for a single two-hour block this week. I will let you know when and where your class will meet.

Please note that I may have reduced office hours while grading the Research Memoranda.

Week 15 Week of November 24, 2008, One Legal Writing class this week

Class discussion topics

You will take your Research Skills Exam in Class on Monday of this week.

Assignments

Reading

No Reading Assignment this week.

Writing

No writing assignment this week

Notes

You will take your Research Skills Exam in Class on Monday.

Please note that I may have reduced office hours while grading the Research Memoranda.

Have a great Thanksgiving Break!!

Week 16 Week of December 1, 2008, One Legal Writing class this week

Class discussion topics

Taking law school examinations

End-of-semester course evaluations

Assignments

Reading

No reading assignment this week

Writing

No writing assignment this week

Notes

Legal Writing class will meet on Monday only this week.

Please note that I may have reduced office hours while grading the Research Memoranda. You may meet with me by appointment between now and January 20, 2008, if you have questions or concerns.

Congratulations on completing your first semester of Legal Writing! Thank you for all your hard work. See you in January for the second semester.