Legal Research and Writing

FALL 2008 PRELIMINARY SYLLABUS

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Note: This is a preliminary document. A full syllabus and Student Manual will be distributed at the first class meeting and will be available on the course website prior to the first class meeting.

**Introduction and Course Objective**

To be an effective lawyer, you must be both a thorough researcher and a clear, precise writer. Most lawyers, and particularly associates and judicial clerks, spend more time engaged in research and writing than in any other professional task. They research and write letters, memoranda, pleadings, briefs, contracts, wills, trusts, and numerous other types of documents. Inadequate research and imprecise writing can result in lost cases, malpractice claims, and court-imposed sanctions. Over the next three semesters, Hamline’s Legal Research and Writing program will help you develop the legal research and writing skills necessary to become a competent lawyer.

In the first semester you will learn the fundamentals of legal research and citation. You will also learn the basic structure of a legal document as you write an objective office memorandum. The second semester will focus much more heavily on writing and legal analysis. You will continue to acquire research and citation skills and you will have the opportunity to apply those skills to another office memorandum. You will also be introduced to advocacy writing. The third semester of legal writing will focus on appellate advocacy and oral argument.

**Fall 2008 Required Texts**


McGaugh and Hurt, *Interactive Citation Workbook for Bluebook Citation Manual 2007 Edition* (LexisNexis) (“Interactive”)
ATTENDANCE

Class attendance is crucial to your understanding of the material. While the texts are helpful, they do not (and cannot) focus on the facts and analysis that pertain to our individual class problems. Further, the lectures, discussions, and assignments we do in class will prepare you to write the assignments much more effectively than the text alone.

You are required to attend all Legal Research and Writing classes and to participate in class discussions and exercises. Penalties for missed classes are as follows:

1\textsuperscript{st} missed class: No points deducted

2\textsuperscript{nd} missed class: 1 point deducted from the semester total

3\textsuperscript{rd} missed class: 3 points deducted from the semester total

4\textsuperscript{th} missed class: Name is sent to the Dean’s office with a recommendation that the student be withdrawn from the course.

For the purposes of this rule, each class missed is considered one class, regardless of the length of the class or whether it is a lecture, research lab, electronic research training session. Missing more than one session on the same calendar day (i.e. a lecture and a research lab) is considered one absence. There are no excused absences.

CALCULATING FINAL GRADES

I will curve grades by comparing the total number of points received by students within the class. Point values for the fall assignments have been allotted as follows:

Research and Citation Assignments (fourteen @ two points each) 28

Closed Memo Research and Writing Exercises (two points each) 8

Rule of Law Assignment
Case Illustration Assignment
Arguments Assignment
Closed Memorandum Research Assignment

Closed Office Memorandum 30

Research and Citation Quiz 30

Total 96

Additional assignments and/or quizzes may be added at my discretion.
Course Website

The website is located at: http://webcourses.lexisnexis.com. The website is run through a service of LexisNexis and Blackboard.com. When you reach this site, you will need to login using your Lexis password, which should be provided to you at orientation or during the first weekend of classes. If you have registered your Lexis ID, you should already be enrolled and have access to the website prior to the first class meeting.

Computer Use Policy

I permit the use of computers for note-taking in class and laptops will be used at times for electronic research training. I reserve the right to prohibit a student or students generally from computer use in class if such use has interfered with the learning process of other students.
Syllabus

**August 17th**
No Class – Slot used for Legal Methods

**IMPORTANT NOTE:**

It is important that you obtain and register your Westlaw and Lexis passwords as soon as possible, and certainly prior to our first scheduled class meeting on 9/7. You will need your passwords registered to gain access to assignments and the course website.

If you have any problems obtaining or registering your passwords, contact the following:

Lexis: Sarah Bigler, sarah.bigler@lexisnexis.com
Westlaw: Bonnie Burnson, Bonnie.burnson@thomson.com
Hamline Law Library: Barb Kallusky, Reference and Electronic Resource Librarian, Bkalluskyo1@hamline.edu

**August 24th**
No Class – Slot used for Legal Methods
**9/7**

**Reading Assignments:**

*Interactive, Using the Interactive Citation Workbook*, Chapters 1, 2, and 3  
*Process, Chapters 1, 4 (Treatises), and 5 (Periodicals)  
*Style*, pp. xiii-xvii

**Class Topics:**

Introduction to Legal Writing.  
- Overview of the course. Description of classes, books, goals, and policies of the course  
- Discussion of the Research Labs  
- Discussion of the Citation Exercises

Discussion of the legal system, including the court system, the sources of the law, and the interaction between the sources of the law.

Introduction to Citation

Introduction to the Office Memorandum

**Research and Citation Labs (meeting time and location details provided at the first class meeting):**

Library tour  
Periodicals and Treatises

**Due:** (NOTE: All research and citation exercises are completed online and are not physically turned in. For research and citation exercises, “due” means completed by 8:15 a.m. on this date)

NONE