WEEKDAY LEGAL WRITING SYLLABUS  
FALL 2007  
Brenda Tofte  
Legal Writing Sections B and I  

btofte01@hamline.edu  
651-523-2482  
Office: Law Grad 306E  
Office hours are posted outside my office door, but feel free to stop by anytime.

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. 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. Like other first-year courses, Legal Research and Writing will teach you how to “think like a lawyer.”

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.

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. 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. Although you are responsible for the content of all the readings, not all readings will be discussed in class. 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 2007 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.
Class Schedules

Section B
Legal Writing class: Monday and Wednesday 11:00-11:50 a.m. in Room 6.
Legal Research Lab: Friday 10:30-11:20 a.m. in Room 6 OR Friday 11:30 a.m. to 12:20 p.m. in Room 301. Labs will not meet the first week of classes; you will sign up for one of these times during your first Legal Writing class.

Section I
Legal Writing class: Monday and Wednesday 4:00-4:50 p.m. in Room 101.
Legal Research Lab: Thursday 9:00-9:50 a.m. in Room 303 OR Friday 9:00-9:50 a.m. in the Room 303. Labs will not meet the first week of classes; you will sign up for one of these times during your first Legal Writing class.

Graded Assignments

See the Student Manual for assignment point values. The assignments for which you will receive grades during fall semester are:

- One Case Legal Analysis. This assignment will be distributed in the first class of Week 2 and is due on Friday of Week 3.
- Closed Office Memorandum. This assignment will be distributed on the first day of class and is due in the Registrar’s Office by 11:00 a.m. on Monday, October 1.
- Research Memorandum. This assignment will be distributed in class during Week 7 and is due in the Registrar’s Office by 11:00 a.m. on Monday, November 19.
- Three mandatory tutorials, held during Weeks 5, 6, 11, 12, and 13.
- Research Assignments. These assignments will be due weekly for your Research Lab. The assignments and due dates are listed in the Legal Research Syllabus.

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 will 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 TWEN and will post the Student Manual, syllabi, assignments, examples, and other useful information on TWEN. The majority of out-of-class communication will be conducted via TWEN, so it is important that you register using the email account(s) that you check most often.

Laptops

Your laptop should be used for note-taking only. Unless I instruct you otherwise, please do not access the internet, play games, read or send emails, etc. during class.
Textbooks

Required textbooks for fall semester:


Association of Legal Writing Directors & Darby Dickerson, *ALWD Citation Manual: A Professional System of Citation* (3d ed., Aspen Publishers 2006) ("ALWD")

Recommended books for fall and spring semesters; I suggest that you examine these books (in the book store, library, or my office) or consult with me before purchasing them. You are not required to buy them:


Week 1  Week of August 20, 2007

Class discussion topics

(One Legal Writing class this week)

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 at the top of 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, October 1.
Week 2  Week of August 27, 2007

Class discussion topics

(Two Legal Writing classes this week)

Classes meet Wednesday and Friday this week. Wednesday classes meet at the regular times and places. Friday classes meet at the following times and places: Section I, 12:00-12:50 p.m. in Room 6; Section B, 1:00-1:50 in Room 6.

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 during Friday, September 7. The assignment will be distributed and explained in class.
Week 3  Week of September 3, 2007

Class discussion topics

(One Legal Writing class this week)

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, Appendix A, Sample Office Memorandum

Writing

The One Case Legal Analysis is due by 11:00 a.m. on Friday, September 7. Submit the assignment electronically (I will explain the submission procedure in class).

Notes

Monday is Labor Day.

Legal Writing class will meet on Wednesday only this week.
Week 4  Week of September 10, 2007

Class discussion topics

(Two Legal Writing classes this week)

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 17, 2007

Class discussion topics

(Two Legal Writing classes this week)

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 (previously assigned in Week 3 for Research Lab)

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.

I will not be keeping regular office hours during tutorials.
Week 6  Week of September 24, 2007

Class discussion topics

No Legal Writing class this week.

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.

I will not be keeping regular office hours during tutorials.
Week 7  Week of October 1, 2007

Class discussion topics

(One Legal Writing class this week)

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, October 1

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 19.

Please note that I may have reduced office hours while grading the Closed Office Memoranda.
Week 8       Week of October 8, 2007

Class discussion topics

No Legal Writing class this week.

Assignments

Reading

Research Memorandum packet

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

Kunz: Chapter 2 (previously assigned in Week 4 for Research Lab)

Writing

Work on the Research Memorandum

Notes

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 15, 2007

Class discussion topics

(One Legal Writing class this week)

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

Edwards: Chapters 6 and 10

Writing

Work on the Research Memorandum

Notes

Legal Writing class will meet on Monday only 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 22, 2007

Class discussion topics

(One Legal Writing class this week)

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 Monday only this week.

Please note that I may have reduced office hours while grading the Closed Office Memoranda.
Week 11  Week of October 29, 2007

Class discussion topics

(Two Legal Writing classes this week)

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.

I will not be keeping regular office hours during tutorials.
Week 12     Week of November 5, 2007

Class discussion topics

No Legal Writing class this week.

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 12, 2007

**Class discussion topics**

(One Legal Writing class this week)

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 19, 2007

Class discussion topics

No Legal Writing Class this week.

Assignments

Reading

No reading assignment this week

Writing

Research Memorandum due at the Registrar’s Office at 11:00 a.m. on Monday, November 19

Notes

Congratulations on completing your Research Memorandum!

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

Thanksgiving Break is Wednesday through Friday.
Week 15   Week of November 26, 2007

Class discussion topics

(One two-hour Legal Writing class this week)

Alternative dispute resolution methods

Simulated mediation of the Research Memorandum problem

Assignments

Reading

Alternative Dispute Resolution packet prepared by the Dispute Resolution Institute

Writing

No writing assignment this week

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 16    Week of December 3, 2007

Class discussion topics

(One Legal Writing class this week)

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 14, 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.