

Legal Writing Sections F and G
Fall 2009 Syllabus
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Office hours: My office hours will vary depending on the week of the semester (I often have reduced office hours during grading periods). See my office door or my TWEN site for current office hours. You may also make an appointment to meet with me.

Introduction

Hamline Law School's first-year Legal Research and Writing course 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 has two components: Legal Writing class and Legal Research class. This is the syllabus for Legal Writing class; there is a separate syllabus for Legal Research class. Both syllabi are posted on the Syllabi page of the Registrar's website and on my TWEN site. You will receive copies of both syllabi in your first Legal Writing class (so you need not print copies yourself).

Legal Writing class will meet for two class hours per week except as otherwise indicated on the syllabus. (In addition, Legal Research class 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. Most readings will not be discussed in class. I will announce modifications of the syllabus as far in advance as possible.

For additional information about this course, 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 Syllabi page of the Registrar's website and on my TWEN site. You will receive a copy of the Student Manual in the first class meeting.

Class Schedules

Section F

Legal Writing class: Monday and Wednesday 4:00-4:50 p.m. in Room 6.

Legal Research class: Friday 4:00-4:50 p.m. in Room 6. Your Teaching Assistant is Andrew Barnhart.

Section G

Legal Writing class: Monday and Wednesday 1:00-1:50 p.m. in the Moot Court Room.

Legal Research class: Friday 1:00-1:50 p.m. in the Moot Court Room. Your Teaching Assistant is Keith Marnholtz.

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 at the beginning of the second class 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 Tuesday, September 29.
- 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 16.
- Three mandatory tutorials, held during Weeks 5, 6, 11, 12, and 13.
- Research Assignments. These assignments will be due weekly for your Research class. The assignments and due dates are listed in the Legal Research Syllabus.
- Research exam. The exam will be given on Monday, November 23.

Additional Assignments

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 research and writing assignments throughout the semester to further strengthen your analytical and writing skills. You do not need to complete the exercises in the textbooks unless I assign them. Although some of the reading assignments are long, they are easier reading than the assignments in your other courses. You may need to review earlier reading assignments as you progress through the semester, however.

Westlaw and Lexis

Please register your Westlaw and Lexis passwords as soon as possible after you have received them (passwords will be distributed during orientation). On Westlaw, please also register for my TWEN (The West Education Network) course. I send emails from and will post the Student Manual, syllabi, assignments, examples of completed assignments, and other useful information on TWEN.

Technology Policy

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 you may use laptops only for note-taking, and only word processing programs may be open during class, unless I direct you otherwise. Please refrain from accessing the internet; playing electronic games; using text messaging, instant messaging, or email; using cell phones, pagers, or any other communication device; or displaying wallpaper, screen savers, or other material on your computer screen that can reasonably be expected to offend or distract your classmates. I reserve the right to impose appropriate sanctions for violations of this policy; sanctions may include loss of the privilege to use the technology in question and point deductions.

TurningPoint Clickers

A TurningPoint clicker is required for this course (and perhaps for other courses; you need only one clicker). New or used clickers may be obtained at the SBA Bookstore or online. Please register your clicker at <http://student.turningtechnologies.com/>.

Textbooks

Required textbooks for fall semester:

- The Bluebook: A Uniform System of Citation (Columbia Law Review Ass'n et al. eds., 18th ed. 2005) (“the Bluebook”)
- Anne Enquist & Laurel Currie Oates, Just Writing: Grammar, Punctuation, and Style for the Legal Writer (3d ed. 2009) (“Just Writing”)
- Christina L. Kunz, Deborah A. Schmedemann, Ann L. Bateson, Matthew P. Downs, & Mehmet Konar-Steenberg, The Process of Legal Research (7th ed. 2008) (“Process of Legal Research”)
- Tracy L. McGaugh & Christine Hurt, Interactive Citation Workbook for The Bluebook: A Uniform System of Citation (2009 ed.) (“ICW”)
- Laurel Currie Oates & Anne Enquist, Just Memos (2d ed. 2007) (“Just Memos”)

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 these books:

- Linda J. Barris, Understanding and Mastering The Bluebook: A Guide for Students and Practitioners (2007)
- Bryan A. Garner, The Redbook: A Manual on Legal Style (2d ed. 2006)
- David S. Romantz & Kathleen Elliott Vinson, Legal Analysis: The Fundamental Skill (2d ed. 2009)
- Richard Wydick, Plain English for Lawyers (5th ed. 2005)

Anticipated Learning Outcomes

See the Student Manual for more information about learning outcomes. At the conclusion of this course, students will be able to:

- Demonstrate knowledge of the U.S. legal system and the hierarchy of legal authority produced by entities in that system.
- Demonstrate an understanding of one or more of the ethical rules that govern the legal profession.
- Locate legal reference materials relevant to a hypothetical problem.
- Understand and synthesize the reasoning and rules contained in legal authorities and apply them to a hypothetical problem.
- Write an objective office memorandum, in the appropriate format, that communicates the results of legal analysis.

Week 1 Week of August 17, 2009

Class discussion topics

Introduction to the Legal Research and Writing course: Legal Writing class and Legal Research class

Introduction to Closed Office Memorandum assignment

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

Kinds and weight of legal authorities

Assignments

Reading

This syllabus

Just Memos: Preface, Chapters 1 (read only the relevant parts of section 1.5), 2, 3, 4, and 5

Writing

No writing assignment this week

Notes

Legal Writing class will meet only on Wednesday this week.

Legal Research class will not meet this week.

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

Week 2 Week of August 24, 2009

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

Introduction to IRAC

Introduction to writing an office memo using the script format

One Case Legal Analysis assignment

Assignments

Reading

Closed Office Memorandum packet

Legal Research and Writing Student Manual

Just Memos: Chapters 6 (pages 111-122 only) and 9

Writing

For second class: 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 Wednesday, September 2. The assignment will be distributed and explained in class.

Week 3 Week of August 31, 2009

Class discussion topics

One Case Legal Analysis assignment
Closed Office Memorandum
Discussion and synthesis of Closed Office Memorandum cases
Introduction to parts of an office memorandum
Audience, purpose, and tone of an office memorandum
Legal writing style and conventions

Assignments

Reading

Just Memos: Chapters 8 and 12
Just Writing: pages 1-6; Chapter 1

Writing

The One Case Legal Analysis is due in class on Wednesday, September 2.

Week 4 Week of September 7, 2009

Class discussion topics

Closed Office Memorandum
Common problems in the One Case Legal Analyses

Assignments

Reading

Just Writing: Chapters 2, 3, 4, and 5

Writing

Work on Closed Office Memorandum and prepare for tutorial

Notes

Monday is Labor Day.
Legal Writing class will meet only on Wednesday this week.

Week 5 Week of September 14, 2009

Class discussion topics

Closed Office Memorandum

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

Memorandum

Tips on avoiding common writing problems

Citation

Quoting and paraphrasing

Boundaries of collaboration and plagiarism

Assignments

Reading

Just Writing: Chapters 6 and 7

Writing

Work on the Closed Office Memorandum and prepare for tutorial

Tutorials

Closed Office Memorandum Tutorials begin this week. You are required to bring a draft of the Discussion section of the memorandum to your tutorial. Remember that the tutorial is worth four points, and you must come prepared to the tutorial to receive the points.

Week 6 Week of September 21, 2009

Class discussion topics

No Legal Writing class this week.

Assignments

Reading

Just Writing: page 163; Chapters 8 and 9

Writing

Work on the Closed Office Memorandum and prepare for tutorial

Tutorials

Closed Office Memorandum Tutorials continue this week. You are required to bring a draft of the Discussion section of the memorandum to your tutorial. Remember that the tutorial is worth four points, and you must come prepared to the tutorial to receive the points.

Week 7 Week of September 28, 2009

Class discussion topics

Introduction to the Research Memorandum assignment
Legal research process and strategies
Client interviewing

Assignments

Reading

Process of Legal Research: Chapters 2 and 18 (also assigned for Research class)

Research

Begin researching Research Memorandum problem

Writing

Closed Office Memorandum due at the Registrar's Office by 11:00 a.m. on Tuesday, September 29

Notes

Congratulations on completing your first major Legal Writing assignment!

Legal Writing class will meet only on Wednesday this week.

The Research Memorandum problem will be distributed in class; the Research Memorandum is due Monday, November 16.

Week 8 Week of October 5, 2009

Class discussion topics

Westlaw and Lexis primary-authority research training

Assignments

Reading

Research Memorandum packet

Research

Continue researching Research Memorandum problem
Research assignment TBD

Writing

Work on the Research Memorandum

Notes

Lexis and Westlaw training will take place during this week's classes. If you have a laptop, bring it to both classes.

Week 9 Week of October 12, 2009

Class discussion topics

Research Memorandum
Review of the structure of the legal system and hierarchy of authority
Legal research process and strategies
Introduction to parts of the Research Memorandum
Introduction to writing an office memo using the integrated format
Review of collaboration rules

Assignments

Reading

Just Memos: Chapters 6 (pages 123-51), 7, and 10; review Chapter 8

Research

Continue researching Research Memorandum problem
Research assignment TBD

Writing

Work on the Research Memorandum

Notes

Legal Writing class will meet only on Monday this week.
Fall Break is Thursday and Friday.

Week 10 Week of October 19, 2009

Class discussion topics

Research Memorandum
Legal research, including statutory research and analysis

Assignments

Reading

No reading assignment this week

Research

Continue researching Research Memorandum problem
Research assignment TBD

Writing

Work on the Research Memorandum and prepare for tutorials

Notes

Legal Writing class will meet only on Monday this week.
Graded Closed Office Memoranda will be returned this week. I will let you know when and where to pick up your memorandum.

Week 11 Week of October 26, 2009

Class discussion topics

Research Memorandum

Peer review of Questions Presented and Brief Answers for the memorandum

Assignments

Reading

Just Memos: Chapter 11

Research

Continue researching Research Memorandum problem

Writing

Bring a (double spaced) copy of your Questions Presented and Brief Answers to Wednesday class period for a peer review exercise

Work on the Research Memorandum and prepare for tutorials

Tutorials

Alpha Tutorials begin this week. You are required to bring to your tutorial: the research checklist, a draft of the Question(s) Presented, a draft of the Brief Answer(s), and a detailed outline or plan of the entire memorandum showing where specific authorities will be used in the Discussion section. Remember that each tutorial is worth four points, and you must come prepared for the tutorial to receive the points.

Week 12 Week of November 2, 2009

Class discussion topics

No Legal Writing class this week (but a mandatory Career Services presentation will take place during one of the class hours)

Assignments

Reading

No reading assignment this week

Research

Continue researching Research Memorandum problem

Writing

Work on the Research Memorandum and prepare for tutorials

Tutorials

Alpha Tutorials continue this week. You are required to bring to your tutorial: the research checklist, a draft of the Question(s) Presented, a draft of the Brief Answer(s), and a detailed outline or plan of the entire memorandum showing where specific authorities will be used in the Discussion section.

Beta Tutorials begin this week. You are required to bring a draft of the Discussion section of the memorandum to your tutorial. You may also bring drafts of the Facts and Conclusion.

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

Week 13 Week of November 9, 2009

Class discussion topics

Research Memorandum
Common writing problems
Citation, including signals and parentheticals

Assignments

Reading

No reading assignment this week

Research

Continue researching Research Memorandum problem, if necessary

Writing

Work on the Research Memorandum and prepare for tutorial

Tutorials

Beta Tutorials continue this week. You are required to bring a draft of the Discussion section of the memorandum to your tutorial. You may also bring drafts of the Facts and Conclusion. Remember that each tutorial is worth four points, and you must come prepared for the tutorial to receive the points.

Notes

Legal Writing class will meet only on Monday this week.

Week 14 Week of November 16, 2009

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

Research

No research assignment this week

Writing

Research Memorandum due at the Registrar's Office by 11:00 a.m. on Monday, November 16

Notes

Legal Writing class will meet for a single two-hour block this week. Section F: Monday, 4:00-6:00 in room 6; Section G: Wednesday, 1:00-3:00 in the Moot Court Room.

Week 15 Week of November 23, 2009

Class discussion topics

Research exam administered during Monday class

Assignments

Reading

No reading assignment this week

Research

No research assignment this week

Writing

No writing assignment this week

Notes

Legal Writing class will meet only on Monday this week.

Thanksgiving Break is Wednesday through Friday.

Week 16 Week of November 30, 2009

Class discussion topics

Law school examinations

End-of-semester course evaluations

Assignments

Reading

No reading assignment this week

Research

No research assignment this week

Writing

No writing assignment this week

Notes

Legal Writing class will meet only on Monday this week. Law school classes this week follow a Monday, Thursday, Friday schedule.

Please note that I may have reduced office hours while grading the Research Memoranda. You may meet with me by appointment between now and the beginning of spring semester if you have questions or concerns.

Your graded Research Memorandum will be returned to you after the end of December exams. The exact date and time will be announced.

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