

**Juvenile Law Research Seminar
Course #726
Spring 2018
Professor Sally Terry Green**

Meeting Times: Tuesdays and Thursdays; 1:00-1:50pm
Meeting Room: 211

Professor Green's Information:

Office Location: 231B
Office Hours: Tuesdays, Wednesdays, Thursdays and Fridays, 10:00 am- noon; 2:00-3:00p and by appointment.
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Suggested Reading Text: Cases and Materials in Juvenile Law, Second Edition, J. Eric Smithburn

Course Description:

This course is a seminar that explores various topics currently impacting our youth and the ways in which the law does or does not address them. Students will be able to explore relevant and timely topics that interest them. The primary goal of the course is to steward students through the process of research development and final thesis paper completion while also informing them on fundamental juvenile law concepts. Class discussion and student presentations given by each will aid in this process.

Student Outcomes-- By the end of this course, students will be able to:	Evaluation Tool-- In furtherance of these outcomes, students will be required to:
<ul style="list-style-type: none"> • Identify and assert issues impacting juveniles under the law. • Develop and support a legal position based on the identified issue. • Practice persuasive argument writing styles in a comprehensively researched paper 	<ul style="list-style-type: none"> • Prepare a Thesis Statement. • Prepare a draft outline • Defend Thesis Statement in presentation style format • Prepare First and Second Drafts of Researched Thesis • Present Researched Drafts • Use skills to prepare a Final Comprehensive Draft.

Assignments/Grading:

Participation/Attendance	(p. 19 Student R&R) 10 points (Student Presentations—See II Below)
Research Paper Drafts	40 points (See Appendix B, Requirements)
Final Research Paper	<u>50 points</u> (See Appendix B, Requirements) 100 points

I. Writing Requirement Guidelines

The Juvenile Law Research Seminar meets the Writing Requirement for graduation. Accordingly, students must meet the listed requirements in Appendix C. **Students will be expected to meet deadlines for presentations and submit draft component parts of the paper according to the syllabus.**

II. Student Presentations (8 total points Participation points)

FORMAT: Students are expected to prepare a POWERPOINT for each presentation. See specific guidance for the presentations listed below.

“Current Events with Children and the Law”

“Here’s My Position”-Thesis for Paper

“More than just I think or I believe”- Argument Points for Paper

“It’s a Process” (between 1st and 2nd drafts)

III. Guidance for Student Presentations:

(1) “Current Events with Children and the Law”

(2) “Here’s My Position”-Thesis for Paper

This presentation does **NOT** have to be in a Power point, but it can be.

PRIMARY BASIS FOR AWARDING POINTS:

Did the student offer a topic that ***states a position that he/she will prove in the paper?***

Prepare a 5-6 minute presentation on the law and your proposed position. The position is expected to be based on initial stages of research. Be prepared to take notes for suggested development of your draft thesis.

****Students are **STRONGLY ENCOURAGED** to select topics that can be **sufficiently developed** based on the DETAILED requirements in Appendix B.

****CONSULT GRADING STANDARDS in deciding if your topic can be sufficiently developed in your research paper.

PROFESSOR MUST APPROVE TOPIC

NO CHANGES TO THE FINAL THESIS OR TOPIC MAY BE MADE WITHOUT PROFESSOR APPROVAL.

(3) “More than just I think or I believe”- **Argument Points for Paper:**
Research Presentation and Citations of Authorities

→ Your presentation should **last approximately 10 minutes**; discussion will follow.
→ It **MUST** explain 2-3 persuasive points that will support their topic on children and the law.

→ **Prior to the presentation date** for each student, please prepare a PROPERLY CITED research outline that **must contain a minimum of 10 DIFFERENT legal sources** comprised of the following: cases, statute, legislative history, law review articles. Students must be prepared to discuss their proposed development of their thesis statement evidencing their research to date.

(4) “It’s A Process” Presentations-From 1st Draft to Second Draft Presentation

IV. Attendance:

- **Class attendance is mandatory. Only 3 absences are allowed. See Student Rules of Matriculation for details on absences and grade reductions.**
- **Students with PERFECT attendance (defined as 0 absences from regularly scheduled classes) receive 2 points toward their Participation/Attendance course points. This is “all or nothing”.**
- **Roll will be taken by signature on an ATTENDANCE SHEET. Failure to sign the Attendance Sheet will be considered as an absence.**

V. Rules and Policies:

- USE of PC:

STUDENTS ARE PROHIBITED FROM USING LAPTOPS OR ANY CELL PHONE USE.

This is a discussion-based research seminar that is designed to present various legal topics, stimulate students' independent observations, and identify possible solutions that will be articulated in a final research paper.

These goals are best accomplished with preparatory research reading before class and then distraction-free discussion in class.

- In keeping with the professional school environment, students should remember to respect their fellow classmates and the Professor at all times.
- Please refrain from excessive side conversations or other distracting conduct.
- Please remember to turn off all cell phones.
- **Please refrain from departing during class instruction.** It can be very disruptive given the classroom set up.

Students requesting accommodations may do so through the Office of Student Affairs.

TWEN—please ADD “Juvenile Law Seminar” CLASS asap!!

Each student must provide a current email address. Please be sure to check DAILY for revisions and updates made to course readings, due dates, etc. that will be sent via email, and/or announced in class.

Appendix A ASSIGNMENTS

Jan. 9	Course Overview
Jan. 11	Guidance for Student Presentations; Assign Current Events Presentation
Jan. 16	Presentation of Current Events: I. What's Happening with Children and the Law?
Jan. 18, 23	Presentation of Current Events: II. What's Happening with Children and the Law?
Jan. 25	Presentation of Current Events: III. What's Happening with Children and the Law? Assign "Here's My Position" Presentations
Jan. 30	<u>YOUR FIRST DEADLINE COMES QUICKLY: "Here's My Position"</u> Presentation I
Feb. 1	"Here's My Position" II Presentation; Guest Speaker
Feb. 6	"Here's My Position" III Presentation
Feb. 8	"More than just I think or I believe" I- Argument Points for Paper: Research Presentation and Citations of Authorities
Feb. 13, 15	"More than just I think or I believe" II- Argument Points for Paper: Research Presentation and Citations of Authorities; Guest Speaker
Feb. 20, 22	"More than just I think or I believe"- Argument Points for Paper: Research Presentation and Citations of Authorities; Guest Speaker
Feb. 27, Mar 1	"More than just I think or I believe" III - Argument Points for Paper: Research Presentation and Citations of Authorities
Mar. 6	Developing Arguments: Examples
Mar. 8	FIRST DRAFT PAPER DUE
Mar. 12-16	SPRING BREAK
Mar. 20, 22	Guest Speaker; "It's A Process" Presentations I-From 1st Draft to Second Draft Presentations
Mar. 27, 29	"It's A Process" Presentations II-From 1st Draft to Second Draft Presentations; Guest Speaker
Apr. 3, 5	"It's A Process" Presentations III-From 1st Draft to Second Draft Presentations
April 10	SECOND DRAFT DUE
April 12	Guest Speaker
April 17, 19	Guest Speaker

April 24th LAST DAY OF CLASSES
****FINAL PAPER DUE NO LATER MAY 4TH.**

Each student must complete a **FIRST DRAFT** of their paper that must include the following:

- (i) cover sheet
- (ii) table of contents
- (iii) single-spaced **footnotes** WITH PROPER BLUEBOOK FORMAT (**NOT** endnotes)
- (iv) table of authorities
- (v) 12-point font (Times Roman), one-inch margins (on top, bottom, left and right)
- (vi) **MINIMUM** 15 PAGES. **Page "1" should begin with the Introduction.**

Part 1. Introduction: Your thesis statement; Explain why the topic is an important problem or issue in the law;

Part 2. Discussion of the legislative or judicial history on your issue;

Part 3. Discussion of statutes, cases, and law review articles where you have identified the positions taken by other scholars in the area;

Part 4. Your **original** contribution. **This is (i) OR (ii) explained in detail above under Req I.**

Each student must complete a **SECOND DRAFT** of their paper that must include the following:

ALL of the FIRST DRAFT REQUIREMENTS (i)-(v) above with (vi) to include a **MINIMUM** of 20 PAGES and further development of:

Part 1. Introduction: Your thesis statement; Explain why the topic is an important problem or issue in the law;

Part 2. Discussion of the legislative or judicial history on your issue;

Part 3. Discussion of statutes, cases, and law review articles where you have identified the positions taken by other scholars in the area;

Part 4. Your **original** contribution. **This is (i) OR (ii) explained in detail above**

Each student must complete a **FINAL PAPER**

Each student must include ALL of the requirements for the FIRST AND SECOND DRAFTS (as well as any other requirements in the Student Rules & Regulations attached that have are not stated above) plus incorporation of suggestions and comments made from SECOND DRAFT.

Appendix C (Taken from the Student Rules and Regulations, Part B. Seminars and Independent Research)

1. Seminars

Seminars are offerings normally restricted to 16 students or, at the instructor's option, 20 students, in which the instructor must require rigorous written work, which comprises at least two-thirds of the basis for the grade.

The Law School's Requirements for a Seminar Paper

At present, students must take a seminar offering "in which the instructor must require rigorous written work, which comprises at least two-thirds of the basis for the grade." (See *Student Rules and Regulations 2008-2009*, page 8.) The seminars that fulfill this requirement are so marked in the law school's offerings.

Neither a clinic nor a simulation course may substitute for the seminar requirement, but credit for an independent research project in lieu of a seminar is possible when the project "is equivalent in scope in quality to a seminar paper" and a copy of the student's paper is filed with the Office of the Dean. (See *Student Rules and Regulations 2008-2009*, page 8.)

At present, there is a registration procedure for both LAW 802 Independent Research I and LAW 803 Independent Research II. Also, the paper written for both courses "must be equivalent in scope to a Law Review article of at least 20 double spaced typewritten pages, excluding the cover, table of contents, footnotes, and Table of Authorities." In addition to an application, students must submit "an exhaustive outline for the paper." *Scholarly Writing for Law Students* is a required text. And, students must meet at least monthly with the supervising professor. (For LAW 802, see *Spring 09 Guidelines*, page 1, 2, 4, and 6-7.)

We believe that the "rigorous written work" required for a Seminar Paper should at least meet the minimum requirements set out for an independent research project. We have completed extensive research of other law schools that have a similar requirement, and we plan to make this information available in a series of *Quick Teaching Tips*. We have also compiled a set of resources to help the faculty and students, and we will make these resources available to faculty through a series of *Quick Teaching Tips* and to students through our Learning & Assessment Lab.

Based on the educational literature, a student's Seminar Paper should show the student's mastery of the in-depth research undertaken and demonstrate how the student has organized, clarified, or advanced this body of knowledge in resolving the issues raised by the paper. The qualities that make a Seminar Paper different from many other law school writing projects are:

1. Original Analysis,
2. Comprehensive Research on the Topic, and Extensive Footnotes.

Twenty double-spaced typewritten pages, excluding the cover, table of contents, footnotes, and Table of Authorities, is a minimum requirement for a seminar paper as is 12-point font (Times Roman), one-inch margins (on top, bottom, left and right), and single-spaced footnotes that follow the Blue Book for citations. Because our students need to be introduced to the process of scholarly writing and because we have found assessment to be essential to our student's mastering skills, we propose the following steps as minimum requirements for a seminar paper:

- Students select a topic that meets the professor's requirement for the seminar.
- Students submit an initial, brief description of the topic and a research plan under the guidance of the professor; students meet with the professor to discuss progress on the seminar paper to be sure that the student is on the right track and, if necessary, students are directed to scholarly writing resources in the Learning & Assessment Lab.

- Students conduct research and develop a detailed outline, annotated with references to the key cases and other materials that the student plans to consider under the guidance of the professor; students meet with the professor to discuss progress on the seminar paper to be sure that the student is on the right track and, if necessary, students are directed to scholarly writing resources in the Learning & Assessment Lab.
- Students submit drafts of the seminar paper and receive feedback; students meet with the professor to discuss progress on the seminar paper to be sure that the student is on the right track and, if necessary, students are directed to scholarly writing resources in the Learning & Assessment Lab.
- Students submit a final paper that is at least 20 double-spaced typewritten pages, excluding the cover, table of contents, footnotes, and Table of Authorities etc., with 12-point font (Times Roman), one-inch margins (on top, bottom, left and right), and single-spaced footnotes that follow the Blue Book for citations; students meet with professor to discuss the final paper.
- A copy of the student's submissions with faculty feedback is submitted to our data base for works in progress.

The Goals and Purpose of Faculty Supervision of Student Seminar Papers

Based on the educational literature, clearly stated goals and deadlines, faculty guidance, writing support, and assessment have been found to be essential for a student's success when writing a Seminar Paper.

The Importance of Faculty Guidance

In a seminar, the written paper is the heart of the student and faculty's work together. Because it is an opportunity to convey to the student an understanding of the faculty member's role as legal scholar, faculty members are in a special position when they are supervising a student who is writing a seminar paper. The students are in effect being asked to create a piece of legal scholarship, and the faculty member can help them achieve the scholarly goal of pushing beyond the merely descriptive to the analytical that is the essence of scholarly legal writing.

For many students, the seminar paper is their first experience with actually doing scholarly legal writing. It is therefore very important that the faculty member give the student guidance in understanding the purposes of scholarly writing and the expectations for both the interim pieces and final product.

To that end, it has been found to be helpful for the faculty member to spend part of at least one seminar session talking about what legal scholarship is and what it means to contribute incrementally to the canon in the particular substantive area of law that is being studied.

Many students need guidance in understanding the importance of presenting a clear thesis and organizing the paper around that thesis. There are several articles and texts that can aid students in that understanding; we have provided references to them in the resources at the end of the memorandum. It can be very helpful for the faculty member to assign one of these texts to the students, such as:

Elizabeth Fajans and Mary R. Falk, *Scholarly Writing for Law Students* (2d ed. 2000). Eugene Volokh, *Academic Legal Writing: Law Review Articles, Student Notes, and Seminar Papers* (2002).

The Importance of Writing Support

An additional resource that can help students write better seminar papers is the law school's Learning & Assessment Lab. Through both group workshops and one-on-one meetings, the Lab can help students better to understand both the scholarly writing process and its resulting product.

The Learning & Assessment Lab can offer ideas and techniques to assist students at any stage of the scholarly writing process: selecting a topic, deciding on research strategies, organizing notes, outlining, getting started on the first draft, rewriting, and revising.

The Learning & Assessment Lab can help students (1) approach scholarly writing as a specific genre with a defined scope, purpose, and audience as well as substance and technical concerns; (2) use legal substance to organize writing effectively and to make argumentative decisions; (3) improve legal writing by understanding it as a specific process performed under time pressure in practical and academic legal settings; (4) use computer technology and word processing to improve legal research and writing; (5) pay proper attention to legal citation form and footnotes in text; (6) connect substance to syntax; (7) master English grammar; and (8) overcome writer's block. The Lab will also have a bank of sample student scholarly papers.

The Importance of Deadlines

It also helps students for the faculty to have specific deadlines for each of the interim writing steps clearly stated in the syllabus and to include even more interim deadlines than those that are minimally required. For example, it is useful to give students (1) a date by which they must select a topic, (2) a date by which they must submit a reading list and a thesis, (3) a date by which they must submit a first draft for written comments, and (4) a final deadline by which the paper must be done.

The Importance of Organization & Structure

It also helps for faculty to give students a structure for a Seminar Paper. For example, the student might be instructed to organize the Seminar Paper into five parts with a draft of each part due at the time the first draft is due:

Part 1. Introduction: Why the topic is an important problem or Issue in the law;

Part 2. The legislative or judicial history leading up to the current status quo;

Part 3. The positions taken by other scholars in the area;

Part 4. The student's original contribution which may be a proposal for a new legislative or judicial test or an exception to a rule or, for example, the addition of one prong of a three- part test, or a critique of the other scholars positions, e.g., "Professor X says A and Professor Y says B - both are correct as far as they go, but they should also consider C."

Part 5. Conclusion.

Students should be encouraged to submit a draft that contains all five parts since feedback on the merely descriptive parts does not give the faculty member the chance to make sure the student is working on an original idea (Part 4) and to give feedback. Although many students can write the descriptive part of the paper well, it is usually the original idea that needs work and that should also be included in the first draft.

The Importance of Feedback

Comments from the faculty member may come on the paper itself or through a written comment sheet that conforms to the areas on which the paper will be evaluated. These might include: (1) clarity of writing style and organization; (2) originality of thesis; (3) thesis development; (4) use of legal analysis, statutes, and case law; (5) breadth of sources; and (6) progress from first draft to final paper. Students may meet with faculty individually to discuss these written comments and/or faculty may discuss the writing process in class. And, based on the faculty's feedback, students may receive additional help with their scholarly writing in the Learning & Assessment Lab.

The Importance of Grading Standards

Students should be told the factors that are considered when the faculty member is grading their papers, such as:

1. Originality of opinions expressed - 10%;
2. Research - 30%. Includes quality of paper synopsis and bibliography, extent and thoroughness of research, and proper citation of authorities under a specified current edition of uniform system of citation;
3. Legal Analysis - 30%. Includes thesis definition, breadth and depth of analysis, development of argument and point of view etc.; and
4. Writing style - 30%. Includes organization and structure of paper, rhetoric, style, grammar, and sentence syntax etc.