

LAWYERING PROCESS I

SECTION 6

Professor Anga

Fall 2017

COURSE GUIDELINES AND SYLLABUS

**Monday, Wednesday & Friday
9:00-10:50 a.m., Rm. 203**

Words to Remember

“The only way to learn to write is to write.”

–Peggy Teeters, author and teacher

“There is no great writing, only great rewriting.”

–Justice Brandeis, United States Supreme Court

LAWYERING PROCESS I

COURSE GUIDELINES AND ADMINISTRATIVE INFORMATION

Welcome! I look forward to working with you this semester. Before beginning Lawyering Process I, you should know the course's overall goals and how it will attempt to achieve those goals. Knowing the course's goals and methodology will help you understand the purpose behind the assignments you will receive during this semester.

I. Primary Course Goal: Learning the "Tools of the Trade"

The primary goal of this course is to teach you a set of **basic lawyering skills** that are critical to the process of lawyering. These skills will enable you to handle any legal issue that you will encounter as a law student, summer intern, or practicing lawyer. The course will essentially teach you how to "think like a lawyer" and how to communicate your analysis and arguments in writing effectively. In short, this course shows you "the tools of the trade" that you will need to master to be an exceptional attorney regardless of the area of law in which you end up practicing.

In general, this course will focus on the following skills:

1. **Critical Reading and Thinking**—learning how to read and understand judicial opinions and the impact the opinions may have on future cases, narrow and expand holdings in opinions, analogize and distinguish precedent, synthesize opinions, and interpret statutes
2. **Legal analysis and writing** –learning how to issue spot, apply the law to the facts logically, develop and evaluate legal arguments, and objectively predict the outcome of a case in writing.
3. **Legal research** – learning how to research legal issues using "the books" and computer-based research tools such as Westlaw and Lexis.
4. **General writing skills** –learning how to write like a good lawyer by using proper grammar, syntax, and punctuation
5. **Citation skills**—learning how to properly cite to legal authority in accordance with the Bluebook
6. **Professionalism**—learning how to act like a good lawyer by being on time, prepared for class, courteous to me and your classmates, timely with your submission of all assignments

The following provides a more detailed list of the **student learning outcomes and objectives** for this course. By the end of the semester, you should be able to:

1. Understand and interpret the law;
2. Identify legal issues in simple and complex factual situations;
3. Identify the relevant controlling and advisory legal authority and policy;
4. Apply the relevant authority to the legal issue(s) presented by the client's situation;

5. Analogize favorable facts, authority, and policy to your client's factual situation;
6. Distinguish unfavorable facts, authority, and policy from the client's position;
7. Articulate the legal significance of relevant facts;
8. Communicate and explain your analysis and position effectively in writing to colleagues, supervisors, clients, or judges; and
9. Use proper grammar and legal citation.

II. Course Methodology: Learning by Doing

The methodology of this course is based on the principle that the best way to learn lawyering skills is by practicing them. To the extent possible, participating in the course will be similar to working in a law practice. You will be learning by doing – by practicing each of these skills in class and through research and writing assignments. In addition to these assignments, you will also complete grammar assignments and other editing exercises designed to ensure your knowledge of basic grammar rules, to teach you the importance of legal style, and to help you develop a keen attention to detail.

In your other first-year courses, you study law primarily by examining appellate court opinions. This approach asks you to reflect upon the law as though you were an appellate judge, who sees the end product of months or years of winnowing evidence and analyzing the law. In this course, however, you will approach the law from the perspective of a practicing lawyer rather than as a judge. Thus, you will learn both how to develop a factual record and legal arguments for your client, as well as how to present your arguments in writing effectively.

III. General Information

A. Contact Information

Office: Rm. 231A
Office Phone: 713.313.1339
Email: aanga@tmslaw.tsu.edu

Office Hours: Monday-2:00-4:00, Wednesday-2:00-4:00

B. Textbooks

The required textbooks for this course are:

Lawyering Process I Course Reader (photocopied materials)
Coughlin, Malmud, & Patrick, A Lawyer Writes
The Bluebook, A Uniform System of Citation, 20th Edition¹

The recommended textbooks for this course are:
Black's Law Dictionary

¹ Please note that the Bluebook is also required for your Legal Research class. You only need to purchase one copy of this book.

Except for the Lawyering Process I Course Reader (“Reader”), these books are available at Texas Southern University’s Bookstore in the Student Life Center. If you have not already done so, you should purchase them right away. We will be using all of them very shortly.

The Reader can be purchased from Texas Southern University’s Copy Center in the Student Life Center, Room 231 (2nd Floor). You must purchase your own copy of the Reader from the Copy Center.

Also, from time to time throughout the semester, I will hand out supplementary photocopied materials. I strongly suggest that you get a large three-ringed binder to keep all of your class materials organized.

C. Class Meeting Times

This class meets on Monday, Wednesday, and Friday from 9:00-10:50,

D. Other Professors

Legal Research Professors: Prof. Sofidiya (Sec.6)

Advanced Grammar Review Professor: Prof. Kelly

IV. Assignments

The reading assignments and discussion exercises are listed in the course syllabus under the day of the class for which they should be prepared. Any written assignments are listed under the day they are assigned and a separate due date will be listed, sometimes repeatedly, as a reminder. Other assignments (see Section VI.A.2) are listed under the date they are due. The syllabus also provides the relevant time that the other assignments are due and the manner in which they should be submitted. ***It is your responsibility to follow the syllabus and be prepared for class. Review the syllabus periodically and be sure to note relevant due dates and times. You must submit all assignments on time.*** See Section VI.B. Modifications, including additions or deletions to the syllabus, may be announced in class, via e-mail, or posted on the course page on Westlaw’s TWEN.

V. Paper Format Requirements

The following format requirements for this course are based on the general rules for filing documents in most state and federal courts. With the exception of the case brief assigned during the first week of class and certain other class exercises, these requirements apply to all of the writing assignments that you will do for this course (namely, the memoranda for Writing Assignments #1, #2, and #3). I will strictly enforce format requirements to ensure that all students have an equal amount of space in which to convey their ideas and learn from their mistakes. These format requirements will also help preserve your anonymity on the papers.

If you have any questions regarding these guidelines or the guidelines on any individual assignments, please ask me.

Unless otherwise specified, each piece of written work that you submit in this course must meet the following format requirements:

- All documents must be typed using Microsoft Word.

- All documents must be typed in Times New Roman font and submitted on plain white, 8-1/2 x 11 inch paper (using one side only).
- The font size must be no smaller than 12 point font and footnotes (if any) may be no smaller than 10 point font.
- Papers must have at least one-inch margins on both sides and at the top and bottom.
- No page may include more than 25 lines per page (including footnotes).
- Text must be double-spaced. Footnotes should be single-spaced.
- **You must have two spaces between sentences, including citation sentences.** This means you must hit the space bar twice. Tabs, such as those used to begin a new paragraph, must be at least a 1/2 inch in length.
- **Each assignment must be consecutively paginated at the bottom of each page (centered).**
- Be sure to print a hard copy of your assignment and check to make sure that you have complied with these format requirements.
- Lastly, all pages of each assignment must be stapled together (in the upper left-hand corner).

VI. Grading Policies and Procedures Fall 2017

A. General Grading Information

1. **Course Format**: Lawyering Process I is a three-credit hour course. As mentioned above, the course consists of three basic components: (1) Legal Analysis and Writing, (2) Legal Research, and (3) General Writing Skills (including grammar, style and writing exercises, etc.).

2. **Final Grade**: Your final grade will be based on the following:

• Legal Analysis and Writing (Prof. Anga)	70%
• Legal Research Class (Prof. Sofidiya)	20%
• Advanced Grammar Review Class (Prof. Kelly)	10%
	———
	TOTAL: 100%

In particular, your grade for Legal Analysis and Writing will be based on the cumulative total of the scores you have received for the following:

• Writing Assignment #1	3%
• Writing Assignment #2	5%
• Writing Assignment #3	30%
• Other Assignments	25%
• Participation, Professionalism, and Attentiveness	7%

TOTAL: 70%

“Other Assignments” include, but are not limited to, citation assignments, case briefs, tests, case charts, short writing exercises (SWEs), and certain other assignments submitted in class or online using Westlaw’s TWEN. Many of these assignments will be discussed in class.

In general, for “Other Assignments,” each assignment is worth the following points (out of a total of 250 points or 25% of your grade for Legal Analysis and Writing):

• Week Three(<u>Eilers</u> Case Brief)	15 points
• SWE#1(Legal Analysis Exer. Eilers fact patterns)	15 points
• Writing Assignment #1 Brief and Sub-rule	15 points
• SWE#2 (Sub-rule/Legal Analysis Exercise Case)	15 points
• Writing Assignment #1 Rule Proof	15 points
• Writing Assignment #1 Arguments	15 points
• Washburn/Robbery Cases Chart	15 points
• Washburn Case Synthesis (Intent sub-rule)	15 points
• SWE#3 (Case Synthesis)	15 points
• Writing Assignment #2 Sub-rules	15 points
• Writing Assignment #2 Outline	15 points
• Writing Assignment #2 Arguments	15 points
• Miscellaneous Exercises/Exams	70 points

TOTAL: 250 points

As indicated above, class participation will be considered in determining your final course grade. You must be prepared for all classes. You will earn “Participation, Professionalism and Attentiveness” points (“PPA points”) by actively participating in class exercises (such as for legal analysis and writing drills), group exercises, completing certain other assignments, and **by dressing professionally every Wednesday**. You must prepare all assignments to the very best of your ability. In addition, if you fail to bring all relevant materials with you to class (such as the Reader, the Bluebook, etc.) or do not have these materials open and ready for use in class, you will lose PPA points.

Also, at all times, you must respect your fellow colleagues. Please refrain from excessive side conversations or other distracting conduct during class.

In addition, you must keep all scheduled appointments. You will have meetings scheduled during the semester. You must keep all scheduled appointments. All meetings are scheduled in advance and require 48-hour notice for any student cancellations. If you cancel a meeting, you will likely have to reschedule your meeting for a day and time after all other student meetings have been completed. It is imperative that you keep and label your exam number and pay close attention to the number used for assignments.

Finally, this is a curved class. Please refer to the 2017-2018 Student Rules and Regulations for the grade guidelines for Lawyering Process I and II.

3. Exam Numbers: You will be required to use an exam number when submitting most assignments for this class. You must adhere to the instructions given with each assignment. In general, you will use three different exam numbers over the course of the semester. For example, you will use your initial exam number for the first five weeks of class. During the fifth week of class, you will receive a new exam number to use for the next period and so on. You can receive exam numbers from Ms. Trudy Green Registrar, Room 214A. I will instruct you when each exam number is ready for distribution. Any changes to the exam number policy or schedule will be announced in class and/or via e-mail or posted on the course page on Westlaw's TWEN.

4. Writing Assignments

i. Exam Numbers: You will complete three writing assignments for this course. You will complete one memorandum for Writing Assignment #1, one memorandum for Writing Assignment #2, and one memorandum for Writing Assignment #3. You must use an **EXAM NUMBER** when submitting each of these assignments. **DO NOT** put your name on any writing assignments because preservation of your anonymity during grading is mandatory. **If you put your name on any of your writing assignments, your work will not be graded, and you will receive a zero for the assignment.** Also remember that you must comply with all format requirements for each of these assignments. See Section V.

ii. Writing Assignment #1 and #2: For Writing Assignment #1 and Writing Assignment #2, you will be graded on form and substance. You must complete these assignments to the very best of your ability. You must submit a complete work product. If you do not use proper grammar or punctuation, you will lose points. You must carefully proofread your work. Both your analysis and writing will be considered in grading your work. Your work must be well organized, accurate, and clear. You also must adhere to the format guidelines and the expectations for predictive memoranda (discussed in class and in the assigned readings).

You will receive written feedback on Writing Assignment #1 and Writing Assignment #2.

The feedback on your memorandum for Writing Assignment #1 and Writing Assignment #2 will give you experience with legal analysis and writing to prepare you for Writing Assignment #3.

iii. Writing Assignment #3: Writing Assignment #3 will be graded on form and substance. **Failure to submit Writing Assignment 3 will result in a grade of 'F'** for the course. Consider this assignment as your "final performance exam or assessment" in Lawyering Process I.

5. Other Assignments In General: When directed to do so, you must use an EXAM NUMBER when submitting your other assignments. As mentioned, these assignments include, but are not limited to, the case briefs, tests, case charts, citation exercises and certain other assignments submitted in class or online using Westlaw's TWEN. All of the assignments are essential to the course and to your development as a lawyer. **Accordingly, you must satisfactorily complete each assignment to receive any credit towards your grade.** If you are instructed to use an exam number, DO NOT put your name on the assignment, as preservation of your anonymity during grading is mandatory. **If you put your name on your assignment, your work will not be graded, and you will receive a zero for the assignment.** Furthermore, you must submit these assignments on time.

B. Consequences for Late or Over-Length Assignments

1. Late Submission of Assignments: It is imperative that you follow all directions given for each assignment. These directions will be included in the assignment, on the syllabus, and/or given to you by me.

i. Assignments Submitted Using Westlaw's TWEN: If an assignment is to be submitted online using Westlaw's TWEN, then that assignment is due on the date and at the time indicated on the assignment, in the syllabus or by me. Be sure to review the assignment and the course syllabus carefully. Please see the additional guidelines below for writing assignments and other assignments.

a. Writing Assignment #1, #2 and #3: All assignments due on TWEN will have a stated deadline. **The drop box for uploading assignments will disappear at the stated date and time deadline. This means that any assignment not submitted by the stated date and time deadline will receive a grade of zero.** Your TWEN submission provides the time-stamp for grading purposes, not your hard copy submission.

Please note that you will be required to turn in a hard copy of Writing Assignment #3. **DO NOT include your name on this hard copy of the assignment; use only your exam number.** The hard copy of your assignment as well as the assignment submitted online **must be identical and must comply** with the format requirements listed in Section V. **If you fail to submit a hard copy of your assignment per the instructions given to you, you will lose points on your grade for Writing Assignment #3. You will also lose points on your assignment if you turn in the hard copy late.**

c. Other Assignments: Case briefs, tests, case charts, etc. that are due on TWEN or in class must be submitted at or before the stated date and time deadline. **The drop box for uploading assignments will disappear at the stated date and time deadline. This means that any assignment that is not submitted by the stated date and time deadline will receive a grade of zero.** Your TWEN submission provides the time-stamp for grading purposes, not your hard copy submission.

ii. Assignments Submitted in Class or by Email (and not on TWEN): If an assignment is to be submitted in class or by email (and not on TWEN) then that assignment is due on the relevant due date and time, respectively. If you do not submit your assignment on the day and time it is due, you will not receive any credit for the assignment. Also, be sure to bring an extra copy of your assignment for your use during class. **If you are absent or will miss class, you must make arrangements to have your assignment submitted in a timely manner; otherwise, you may not receive credit for the assignment.**

2. Submission of Over-Length Writing Assignments: I will indicate a maximum page limit for each writing assignment that I will enforce strictly. **For each page or portion thereof that exceeds the**

page limit, you will receive a 10% reduction in your grade. I will not review any pages that exceed the page limit. If your paper exceeds the mandatory number of lines per page or does not comply with the font or margin requirement, I will consider it to have exceeded the page limit and will adjust the score for the assignment accordingly. Please review these rules carefully. See Section V.

C. Attendance: Class attendance is mandatory. Roll will be taken at the beginning of each class. Per the Student Rules and Regulations, for this three-hour course, you will be permitted five (5) absences. Dismissal from class for misconduct or lack of proper preparation can result in an absence. Please see the Student Rules and Regulations for information on grade reduction and further details on absences. The class attendance rule is strictly enforced.

D. Laptop Misuse: Laptop computers may be used for class-related note taking and reference. During class, however, it is inappropriate to use laptops for any other purpose (e.g., to download music, play games, watch DVDs, access inappropriate web sites, or to instant message others). Laptop use in class is a privilege. **In addition to any other sanction, I will rescind laptop use, individually or collectively, if it is abused. Cell phones, blackberries, and similar devices must be turned off.**

E. Accommodations: Please contact Dean Mouton (Student Affairs) if you require any special accommodations regarding any of the assignments, including but not limited to, extensions, note-takers, etc. You must contact Dean Mouton before the related assignment is due.

VII. Discussions of Assignments

I encourage you to discuss all of your assignments with your colleagues in this section of Lawyering Process I. In particular, certain classes will be devoted to open discussion of the writing assignments. You are all likely to learn from each other and will benefit more from the course if you approach it in a collegial manner. However, remember that your final product on all of the assignments must be your own. While it makes sense to discuss your ideas about a given assignment and test them on your colleagues (as you would in your practice), you will learn nothing from simply parroting the work of another and calling it your own. Of course, if your work is sheer imitation, it will also be obvious. It will also be plagiarism, which is strictly prohibited. See Section VIII.

Please note, specific questions regarding the substance of Writing Assignment #3, will be handled in class so that everyone hears the class discussion or my response.

VIII. Plagiarism

Plagiarism in *any* form is strictly prohibited. You may not plagiarize any other written work, including, but not limited to, another student's memorandum, a prior exemplar or sample memorandum, an internal legal memorandum, or any memorandum of points and authorities filed with any court. Should an instance of plagiarism exist, the matter will be forwarded to the Dean for appropriate action.

LAWYERING PROCESS I

SYLLABUS

WEEK 1

Announcement

Welcome to Thurgood Marshall School of Law!

EVERY WEDNESDAY IS PROFESSIONAL DRESS DAY!

MONDAY, AUGUST 21, 2017 (Class 1)

Read: Course Guidelines and Syllabus (posted on Westlaw's TWEN)

Introduction to Class

What is Legal Writing? (Hand out on Legal Writing)

Rule-Based and Analogical Reasoning Overview- Reader pp.29-30

Hierarchical Court Systems and Stare Decisis- A Lawyer Writes, pp. 15-31

Case Briefing-Why we brief

Case Analysis-What Does it mean?

WEDNESDAY, AUGUST 23, 2017 (Class 2)

PROFESSIONAL DRESS DAY!

Case Analysis (**Bring a hard copy of all Briefs to Class**)

Read: Course Guidelines and Syllabus (posted on Westlaw's TWEN)

Lawyering Process I Course Reader ("Reader"):

How to Brief a Case, pp. 7-9 and 10-14

Coughlin, Malmud, & Patrick (A Lawyer Writes), pp. 34-35 ("Learning to Read for a Purpose") and pp. 43-56

Read and Brief: Mitchell v. Rochester Railway Company and

Curtain v. Western Union (posted on TWEN)

FRIDAY, AUGUST 25, 2017 (Class 3)

Case Analysis

Read and Brief: Darcy v. Presbyterian Hospital and

Neiman v. Upper Queens Medical Group

WEEK 2
Announcement
Cases posted on TWEN

Bring a hard copy of all Briefs to Class

MONDAY, AUGUST 28, 2017 (Class 4)

Case Analysis Cont'd

Read and Brief: Battalia v. State
Haight v. McEwen

WEDNESDAY, AUGUST 30, 2017 (Class 5)

PROFESSIONAL DRESS DAY!

Case Analysis Cont'd

Read and Brief: Napalitano v. Town of Chili and
Tobin v. Grossman

FRIDAY, SEPTEMBER 1, 2017 (Class 6)

Case Analysis Cont'd

Read and Brief: Johnson v. State

WEEK 3

Announcement

Pick up 1st Exam Number for Lawyering Process this week.

MONDAY, SEPTEMBER 4, (LABOR DAY NO CLASS), 2017

WEDNESDAY, SEPTEMBER 6, 2017 (Class 7)

PROFESSIONAL DRESS DAY!

Eilers v. Coy: Case Briefing

Read: Reader: Eilers Case, pp. 15-17

-Writing an Application

- **Handout**-Analogical Argument Structure

Eilers v. Coy: Case briefing (cont'd)

Applying holdings to new fact patterns

Short Writing Exercise #1(In class)- (Using the Analogical Argument Structure write a short analogy based on fact pattern given in Eilers)

What's Due: Eilers Case Brief (In class)

FRIDAY, SEPTEMBER 8, 2017 (Class 8)

Eilers v. Coy (cont'd)

Introduction to Analogical Reasoning Paradigm

Hierarchical Court Systems and Stare Decisis (Again)

Read: Reader, pp. 29-33 and 39-43

Coughlin, Malmud, & Patrick, pp. 21-31 (Again)

(Rewrite Analogy for Fact Pattern #1)

OVER THE WEEKEND

Read Materials for Writing Assignment #1 (Posted on TWEN)

WEEK 4

Announcement

Bring Writing Assignment #1 Materials to Class for the Next Two Weeks

MONDAY, SEPTEMBER 11, 2017 (Class 9)

Analogical Reasoning (cont'd)

How to Derive a Sub-rule

Read: Coughlin, Malmud, & Patrick, pp. 57-58 (through “Common Law as the Governing Rule”), pp. 60-66 (starting at “II. Inventory the Governing Rule’s Working Parts”), and pp. 89-91 Reader, pp. 34-38 and 44-49

(Rewrite Analogy for Fact Pattern #1)

WEDNESDAY, SEPTEMBER 13, 2017 (Class 10)

PROFESSIONAL DRESS DAY!

Analogical Reasoning

Sub-rule (cont'd)

-Analogical Reasoning Power Point

Writing an application- In class

FRIDAY, SEPTEMBER 15, 2017 (Class 11)

Analogical Reasoning (cont'd)

Krouse Brief

Read: Coughlin, Malmud, & Patrick, re-read pp. 89-91

What's Due: (1) Krouse case brief. (Bring a copy of your Krouse case brief to class).

Begin work on Krouse sub-rule for Presence. Bring sub-rule to class on Monday. Reader pp. 66-71 to generate a sub-rule from precedent case.

WEEK 5

MONDAY, SEPTEMBER 18, 2017 (Class 12)

Work on Krouse presence sub-rule (*In class*) please bring one copy of your Krouse case brief and sub-rule to class to use during instruction. Use the guidance and worksheet on Reader pp. 66-71 to generate a sub-rule from precedent case.

WEDNESDAY, SEPTEMBER 20, 2017 (Class 13)

PROFESSIONAL DRESS DAY!

Organizing and Writing Legal Memoranda

Read: Reader, pp. 50-63

Sample Memorandum Template

Use Template (hand out in class) in conjunction with your reading of Predictive Writing Notes Part I)

SWE #2- Writing an Application (Use sub-rule from Krouse on new fact pattern)

FRIDAY, SEPTEMBER 22, 2017 (Class 14)

Organizing and Writing Legal Memoranda (cont'd)

Discussion Section- Writing a Rule Proof

Read: Coughlin, Malmud, & Patrick, pp. 81-85 ("One Legal Argument"), 87-88 ("Explaining the Law"), 101-109 ("Explaining the Law: Case Illustrations" through "The Length of Case Illustrations), and 117-120("Writing Case Illustrations").

WEEK 6

MONDAY, SEPTEMBER 25, 2017 (Class 15)

Organizing and Writing Legal Memoranda (cont'd)

Due: Krouse Rule proof (in class)

Argument Section of Discussion (Form and Structure)

Read: Coughlin, Malmud, & Patrick, pp. 135-147 (“Applying the Law: Analogical Reasoning” through “C. Explain Why the Comparison Matters”) and 167-172 (“Conclusions to One Legal Argument”). Remember this??

WEDNESDAY, SEPTEMBER 27, 2017 (Class 16)

PROFESSIONAL DRESS DAY!

Argument Form and Structure (cont'd) Affirmative Arguments and Counter-Arguments

Read: Affirmative Arguments (AA) & Counter-Arguments (CA)
Coughlin, Malmud, & Patrick, pp. and 163-165 (“Applying the Law: Organizing Your Application of the Law”) 171-174; 177-180 (“Policy”)

Write an Analogical argument (in Class)

FRIDAY, SEPTEMBER 29, 2017 (Class 17)

Due In Class: AAs and CAs for Writing Assignment #1 (i.e., the arguments that can be made in favor of our client’s position and those in favor of the opposing party’s position). **Please bring arguments to class.**

Outlining: Coughlin, Malmud, & Patrick, pp. 73-79 (“Outlining”)

WEEK 7

MONDAY, OCTOBER 2, 2017 (Class 18)

Statement of Facts and the other memo sections

Read: Coughlin, et al, pp. 233-241 (“Statement of Facts”)
Reader, p. 64

Due In Class: Outline of Discussion Section only for Writing Assignment 1

WEDNESDAY, OCTOBER 4, 2017 (Class 19)

PROFESSIONAL DRESS DAY!

Proofreading and Editing

Read: Reader, pp.72-80

Writing an Analogy (In class)

FRIDAY, OCTOBER 6, 2017 (Class 20)

Organization of Discussion Section

CRRPAC Exercises for Discussion Section

This weekend put final touches on your memo. Edit, edit, edit

WEEK 8

MONDAY, OCTOBER 9, 2017 (Class 21)

DUE: **Writing Assignment 1 on TWEN. (Submit by 8:00 a.m. using your Exam Number). Submit a hard copy to Ms. Johnson before class on Monday.**

Case Synthesis – Synthesizing a Rule

Washburn Robbery Case **Read:** Coughlin, Malmud, & Patrick, pp. 67-73 (“Organizing Your Legal Authority I. Charting the Cases”) and 92-93 (“Implicit Rules”) Reader, pp. 81-87

**** Robbery Rule Synthesis Exercise Assigned:** Re-read the exercise on Reader pp. 81-83. As you continue to read the Washburn robbery cases, complete the chart/diagram on Reader pp. 97-98. Be sure to include the information from the cases discussed today

in class. You may also create your own chart or diagram in which to organize the case information. Bring your chart or diagram to the next class.

WEDNESDAY, OCTOBER 11, 2017 (Class 22)

PROFESSIONAL DRESS DAY!

Case Synthesis (cont'd)
Washburn Robbery Cases (cont'd)-88-96

Read: Reader, pp. 100-108

What's Due: Completed Washburn Case Chart/Diagram; you do not need to use an exam number for this assignment. Please bring a copy of your chart or diagram to class for use during class instruction

FRIDAY, OCTOBERMBER 13, 2017 (Class 23)

Statement of Facts and Rest of Memo

**** Writing Assignment #2 Assigned (Read Material This Weekend)**

(Sub-rules)
(Outline of memorandum)
(AAs and CAs)
(Memorandum due on Monday, October 31)

WEEK 9

*Midterm Examinations this week-Study Hard
(Continue working on Writing Assignment #2 Due November 6)*

MONDAY, OCTOBER 16, 2017 (Class 24)

Washburn Exercise (cont'd) Intent sub-rule work on in class
Case Synthesis – Organizing and Writing Legal Memoranda Using Multiple Cases

Read: Writing Assignment #2 Fact Documents and Cases

**** Short Writing Exercise (Case Synthesis) Assigned (due Friday, October 20)**

WEDNESDAY, OCTOBER 18, 2017 (Class 25)

PROFESSIONAL DRESS DAY!

Case Synthesis – Organizing and Writing Legal Memoranda Using Multiple Cases
(cont'd)

Read: Reader, pp. 102-107 (Memo excerpt handed out in class will be used in conjunction with your reading of Predictive Writing Notes Part II)
Coughlin, Malmud, & Patrick, pp. 199- 208 and 212-215 (“The Discussion Section: Introducing and Connecting Legal Arguments”) and 147-149(III. Using Analogical and Rule-Based Reasoning Together”)

Memorandum excerpt handed out in class. Use Handout to address readings

FRIDAY, OCTOBER 20, 2017 (Class 26)

Case Synthesis – Organizing and Writing Legal Memoranda Using Multiple Cases
(cont'd)

Charting Cases

Read: Reader, p. 108

Coughlin, Malmud, & Patrick, pp. 113-117 (“Explaining the Law: Case Illustrations”- “Choosing Prior Cases” through “VII. The Order of Case Illustrations”) Rule based argument, Affirmative case (positive authority)
Counter argument case (negative authority)

Please bring the materials for Writing Assignment #2 to class

Write an Analogical Argument using Washburn (In class)

What's Due: Short Writing Exercise (Case Synthesis) (submit using exam number via TWEN by 8:00 a.m. and by email to your WA)

This weekend: Work on the sub-rules for Writing Assignment #2: present and awareness

WEEK 10

MONDAY, OCTOBER 23, 2017 (Class 27)

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited
Charting Cases (cont'd)
NIED Sub-rules (Closely Related and Awareness)

Go over cases for Writing Assignment 2

What's Due (In Class): NIED chart with tentative sub-rules (please bring a copy of your chart/sub-rules to class to use during class instruction). Chart the cases for closely related, and awareness. Determine the sub-rules for present and awareness.

WEDNESDAY, OCTOBER 25, 2017 (Class 28)

PROFESSIONAL DRESS DAY!

NIED Sub-rules (cont'd)

Read: Coughlin, Malmud, & Patrick, pp. 91-100 ("Explaining the Law: Rules" through "III. Writing the Rules")

FRIDAY, OCTOBER 27, 2017 (Class 29)

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited
Outline for Writing Assignment #2: Overall memorandum structure
Read: 109-110 ("Determining Whether Case Illustration Is Necessary")

What's Due (In Class): Outline for Writing Assignment #2. Use the outline in the Reader on p. 64 as a guide. Do not simply copy this guide but rather complete an outline drafted specifically for Writing Assignment #2.

Note: Your tentative AAs and CAs for Writing Assignment #2 should be ready by today.

WEEK 11

Announcement

***Sign up for Writing Assignment #2 Meetings this Week!
Meetings start Monday November 13th***

MONDAY, OCTOBER 30, 2017 (Class 30)

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited
Writing Assignment 2 : Arguments and Case Selection

Read: Coughlin, Malmud, & Patrick, pp. 121-128 (“Explaining the Law: Citing and Avoiding Plagiarism”)

Skim: Bluebook Rule B5, Rule 10, and T.6 Case Names

What’s Due: AAs and CAs for Writing Assignment #2(**in class**). Please use the chart posted on TWEN to complete this assignment.

WEDNESDAY, NOVBER 1, 2017 (Class 31)

PROFESSIONAL DRESS DAY!

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited

Read: Coughlin, Malmud, & Patrick, pp. 131-134 (“Apply the Law: Rule-Based Reasoning”)

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited

Read: Coughlin, Malmud, & Patrick, pp. 260-267(“II. Polish Your Memorandum”)

FRIDAY, NOVBER 3, 2017 (Class 32)

Organizing and Writing Legal Memoranda Final Review.

*Send students to the board and ask them to write what is required for each section of the memo.

WEEK 12

Announcement

Be sure to attend Westlaw and Lexis Training Sessions this week!

Sign up for Writing Assignment #2 Meetings this Week!
Meetings start Monday November 7th

MONDAY NOVBER 6, 2017 (Class 33)

What's Due: Writing Assignment #2 (submit via TWEN using exam number by 8:00 a.m. Submit one hard copy to Ms. Johnson before 12:00; make sure that you comply with the format requirements.

**** Writing Assignment #3 Assigned**

(Recommended draft completion date: Wednesday, November 16
(Memorandum due on Wednesday, November 23)

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited
Peer Editing Exercise (In class)

Re-read: Coughlin, Malmud, & Patrick, pp. 247-260 and 267-268 (“Editing and Polishing”)

WEDNESDAY, NOVEMBER 8, 2017 (Class 34)

PROFESSIONAL DRESS DAY!

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited
Read: Coughlin, Malmud, & Patrick, pp. 260-267 (“II. Polish Your Memorandum”)
Punctuation Exercise- (Handout)
Concise Writing Exercise – (Handout)

Overview of Writing Assignment #3
Organizing and Writing Legal Memoranda Using Multiple Cases Revisited

***Please bring your Bluebook to class today*

FRIDAY NOVEMBER 10, 2017 (Class)

VERTERAN’S DAY NO CLASS

This weekend: Read materials for Writing Assignment #3 and brief the cases, and begin to think about arguments.

WEEK 13

MONDAY NOVEMBER 13, 2017 (no class 35)

Writing Assignment 2 Meetings

TUESDAY NOVEMBER 14, 2017

Writing Assignment 2 Meetings

WEDNESDAY NOVEMBER 15, 2017 (no class 36)

Writing Assignment 2 Meetings

THURSDAY NOVEMBER 16, 2017 (no class)

Writing Assignment 2 Meetings

FRIDAY NOVEMBER 17, 2017(no class 37)

Writing Assignment 2 Meetings

WEEK 14

MONDAY NOVEMBER 20, 2017 (Class 38)

Legal Analysis Revisited

WEDNESDAY NOVEMBER 22, 2017 (Class 39.)

PROFESSIONAL DRESS DAY!

Legal Analysis Revisited

**** Recommended Date of Completion for Draft of Writing Assignment#3**

WEEK 15

MONDAY, NOVEMBER 27, 2017 (Class 40)

**** WRITING ASSIGNMENT #3 DUE TODAY **** (submit online via TWEN using exam number by 8:00 a.m.; submit a hard copy to Ms. Johnson per instructions)

Last class day: Preview of Spring Semester

SEE YOU NEXT SEMESTER!!!