

# **LAWYERING PROCESS I**

## **SECTION 5**

**Professor McElroy**

**Fall 2017**

### **COURSE GUIDELINES AND SYLLABUS**

**Tuesday, Wednesday & Thursday**

**Sec. 5 -2:00-2:50 p.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

## COURSE GUIDELINES AND ADMINISTRATIVE INFORMATION

Welcome! I look forward to working with you this semester. Please review the information below, which sets out the course goals, methodology, grading methods, and student expectations.

### **I. Primary Course Goal: Learning the “Tools of the Trade”**

This course aims to teach you a set of basic skills that lawyers use. These skills include analytical thinking, case analysis, and communication of legal analysis in writing. You can use these skills as a law student, summer intern, or practicing lawyer. More specifically, we will focus on the following:

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 books and computer-based research tools such as Westlaw and LexisNexis;
4. **General writing skills**—brushing up your grammar, syntax, and punctuation;
5. **Citation skills**—learning how to properly cite to legal authority in accordance with the Bluebook;
6. **Professionalism**—learning professional norms by being on time, prepared for class, courteous to me and your classmates, and timely with your submission of all assignments.

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 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 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. 235  
Office Phone:  
Email: jamcelroy@tmslaw.tsu.edu  
Office Hours: Thursdays 1:00 p.m.

### B. Textbooks

The required textbooks for this course are:

Lawyering Process I Course Reader (photocopied materials)  
Coughlin et al, A Lawyer Writes  
The Bluebook, A Uniform System of Citation, 20th Edition

The recommended textbooks are:

Hill & Vukadin, Legal Analysis: 100 Exercises for Mastery (a textbook of additional exercises and answers)

Garner, The Redbook (the style manual that is the authority for this class)

Black's Law Dictionary is also required for this course, and is available free of charge on Westlaw.

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). Please purchase your own current copy of the Reader from the Copy Center, as the Reader changes from year to year.

Also, from time to time throughout the semester, I will hand out supplementary photocopied

materials. I strongly suggest that you use a large three-ringed binder to keep all of your class materials organized.

C. Class Meeting Times

This class meets on Tuesday, Wednesday, and Thursday from 2:00 p.m. to 2:50 p.m.

D. Other Professors

Legal Research Professor: Prof. Norris

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 as a reminder. 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.*** 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.

Please adhere to the following format requirements in your written assignments, unless otherwise instructed:

- All documents should be typed using Microsoft Word and Times New Roman font and, when a hard copy is required, submitted on plain white, 8-1/2 x 11 inch paper (using one side only) and stapled.
- The font size should be no smaller than 12 point font and footnotes (if any) may be no smaller than 10 point font.
- Margins should be one inch on both sides of the page and also at the top and bottom.
- Text should be double-spaced; footnotes should be single-spaced.
- Insert two spaces between sentences, including citation sentences. Tabs, such as those used to begin a new paragraph, should be at least a 1/2 inch in length on your Word ruler.
- Each assignment should be consecutively paginated at the bottom of each page (centered);

page numbers should be in Times New Roman font, conforming with the rest of the document.

- Be sure to print a hard copy of your assignment and check to make sure that you have complied with these format requirements.
- Please remove individually-identifying meta data from any document you turn in, so the anonymity of the grading process is preserved.

## VI. Grading Policies and Procedures

### A. General Grading Information

1. Course Format: Lawyering Process I is a three-credit hour course consisting of three basic components: (1) Legal Analysis and Writing, (2) Legal Research, and (3) General Writing Skills.

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

- |   |     |
|---|-----|
| • Legal Analysis and Writing (Prof. McElroy)  | 70% |
| • Legal Research Class (Prof. Norris)         | 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), quizzes (announced and unannounced), and certain other assignments submitted in class or online using Westlaw’s TWEN. Many of these assignments will be discussed in class. Any points that are not used on assignments will be award to all students.

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 Krouse)  | 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

This class is subject to TMSL’s mandatory curve for Lawyering Process, as reflected in the current Student Rules and Regulations.

A:	10-13%
B:	25-34%
C:	35-45%
D/F:	0-08%

Please note that the only way to have these ranges add up to 100 is to award the maximum in each category, such that 53% of the class receives a grade of “C” or below. As you consider a reasonable grade outcome for this class, please keep this in mind.

Participation Points: As indicated above, class participation will be considered in determining your final course grade.

As indicated above, class participation and preparation will be considered in determining your final course grade. You can earn participation points in the following ways:

i. By actively participating in class exercises and assignments, bringing your materials, and being prepared for class. 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.

ii. By completing your court observation assignment. As part of your experiential learning experience, you are asked to observe live courtroom proceedings in any court of law. By the last day of our class, you must have **observed at least three (3) hours of courtroom practice in person** to earn 5% or 50 points for Participation, Preparedness and Attentiveness (“PPA”). Please complete the court observation form (posted on TWEN) and submit it on TWEN before the last day of class. Please dress in business casual or business formal attire and bring your resume. Every time we step into a courtroom, we represent ourselves but also Thurgood Marshall School of Law, so please be attentive and show your interest—proper courtroom

decorum is required. Lawyers and judges are curious and proactive people; they may ask what you are doing and could even want to help you find a job or internship. If you have problems scheduling a court visit during the day, remember that some courts hold night hours. You could attend with a classmate or two, so you cut down on parking fees and assist each other with logistics.

Remember, you will have to go through a metal detector and will need to turn off your cell phone while in court. Your observation time begins when you are seated in the courtroom and the session begins. Do not wait until the last minute to complete your required observation time.

iii. By contributing to a professional environment in class. **At all times you must respect your fellow colleagues. To do this, please refrain from side conversations and do not leave class unless you must.** Please keep scheduled appointments; if you must cancel, please do so with at least 48 hours' notice. If you miss an appointment, your appointment will be rescheduled after others have completed their appointments and as time allows.

3. Exam Numbers: Please use an exam number when submitting most assignments for this class. 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. Exam numbers are important to anonymity of assignments, and failure to use one results in waiver of your anonymity as well as [deduction of points.]

#### 4. Writing Assignments

i. Writing Assignment #1 and #2: For Writing Assignment #1 and Writing Assignment #2, you will be graded on form and substance. 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. Consider this assignment as your "final performance exam or assessment" in Lawyering Process I.

5. Other Assignments: 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. 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. When you see an assignment is due in class you must turn it in at the beginning of class. Bring a hard copy to turn in and

## 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.

Also, please note that you will be required to turn in a hard copy of your assignment. DO NOT include your name on this hard copy of the assignment; use only your exam number (unless otherwise instructed). The hard copy of your assignment as well as the assignment submitted online must comply with the format requirements listed in Section V. **If you fail to submit a copy of your assignment to Ms. Alridge or if you submit your hard copy late, you will lose points on your grade for that assignment.**

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 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.

Please note that you may be required to turn in a hard copy of your assignment to Ms. Alridge in the Dean Suite. DO NOT include your name on this hard copy of the assignment. You must use your exam number. Also, you must staple documents containing multiple pages. **If you fail to submit a copy of your assignment to Ms Alridge, you will receive a zero for that assignment. You will also lose points on your assignment if you turn in the hard copy late.**

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. Assignments that are due are to be submitted to Ms. Alridge prior to class. 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: For each page or portion thereof that exceeds the page limit for an assignment, 10% of the points are deducted. 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.

C. Attendance: Class attendance is mandatory, and roll will be taken at the beginning of each class. Please plan to attend every class session, as each class builds on the next and each contains important announcements and handouts that you will miss if you are absent. Per the Student Rules and Regulations, for this three-hour course, your grade may be reduced after five (5) absences. Please see the Student Rules and Regulations for other information on attendance.

D. Laptop Use: Laptop computers may be used for class-related note taking and reference. It is inappropriate to use laptops in class for any other purpose (e.g., to download music, play games, watch DVDs, access inappropriate web sites, or to instant message others). 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) immediately (and definitely well before any relevant assignment) if you require any special accommodations regarding any of the assignments.

## **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. Remember, however, that your final product on all of the assignments must be your own. Please note that if you ask me a specific question regarding the substance of Writing Assignment #3, the answer will be handled in class or by group email so that everyone hears the class discussion or my response and no student receives more information than any other student.

## **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. No person can review or revise your work—this includes classmates, family members, and every other person. Should an instance of plagiarism exist, the matter will be forwarded to the Dean for appropriate action. In addition, that work will receive no points.

## WEEK 1

Tuesday, August 22, 2017 (Class 1)

Introduction to Class

**Reading:** Course Guidelines and Syllabus (posted on Westlaw's TWEN)  
Writing in a Legal Context: LP Course Reader ("Reader") pp. 1-6 (also posted on TWEN)  
Rule-Based and Analogical Reasoning Overview: Reader, pp. 29-30

Wednesday, August 23, 2017 (Class 2)

**Today is a professional dress day!**

**Reading:** Course Guidelines and Syllabus (posted on Westlaw's TWEN)  
Hierarchical Court Systems and Stare Decisis: A Lawyer Writes ("LW"), pp. 15-31  
LW, pp. 34-35 ("Learning to Read for a Purpose") and pp. 43-56

Thursday, August 24, 2017 (Class 3)

Brief together in class: *Slack v. Villari* dog bite case

**Reading:** Reader: How to Brief a Case, pp. 7-9 and 10-14  
Analysis Reading (posted on TWEN) pp. 61-67

**Exercises:** Analysis Exercises (posted on TWEN) pp. 66-67: 2-A (all parts) and 2-B (all parts); bring a hard copy to turn in after class (you will receive participation points)

## **WEEK 2**

Tuesday, September 5, 2017 (Class 4)

Case Analysis Continued

**Exercises:** Analysis Exercises (posted on TWEN) pp. 68-71: 2-C, 2-D, & 2-E; please bring a hard copy in any format to turn in after class

Wednesday, September 6, 2017 (Class 5)

**Today is a professional dress day!**

Case Analysis Continued

**Reading:** Analysis Reading (posted on TWEN) pp. 72-78

**Exercises:** Analysis Exercises (posted on TWEN) pp. 72-78: 2-F (all parts) and 2-G (all parts); please bring a hard copy in any format to turn in after class

Thursday, September 7, 2017 (Class 6)

Case Analysis (cont.)

**Exercises:** Analysis Exercises (posted on TWEN) pp. 75-78: 2-H (all parts); please bring a hard copy in any format to turn in after class

### **WEEK 3**

*Please pick up your first exam number  
from the glassed-in office at the top of the atrium stairs.*

Tuesday, September 12, 2017 (Class 7)

**Reading:** *Eilers* case, Course Reader pp. 15-17

Analogical Argument Structure

(May start fact patterns)

**What's Due:** *Eilers* Case Brief (bring hard copy to class)

Wednesday, September 13, 2017 (Class 8)

**Today is a professional dress day!**

*Eilers*: Case briefing (cont.)

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 to you.

Thursday, September 14, 2017 (Class 9)

*Eilers* (cont'd)

Introduction to Analogical Reasoning Paradigm

Hierarchical Court Systems and Stare Decisis (review)

**Reading:** Reader, pp. 29-33 and 39-43 (additional information on case briefing, as needed)

LW, pp. 21-31 (please re-read)

Friday, September 15, 2017

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

## WEEK 4

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

### Tuesday, September 19, 2017 (Class 10)

Analogical Reasoning (cont'd)  
How to Derive a Sub-rule

**Reading:** LW, 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

### Wednesday, September 20, 2017 (Class 11)

**Today is a professional dress day!**

Analogical Reasoning  
Sub-rules (cont'd)

**Writing an application – In-class exercise.**

### Thursday, September 21, 2017 (Class 12)

Analogical Reasoning (cont'd)

**Reading:** LW, pp. 89-100  
Reader, pp. 66-71, on generating a sub-rule from a precedent case.

**What’s Due:** (1) Memo 1 precedent case brief. (Bring a copy of your precedent case brief to class).

Begin work on precedent case sub-rule. Bring sub-rule to class on Tuesday.

## **WEEK 5**

Tuesday, September 26, 2017 (Class 13)

Work on precedent case sub-rule in class. Please bring one copy of your precedent 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 27, 2017 (Class 14)

**Today is a professional dress day!**

Organizing and Writing Legal Memoranda

**Reading:** Reader, pp. 50-63; LW, pp. 81-85, 87-88, 101-109 and 117-120

Sample Memorandum Template

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

Thursday, September 28, 2017 (Class 15)

Organizing and Writing Legal Memoranda (cont'd)

**Due: Precedent case rule proof (bring to class)**

**Reading:** LW, pp. 135-147 (“Applying the Law: Analogical Reasoning” through “C. Explain Why the Comparison Matters”) and 167-172 (“Conclusions to One Legal Argument”).

Short Writing Exercise #2- Writing an Application (Use sub-rule from precedent case on new fact pattern)

## **WEEK 6**

Tuesday, October 3, 2017 (Class 16)

Organizing and Writing Legal Memoranda (cont'd)

**Due: Precedent case rule proof (in class)**

Argument Section of Discussion (Form and Structure)

**Read:** LW, pp. 135-147 (“Applying the Law: Analogical Reasoning” through “C. Explain Why the Comparison Matters”) and 167-172 (“Conclusions to One Legal Argument”), LW, pp. 73-79 (“Outlining”).

Wednesday, October 4, 2017 (Class 17)

**Today is a professional dress day!**

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

**Reading:** LW, pp. and 163-165 (“Applying the Law: Organizing Your Application of the Law”) 171-174; 177-180 (“Policy”)

Write an Analogical argument (in class)

**Due In Class:** Affirmative Arguments and Counter-Arguments 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 a chart of these arguments to class.**

Thursday, October 5, 2017 (Class 18)

Proofreading and Editing

**Read: pp. 72-80**

Friday, October 6, 2017 (Class 19)

This weekend put final touches on your memo and edit carefully.

## **WEEK 7**

Monday, October 9, 2017(Class 20)

**Due: Writing Assignment 1 on TWEN.** Please refer to assignment instructions for precise instructions.

Tuesday, October 10, 2017 (Class 21)

**\*\* Writing Assignment #2 Assigned (Read Material This Weekend)**  
(Memorandum due on Monday, November 6)

Case Synthesis – Synthesizing a Rule

**Reading:** LW, pp. 67-73 (“Organizing Your Legal Authority I. Charting the Cases”) and 92-93 (“Implicit Rules”)

Analysis Reading: Posted on TWEN, pp. 78-83

**Exercise:** Analysis Exercise 2-I (pp. 82-83, posted on TWEN)

Wednesday, October 11, 2017(Class 22)

**Today is a professional dress day!**

Case Synthesis (cont’d)

**Reading:** Analysis Reading: Posted on TWEN, p. 83

**Exercise:** Analysis Exercise 2-J (pp. 83-84, posted on TWEN)

Thursday, October 12, 2017(Class 23)

Case Synthesis – Organizing and Writing Legal Memoranda Using Multiple Cases

**Reading:** Writing Assignment #2 Fact Documents and Cases

**Exercises:** Analysis Exercises 2-K & 2-L (pp. 85-86, posted on TWEN)

## **WEEK 8**

*Continue working on Writing Assignment #2*

Tuesday, October 17, 2017(Class 24)

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

**Reading:** Course Reader, pp. 102-107  
LW, 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”)

**Today is professional dress day!**

Wednesday, October 18, 2017(Class 25)

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

**Reading:** LW, pp. 109-119 (Using Case Illustrations)

Thursday, October 19, 2017(Class 26)

## WEEK 9

### *Midterm Week*

*Continue working on Writing Assignment #2*

#### Tuesday, October 24, 2017(Class 27)

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

**What's Due (In Class):** Case chart with tentative sub-rules (please bring a copy of your chart/sub-rules to class to use during class instruction).

#### Wednesday, October 25, 2017(Class 28)

**Today is a professional dress day!**

Sub-rules (cont'd)

**Reading:** LW, pp. 91-100 (“Explaining the Law: Rules” through “III. Writing the Rules”)

#### Thursday, October 26, 2017(Class 29)

Statement of Facts

**Reading:** LW, pp. 233-241

**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 affirmative arguments and counterargument for Writing Assignment #2 should be ready by today.

## **WEEK 10**

Tuesday, October 31, 2017(Class 30)

Citing; question presented and brief answer

**Reading:** LW, pp. 121-128 (Explaining the Law: Citing and Avoiding Plagiarism):  
LW, pp. 217-232 (Question Presented and Brief Answer)

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

**What's Due:** Affirmative Arguments and Counterarguments for Writing Assignment #2  
(**in class**). Please use the chart posted on TWEN to complete this  
assignment.

Wednesday, November 1, 2017(Class 31)

**Today is a professional dress day!**

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited

Thursday, November 2, 2017(Class 32)

**Reading:** LW, pp. 260-267 (“II. Polish Your Memorandum”)

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 11**

Monday, November 6, 2017(Class 33)

**What's Due:** Writing Assignment #2 (See assignment instructions for additional details.)

Tuesday, November 7, 2017(Class 34)

**\*\* Writing Assignment #3 Assigned**  
(Memorandum due on Monday, November 27th)

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited

**Peer Editing Exercise (in class)**

Wednesday, November 8, 2017(Class 35)

**Today is a professional dress day!**

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited

Thursday, November 9, 2017(Class 36)

Overview of Writing Assignment #3

Organizing and Writing Legal Memoranda Using Multiple Cases Revisited

**WEEK 12**

Monday November 13, 2017(Class 37)

Writing Assignment 2 Meetings

Tuesday November 14, 2017(Class 38)

Writing Assignment 2 Meetings (no class)

Wednesday November 15, 2017(Class 39)

Writing Assignment 2 Meetings (no class)

Thursday November 16, 2017(Class 40)

Writing Assignment 2 Meetings (no class)

**WEEK 13**

Tuesday, November 21, 2017 (Class 41)

Legal Analysis Revisited

Wednesday, November 22, 2017 (Class 42)

Legal Analysis Revisited

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

Thursday, November 23, 2017 (Class 43)

Happy Thanksgiving! No Class

**WEEK 14**

Monday, November 27, 2017 (Class 44)

**WRITING ASSIGNMENT #3 DUE TODAY** Be sure to consult the assignment sheet for precise instructions on where, how, and when to submit your paper.

Tuesday, November 28, 2017 (Class 45)

The shift to persuasive writing

Wednesday, November 29, 2017 (Class 46)

Persuasive writing exercise

Thursday, November 30, 2017 (Class 47)

Persuasive writing exercise

Friday, December 1, 2017 (Class 48)

Persuasive writing exercise

Saturday, December 2, 2017 (Class 49)

Persuasive writing exercise

**WEEK 15**

Tuesday, December 4, 2017 (Class 50)

Wrap-up & last day

**SEE YOU NEXT SEMESTER!**