

Legal Research & Writing I

Fall 2017, Section A

Professor O. Duhart

Email: olympia@nova.edu

Office hours: Mondays 3:30 to 5 p.m. and by appointment

Telephone: (954) 262-6313

Office: 257

Class Meeting Times and Room:

Monday and Wednesday: 1:30 p.m. to 3:30 p.m. in C3

LRW Course Texts:

1. Coughlin, A Lawyer Writes: A Practical Guide to Legal Analysis, Second Edition (Carolina Academic Press 2013)
3. The Bluebook, 20th ed. [BB]
4. [Model Rules of Professional Responsibility](#) with references to the Rules Regulating the Florida Bar [RRTFB]: (No purchase necessary – available online)

Course Goals & Learning Outcomes:

By the end of the course, the student should be able to:

1. Identify legal issues and apply legal reasoning and analysis to solve problems in a logical and structured manner to issues covered in this course;
2. Communicate orally or in writing, or both, the legal reasoning and analysis regarding issues covered in this course;
3. Research legal issues thoroughly and efficiently;
4. Demonstrate factual investigation, interviewing, and questioning skills;
5. Demonstrate effective organization and management of legal work.

Grade Distribution:

Memo 1	5%
Memo 2	20%
Memo 3	60%
Misc. Grade	15%

Required Supplies:

Three ring binder. Several handouts will be distributed in this class; you must read and retain these handouts throughout the course. You should also purchase at least four section dividers for your binder. Colored pencils are also required. You will be required to use colored pencils to complete self-editing on major writing assignments.

Important Information

- [Blue links](#) are active. [Red links](#) will be posted on the Lexis Blackboard or Faculty Webpage page for this course.
- You must bring your Bluebook and computer to class every day.
- At my discretion, throughout the semester, I will administer several quizzes that may be unannounced.
- It is your responsibility to follow the schedule and attend all classes on time. Please check the syllabus for the dates that we will meet.
- ***This Syllabus is updated often and subject to change – it is your responsibility to check often.***

Fall 2017 Academic Calendar

August 14	Orientation starts
August 21	Fall classes begin
Sept. 4	No Classes (Labor Day)
Sept. 20	Make-Up Friday (Friday classes meet instead of Wednesday classes)
Sept. 21 & 22	No Classes (Rosh Hashanah; University Open)
Nov. 17	Last Day to Withdraw from a Class
Nov. 21	Make-Up Thursday (Thursday classes meet instead of Tuesday classes)
Nov. 22	Last Day of Classes
Nov. 23 & 24	No Classes (Thanksgiving Holiday)
Nov. 23-26	Reading Days
Nov. 27 –Dec. 8	Final Exams
Jan. 8, 2018	Winter Classes Begins

Class	Topic	Text or Handout Reading	Web Reading	Assignments
<p>Orient.</p> <p>Wed. 8/16</p> <p>Note that this class meets at 3:30 today</p>	<p><i>Introduction to LRW</i></p> <ul style="list-style-type: none"> • Overview of LRW Program and "Policies & Procedures" • Ethics & professionalism • Self-report 	<p>Coughlin: pp. 375-379; Chapter One</p>	<ul style="list-style-type: none"> • Model Rules of Professional Responsibility Preamble, Scope and Rule 1-1 Competence (Click on Preamble and Scope in Table of Contents and then click on Rule 1-1 in the Table of Contents). • LRW Policies and Procedures (on web page) • Day One Memo from Prof. Duhart (on web page) • Undergraduate v. Legal Writing article (on web page) 	<ul style="list-style-type: none"> • Assigned: Carefully complete all listed readings and assignments prior to first class meeting. Bring your completed employment application to class. (Available on web page.)
	<p><i>Plagiarism Exercise</i></p>			

<p>Mon. 8/21</p>	<p>U.S. Legal System</p> <ul style="list-style-type: none"> • Intro to U.S. Courts • U.S. legal system • Primary & secondary authority • Relationship between statutes & cases <hr/> <ul style="list-style-type: none"> • <i>Ranking authority</i> 	<p>Coughlin: Chapters 2 & 3</p>	<ul style="list-style-type: none"> • United States Court System • Florida Court System 	<ul style="list-style-type: none"> • DUE IN CLASS: Signed copies of all required acknowledgement forms.
<p>Wed. 8/23</p>	<p>Ask the Experts – Legal Writing Panel</p> <hr/> <p>Introduction to Legal Reasoning, CREAC</p>	<p>Coughlin: Chapters 5 & 6</p>		<p>ASSIGNED: Case Analysis for <i>Harvey</i></p>
<p>Mon. 8/28</p>	<p>Developing a Rule</p> <ul style="list-style-type: none"> • <i>Single Case</i> • <i>Several Cases</i> 	<p>Coughlin: pp. 89-100</p>		<p>Due In Class: Case Analysis for <i>Harvey</i>; bring typed copy to class</p>
<p>Wed. 8/30</p>	<p>Crafting Effective Rule Explanation and Rule Application Sections</p>	<p>Coughlin: 101-120; 131-149; 163-165</p>		<p>Assigned: Self-assessment for CREAC 1 (review rubric)</p>
<p>Mon.</p>	<p>No Classes</p>			<p>Labor Day</p>

9/4				
Wed. 9/6	<p>Memo #1 Due</p> <p>Cognitive Protocol on Memo #1</p> <hr/> <p>Citation Basics</p>	<p>Coughlin: pp.48; 121- 128</p> <p>Bluebook: Pages TBA</p>		<p>DUE: Memo #1 to my faculty in box by 8:45 a.m</p> <p>Assigned: Memo #2</p> <p>Bring Bluebooks to class</p>
Mon. 9/11	<p>Introduction to Legal Research</p> <ul style="list-style-type: none"> ■ Search Terms ■ Research Logs ■ Ethical Obligations ■ Electronic Essentials 	<p>Readings to be posted on BB.</p>	<p>Model Rules of Professional Responsibility (Rules 1.1 & 3.1 and 3.3 (Read rules and applicable comments))</p>	<p>Bring laptops to class</p> <p>Assigned: Research Log for Memo #2</p>
Wed. 9/13	<p>RESEARCH</p> <p><i>Hitting the books!</i></p>			<p>Meet in library at assigned meeting time.</p> <p>We will have two posted meeting times.</p>
Mon. 9/18	<p>The Office Memo: Structure</p> <ul style="list-style-type: none"> • Question Presented • Brief Answer • Statement of Facts • Conclusion 	<p>Coughlin: Chapters 13, 14 & 15</p>	<p>Review before class: Model Rules of Professional Responsibility (Rules 1.1 & 3.1 and 3.3 (Read rules and applicable comments))</p>	<p>Bring Laptops to Class</p>

Wed. 9/20	Make Up Friday			Friday classes meet instead of Wednesday classes
Mon. 9/25	RESEARCH (Collaborating on the research log)			No class meeting today: Use this time to work on your research log with your team members
Wed. 9/27	RESEARCH (Final push!)		Review Lexis Learn Modules posted on our class site.	Bring Laptops to Class
Mon. 10/2	The Office Memo: Substance & Style <ul style="list-style-type: none"> • Feedback on Memo #1 ----- • Self-Editing Made Simple • Rubrics/Checklists 	Coughlin: Chapter 16	Complete Atual Gawande's <i>Checklist Manifesto</i> reading posted on BB.	DUE: Bring colored pencils to class (No pencil=10 points Misc. grade reduction). Due: Research Log to faculty inbox by 8:45 a.m. One packet per team.
Wed. 10/4	The Office Memo: Revisiting the Synthesized Rule	Coughlin: Review 89-100		
Mon. 10/9	The Office Memo: Citation Workshop			Bring Bluebooks to Class → Bonus points for tabs

Wed. 10/11	The Office Memo: Q & A Session			DUE: Bring 5 typed questions to class regarding Memo 2
Mon. 10/16	Memo #2 Due Cognitive Protocol for Memo #2		<u>Model Rules of Professional Responsibility</u> R. 1.4 & 1.6 and comments (Read all rules and applicable comments)	DUE: Memo #2 to my faculty inbox by 8:45 a.m.; ratiocination required (final on top) Assigned: Memo #3
	Fact Gathering • Interview Instructions • Essential v. Nonessential Facts			
Wed.* 10/18	The Client Interview ---- Deconstructing the Issue(s)			DUE: Bring interview questions/chart to class and be prepared to participate.
Mon. 10/23	The Statement of Facts		Review interview transcripts and annotate in light of the issue.	Assigned: Draft a Statement of the Facts
	Time Management <i>Mapping out a Plan</i>			
Wed. 10/25	Organization of the Rule			

	<ul style="list-style-type: none"> • Discussion of the Synthesized Rule • Strong case illustrations 			<p>DUE IN CLASS: Bring a HARD COPY of your facts for Memo #3</p> <p>Review cases and annotate with eye toward crafting a synthesized rule.</p>
Mon/ 10/30	<p><i>Return to Research</i> ----- <i>The Umbrella</i></p>			<i>Bring Laptops to Class</i>
Wed. 11/1	The Bluebook Revisited: Signals and Parentheticals	BB: Rules 1.2; 1.3 and 1.5		<i>Bring Bluebooks to Class</i>
11/6 to 11/10	<i>Mandatory Conferences: Meeting with the Partner</i>		Read conference instructions posted on Blackboard and bring all required materials to conference.	<i>Individual Conferences</i> (You must sign up for a conference time; your appointment can not conflict with any other mandatory classroom obligations)
Thur. 11/9	<i>LRW Lounge</i>		Optional Lounge 6 p.m – 11 p.m.	Bring your memo draft to work in the faculty study

Mon.* 11/13	Memo #3 Due Cognitive Protocol for Memo #3 <hr/> Introduction to Mediation			DUE: Memo #3 to my assistant by 8:45 a.m.; ratiocination required. USE YOUR ANONYMOUS NUMBERS.
Wed. 11/15	Mediation Exercise *Last Day of LRW		Read Florida's Mediation Confidentiality and Privilege Act (in chapter 44). Available on the web.	Dress Professionally

Please check the syllabus on Lexis BlackBoard frequently for changes in the course schedule.