



Legal Research and Writing I

I. COURSE NUMBER AND TITLE: LAW 0662 D, Legal Research and Writing I

Semester & Year: Fall 2017
Course Start and End Dates: 8/22/17 - 12/11/17
Course CRN & Section: LAW 0662 D (21912)
Meeting Days and Times: Tuesdays and Thursdays, 8:00am to 10:00am
Building and Room: Classroom 2

II. INSTRUCTOR:

Name: Professor Foster
Email: Amanda.Foster@nova.edu
Phone: (954) 262-6133
Office Hours: My office hours are 10:00am to 11:00am on Tuesdays, and by appointment. Please come see me with any questions you have. Moreover, email is a wonderful tool for clarifying questions without necessitating a meeting. I check my email regularly, and we can either consult or make an appointment via email.

III. COURSE DESCRIPTION:

Course integrating legal theory with practice, professionalism, and technology in a transactional setting. LRW 1 combines instruction in legal research, writing, and analysis with other practical lawyering skills while focusing on predictive legal analysis. Case files are used to develop problem-solving strategies, conduct legal research, draft legal memoranda, and negotiate a settlement.

IV. LEARNING OUTCOMES:

Students completing this instructional offering are expected 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.

V. REQUIRED TEXTS AND MATERIALS:

All texts are required and must be in the current edition.

Title: **Preparing for Practice: Legal Analysis and Writing in Law School's First Year [Vorenberg]**

Author: Amy Vorenberg

Publisher: Wolters Kluwer

Edition: 2015

ISBN-13: 978-1-4548-3616-2

Title: **Researching the Law [RTL]**

Author: Sloan

Publisher: Wolters Kluwer

Edition: Second

ISBN-13: 978-1-4548-8649-5

Title: **The Bluebook: A Uniform System of Citation [BB]**

Author:

Publisher: The Harvard Law Review Association

Edition: 20th

ISBN-13: 978-0-692-40019-7

Title: **Understanding and Mastering the Bluebook [Barris]**

Author: Linda J. Barris

Publisher: Carolina Academic Press

Edition: Third

ISBN-13: 978-1-61163-774-8

Title: **The Legal Writing Companion: Problems, Solutions, and Samples [LWC]**

Author: Murray & Clark

Publisher: Carolina Academic Press

Edition: First

ISBN-13: 978-1-61163-374-0

VI. COURSE REQUIREMENTS:

A. Technical: Students must have a laptop with Microsoft Word. Tablets and any other word processing software are **not** acceptable substitutes. If you are not skilled in the use of Microsoft Word, you are encouraged to take lessons on it as the assignments in this class require specific formatting with consequences to your grade for failure to comply. Students must bring their laptop to each class to access the internet and to work on word documents. Students will need a reliable means of printing. Technical failures, including difficulties with printing, are not an acceptable excuse for late submission of assignments. Students are also required to register for the online TWEN page for this course and must register using their nova.edu email address. Students who register with a non-nova address will be removed from the TWEN page.

Communication and Conferences with Professor Foster: Students are expected to behave as if associates in a law firm where Professor Foster is a busy partner. All communications with her, whether written or verbal, are therefore required to be courteous, professional, and reflect an appropriate work relationship. Optional office meetings are to be scheduled ahead of time by email. In addition to these meetings, Professor Foster holds one mandatory feedback conference with each student during the semester. The privilege of this feedback conference may be revoked for failure to comply with course requirements including: assigned readings, class participation, refraining from the improper use of computers or phones during class, poor attendance, or other similar violations of policy.

Assigned Reading: Students are required to complete the assigned reading before the class to which it is assigned. Repeated failure to complete the assigned reading may lead to a grade reduction and/or loss of ability to have conferences with Professor Foster.

Written Assignments: The course requires three written submissions: (1) CREAC, (2) Memo 1 and (3) Memo 2. In addition, there may be additional written exercises or worksheets assigned as homework or during class time.

Class Participation: Students are expected to actively participate in class and to be fully prepared by completing the assigned reading or any other assignment.

B. Attendance Policy:

Regular attendance is required in all courses.

This course follows the attendance policies detailed in the *Code of Academic Regulations* available at: https://www.law.nova.edu/about/documents/Code_of_Academic_Regulations.pdf. The maximum number of absences allowed before a student receives an F for excessive absences in this course is 4.

C. Credit Hour Requirements:

Out-of-Classroom Expectations: Students are expected to read all assigned materials and be prepared for all classes. As set forth in ABA Standard 310, students should spend a minimum of two hours of out-of-class preparation for every in-class hour in accordance with the *Code of Academic Regulations* available at: https://www.law.nova.edu/about/documents/Code_of_Academic_Regulations.pdf

In this 3-credit instructional offering, there are 2250 required in-classroom minutes of direct faculty supervised instruction. You are required to spend at least 5400 out-of-classroom minutes on class preparation for a total of at least 7650 minutes on this course.

VII. COURSE SCHEDULE AND TOPIC OUTLINE:

The class schedule appears below and is subject to modification.

VIII. GRADING CRITERIA:

Final Course Grade:

Your final grade is determined by your performance on a number of different tasks:

CREAC	5%
Memo 1	20%
Memo 2	60%
Misc. (class exercises, CALI lessons, etc.)	15%
TOTAL	100%

Grading Scale: The College of Law uses the following grading system:

A	4.00
A-	3.75
B+	3.50
B	3.00
B-	2.75
C+	2.50
C	2.00
C-	1.75
D+	1.50
D	1.00
D-	0.75
F (or WF)	0.00

AU	Audit; no credit or effect on average
I	Incomplete
P	Pass; no effect on average
W	Withdrawal

IX. UNIVERSITY-WIDE POLICY STATEMENTS

Students should visit www.fcas.nova.edu/about/policies.cfm to access additional required college-wide policies and https://www.law.nova.edu/about/documents/Code_of_Academic_Regulations.pdf for policies specific to the College of Law. It is your responsibility to access and carefully read these policies to ensure you are fully informed. As a student in this class, you are obligated to follow these policies in addition to the policies established by your instructor.

The following policies are described on these websites:

- Academic misconduct
- Last day to withdraw
- Email policy

- Student course evaluations
- Student responsibility to register
- Student responsibility for course prerequisites
- Class Preparation
- Graduation Requirements, etc.

Additional Academic Resources: Nova Southeastern University offers a variety of resources that may aid in student success. Among these resources is:

Accommodations for students with documented disabilities. For more information about ADA policy, services, and procedures, students may call the Office of Student Disability Services at 954-262-7185 or visit <http://www.nova.edu/disabilityservices>.

Class	Topic	Reading	Assignments
<p>1</p> <p>Wed. 8/16</p> <p>3:30 p.m. – 5:30 p.m.</p> <p>L1</p>	<p>Orientation:</p> <p><i>LRW Program</i></p> <p><i>Ethics and Professionalism</i></p>	<p><u>READ ALL BEFORE CLASS ON AUGUST 16</u></p> <p><i>Non-book materials can be found by going to my faculty page on the NSU Law website or the TWEN Course Page</i></p> <ul style="list-style-type: none"> • LRW Policies and Procedures • Acknowledgement Form • Formatting Requirements • https://expand.iu.edu/browse/law/courses/plagiarism (<i>complete the online course</i>) • Vorenberg, Chapters 1-2 • LWC p. xiii-8 	

Class	Topic	Reading	Assignments
<p>2</p> <p>Tues. 8/22</p> <p>Meet in Classroom 2 from now on</p>	<p>Introduction <i>US Court System Legal Writing Process</i></p>	<ul style="list-style-type: none"> • TWEN: U.S. Court System • TWEN: Florida Court System • TWEN: CALI Lesson: Anatomy of a Case • LWC: p. 8-13 • Vorenberg: Chapter 4, Chapter 5 pages 39-64. <i>Only brief Winstead case, complete all other assignments in full</i> • CREAC Handout • CREAC Assigning Memo 	<p>DUE TODAY A PRINTED, signed copy of the Acknowledgement Form</p> <p><i>Please turn in this assignment to me at the start of class</i></p>
<p>3</p> <p>Thurs. 8/25</p>	<p>Legal Analysis: <i>Introduction Developing Rules</i></p>	<ul style="list-style-type: none"> • Vorenberg: Chapter 5 pages 64-72, <i>brief remaining cases, complete all assignments</i> • TWEN: Legal Reasoning: The Rule of Law 	

Class	Topic	Reading	Assignments
<p>4</p> <p>Tues. 8/29</p>	<p>Legal Analysis:</p> <p><i>Outlining</i></p>	<ul style="list-style-type: none"> • Vorenberg: p. 73-89 <i>complete outline assignment</i> • LWC p. 49-57 • TWEN: Sample CREAC 	<p>Work on Rule for CREAC</p>
<p>5</p> <p>Thurs. 8/31</p>	<p>Writing:</p> <p><i>Rule Explanation and Rule Application Paragraphs</i></p>	<ul style="list-style-type: none"> • Vorenberg: p. 90 -102 <i>do not complete assignments</i> 	<p>Work on RE and RA for CREAC</p> <p>Work independently on Final CREAC</p>

Class	Topic	Reading	Assignments
<p>6 Tues. 9/5</p>	<p><i>CREAC Assessment</i></p>		<p>FINAL CREAC DUE AT START OF CLASS</p> <p>Bring printed CREAC and highlighters or markers in four different colors</p> <p>Students who are more than 5 minutes late to class will receive a 0 on the CREAC</p>
<p>Thurs. 9/7</p>	<p><i>No Class</i></p>	<ul style="list-style-type: none"> LWC p. 57-68, all of Chapter 6, p. 105-115 	

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<p>7</p> <p>Tues. 9/12</p>	<p>ONLINE CLASS <i>No live class</i></p> <p><i>Introduction to Research</i></p>	<ul style="list-style-type: none"> • RTL: Chapters 1 & 2 • TWEN CALI LESSONS: <ul style="list-style-type: none"> ○ Anatomy of a case ○ Legal research 101 ○ Legal research methodology • Lexis Learn Modules on Legal Research • Westlaw: lawschool.westlaw.com/marketing/display/WT/40 Complete Certification 101 and 102 online courses 	
<p>8</p> <p>Thurs. 9/14</p>	<p>Research:</p> <p><i>LEXIS</i></p>	<ul style="list-style-type: none"> • Vorenberg: Chapter 10, p. 119-129, <i>complete assignment on p. 129</i> • RTL: Chapters 3-7 • LWC: Chapter 2 	<p>Research for Memo 1</p>

Class	Topic	Reading	Assignments
<p>9 Tues. 9/19</p>	<p>Research: <i>Westlaw</i></p>	<ul style="list-style-type: none"> • RTL: Chapters 8-10 • TWEN: CALI: <ul style="list-style-type: none"> ○ Introduction to Search Logic and Strategies 	
<p>Thurs. 9/21</p>	<p>No Class Religious Holiday</p>		

Class	Topic	Reading	Assignments
<p>10</p> <p>Tues. 9/26</p>	<p>Research:</p> <p><i>Free Resources and Librarian Tips</i></p> <p>Citation</p>	<ul style="list-style-type: none"> • LWC: Chapter 3 • TWEN: CALI: <ul style="list-style-type: none"> ○ The Cost of Legal Research ○ Evaluating Websites ○ Internet Legal Resources • BB: p. 1-4 and Rules B2, B4, B10, B12 • Barris: Chapters 1, 2 and 3 (p. 65-78 only) 	<p>Begin Interactive Citation Workshop Exercises</p>
<p>11</p> <p>Thurs. 9/28</p>	<p>Analyzing Research I</p> <p>Citation Continued</p>	<ul style="list-style-type: none"> • Vorenberg: Chapter 10, p. 130-136 <i>complete assignments on p. 132 and 136</i> • TWEN: CALI <ul style="list-style-type: none"> ○ Hold'Em, Fold'Em, Walk Away, or Run ○ Updating Validating Case Law Using Citators (<i>skip print info</i>) • https://www.law.cornell.edu/citation/ <ul style="list-style-type: none"> - Watch the videos on Judicial Opinions and Statutes - Review Links on Electronic Sources, Judicial Opinions and Statutes (left hand side) 	<p>Interactive Citation Workshop Exercises</p> <p>Research for Memo 1</p>

Class	Topic	Reading	Assignments
<p>12</p> <p>Tues.</p> <p>10/3</p>	<p>Analyzing Research II</p>	<ul style="list-style-type: none"> Vorenberg: Chapter 10, p. 137-139 <i>complete assignment on p. 137</i> 	<p>Interactive Citation Workshop Exercises</p> <p>Research and Outline Memo 1</p>
<p>13</p> <p>Thurs.</p> <p>10/5</p>	<p>Writing</p> <p><i>Office Memo Parts in Detail</i></p>	<ul style="list-style-type: none"> Vorenberg: Review Chapter 6 LWC Chapter 4 TWEN: CALI Lesson: Stating Facts: Objective and Persuasive Approaches (<i>Remember, in an office memo, we want to use the objective approach</i>) 	<p>Work on Memo 1</p> <p>Interactive Citation Workshop Exercises</p>

Class	Topic	Reading	Assignments
<p>14 Tues. 10/10</p>	<p>Writing <i>Working on Memo 1</i></p>	<p>Bring everything you need to work on Memo 1 in class.</p>	<p>Work on Memo 1 Interactive Citation Workshop Exercises</p>
<p>15 Thurs. 10/12</p>	<p>ONLINE CLASS</p>	<p>TWEN: CALI Lesson: Ethical Considerations for Legal Memo Writing TWEN: CALI Lesson: Plagiarism Keeping Out of Trouble</p>	<p>Interactive Citation Workshop Exercises must be completed by 5 p.m.</p>

Class	Topic	Reading	Assignments
<p>16</p> <p>Tues. 10/17</p>	<p>MEMO 1 Assessment</p>		<p>FINAL MEMO 1 DUE AT START OF CLASS</p> <p>Bring printed MEMO 1 and highlighters or markers in four different colors</p> <p>Students who are more than 5 minutes late to class will have 10 points deducted from MEMO 1</p>
<p>17</p> <p>Thurs. 10/19</p>	<p>Client Interviewing</p>	<p>TWEN: Basics of Legal Interviewing</p> <p>http://blog.legalsolutions.thomsonreuters.com/trial-advocacy-skills/how-to-interview-a-witness/</p> <p>http://blog.legalsolutions.thomsonreuters.com/trial-advocacy-skills/beginning-the-witness-interview/</p> <p>http://blog.legalsolutions.thomsonreuters.com/trial-advocacy-skills/fundamental-questioning-techniques/</p>	<p>Prepare for client interview exercise in class</p>

Class	Topic	Reading	Assignments
<p>18</p> <p>Tues. 10/24</p>	<p>Counter-Arguments</p> <p>Memo 2</p>	<ul style="list-style-type: none"> Vorenberg, Chapters 13 (<i>do exercise</i>), 14 and 15 (<i>don't do exercises</i>) 	<p>Begin Research for Memo 2</p>
<p>19</p> <p>Thurs. 10/26</p>	<p>Advanced Citation: Signals, Quotations and Parentheticals</p> <p>Memo 2</p>	<ul style="list-style-type: none"> BB: Rules B1.2 and B1.3, B5 Barris: Chapters 9 and 10 	<p>Work on Memo 2</p>

Class	Topic	Reading	Assignments
<p>20 Tues. 10/31</p>	<p><i>Memo 2</i></p>	<p>Bring everything you need to work on Memo 2 in class.</p>	<p>Work independently on Memo 2</p>
<p>21 Thurs. 11/2</p>	<p><i>Memo 2</i></p>	<p>Bring everything you need to work on Memo 2 in class.</p>	<p>Work independently on Memo 2</p>

Class	Topic	Web Reading	Assignments
<p>22 Nov. 6-10</p>	<p>CONFERENCES</p>	<p><i>In lieu of classes, we will have conferences to discuss your Memo 2 progress. Sign up for conferences on the TWEN page.</i></p>	<p>Work on Final Memo 2</p>
<p>23 Tues. Nov. 14</p>	<p>FINAL CLASS</p>		<p>FINAL MEMO 2 DUE AT START OF CLASS</p>