

**2017-2018**  
**LEGAL RESEARCH AND WRITING I**  
**Section D - Professor Foster**

**SUPPLEMENTAL Policies and Procedures**

In an effort to assure that we have a productive and rewarding semester, and that we communicate successfully, these SUPPLEMENTAL Policies and Procedures have been adopted in Professor Foster's section of LRW. These Policies and Procedures are IN ADDITION to the LRW Policies and Procedures applicable to all LRW sections, which allows each professor to vary and add to the policies and procedures. Please read and follow them carefully.

The material set forth in this Supplement will apply to our section only. Please do not share the information in this Supplement with students in other sections, as they are not bound by this Supplement.

The lawyers, law firms, corporations, government entities and others you will work for all have different rules you are required to follow. Likewise, courts and individual judges have rules and procedures you must adhere to when practicing before them. As following instructions is a skill we have not all mastered, this Supplement attempts to set forth and clarify certain rules and procedures which will apply and must be followed in this LRW section. I have also attempted to clarify the LRW Policies and Procedures, and to answer several frequently asked questions. Please read this Supplement carefully, and assure that you understand all applicable rules, and are aware of the sanctions for violating them. If you have any questions, or require further clarification, you should raise this in class immediately. You must sign the acknowledgement form and return it to class on Tuesday, August 22<sup>nd</sup> by 8:00am. Failure to do so will result in a deduction from your Miscellaneous Grade.

**1. CLASSROOM ACTIVITIES**

- a. Class Participation Valuable class participation is encouraged. I reserve the right to increase grades for class participation. The maximum grade increase is to the next available grade (for example, from C+ to B-, or B to B+). Likewise, I reserve the right, and under LRW Policies & Procedures have the obligation, to lower your grade if you are regularly unprepared for class. I will follow the LRW Policies & Procedures in respect to lowering grades for failure to attend class and for failure to be prepared.
  
- b. What to Bring
  - i. Always bring your laptop to class. There are certain activities that we will do in class that will require you to participate using your laptop.
  - ii. Bring the textbook that contains the reading assignment that was to be completed for that class.

c. Computer use

- i. Do not send e-mails, receive e-mails, IM, or surf the web in class. You should not be viewing any unrelated materials during LRW class time.
- ii. If I determine you are viewing materials other than those associated with this class, you will lose 1 point from your miscellaneous grade as a result of your unprofessional conduct.

d. Cell phones

- i. Please refer to the LRW Policies and Procedures for the detailed rules on class disruptions. In accordance with those policies, cell phones must be off or silenced during class (that includes the vibrate function which must also be turned off). If you text during class you will lose 1 point from your miscellaneous grade as a result of your unprofessional conduct. The second time (you get 1 pass) your cell phone rings or makes any other noise indicating it is not turned off during class, you will lose 1 point from your miscellaneous grade as a result of your unprofessional conduct. Repeated or egregious violations of this policy will result in a grade drop.

2. WRITTEN ASSIGNMENTS

- a. All assignments **MUST** be submitted by the date/time indicated in the syllabus or assignment and must be submitted in the manner indicated. For all assignments that must be submitted via TWEN, an assignment is considered untimely if it is not submitted by the time indicated based on the time and date stamp posted on TWEN when you submit the assignment. An assignment that is posted even one minute past the due date/time is considered late. The time that matters is the time indicated on TWEN, not your watch, clock, cell phone, etc.
- b. Please do not waste my time or yours requesting that an assignment be deemed “timely” for any of the following reasons, which are **not** valid excuses for a late paper:

-  Failure of your computer, your printer or the school's printer;
-  Getting caught in a traffic jam on your way to school to hand in an assignment;
-  Car trouble;
-  Your alarm clock's failure to wake you in the morning;
-  A power failure;
-  Your failure to start an assignment promptly so that you have enough time to complete it on time.

- c. Consider assignment due dates the same way an attorney considers the statute of limitations - failure to meet the deadline means the lawyer has committed malpractice AND may lose his or her license to practice law. Your failure to timely hand in assignments means that you may not pass this class. To avoid difficulty in completing your assignments in a timely manner, start work on all assignments as soon as they are given out, save all drafts of your work on a disk (not just on the hard drive), and print drafts frequently. If you will not be able to comply with this requirement for a valid reason, you are expected to behave like an attorney. Contact me in advance of the due date, or as soon as you know you have a problem, explain the nature of the problem and why it warrants granting you an extension, and state the amount of additional time you are requesting. **PLEASE KNOW THAT REQUESTING AN EXTENSION OF TIME DOES NOT GUARANTEE THAT YOU WILL RECEIVE ONE.**
- d. Homework Assignments: All homework assignments are an integral part of this course. Homework assignments are part of your miscellaneous grade and are due at the time and location specified in the assignment or syllabus. If an assignment is not timely submitted a “late penalty” equal to the total number of points attributed to the assignment will be deducted from your miscellaneous grade. The homework assignment still **MUST** be turned in. Failure to turn in any homework assignments within 24 hours of the due date/time will automatically result in your failure of this course.
- e. Format:
- i. Follow the format that is required as contained in the “Format Requirements for all LRW Assignments” on my faculty webpage. You will be told of any formatting changes from those requirements when an assignment is given. Failure to follow formatting instructions will result in a lower grade. All papers you turn in must contain correct spelling, correct grammar, and correct punctuation. All writing must be in complete sentences. This is a writing class, and a significant part of your grade is determined by how well you are able to write, separate and apart from the quality of your legal analysis.
  - ii. You are NOT permitted to quote or copy from what you read in **ANY ASSIGNMENT** you hand in for LRW, unless the assignment specifically states that quoting is permitted. You may NOT copy language from cases, statutes, or other materials you read. Instead, explain everything in your own words. You are not permitted to use quotation marks in any paper in LRW, unless specific instructions for an assignment permit you to do so. Violation of this rule will cause your grade to be lowered.

### 3. **COLLABORATION**

- a. You **MUST** work alone for all of the written assignments and homework assignments, unless I give you explicit, written instructions at the time the assignment is given that collaboration is permitted. This means you are **not** permitted to allow anyone, including those in this section, in the law school, and those outside of the law school, to review and/or comment on your work before you hand it in. It is a strict violation of the policies of this class to permit anyone to advise you on your work (other than me). I will allow you to *discuss* your assignments with each other, but that is limited to those students in your LRW section **ONLY** (Section A1), and your written work must be entirely your own.
- b. Violation by you of this provision will cause me to file a Complaint under the Code of Student Conduct and Academic Responsibility.

4. **CLASS ATTENDANCE** According to school rules, I have no ability to excuse your absence from class. If you exceed the number of allowable absences, your grade is automatically adversely affected, even if you have a legitimate reason. Should you encounter difficulties which will cause you to miss more than the allowable number of classes, you should contact both me and student services immediately.

5. **PROFESSIONALISM** Please extend reasonable courtesies to your colleagues and others at the law school, in class and elsewhere. This means re-shelving books quickly in the library, in the proper place, once you are finished using them. You are permitted, in this LRW section, to share your class notes with classmates who miss class. Sharing class notes with other students in this LRW section is not an honor code violation, and is not a violation of the LRW Policies and Procedures

### 6. **CONTACTING ME**

- a. **Telephone** My office telephone number is 954-262-6133. If you reach my voicemail, you must leave your full name and complete telephone number if you wish for your call to be returned.
- b. **Office** My office number is 243 in the faculty wing. I will gladly schedule an appointment to meet with you. If you do not have an appointment, you are still welcome to visit my office at any time I am there, except for one hour before class, when I will be completing preparation for that day's class. Persons with appointments are seen before those without. If I am in my office with another student or faculty member, do not interrupt the meeting. If you wait patiently outside my office, I will try to meet with you as soon as I am available. When you are in my office, you too will have my undivided attention. I may not, however, be able to meet with any student after 5 p.m., unless a specific appointment has been previously arranged.

- c. E-mail I may also be reached by e-mail at [Amanda.Foster@nova.edu](mailto:Amanda.Foster@nova.edu). Any e-mailed question must contain the steps you have taken to first address the answer on your own. For instance, you must include the chapter in the textbook, the page of the Power Point, or the Bluebook rule you consulted. Additionally, any email addressed to me should contain proper spelling and grammar and should be written in a manner in which you would address your senior partner. If you send an e-mail during the school week, I will attempt to reply within 24 hours. If you send an e-mail Friday evening through Monday morning, you probably will not receive a reply until Monday evening. I may not reply to your e-mail personally, and I reserve the right not to respond at all. If I believe that the question you have raised is valuable for the entire class, I will post your question and my response on TWEN, or may send an e-mail to the entire class. I will redact any personal information that identifies the source of the question if it is posted for others to see. Please note that I set a deadline for questions by e-mail before one of the major written assignments is due. The deadline will be anywhere between 24-72 hours. I will announce this deadline in class and via e-mail.
- d. Matters that Can be Discussed I am willing to discuss with you any assignment you are working on, before my deadline (see above), and any assignment you have completed. There are three caveats. First, I *will not* negotiate or change grades. Once grades have been assigned and papers are returned, the grades are final. Second, I *will* discuss an assignment with you before it is due, as well as answer and pose questions about it. I cannot, however, “pre-read” papers before you hand them in. Third, I will not discuss (via telephone, in person or e-mail) any of the writing assignments for a period of 24 hours after the graded papers are returned, to allow you an opportunity to read, consider and digest my comments. Once the 24 hours have elapsed, I will be happy to discuss my comments and suggestions for ways you can improve your writing and lawyering skills.
7. **GRADES AND DUE DATES** Check the date and method of submission carefully. The electronic submissions of the major assignments are generally due by the start of class – 9:00am, and the hard copies collected at the start of class (Note – there may be exceptions to this and it is your duty to know when and how the assignment is due). Late assignments (in hard copy) should be put in the basket with my name on it, located behind my faculty assistant’s desk. My faculty assistant is Karen Rose, and she can be located in the faculty wing of the building (on the second floor).

### Assignments and Grade Breakdown<sup>1</sup>

Assignment	Date Due	Time Due	Amount Worth
Policies & Procedures and Plagiarism Acknowledgment	Tuesday, August 22	By 8:00am	Part of the Miscellaneous Grade (totaling 15% of final grade)
Single Issue CREAC	Tuesday, September 5	By 8:00am	5% of final grade
Memo 1	Tuesday, October 17	By 8:00am	20% of final grade
Memo 2	Tuesday, November 14	By 8:00am	60% of final grade
Periodic Quizzes	Unannounced Throughout Semester	TBD	Part of the Miscellaneous Grade (totaling 15% of final grade)
Periodic Assignments	Assigned Throughout Semester	TBD	Part of the Miscellaneous Grade (totaling 15% of final grade)

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<sup>1</sup> Please note that these dates, times, and percentages are all subject to change, and will probably do so. Treat these as possibilities for now.

a. Miscellaneous Grades

Your Miscellaneous Grade will comprise 15% of your entire grade. I am assuming that every student will complete each assignment to my satisfaction, so I am giving you fifteen points at the beginning of the semester. As a result, each of the assignments that comprise the Miscellaneous Grade must be completed on time and in a satisfactory form. What constitutes a satisfactory form will be detailed on each assignment. You will also receive periodic quizzes over the course of the semester on citation, grammar, ethics, research, and any other items in your assigned reading. If your assignments are not completed on time and satisfactorily, I will deduct points from your Miscellaneous Grade as follows:

- i. Any assignment that is *less* than 24 hours late will receive a 1 point deduction from the Miscellaneous Grade. Any miscellaneous assignment received *more* than 24 hours late will be considered not completed, and subject to the sanction below.
- ii. I have the discretion to deduct all fifteen miscellaneous points for any assignment that is not completed. If the assignment is turned into me but is only partially completed, it will be considered not completed until all parts of the assignment are finished.
- iii. The second assignment that is not completed will result in a failure for the course.
- iv. This rule does not apply if you have received an extension in writing from me. For any person receiving an extension, your point deductions will begin at the time specified in the written extension.
- v. Any errors on the assignment will result in an appropriate deduction, ranging from .25 to 5 points. The professor will define what is required for each assignment. Not every assignment is expected to be perfect, but an appropriate amount of effort and thought must go into each one, and the results must demonstrate this. Any assignment that is only partially complete will be governed by Rule (ii.) above. You will receive a deduction between .25 and 1 for questions that you miss on each quiz. The quiz will detail the grading scale.
- vi. If you are absent (even if excused) for a class when a quiz is given, you will receive a deduction of one point. If you provide the professor with a written reason for why you were absent, a make-up quiz may be given outside of the regular classroom. The standard for receiving a make-up quiz is what is likely to constitute good cause in a regular courtroom (e.g., family emergency, document illness, car accident, etc.) Examples of what will not constitute good cause is student activities, traffic, work in another

class (this list is not all-inclusive). These problems should be avoided with proper planning. If you think you will be absent for a valid reason, please contact me immediately.

b. Major Assignments and Overall Grades

- i. I give numerical grades on each major assignment, but you should not translate those into letter grades. Every first year course must conform to the Law Center’s grade normalization rule, which requires the final average grade in each class fall within the 2.5 to 2.7 range. Normalizing the grades at the end of the semester may result in a grade that could be lower or higher than what you expected if you translate your numerical grades into letter grades. For example, a final average of a 79 **may** ultimately translate into a D+, C-, C+, C, or B-, depending on the class average.
- ii. You will have to change your expectations of what is a good grade in law school because of the forced curve. Very few, if any, students get grades of an A or A- or B+ in their first year. Below is what my numerical grades traditionally mean:

Numerical Range	Grading Message
90-100	Superior; significantly above the class average; very few errors or problems
87-89	Excellent; a few errors, but not significant
84-86	Well-above average; some errors; approximately top 10% of class
80-83	Above average; more than a few errors, but not many significant
77-79	Slightly above average; more than a few errors, but some may be significant
74-76	Average; some significant errors; this is the average grade in the course with a <i>majority</i> of students receiving a grade in this range
70-73	Below average; many significant errors; it is recommended that you seek help from the professor
65-70	Well below average; serious errors and problems; it is imperative that you meet with the professor
60-64	Does not meet expectations; highly recommended that you regularly meet with your professor; danger of failing the course
Below 60	Failure; few items meet standards; serious danger of failing course; must meet with professor regularly until you have begun to meet the standards of the course

**This Supplement and the LRW Policies & Procedures do not contain the only instructions or guidelines applicable to LRW. Instructions will be given throughout the semester, in writing, in assignments, in e-mails, and verbally in class. It is very important for you to assure that you always pay attention to and understand all instructions and directions. I will deduct points for failure to follow directions. If you don’t understand, ask questions!**