

Syllabus

Fall, 2009

Legal Rhetoric Orientation

August 20, 21

Overview of the Legal System
The Legal Discourse Community
What Do Lawyers Write and What Makes It Good Writing?
Introduction to the *Bluebook*
Introduction to the Research Curriculum

Read for Week 1: Edwards, Chapter 1, "Overview of the Lawyer's Role," pp. 3-12; part of Chapter 3, "Briefing and Synthesizing Cases," pp. 31-36; Chapter 6, "The Writing Process," pp. 65-75; *Legal Rhetoric Handbook*.

Week 1: August 24

In class: Introductions; review of course requirements and policies; the Legal Discourse Community; the Writing Process; using Planning Strategies; revising exercise (if time). Client in class.

Read for Week 2: Edwards, Chapter 2, "The Legal System, Common Law Process, and Kinds of Authority," pp. 13-28; Chapter 12, "Writing an Office Memo," pp. 127-141; Chapter 4, "Interpreting Statutes," pp. 45-53; Sloan, Chapters 1, 2, and 6.

Week 2: August 31

In class: Basic Principles and Revision Checklist; the legal system; writing an office memorandum; writing the facts; how to analyze a statute; introduction to CREAC.
Handout: statute.

DF "Write and Cite" presentation: Overview of *Bluebook*; active verbs, subject-verb-direct object order.

Read for Week 3: Edwards, part of Chapter 5, "Forms of Legal Reasoning," pp. 55-56; Chapter 7, "Large Scale Organization: Creating an Annotated Outline," pp. 77-87; Chapter 21, "Paragraphs, Sentences, and Style," pp. 267-283; reread *Legal Rhetoric Handbook*, "Using CREAC."

Write: Mini-memo (heading, facts, issue(s), analysis of statute, using CREAC structure); begin writing this week with the Facts (Mini-memo due week 4).

Research Class: Statutory Research

Read before research class: Sloan, Chapter 1, “Introduction to Legal Research”; Chapter 2, “Generating Search Terms”; Chapter 6, “Statutory Research”; Edwards, Chapter 2.

Assignment: Research Assignment A (Statutory Research) (due at beginning of regular class, week 4).

In library: DF session in library for library tour and to work on Research Assignment A (arranged by DF).

Week 3: September 7

Monday is Labor Day and Monday classes will be rescheduled for later in the week.

In class: Discuss predictive writing and research strategies; finding the issue; learning to write rule based reasoning; more on CREAC.

DF “Write & Cite” presentation: Statutory citation; controlling sentence length.

Read for Week 4: Edwards, rest of Chapter 3, pp. 37-43; rest of Chapter 5, pp. 56-62; Chapter 8, “Small Scale Organization: Explaining the Law,” pp. 89-99; Chapter 20, “Citations and Quotations,” pp. 241-265; Sloan, Chapters 4 and 5.

Write: Finish writing the Mini-Memo (due at beginning of class in week 4).

Supplementary Workshop on Writing Strategies offered this week. See TWEN for times.

Week 4: September 14

Mini-memo due at beginning of class; bring two copies.

Research Assignment A due at beginning of class.

In class: Structured peer review of mini-memo; relationship of statutory and case law; analyzing and synthesizing cases; synthesizing rules; organizing the Discussion; writing an umbrella section; CREAC structure.

Handout: cases.

DF “Write & Cite” presentation: Basic Case (Case Names) Citation: Rule 10.2; unified paragraphs and strong topic sentences.

Read for Week 5: Edwards, Chapter 9, “Small-Scale Organization: Applying the Law,” pp. 101-108; Chapter 10, “Discussing Multiple Issues: Putting It All Together,” pp. 109-116.

Write: Expand and revise mini-memo into full memo adding cases and using full office memorandum format; complete draft due week 5.

Research Class: Case Research.

Read before research class: Sloan, Chapter 4, “Case Research” and Chapter 5, “Research with Citators.”

Assignment: Research Assignment B (Case Research) (due to DF in week 6).

In library: DF session in library to work on Research Assignment B (arranged by DF).

Week 5: September 21

Complete draft of Office Memo 1 due at beginning of class; bring two copies.

In class: Peer review of drafts using Revision Checklist and self-grading guidelines; discussion of strengths and weaknesses of drafts; more work on reading and synthesizing cases/rules. Sign up for conferences (review preparation for conferences; see week 6).

DF “Write & Cite” presentation: Basic Case Citation: Rule 10: Reporters, Date Parentheticals, Court Information; avoiding common writing errors.

Write: New draft of Memo 1 (due week 6 before conference per teacher’s instructions).

Supplementary Analysis Workshop offered this week. See TWEN for times.

Week 6: September 28–No regular classes.

Writing Strategy Workshop will be presented this week. Times to be announced.

Research assignment B (Case Research) due to DF by regular class time.

Individual conferences: prepare for the conference by writing a *complete* second draft of Office Memo 1, writing a list of questions (see “Using Drafts” in Course Requirements and Policies for kinds of questions) for your instructor, and highlighting portions of the draft that you want to discuss. Follow your instructor’s instructions for submitting these materials. Conferences should last about twenty minutes. Failure to write and deliver a complete draft or to show up for the conference will result in the lowering of your grade in the course.

Write: Write final draft of Office Memo 1 (due at beginning of class week 7).

Read for Week 7: Edwards, Chapter 13, “Writing Professional Letters,” pp. 143-155.

Week 7: October 5

Final version of Office Memo 1 due at beginning of class.

In class: Self-evaluation of performance on Memo 1—set goals for improvement; rethinking audience and purpose (for an advice letter) using Planning Strategies; writing professional letters; writing an advice letter.

DF “Write & Cite” presentation: Alterations, Omissions, Block Quotations; review of Revision Checklist.

Write: Advice letter to Terry Mason (due in class week 8).

Read for Week 8: Sloan, Chapter 3, “Secondary Source Research”; Chapter 10, “Electronic Legal Research”; and Chapter 11, “Developing a Research Plan.”

Week 8: October 12

Advice letter 1 due at beginning of class.

In class: Role playing: give oral advice to client based on advice letter; review of memo format and requirements; CREAC structure; new client (student interviewers).

DF “Write & Cite” presentation: Signals and Explanatory Parentheticals; avoiding clumsy words and phrases.

Write: Research Plan (Research Assignment C) and preliminary results that must include any statute(s) and at least two case briefs (due in writing in class week 9); draft facts.

Research Class: Secondary Sources

Read before research class: Sloan, Chapter 3, “Secondary Source Research”; Chapter 10, “Electronic Legal Research”; Chapter 11, “Developing a Research Plan.”

Assignment: Research Assignment C (Research Plan for Memo 2) (due at beginning of class week 9).

Week 9: October 19

Research plan (results from Secondary Source Research Assignment C) and case briefs for Memo 2 due at beginning of class; bring two copies.

In class: Discuss draft of facts and preliminary research; refining research plan; revise research plan into annotated outline or working draft (see Edwards, pp. 77-87); drafting issues; discussing law—strengths and weaknesses of client’s case; in small groups working on Discussion (CREAC); counterarguing.

DF “Write & Cite” presentation: Secondary Sources; context paragraphs.

Research: Preliminary research for client’s problem.

Reread for Week 10: Edwards, Chapter 5, “Forms of Legal Reasoning,” pp. 55-62.

Write: Annotated outline or working draft of Memo 2 (due at beginning of class week 10); bring two copies.

Supplementary *Bluebook* Workshop offered this week.

Week 10: October 26

Office Memo 1 returned.

Advice Letter 1 returned (not graded; comments only).

Annotated outline or working draft due at beginning of class. Bring two copies.

In class: Role-playing: meeting with supervisor; discussion of forms of reasoning and how to use them; reading cases thoroughly; recognizing forms of reasoning; review rule synthesis.

Write: Draft of Memo 2.

Supplementary Workshop on Analysis offered this week.

Week 11: November 2

Draft of Memo 2 due at beginning of class; bring two copies.

In class: Structured self-revision in class and peer review; working on Question Presented and Brief Answer; rule synthesis; CREAC structure.

Write: Final draft of Memo 2 (due at beginning of class week 12).

Read for Week 12: Edwards, Chapter 14, "Introduction to Brief Writing," pp. 159-169 and pp. 171-184; Chapter 16, "Writing the Argument Section," pp. 185-194.

DF Workshop on Citation offered this week (DF will announce time and place).

Week 12: November 9

Final version of Office Memo 2 due at beginning of class.

In class: Introduction to advocacy writing: reconsidering audience and purpose; characterizing facts and law; introduction to a Trial Court Memorandum.

Write: Advice Letter 2 to Alex Mendez; Statement of the Facts for Trial Court Memorandum on Terry Mason case (both due in class week 13).

Supplementary Research and Citation Refresher Workshop this week.

Week 13: November 16

Advice Letter 2 and Statement of Facts due at beginning of class.

In class: More advocacy; reading cases to make an argument; characterizing the law; arguing a motion.

Write in class: Argument section of Trial Court Memorandum on Terry Mason's case.

**Research, Citation, and Writing Exam—November 20 (day students);
November 21 (evening students).**

Monday, November 23

Showcase Argument for Motion to Dismiss in *Mason v. Colorado Springs Sky Sox*.

Legal Rhetoric professors argue the motion for the parties in Memo 1.

Graded Memo 2 will be returned at the end of the first class next semester. If you would like the memo returned sooner, you may give your instructor a

stamped self-addressed large envelope. No memos will be mailed or returned in any way until after the last 1L final exam.