

Lawyering Skills I
Section A—Professor David E. Sorkin
Fall 2001

SYLLABUS

Overview

This course is designed to teach entering law students to research and analyze legal problems; to discern issues, relevant facts, and the contentions of both sides of a legal controversy; and to write the product of their efforts in an objective memorandum format.

You will prepare four office memoranda in this course. The first one, and a rewrite of that memorandum, will be based upon a packet of research provided to you. You will also learn about the basic materials used in legal research, including court decisions, statutes, and commentary sources. For the last two memoranda, you will complete the necessary research on your own in the law library.

Class meets on Monday and Wednesday afternoons from 2:00 to 3:25, except as noted on the attached schedule. A web site for this course is located at www.lawyeringskills.com.

Instructor

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Textbooks

Required texts: There are three required textbooks for the course: Helene S. Shapo et al., *Writing and Analysis in the Law* (4th ed., Foundation Press 1999); Christina L. Kunz et al., *The Process of Legal Research* (5th ed., Aspen L. & Bus. 2000); and Association of Legal Writing Directors & Darby Dickerson, *ALWD Citation Manual* (Aspen L. & Bus. 2000).

Recommended texts: Students may also wish to obtain one or more of these supplemental texts: Bryan A. Garner, *Legal Writing in Plain English* (U. Chi. Press, 2001); Richard C. Wydick, *Plain English for Lawyers* (Carolina Academic Press, 4th ed. 1998); *Black's Law Dictionary* or a comparable legal dictionary; a general dictionary, such as *Merriam-Webster's Collegiate Dictionary*; a general guide to grammar and usage, such as *Barron's Pocket Guide to Correct Grammar*; and possibly a legal usage dictionary (either *A Dictionary of Modern Legal Usage* or *Dictionary of American Legal Usage*).

The required texts and many of the recommended texts are available in the law school bookstore.

Course Policies

Attendance: Attendance at and preparation for each class meeting is required and expected. You will not receive credit for the course if you are absent from more than 25% of the scheduled class meetings. Students will be held responsible for all material covered or handed out in class and all announcements made during class, whether or not an absence is excused.

Graded assignments: The four graded memorandum assignments must be typed, double spaced, paginated, and stapled. Each assignment is to be submitted promptly at the beginning of class on the due date. A request for an extension of time must be supported by valid reasons and should be submitted as early as possible. **Late papers will be penalized by a deduction of 10 points (equivalent to slightly less than one letter grade) for each 24 hours or portion thereof that a paper is late, not including weekends.** Late penalties will be waived or reduced only for good cause submitted in writing or via e-mail, with appropriate documentation. Computer and copier problems will not be accepted as an excuse for late papers. Graded papers will normally be handed back two weeks after the due date, and papers therefore will not be accepted after that time. In other words, **if you do not submit a graded assignment within two weeks after the due date, you will not be able to pass the course.**

Ungraded assignments: Several ungraded research and citation exercises will be assigned, in addition to the graded written memorandum assignments. Students must complete all of these assignments in order to pass the course.

Plagiarism: When you submit an assignment in this course, you are representing that it is your own work. Plagiarism and other forms of academic dishonesty are viewed as serious offenses at the law school, and will not be tolerated in this class. The Lawyering Skills faculty's official plagiarism policy will be distributed in class.

Online research: The research component of this course focuses on conventional methods of legal research, and students therefore may not conduct research using Lexis, Westlaw, or other specialized online databases for the research and writing assignments in this course.

Grading

The course grade will be determined based upon the four written memorandum assignments. A standardized numeric score will be awarded for each assignment, with a class mean of 100 and a standard deviation of 10. (Approximately two thirds of the students in the class will receive a score between 90 and 110 on each assignment, and a slightly higher proportion will likely end up with a semester weighted average falling within this range.)

These numeric scores measure students' performance relative to one another, rather than on an absolute scale. However, students can gain a rough estimate of their performance on a letter-grade scale by considering the law school's grading curve—the median grade is a B, and about two thirds of the grades assigned for the course will be in the B– to A– range.

The assignments will be weighted as follows.

First memorandum	10%
Rewrite of first memorandum.....	20%
Second memorandum.....	30%
Third memorandum	40%

Conferences

I normally will be available to assist students on a walk-in basis during my office hours. At certain times during the semester, however, I will ask you to make an appointment for an individual tutorial conference. I consider these conferences important, and they are a required part of this class. I hold them to provide you with individual feedback on your writing assignments in addition to my written comments, to work with you on specific problems with writing and legal analysis, and to help you learn what you can do to improve your performance on future assignments.

Semester Schedule

Monday, August 20: First class meeting. Read chapter 1 in *Writing and Analysis in the Law*. The first memorandum assignment will be distributed (due September 10).

Wednesday, August 22: Read chapter 2 in *Writing and Analysis in the Law*. Prepare a written case brief of the first case in the memorandum assignment packet to discuss in class.

Monday, August 27: Read chapters 4 and 7 and appendices C and D in *Writing and Analysis in the Law*. Prepare an outline of the issues in the memorandum assignment.

Wednesday, August 29: Read chapters 5 and 6 in *Writing and Analysis in the Law*.

Monday, September 3: No class (Labor Day).

Wednesday, September 5: Read chapters 8 and 10 and appendix A in *Writing and Analysis in the Law*.

Monday, September 10: FIRST MEMORANDUM ASSIGNMENT DUE.

Wednesday, September 12: No class; library tours.

Monday, September 17: Read chapters 1 through 4 in *The Process of Legal Research*, and part 1 (pages 1-12) in the *ALWD Citation Manual*.

Wednesday, September 19: Read chapters 5 through 9 in *The Process of Legal Research*.

Monday, September 24: FIRST RESEARCH/CITATION ASSIGNMENT DUE. Read chapter 9 in *Writing and Analysis in the Law*.

Wednesday, September 26: No class; tutorial conferences.

Monday, October 1: SECOND RESEARCH/CITATION ASSIGNMENT DUE. The second memorandum assignment will be distributed (due October 29).

Wednesday, October 3: No class; tutorial conferences.

Monday, October 8: REWRITE OF FIRST MEMORANDUM ASSIGNMENT DUE. Read chapter 10 in *The Process of Legal Research*.

Wednesday, October 10: Read chapter 11 in *The Process of Legal Research*.

Monday, October 15: Read chapter 3 in *Writing and Analysis in the Law*, and chapter 12 in *The Process of Legal Research*.

Wednesday, October 17: THIRD RESEARCH/CITATION ASSIGNMENT DUE.

Monday, October 22: Read chapter 11 in *Writing and Analysis in the Law*.

Wednesday, October 24: No class; tutorial conferences.

Monday, October 29: SECOND MEMORANDUM ASSIGNMENT DUE. The third memorandum assignment will be distributed (due November 26.)

Wednesday, October 31: No class.

Monday, November 5: Read chapter 12 in *Writing and Analysis in the Law*, and chapter 19 in *The Process of Legal Research*.

Wednesday, November 7: FOURTH RESEARCH/CITATION ASSIGNMENT DUE.

Monday, November 12: No reading assignment.

Wednesday, November 14: No reading assignment.

Monday, November 19: Tutorial conferences.

Wednesday, November 21: Tutorial conferences.

Monday, November 26: THIRD MEMORANDUM ASSIGNMENT DUE. Last class meeting.