

SYLLABUS

COURSE: LEGAL RESEARCH AND WRITING, L100-AUG FALL 2011
TIME: MONDAYS, 6 to 9 p.m.
PROFESSOR PAUL LOZADA, (707) 495-8761 voicemail and text messages
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COURSE DESCRIPTION

This course introduces students to the basic theories and practices of legal research and writing. Course covers an overview of court systems, legal precedent and authority and how these concepts are used within various legal documents.

COURSE MATERIALS

The following materials are required.

Jessen, Edward W., *California Style Manual*, ISBN 0314233709

Garner, Bryan A., *Legal Writing in Plain English*, SBN 0226284182

Hegland, Kenny F., *Introduction to the Study and Practice of Law in a Nutshell*, 5th Edition
ISBN 978-0-314-19415-2

Sloan, Amy E., *Basic Legal Research, Tools and Strategies*, 4th Edition,
ISBN 978-0-7355-7672-8

COURSE POLICIES

Time is of the essence in this course because there are only ten meetings to cover a great deal of material.

Class attendance and participation are mandatory.

Disruptive conduct such as; cell phone use, text messaging devices and other electronic communications, as well as discussions between students are strictly prohibited during class time.

TWO (2) absences or failure to turn in any one assignment results in a no pass grade and student must repeat the class in order to graduate from law school. (80% Attendance is Required)

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Refusal to or inability to participate in class because you are unprepared on three separate occasions results in a no pass grade and student must repeat the class in order to graduate from law school.

Show up late for class on two occasions and that counts as one absence.

All assignments must be typed, spell checked, proof read, stapled, paginated and are due by 6:15 p.m. on date assigned. No exceptions. No emails. Turn assignment in on paper.

All citations to authority must comport substantially with the *California Style Manual* or you will fail the assignment.

Electronic research of every kind is prohibited in this class. Any student who uses any form of electronic, internet, or non-hard copy research will fail the class and will be reported to the Dean's Office for academic dishonesty.

GRADING

This class is mandatory; if you fail it, you must repeat it to graduate from law school. The overall course is graded on a pass/fail basis. Your overall grade will be a cumulative score based on individual assignments, class participation and the final examination. **An overall score of 65 or higher is required to pass this course.**

Individual assignments are graded on; a high pass (80 or above), pass (70-80), low pass (60-70) and no pass basis (59 or lower).

Grading of assignments will be based on quality of writing and research, clarity of thought, expression, and overall product. Special attention will be paid to applying the content covered during the course to your assignments. Basic spelling, grammar, punctuation and proof reading are also an essential part of your grade.

Percent Assignment

15%	Class Participation
35%	Homework Assignments (Case Briefs, Research Memos, Citation Exercises)
50%	Final Examination, (Final Research Brief)

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ASSIGNMENTS

WEEK	ASSIGNMENT <i>(To be completed before class)</i>	CLASS OBJECTIVES
8/29/11	<p>Introduction to the Study and Practice of Law (ISPL), 1-89.</p> <p>Basic Legal Research (BLR), 1-15, Sections A-C.</p> <p>California Style Manual (CSM), Read Table of Contents.</p>	<p>Introductions, overview of the course and law school.</p> <p>Overview of basic legal systems, jurisdiction, <i>Stare Decisis</i>, legal analysis and argument.</p> <p>Handouts: Rewriting exercises.</p>
9/5/11	Labor Day Holiday No Class Session	Make up class TBD by class.
9/12/11	<p>ISPL, 91-160</p> <p>CSM, 1-40</p> <p>Legal Writing in Plain English (LWPE), Part I, §§1, 3, 4,</p>	<p>Introduction to I.R.A.C.</p> <p>Case authority and citations.</p> <p>In class exercises, <i>Rewrite, rewrite, rewrite, Legalese to Plain English.</i></p> <p>Review Semester Case Study Facts</p> <p>Handouts: Packet #1 Case Study Facts, Citation Exercise, Briefing Assignment I</p> <p>Due: Rewriting Exercises.</p>
9/19/11	<p>BLR: 25-49, 74-75.</p> <p>CSM: 41-109</p> <p>LWPE: §§ 5-8, 10-11.</p>	<p>Research Methodology, Secondary Sources.</p> <p>In class exercise: <i>Library Tour</i></p> <p>Due: Citation Exercise, Briefing Assignment I.</p> <p>Handouts: Associate Research Memo <i>Does our client have a case?</i></p>
9/26/11	<p>BLR: 77-98, Review 108(Section E)-128</p> <p>CSM: Review 111-168.</p> <p>LWPE: Sections 12-20</p>	<p>Introduction to Case Research.</p> <p>In class exercises: Review of Citation Exercise, <i>Write How You Speak.</i></p> <p>Handouts: Library Search, Briefing Assignment I Returned/ Rewrite</p>

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10/3/11	<p>Citators Handout</p> <p>LWPE: §§21-26.</p>	<p>In class exercise: <i>Shepardizing</i>.</p> <p>Handouts: Briefing Assignment II</p> <p>Due: Library Search, Rewrite of Case Brief I.</p>
10/10/11	<p>BLR: 157-174, Review 187-198, 305-332</p> <p>LWPE: §§27-30</p>	<p>The Art and Science of Argument and Counterargument. Organization and Planning.</p> <p>In Class Exercises: <i>Remember Your Audience, rewrite for audience. Client Letters.</i></p> <p>Handouts: Case Brief I returned, Packet #2 Case Facts.</p> <p>Due: Case Brief II</p>
10/17/11	<p>LWPE: §§46-50</p>	<p>Editing is more than spell and grammar check.</p> <p>In Class Exercises: <i>Persuasive versus informative writing.</i></p> <p>Handouts: Case Brief II Returned</p> <p>Due: Draft Rough Draft of Research Memo</p>
10/24/11	<p>ISPL: 161-208.</p>	<p>In Class Exercises: <i>Revision, revision, revision.</i></p> <p>Handouts: Draft Research Memo Returned, New Case Facts.</p> <p>Final Brief Workshop</p>
10/31/11	<p>Review relevant portions of past reading based on comments you received on your assigned writing.</p>	<p>Law Study and Exams Lecture.</p> <p>Due: Final Exam, (Final Research Memo)</p>
Make Up Date	<p>To Be Determined</p>	<p>To Be Determined</p>