

SYRACUSE UNIVERSITY COLLEGE OF LAW

Orange Edge Program

Summer 2019

Legal Research, Writing and Analysis

Professor Richard S. Risman

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TEXTS

Required: Harvard Law Review Association, A Uniform System of Citation (20th ed.).

COURSE PURPOSE

In this course, enrollees will attend daily class sessions, and workshops, and work on a series of writing and other assignments and exercises outside of class, as well which focus on reinforcing skills proficiency through research instruction and general as well as intensive assignment-specific writing instruction, guidance, feedback, and mentoring. Ultimately, the course is designed to give students as much practical training as possible to confidently master the ability to independently research, analyze, organize, and write a legal memorandum and perform exercises that reinforce these skills.

COURSE POLICIES

Contact. I welcome your questions outside of class as well as in class. You may CALL ME (I PREFER THIS), OR e-mail questions to me, but you MUST INCLUDE YOUR PHONE NUMBER IN YOUR E-MAIL.

Attendance. Since this course “builds on itself,” attendance is vitally important and will be monitored and reported to the program administrator for any action necessary. If you experience an emergency, please notify me (preferably in advance), so that I may make a proper notation for your file. If you miss too many classes, you may be disqualified from continuing or from receiving acknowledgement or credit for this course or for the program.

Disability Policy: All students with disabilities requiring academic accommodation should speak with the Office of Student Affairs as soon as possible. This course complies with the Syracuse University College of Law’s disability policies.

Class Recording: The recording of any portion of any class by any means is not permitted without advance permission.

In-class Internet Use: Unless otherwise instructed, in-class use of the internet is prohibited. Violation of this policy or others in this syllabus may affect your performance evaluation for this course.

Grading Policy. The writing assignments will include writing assignments and various exercises or tests. Class participation includes but is not limited to in-class participation, your progress and effort in the course, attendance, performance on writing assignments and exercises assigned. These include in-class examinations, partial drafts of memoranda, and a final memorandum of law to be evaluated on an enhanced pass/fail basis, as may be administered.

Late Papers and Page Limits. Papers will be marked down substantially for being late or exceeding stated page limits. Deadline extensions will not be granted except under the most extreme circumstances, and must be secured in advance of any due date. All assignments, regardless of how late they may be, must have been submitted in satisfactory form by the end of the course, or no course credit will be awarded.

Changes in Syllabus or Assignments. As this is a fluid course, the syllabus and number and nature of assignments may be changed from time to time upon notice to you, in order to accommodate for our progress throughout the course.

Blackboard. You are responsible for checking Blackboard for announcements, assignments, and new materials every day, including weekends. You are also responsible for carefully reading each e-mail I send to you, including attachments, throughout the course.

1. Wednesday, July 31

Welcome and introduction to legal writing in professional setting.

2. Thursday, August 1

Case Briefing and Analysis; Judicial Opinions and Statutes.

Read Packet Provided in Advance: Readings on system of law, case briefing, *In re Winter* assignment brief

Bring your written case brief of *In re Winter* to class for discussion.

Introduction to Hierarchy of Authority. Quiz on hierarchy of authority (guided in class by professor)

3. Friday, August 2

The Legal Writing Paradigm

Read: Neumann, Chs. 4,5, 6, 7, and 12.

Basic Tenets of Fact Assessment, The Research Rubric-The Barking Dog; Organizing Legal Research Terms.

4. Saturday, August 3

Research: The Use and Function of Primary Sources of Law

Read: QuickStart Research Guide Handout: Cases, Statutes/Codes/Constitutions.

5. Monday, August 5

Research: The Use and Function of Secondary Sources of Law

Read: Read QuickStart Research Guide Handout: All other sources.

6. Tuesday, August 6

- Materials for Final Memorandum will be distributed

The Office Memorandum: Initially Assessing Cases and Reporting Results

Overview of The Legal Writing Paradigm for Objective/Predictive Writing Format

(Jumbled sample memo to be administered by professor and students guided throughout class in class.)

7. Wednesday, August 7

The Office Memorandum continued: Styles of Writing; Outlining and Writing in the

Predictive/Objective Mode; The objective memorandum. (Exercises and on-board examples (and discussion to be led by professor in class, including **FACTS, THESIS PARAGRAPH, CREAC, AND SECTION A. OF A SAMPLE MULTI SUB-ISSUE MEMORANDUM LIKE THE ONE ASSIGNED TO YOU FOR PRACTICE—LIVE IN CLASS WITH PROFESSOR—SAMPLE MEMO DISTRIBUTED FOR GUIDANCE MAY ALSO BE PROVIDED.**)

8. Thursday, August 8

The Office Memorandum: Overall Components; Rule Oriented Analysis; Working With the Paradigm

Read: Bluebook, Rules 1, 3, 10, 12, 15; Practitioner's Pages; Tables 1, 6; Handout on Bluebook

(Bluebook quiz to be administered with answers to be completed with professor live in class!)

9. Friday, August 9

Assessing and marking cases in preparation for writing your graded memorandum of law. (Actual marking and explanations done live with professor during class)

Beginnings of the office memo you will be writing for a grade. (Professor supervised, live in class: question presented, facts, thesis paragraph, citation, organization under CREAC)

10. Saturday, August 10

CONTINUED: Beginnings of the office memo you will be writing for a grade. (Professor supervised, live in class: question presented, facts, thesis paragraph, citation, organization under CREAC)

Final class on polishing and completing your final graded memorandum. (Live in class with professor—pointers to be shared, citations to be discussed and Q:/A: open forum.)