

WRITING AND LEGAL REASONING
FALL 2024 - Day and Evening Class
Director: Professor Anne Hemingway

PRELIMINARY SYLLABUS

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Office Hours: Tuesdays 2 pm – 4 pm or by appointment

Writing Lab: Drop-in Mondays and Wednesdays 4 pm-6 pm

Required Text: *The Lawyer's Craft*, Glaser, Lieberman, Ruescher, & Su
Just Writing, Anne Enquist & Laurel Currie Oates (6th)

CLASS DAYS/TIMES: Monday & Wednesday 11:00-12:20 p.m.*, 1:00-2:20 p.m.* & 7:30-8:50 p.m.

***Day students will be assigned to an 11:00 am or a 1:00 pm class.**

Students are responsible for bringing handouts to class. All handouts are on the course TWEN page (<https://lawschool.westlaw.com/twen>), and select **Writing and Legal Reasoning**.

****Writing classes are intentionally kept small for an ideal learning environment. You will be assigned a professor during your first class. Your class assignments will be posted to the course TWEN page on Westlaw(<https://lawschool.westlaw.com/twen>).** If you need help logging in, contact Dan Harayda (harayda@mslaw.edu) or Mick Coyne (mick@mslaw.edu).

Please note: The syllabus is subject to change. You will be informed of changes as they occur.

COURSE DESCRIPTION

This course is designed to address the needs particular to first-semester law students. In addition to improving your writing and grammar skills, you will learn various skills crucial to your legal studies, exam-taking, and writing tasks. You will begin by learning how to conduct legal analysis and spot and analyze legal issues that will benefit you in exam taking and the memoranda and brief writing you will do in subsequent semesters. You will become proficient in briefing cases and writing in the IRAC formula.

COURSE REQUIREMENTS:

Grading: Your final class grade will be based on case briefs, quizzes, short writing assignments, an outline, three prepared papers, and a final exam. Possible points per assignment:

Case Briefs (2 x 10 pts)	20 pts
Writing Skills Exercises (only 4 will count)	40 pts
Writing Assignments (6 x 15 pts)	90 pts
Outline (3 x 5pts)	15 pts
Analysis Paper (IRAC)	25 pts
Inter-office Legal Memo First Draft	50 pts
Inter-office Legal Memo Final Draft	85 pts
Final Exam	100 pts
Total:	425 pts

Attendance Policy: Students must attend all classes. If a student has more than one unexcused absence, we will lower their final course grade by 1/3.

No make-up of in-class work will be granted for any unexcused absence (as determined by the professor). The professor can, however, consider a lack of attendance and lack of class participation in determining the final grade, along with any other acts of unprofessionalism, as explained below:

A critical component of practicing law is always acting professionally. Since law school is where you learn to become a lawyer, you should always handle yourself professionally. This includes but is not limited to attending class regularly and on time, submitting assignments on time and in the appropriate format, actively participating in class, turning cell phones off *before* class, and not surfing the Internet or using e-mail during class. Also, how you conduct yourself in your interactions—both in person and via e-mail—with the professor and others reflects your professionalism.

Assignments: Cases for case brief assignments are in the coursebook for your substantive class unless otherwise stated. Other supplemental material will be posted under the Course Material on the course TWEN page. Check TWEN for every class.

Late Policy: Assignments are due **at the beginning of your regular class time** on the due date. Any assignment submitted late will have 10% of the total possible points deducted per calendar day (including the day it is due if not turned in at the beginning of class.)

Every assignment you submit must be your work, including case briefs, outlines, and papers. Please read the course overview, plagiarism handouts, and plagiarism warning; submit your signed Plagiarism and Authentic Work Warning and Acknowledgment by the first day of class. All documents are located on the course TWEN page under course materials. Please review the MSLAW policy on Academic Honesty.

ASSIGNMENTS DUE FOR EACH CLASS

Week of August 19th: Course overview. Reading and briefing cases. Proofreading. Introduction to Legal Analysis. 1

Monday: Reading and briefing cases. Review of Plagiarism.

Wednesday: Introduction to Legal Analysis.

Writing Skills Exercise: Proofreading

Required Reading and Assignment Due: *The Lawyer's Craft* – Ch. 1 pp 7-18, Ch. 2 pp 19-25, & Ch. 3 pp 40-62; *Just Writing* Ch. 1, pp 1-21. Materials on *TWEN*.

Week of August 26th: Analyzing Legal Issues. Thesis & Topic Sentences. 2

Monday: All day sections will meet at 11:00 am in Room 216.
All night sections will meet at 7:30 pm in Room 214.

Case Brief #1 Due: Weinberger v. Romero

Wednesday: Analyzing Legal Issues. Rule Statements. Thesis and topic sentences.

Writing Skills Exercise: Paragraphs

Required Reading and Assignment Due: *The Lawyer's Craft* Ch. 2, pp 25- 38; *Just Writing* – Ch 2 & 3, pp 23-45. Materials on TWEN.

Week of September 2nd: Introduction to Issue Spotting, Rule-Based Reasoning, and IRAC. 3

Monday: LABOR DAY NO CLASS

Wednesday: Students will receive last week's graded writing skills exercise for review.
Introduction to Issue Spotting, Rule-Based Reasoning, and IRAC.

Writing Skills Exercise: Paragraphs and Transition Sentences

Required Reading and Assignment Due: Materials/Video/Cali Lesson on TWEN; *Just Writing* – Ch. 4, pp 47-61.

Week of September 9th: Continuation of IRAC. Outlining – Papers, Class Notes, Exams.
Preparing for Exams. 4

Monday: Students will receive last week's graded writing skills exercise for review.
Continue IRAC and issue spotting.

Writing Skills Exercise: Passive Voice

Wednesday: Discussion of outlining for papers, classes, and exams and preparing for law school exams. Assign Business Entities outlines.

Writing Assignment #1 Due: Civil Procedure IRAC short answer

Required Reading and Assignment Due: *The Lawyer's Craft*, Ch. 17 pp 293 – 304; Materials on TWEN – Read: Article – *Creating an Outline for a Law School Course*. *Just Writing* Ch. 1, §1.2 and Ch. 5, §5.1-5.5 Effective Sentences.

Week of September 16th: Statutory Analysis 5

Monday: Students will receive last week's writing skills exercise to review instructor comments. Introduction to statutory analysis.

Writing Skills Exercise: Concision

Wednesday:

Writing Assignment #2 Due: Business Entities IRAC short answer.

Case Brief #2 Due (Business Entities): Georgia Pacific v. Great Plains

Required Reading and Assignment Due: *The Lawyer's Craft* Ch. 5 pp 79-98. *Just Writing* Ch. 6 Effective Words. Materials on TWEN.

Week of September 23rd: Analogy-Based Reasoning. Analysis Paper (IRAC). 6

Monday: Expanding IRAC – using case law to analyze by analogy. Students will be assigned the Analysis Paper.

Wednesday: Students will receive last week's graded case brief for review. Discussion of Analysis Paper (IRAC) and comparing facts.

Business Entities Outline #1 Due: August 19th – September 19th.

Required Reading and Assignment Due: *The Lawyer's Craft* – Ch. 4, pp 63 -77. *Just Writing* Ch. 5, §5.7.

Week of September 30th: The Legal Memorandum 7

Monday: Mid-term practice/issue spotting

Writing Assignment #3: Civil Procedure IRAC short answer

Wednesday: Introduction to the legal memorandum

Analysis Paper Due

Writing Skills Exercise: Fragments

Required Reading and Assignment Due: *The Lawyer's Craft*, Ch.6. and Ch. 7 pp 115 -136. *Just Writing* Ch.9 §§1&2

Week of October 7th: Rule Synthesis 8

Monday: Assignment of inter-office legal memorandum first draft

Writing Assignment #4: Case Brief – (taken during class)

Wednesday: Introduction to rule synthesis – deriving one rule from multiple cases

Required Reading and Assignment Due: Articles/Video Posted to TWEN. Read the inter-office legal memorandum assignment.

Week of October 14th: Discussion Section 9

Monday: **Indigenous People's Day, NO CLASS**

Wednesday: Discussion – cases assigned for the inter-office legal memorandum.

Case Briefs Due: Students read and brief the cases for the inter-office legal memorandum assignment.

Required Reading and Assignment Due: *The Lawyer's Craft, Ch. 8 pp 145 -155*. Students should brief the cases for the legal memorandum.

Week of October 21st: The Question Presented and the Conclusion 10

Monday: Drafting the question presented and the conclusion.

Wednesday: Discussion – the inter-office legal memo continued

Writing #5: Business Entities IRAC – (**Taken during class**)

Required Reading and Assignment Due: Material on TWEN.

Week of October 28th: Legal Authorities and Citations 11

Monday: Introduction to binding v. persuasive authority and legal citations. Continued discussion of the cases for the legal memorandum. Discussion – inter-office legal memo continued.

Wednesday: Students will receive last week's graded Business Entities IRAC with feedback for review. Discussion – the inter-office legal memo continued.

Business Entities Outline #2 Due: September 19th – October 25th

Required Reading and Assignment Due: *The Lawyer's Craft Ch 12.*

Week of November 4th: Headings and Subheadings 12

Monday: Discussion – the inter-office legal memo continued

Writing Skills Exercise: Modifiers

Wednesday: Final discussion on the inter-office legal memo; Headings- section headings, major/minor headings, and subheadings

Required Reading and Assignment Due: Material on TWEN. *Just Writing:* Ch. 9, §9.6

Week of November 11th:13

Monday: Self-Editing Exercise – bring a printed copy of your first draft of your inter-office legal memorandum.

Inter-office Legal Memorandum -First Draft Due

Wednesday:

Writing Assignment #6: Civil Procedure IRAC (Taken during class)

Week of November 18th: 14

Monday: Conferences

Wednesday: Continue conferences, if needed; Review Civil Procedure IRAC

Writing Skills Exercise: Commas

Required Reading and Assignment Due: *Just Writing:* Ch. 10, §10.1 -10.3

Week of November 25th: Thanksgiving week. E-Memos. Preparing for Finals/Wrap up. 15

Monday: E-memos and email correspondence.

Wednesday: TBD – Final Exam Review

Inter-office Legal Memorandum -Final Draft Due

Required Reading and Assignment Due: Materials on TWEN

Week of December 2nd: 16

Monday: Final Exam

Business Entities Outline #3 Due: October 26th – November 29th