This is one of the most important classes you will take at law school!

Why? No matter what you choose to do, if you have good research, analysis, and writing skills then you can succeed in any area of practice. Lawyers research the law, analyze the law, and convey that analysis in writing.

INTENTIONS FOR THIS COURSE:

In 1936, Fred Rodell, a professor of law at Yale University, argued that there “are two things wrong with almost all legal writing. One is its style. The other is its content.” We will be dealing with both style and content this semester.

Legal documents usually set out rights and responsibilities. If we cannot draft correct and understandable documents, we cannot protect our clients’ rights. To make sure that you are as effective as you can be as a lawyer, our focus this semester will be on finding the law, correctly analyzing the law, and conveying that analysis clearly, concisely, and objectively.

In this class, you will learn to research and write an **objective legal office memo**, a universal tool of practicing attorneys. The objective legal office memo will be our final product.

Although law school is new to you, you already have research, analysis, and writing skills related to your previous studies. You were successful enough in your prior studies to enter law school. Now we will build on that success.
Our Plan: We will start with the smallest section of legal analysis—the rules from cases and statutes. We will learn how to determine the rules, write about them, and use them to analyze facts for a client. Then we will work on writing each section of the office memo until we have mastered the entire document.

OFFICE HOURS

You are welcome to stop by my office any time, but I encourage you to schedule an appointment so that I will be available and prepared for your meeting.

Scheduled appointments have priority over drop-in visits. Also, you are encouraged to ask questions in class.

My official office hours are **Wednesdays, 1:30-3:00**. My office is Room 413, and my office phone number is 556-4360. My e-mail address is rachel.smith@uc.edu.

Please remember, that when a due date approaches for a graded assignment, I may not be able to answer questions that I regard as the analysis or writing decisions inherent in the assignment.

Further, please carefully consider your questions regarding an assignment and be prepared to explain the process that you have undergone to find the answer on your own.

COMMUNICATION

I will communicate with you by e-mail to convey schedule and assignment changes and to provide other information of general interest to the class. Therefore, you must register for my BlackBoard webcourse so that you will receive all pertinent information. All information communicated via the BlackBoard or e-mail is considered to be available to all students, just as if it had been communicated in class. You are responsible for checking your e-mail regularly.

REQUIRED TEXTS


RECOMMENDED TEXTS

- A valuable yet affordable writing text is *Elements of Style* by William Strunk, Jr. and E.B. White.
CLASS ATTENDANCE

The skills you will learn in this class are just the beginning of your development as a lawyer. As stated earlier, you will need to know the material from this class to succeed in upper level classes and to progress in your professional development. Also, this is a required class.

Therefore, you are expected to attend and participate in every class. If you must miss a class, please obtain notes and handouts from your colleagues.

CLASS EXPECTATIONS AND GRADING

The skills you will learn in this class are important to your development as a lawyer. You will need to know the material from this class to succeed in upper-level classes and to progress in your professional development.

To develop a strong foundation in lawyering skills, you are expected to attend and participate in class.

You will receive a tentative schedule showing class dates, topics, readings, and the due dates of your assignments.

You will have two major writing assignments this semester.

For these writing assignments you will write predictive memoranda in which you will analyze legal situations and predict the legal consequences of these situations.

- The first writing assignment is worth 15% of your grade for this course.
- The final memo assignment is worth 65% of your grade.
- All other assignments will comprise the remaining 20% of your grade.

I will assess the writing assignments on grading criteria, which you will receive prior to completing the assignments.

The final memo assignment will be graded anonymously. You will receive an ID code before the due date. Use that code on the final memo assignment instead of your name.

The additional assignments, comprising 20% of your grade, will include quizzes and exercises in research, writing, citation, etc. These exercises will be assigned along with relevant due dates.

Class participation and class attendance may also affect your grade.

LATE POLICY FOR ASSIGNMENTS

Unless I inform you otherwise, the due dates and times for the objective Writing Assignments are as follows:

- **Memo 1:** Friday, October 9, by 5:00 p.m.
- **Memo 2:** Sunday, November 22, by 5:00 p.m.

All assignments must be submitted on time. If you turn any in late, your score will be lowered.

If your assignment is more than forty-eight hours late, it will not be accepted and you will receive no points for that assignment.

Extensions of time to turn in assignments will be very unusual and will be granted in my sole discretion.

If an emergency arises that will require you to turn in a late assignment, you must submit documentary proof of the emergency. If such an unusual situation would arise, call me at 556-4360 or Mindy Lawson, Program Coordinator, at 556-0090.
PLAGIARISM POLICY

Plagiarism is taking someone else’s words or ideas and presenting them as your own without attributing them to the original sources. In your written work, you must provide citations to sources relied upon. When copying phrases, sentences, or sections of another's work, you must use quotation marks and acknowledge the source of the quoted passages. Even if you do not quote directly from a particular source, you must provide a citation if the source is the basis for an idea expressed or the authority for a proposition stated. A violation of this policy constitutes a violation of the University of Cincinnati College of Law Honor Code.

COLLABORATION POLICY

All written work for the memo assignments must be your own.

Absent specific instructions to the contrary, you may not work with other students on assignments and you may not discuss with other students the research and planning you are doing for any memo assignment. However, you may discuss the facts of the hypotheticals and issues for research. You may discuss class materials, forms, and other published materials, which are not cases or statutes to be used in your memos.

Without my permission, you may not review another student's actual writing or share your writing with any other student before you and that other student have submitted the assignment for grading.

Additionally, you may not allow others, including spouses, friends, lawyers, typists, etc., to review and comment upon your work before you submit it for grading.

Sharing your written work is unacceptable collaboration, and copying another student's work is plagiarism.

This policy is intended to encourage you to learn as much as you can while ensuring that your written work reflects your individual analysis of the legal problems presented.

UNAUTHORIZED ASSISTANCE

Memo assignments and research, writing, skills, citation, and other exercises are frequently reused in whole or in part. Further, such assignments and exercises are sometimes shared among law schools. You violate the University of Cincinnati College of Law Honor Code if you review or copy the work of others or receive any other unauthorized assistance from anyone, including upper-class students, students from other law schools, information from other law school websites, and former students.

Further, although you may share your class notes with classmates, you may not disseminate any course materials, such as lectures, assignments, handouts, or exercises, through websites, databases, or in any other way.

Violations of these policies constitute violations of the University of Cincinnati College of Law Honor Code.
STUDENT LEARNING OUTCOMES

In the Area of Critical Thinking

Students will be able to synthesize legal rules from cases and statutes by using a combination of legal reasoning and determining the weight of the authorities. They will demonstrate problem solving on behalf of a client in the setting of objective analysis and present organized research and analysis.

In the Area of Effective Communication

Students will demonstrate the ability to draft objective legal memoranda using a variety of legal authorities. They will effectively communicate their analysis to a legal reader and demonstrate the ability to clearly and concise convey legal analysis in writing. The final objective memorandum will demonstrate the student's ability to write with clarity and precision.

In the Area of Social Responsibility

Students will demonstrate an understanding of the key responsibilities of an attorney in the representation of a client. They will explore the importance of serving a client by objectively analyzing facts and law. They will explore the potential impact of legal analysis on an audience and the ethical considerations that accompany the giving of legal advice.

In the Area of Knowledge Integration

Students will demonstrate the ability to effectively understand laws from particular jurisdictions and apply the law to a client's facts. They will demonstrate skills in assessing legal problems objectively and understanding the difference between objective and persuasive legal analysis and writing. They will demonstrate effective research of various legal authorities and understand the persuasive value of each.

This course will help you develop the written communication skills you will need both in law school and for law-related employment.

Legal analysis and writing may differ from the reasoning and writing you have done in other courses of study.

Be open to understanding those differences and to learning the necessary new skills.