

# LAWYERING I: LEGAL RESEARCH AND WRITING

## COURSE SYLLABUS

Professor Rachel Jay Smith

Fall Semester 2007

Sections 3 and 4

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**COURSE OBJECTIVE:** This course will help you develop the written communication skills you will need both in law school and for law-related employment. You will learn how to research, evaluate, analyze, and apply legal materials and how to write an office memorandum that effectively communicates your analysis and conclusions. Legal analysis and writing may be very different 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.

### REQUIRED TEXTS:

1. Linda H. Edwards, *Legal Writing and Analysis* (2d ed., Aspen Publishers 2007);
2. Amy E. Sloan, *Basic Legal Research: Tools and Strategies* (3d ed., Aspen Publishers 2006);  
and
3. ALWD & Darby Dickerson, *ALWD Citation Manual* (3d ed., Aspen Publishers 2006).

Please bring your textbooks to class if you had a reading assignment in them. Occasionally in class, you will be instructed to complete exercises from the textbooks. If you are not so instructed and your reading assignment includes exercises, skip over them.

### RECOMMENDED TEXTS:

1. If you have been told or believe that you have grammar or punctuation weaknesses, please review and consider purchasing Anne Enquist and Laurel C. Oates, *Just Writing: Grammar, Punctuation, and Style for the Legal Writer* (2d ed., Aspen Publishers 2005). It also contains a chapter for students for whom English is a second language.
2. Another valuable writing text is *Elements of Style*, by William Strunk, Jr. and E.B. White.

**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 be able to take upper-level classes and to progress in your professional development. In order 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 due dates of your assignments. If you must miss a class, please send me an e-mail message and obtain notes and handouts from a colleague.

You will have three major writing assignments this semester. These will require you to write predictive memoranda in which you will analyze legal situations and predict the legal consequences of these situations. The first two memo assignments are worth 20% of your grade for this course. The final memo assignment is worth 70% of your grade.

The first two memo assignments will be assessed on a modified pass/fail basis, which I will explain to you in class. You will be required to rewrite these assignments until you receive a passing assessment. The final memo assignment will be assessed based on grading criteria you will receive prior to completing the assignment. This assignment will be graded anonymously. You will receive an identification code before the due date. Use that code on the final predictive memo assignment instead of your name.

You will also complete additional research, writing, skills, or citation exercises for this class. These additional exercises, along with class attendance and class participation, will be worth 10% of your grade. These exercises will be assigned in class along with relevant due dates. In order to receive the full credit, you must complete each exercise in a timely manner and you must demonstrate that you made a good faith effort to complete the exercise. Identify these exercises with your name.

## **OFFICE INFORMATION AND COMMUNICATION:**

My office is Room 428, and my office phone number is 556-4360. My e-mail address is [rachel.smith@uc.edu](mailto:rachel.smith@uc.edu). Unless otherwise specified in class, I will not be available to answer e-mail messages or phone calls after I leave the College of Law building in the evening.

You are welcome to stop by my office or schedule appointments. Office hours will be posted near due dates for the major memo assignments.

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 TWEN website so that you will receive all pertinent information. All information communicated via e-mail is considered to be available to all students, just as if it had been communicated in class. It is your responsibility to check your e-mail regularly.

## **ASSIGNMENTS FOR THE FIRST CLASSES**

1. Activate your Westlaw password, and sign up for the TWEN website on Westlaw for this course following the instructions you were given during the Introduction to Law week.
2. Read in your Edwards text chapter 1.