LEGAL WRITING & ANALYSIS
LAW 1050

Class Hours: 3.0
Credit Hours: 3.0
Laboratory Hours: 0.0
Date Revised: Spring 02

Catalog Course Description:
An exploration of the details of objective legal writing designed to prepare students to articulate legal concepts and to draft documents in a manner reflecting legal analysis; overview of the elements of legal memoranda; introduction to reading and briefing legal opinion and persuasive writing.

Entry Level Standards:
College-level competencies in logic, reading, and English are required.

Prerequisites:
LAW 1000, 1005; ENGL 1010

Textbook(s) and Other Reference Materials Basic to the Course:
Samborn, Hope Viner and Andrea B. Yelin, Basic Legal Writing for Paralegals, (Little, Brown, 1997)
Wydick, Richard C., Plain English for Lawyers (Carolina Press, 1998)
A Uniform System of Citation (current edition)

I. Week/Unit/Topic Basis:

<table>
<thead>
<tr>
<th>Week</th>
<th>Topic</th>
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<tbody>
<tr>
<td>1</td>
<td>Introduction</td>
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<tr>
<td>2</td>
<td>Writing/English Fundamentals</td>
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<tr>
<td>3-4</td>
<td>Review of Legal System; Resources and Cases</td>
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<tr>
<td>5-6</td>
<td>Citation Exercises; Citation Test</td>
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<tr>
<td>7</td>
<td>Intro to Legal Memo, Wording- Legal Memo 1Assigned</td>
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<tr>
<td>8-9</td>
<td>Legal Problems in memos, organization, synthesis. IRAC, Language Quirks</td>
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<tr>
<td>10</td>
<td>Review Outlining; Legislation, Draft Memo 1</td>
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<tr>
<td>11-12</td>
<td>Adm. Law, Memo 1 due; Citation Test 2, Persuasive Writing, Memo 2 Assigned</td>
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<td>13</td>
<td>Citation Test 3</td>
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II. Course Objectives*:

A. Demonstrate a complete and thorough understanding of legal ethics. I, III, V
B. Demonstrate a complete and thorough understanding of the importance of clarity in legal writing. I, II, III, IV
C. Develop a complete and thorough understanding of the organization of a legal memorandum. I, II, III, IV
D. Draft an objective legal memorandum that identifies issues, states the facts, discusses the law, and reaches a conclusion. I, II, III, IV, V
E. Demonstrate a complete and thorough understanding of persuasive legal writing. I, II, III, IV
F. Demonstrate a thorough understanding of legal citation. I, II, III, IV
G. Demonstrate a complete and thorough understanding of the importance of distinguishing between fact and inference. II, III, IV
H. Exhibit an adequate understanding of the application of law to the facts. I, II, III, IV
I. Demonstrate ability to analyze facts. II, III, IV
J. Demonstrate ability to analyze statutory and case law. II, III, IV
K. Demonstrate ability to apply law to facts. I, II, III, IV, V
L. Continue developing a basic legal vocabulary. II, IV

*Roman numerals after course objectives reference goals of the Paralegal Studies program.

III. Instructional Processes*:

Students will:

1. Practice elements of the work ethic such as professionalism, preparedness, punctuality, honesty, cooperation, dependability, contribution, effectiveness, good manners, etc. Personal Development Outcome, Transitional Strategy
2. Refine their writing skills and expand their legal vocabularies through completion of weekly guided writing exercises that allows them to communicate more effectively with lawyers, legal professionals, and clients. Communication Outcome, Transitional Strategy
3. Carry out course assignments such as team discussions, team case studies, experiential exercises, oral, written, PowerPoint, WordPerfect, Westlaw, Internet skills development, etc. that help develop a respect for diversity. Communication Outcome, Personal Development Outcome, Information Literacy Outcome, Problem Solving and Decision Making Outcome, Cultural Diversity and Social Adaptation Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy
4. Take part in course assignments such as team discussions, team case studies, experiential exercises, oral, written, PowerPoint, WordPerfect, Westlaw, Internet skills development, etc. that help develop teamwork, leadership, and followship skills. *Communication Outcome, Personal Development Outcome, Problem Solving and Decision Making Outcome, Cultural Diversity and Social Adaptation Outcome, Information Literacy Outcome, Transitional Strategy, Active Learning Strategy*

5. Perform course assignments such as intensive writing exercises, team discussions, team case studies, experiential exercises, oral, written, PowerPoint, WordPerfect, Westlaw, Internet skills development, etc. that help develop critical thinking, problem solving, goal setting, and planning skills. *Communication Outcome, Personal Development Outcome, Problem Solving and Decision Making Outcome, Cultural Diversity and Social Adaptation Outcome, Information Literacy Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy*

6. Listen to guest speakers from the legal community to learn the demands for clear legal writing in the law office. *Personal Development Outcome, Transitional Strategy*

*Strategies and outcomes listed after instructional processes reference Pellissippi State’s goals for strengthening general education knowledge and skills, connecting coursework to experiences beyond the classroom, and encouraging students to take active and responsible roles in the educational process.*

**IV. Expectations for Student Performance***:

Upon successful completion of this course, the student should be able to:

1. Recognize and avoid acts that constitute unethical behavior.  A
2. Write legal prose which is direct, concise, and clear.  B, G, H, I, J, K, L
3. Recognize the passive voice and convert it to active voice.  B, E
4. Prepare office correspondence.  A, B, C, D
5. Prepare letters of representation for each client.  A, B, L
8. Analyze facts of client’s case.  A, I
9. Analyze case law.  A, J
10. Analyze statutory law.  A, J

*Letters after performance expectations reference the course objectives listed above.*

**V. Evaluation:**

A. Testing Procedures:
Citation Test. All students must pass a basic citation test in order to pass the course. A passing grade on the citation test is 75%. The test will be given three times during the semester. Students who do not pass the citation test will receive an “F” for the course regardless of grades received on other assignments. The actual score received on the test will not be used to compute the final grade. Legal memoranda will be assigned, and will be fully explained by the Instructor’s supplementary syllabus the first week of class.

B. Laboratory Expectations:

Students should expect to study and work in the law library 2-10 hours per week to complete assignments.

C. Field Work:

N/A

D. Other Evaluation Methods:

1. All tests and papers will be graded for spelling and English usage in addition to content and format.
2. Students are evaluated on the basis of in-class projects requiring use of the stated skills. Class participation is important and will be considered in the final grade.
3. Any student encountering academic difficulty during the term is strongly encouraged to meet with the instructor to discuss options and solutions.

E. Grading Scale:

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<tr>
<th>Grade</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>A</td>
<td>93-100</td>
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<tr>
<td>B+</td>
<td>88-92</td>
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<tr>
<td>B</td>
<td>83-87</td>
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<tr>
<td>C+</td>
<td>78-82</td>
</tr>
<tr>
<td>C</td>
<td>73-77</td>
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<tr>
<td>D</td>
<td>65-72</td>
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<tr>
<td>F</td>
<td>64 and below</td>
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VI. Policies:

A. Attendance Policy:

Students must be present for at least 75 percent of their scheduled class meetings in order to receive credit for the course. Attendance is absolutely essential to perform well in this course. Absenteeism is recorded, not excused. Twelve (12) hours of absences will result in an automatic “F” for the course.

B. Academic Dishonesty:

Cheating of any type will not be tolerated and will become an automatic zero on that paper or test. Repetition of cheating will result in an “F” for the final grade.

C. Other Policies:

Late papers will not be accepted. No make-up tests will be given unless the instructor has been notified and excused the student’s absence.