

PELLISSIPPI STATE TECHNICAL COMMUNITY COLLEGE  
MASTER SYLLABUS

**LEGAL WRITING & ANALYSIS**  
**LAW 1050**

**Class Hours: 3.0**

**Credit Hours: 3.0**

**Laboratory Hours: 0.0**

**Revised: Fall 04**

NOTE: This course is not designed for transfer credit.

**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; ENGL 1010

**Textbook(s) and Other Course Materials:**

Putnam, William H., *Legal Analysis and Writing*, (Thompson/Delmar, 2003)

Good, C. Edward, *A Grammar Book for You and I ... oops! Me* (Capital Books, 2002)

Dickerson, Darby, *ALWD Citation Manual, A Professional System of Citation* (Aspen, 2000)

**I. Week/Unit/Topic Basis:**

<b>Week</b>	<b>Topic</b>
1	Introduction to Legal Principles and Authorities (3 hours)
2-3	Introduction to Legal Analysis (2 hours) Case Law and Case Briefing : stating the legal issue and holding ( hour); distilling the relevant facts (1 hour); dicta v. holding (1 hour); citation (1 hour)
4-5	Statutory Analysis (4 hours); Briefing cases – continued (2 hours)
6-7	Citation Form and usage (6 hours)
8	Legal Writing Process – General Considerations (1 hour); Fundamentals of Writing (2 hours)
9	Key Facts (1.5 hours); Issue Identification (1.5 hours)
10	Stating the Issue (1.5 hours); Case Law Application (1.5 hours)
11	Counteranalysis (1.5 hours); Beginning Legal Writing (1.5 hours)
12-13	Office Legal Memorandum – Issues and Facts (3 hours); Legal Writing continued (3 hours)
14	Office Legal Memorandum – Analysis to Conclusion (3 hours)
15	FINAL EXAM: OFFICE LEGAL MEMORANDUM

## 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, Cultural Diversity and Social Adaptation 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, Problem Solving and Decision Making 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 that 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 letters of representation for each client. A, B, L
5. Draft legal pleadings. A, B, F, G, H, I, J, K, L
6. Draft memoranda in support of motions. A, B, C, D, E, F, G, H, I, J, K, L
7. Analyze facts of client's case. A, I
8. Analyze case law. A, J
9. Analyze statutory law. A, J
10. Apply law to facts. A, I, J, K, L
11. Prepare an office memorandum effectively communicating research of legal issues. B, C, D, E, F, G, H

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

#### **V. Evaluation:**

##### **A. Testing Procedures:**

1. 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 may not defer taking the citation test until a later time. Students who do not pass the citation test will receive an "F" for the course regardless of grades received on other assignments. Failure by the student to take a citation test when scheduled will result in an "F" for the course, unless the student has been granted prior express permission by the instructor to take the test at a later time.

2. Supplementary Syllabus. Legal writing and other memoranda will be assigned, and will be fully explained by the Instructor's supplementary syllabus. All work shall be expected to be typed unless otherwise instructed.

##### **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:

A	93-100
B+	88- 92
B	83- 87
C+	78- 82
C	73- 77
D	65- 72
F	64 and below

**VI. Policies:**

A. Attendance Policy:

Pellissippi State Technical Community College expects students to attend all scheduled instructional activities. As a minimum, students in all courses must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. [NOTE: No differentiation is noted for excused/unexcused absences. These will be treated as an absence.] (Pellissippi State, 2004-2006 Catalog, page 83)

B. Academic Dishonesty:

Plagiarism, cheating, and other forms of academic dishonesty are prohibited. Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular Pellissippi State procedures as a result of academic misconduct, the instructor has the authority to assign an F or a zero for the exercise or examination or to assign an F in the course. (Pellissippi State, 2004-2006 Catalog, pages 62-63)

C. Other Policies:

Late papers will not be accepted nor will make-up tests be given without specific approval of the instructor.

Computer Usage Guidelines:

College-owned or –operated computing resources are provided for use by students of Pellissippi State. All students are responsible for the usage of Pellissippi State’s computing resources in an effective, efficient, ethical and lawful manner. (Pellissippi State, 2004-2006 Catalog, pages 67-70)

Accommodations for disabilities:

If you need accommodation because of a disability, if you have emergency medical information to share, or if you need special arrangements in case the building must be evacuated, please inform the instructor immediately. Privately after class or in the instructor's office.

To request accommodations students must register with Services for Students with Disabilities:

Goins 127 or 131, Phone: (865) 539-7153 or (865) 694-6751 Voice/TDD.