SYLLABUS

U.S. LEGAL RESEARCH, ANALYSIS, AND WRITING

LAWG 844 70

Course Description: This class introduces foreign-education LL.M. students to U.S. legal resources, research methods, and analytical paradigms. The goals for this class are three-fold: (1) to gain an appreciation of the relative roles that federal and state law play in the U.S. legal system, (2) to learn how to conduct basic legal research, primarily using online tools, and (3) to establish a writing process to evaluate and construct common law arguments. Throughout the semester, students will be asked to perform a series of discrete legal assignments designed to mimic the representation of a client in the context of a U.S. legal practice. Students will be asked to analyze the client’s legal position, perform individual legal research, and write a legal memorandum that will address the client’s concern. In addition, students will give oral presentations of their research findings. Students will receive feedback on both their written and oral work.

Course No.: LAWG 844 70

Total Credits: 2 credit hours

Instructor: Nathan Swinton, Esq.
U.S. Department of Justice, Civil Division
Trial Attorney

Quarter: Fall 2016

Day and Time: Friday, 9 a.m. to 11 a.m.

Classroom: Hotung 5013

Textbook: *United States Legal Discourse: Legal English for Foreign LLMs*, By Craig Hoffman and Andrea Tyler

Class Attendance: Pursuant to the 2016-17 Student Handbook of Academic Policies, “[r]egular and punctual attendance at all class sessions is required of each student. Student participation is expected in all courses. A student who, even though registered for a course, has not regularly attended, participated, or otherwise met class requirements may be subject to any of the following, at the professor’s option:

- The student may be withdrawn.
- The student may be excluded from attending class sessions.
- The student may be excluded from sitting for a final examination or submitting a final paper (with the same consequences as a failure to appear for a final examination or submit a final paper).
• The student may receive a lowered or failing grade in the course.”

Absent extraordinary circumstances, if you miss more than 4 classes, you will be deemed withdrawn from the class.

**Grade:** Grades for this class will be awarded using the High Pass/Pass/Fail metric. Your final grade will be based on the final legal memorandum you submit. Class participation will be rewarded but will not factor negatively into your final grade.

**Office Hours and Email:** I do not have an office on campus and therefore do not have regular office hours. However, I encourage you to contact me by email if you have any questions. If you would like to meet with me in person, a meeting can be arranged at mutually agreeable time before or after class.
UNIT ONE: INTRODUCTION TO U.S. LEGAL DISCOURSE

WEEK 1  

Friday, September 2

Topics:  
Introduction to the U.S. Legal System; Legal English v. Legal Discourse

Assignment Due Today:  
Read *United States Legal Discourse: An Introduction to Legal English for Foreign LL.M. Students* (Textbook), Chapter 1, including the following accompanying texts, which are indicated in the Chapter:

- U.S. Constitution, Article III
- 28 U.S.C.A. 1652

Assignment for Next Class:  
Post Week 1 Writing Assignment to Canvas by 9:00 p.m. on Tuesday, September 6, 2016

Read *Textbook*, Chapter 2, including the following accompanying text, which is indicated in the Chapter:

- (Law Review Article) *Exit Consents in Sovereign Bond Exchanges*

WEEK 2  

Friday, September 9

Topics:  
Common Law Argumentation; Relationship between Federal and State Law; Analyzing and Creating a Client Intake Memo

Assignment Due Today:  
Week 1 Writing Assignment posted to Canvas by 9:00 p.m. on Tuesday, September 6, 2016

Read *Textbook*, Chapter 2 with accompanying text

Assignment for Next Class:  
Post Executive Summary to Canvas by 9:00 p.m. on Monday, September 12, 2016

Read *Textbook*, Chapter 3


**WEEK 3**  
**Friday, September 16**

**Topics:** Scholarly Discourse about the Law

**Assignment Due Today:** Executive Summary, posted to Canvas by 9:00 p.m. on Monday, September 12, 2016

Read *Textbook*, Chapter 3

**Assignment for Next Class:** Post Week 3 Writing Assignment to Canvas by 9:00 p.m. on Monday, September 19, 2016

Read *Textbook*, Chapter 4; Read Georgetown Law Plagiarism Policy

**WEEK 4**  
**Friday, September 23**

**Topics:** Judicial Discourse as the Law; Proper Attribution

**Assignment Due Today:** Week 3 Writing Assignment, posted to Canvas by 9:00 p.m. on Monday, September 19, 2016

Read *Textbook*, Chapter 4; Georgetown Law Plagiarism Policy

**Assignment for Next Class:** Close Reading of Cases, posted to Canvas by 9:00 p.m. on Monday, September 26, 2016

**WEEK 5**  
**Friday, September 30**

**Topics:** Making Legal Arguments Using Prior Cases as Support; Introduction to Online Legal Research

**Assignment Due Today:** Close Reading of Cases, posted to Canvas by 9:00 p.m. on Monday, September 26, 2016

**Assignment for Next Class:** Post Week 3 Writing Assignment to Canvas by 9:00 p.m. on Monday, October 3, 2016

Read *Textbook*, Chapter 5

**WEEK 6**  
**Friday, October 7**
UNIT TWO: WRITING THE MEMORANDUM

WEEK 7  Friday, October 14
Topics: Beginning the Case: Writing the Client Intake Memo
Assignment Due Today: Close Reading Exercise, posted to Canvas by 9:00 p.m. on Tuesday, October 11, 2016
Assignment for Next Class: Write an Executive Summary and post it to Canvas by 9:00 p.m. on Monday, October 17, 2016

WEEK 8  Friday, October 21
Topics: Understanding the Law: Writing the Legal Summary
Assignment Due Today: Executive Summary, posted to Canvas by 9:00 p.m. on Monday, October 17, 2016
Read Statutes and Cases in Course Materials
Assignment for Next Class: Write a short summary of the law as it applies to your client’s case and post it to Canvas by 9:00 p.m. on Sunday, October 23, 2016
Review United States Legal Discourse: Chapter 5

WEEK 9  Friday, October 28
Topics: Organizing your Arguments: Writing a First Draft
Assignment Due Today: Review *United States Legal Discourse*: Chapter 5

Assignment for Next Week: Write a First Draft of your Legal Memorandum and post it to Canvas by 9:00 p.m. on Monday, October 31, 2016

*Please bring a hard copy of your First Draft to class with you on November 11, 2015*

**WEEK 10**

*Friday, November 4*

Topics: No Class. Individual Conferences

*Please bring a hard copy of your First Draft to class with you on November 11, 2015*

**WEEK 11**

*Friday, November 11*

Topics: Building a Reader-Based Document

Assignment Due Today: *Please bring a hard copy of your First Draft to class with you on November 11, 2015*

Assignment for Next Week: Oral Presentations

**WEEK 12**

*Friday, November 18*

Topics: Making Concise Oral Arguments: Presenting your Analysis

Assignment Due Today: Oral Presentations

Assignment for Next Week: Rewrite your First Draft and post your Final Draft to Canvas by 9:00 p.m. on Monday, November 21, 2016

*Please Bring a Hard Copy of your Final Draft to Class with you on December 2, 2016*

**WEEK 13**

*Friday, November 25*

Topics: Thanksgiving Holiday—no class.
Final thoughts

Please Bring a Hard Copy of your Final Draft to Class with you on December 2, 2016.