Course Description and Purpose: This course will familiarize you with three pillars of day-to-day legal practice in the United States: (1) common-law reasoning (i.e., using judicial opinions to resolve disputes); (2) federalism (i.e., the bifurcation of sovereignty between federal and state governments); and (3) composing and editing legal memoranda. As a workshop/seminar, the course requires 4-5 short writing assignments and – most important – open and frequent class discussion.

Although we will survey a wide array of substantive law, the course will have a slight emphasis on environmental policy in the United States.

Instructor: Travis Annatoyn, Trial Attorney

Class Attendance: Pursuant to the Georgetown Law Student Handbook, “[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has not regularly attended, participated, or otherwise met class requirements may, at the professor’s option, be withdrawn, excluded from attending class sessions, excluded from sitting for a final examination or submitting a final paper (with the same consequences as a voluntary failure to appear for a final examination or submit a final paper), or receive a lowered grade in the course. Even if a student has passed all examinations, credit will not be awarded and no student will be advanced, nor will a degree be conferred, if attendance or participation is unsatisfactory.”

Because this course is a small workshop that depends heavily on class participation, you will, absent extraordinary circumstances, receive no credit for the course upon missing four classes.

Grade: This course is graded on a Fail/Pass/High Pass scale. A High Pass requires active class participation and an excellent final writing assignment, including a commitment to editing and revising earlier drafts.
Office Hours: I do not have formal office hours, but encourage you to write with questions and/or if you would like to meet on campus outside of class: my office is close to Georgetown’s campus.

Laptops: Please don’t bring to/use in class.

Course Website: Course materials, announcements, and submission of assignments rely heavily on Westlaw/TWEN. Use your Westlaw credentials to log-in to the website at www.lawschool.westlaw.com, and add this course using TWEN.

Course Materials: This course will use United States Legal Discourse: Legal English for Foreign LLMs, by Craig Hoffman and Andrea Tyler. Other than this textbook, all assignments will be available through TWEN.

Week 1     September 2, 2015
Introduction

Reading Assignment: (note: unless stated otherwise, read the entirety of a court’s majority opinion, i.e., skip concurring and dissenting opinions).


Week 2     September 9, 2015
Common Law I/Federalism I: Basics of Judicial Systems in the United States

Reading Assignment:

Searcy v. Strange, ... F.Supp.3d ... (S.D. Ala. 2015).


Week 3  September 16, 2015  
Common Law II: Application of Authority  

Reading Assignment:  

*Keeble v. Hickeringill*, 103 ER 1127 (Queen’s Bench 1707).  

*Khan v. State Oil Co.*, 93 F.3d 1358 (7th Cir. 1996).  


*Georgia v. Tennessee Copper Company* 27 S.Ct. 618 (1907).  


Week 4  September 23, 2015  
Common Law III: Synthesizing Rules  

Reading Assignment:  


*Hoffman*, pp. 1-7
Written Assignment: Case brief.

Week 5  September 30, 2015
Common Law IV: Advocacy

Reading Assignment: TBD

Written Assignment: Rule statement.

Week 6  October 7, 2015
Writing I: Structure Of The Legal Memo

Reading Assignment:

The Office of Legal Counsel, Authority to Use Military Force In Libya, April 1, 2011, pp. 6-9.

Hoffman, pp. 10-23, 26-36, 50-63.

Week 7  October 14, 2015
Federalism II: The Scope of Federal Law

Reading Assignment:


Erie Railroad Co. v. Tompkins, 304 U.S. 64 (1938).

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Week 8  October 21, 2015  
Federalism III: The Scope of State Law

Reading Assignment:


Moore v. Regents of the University of California, 51 Cal, 3d 120 (Cal. 1990).


Written Assignment: Memo I.

Week 9  October 28, 2015  
Writing II: Online Legal Research

Week 10  November 4, 2015  
Writing III: Using Work-Product to Solve Novel Problems

Reading Assignment:


Week 11  November 11, 2015  
Writing IV: Editing

Written Assignment: First draft, Memo II.

Reading Assignment: TBD.
Week 12  November 18, 2015  Writing V

No class—individual meetings to discuss the first draft of your memorandum.

Week 13  November 25, 2015  Thanksgiving Break

Week 14  December 2, 2015  Conclusion/Dinner

Written Assignment: Final draft, Memo II.