Course Objective

Welcome to U.S. Legal Research, Analysis & Writing. The objectives of this course are for you to:

- Learn about the structure of the American court system, and the role of judges and their opinions in our legal system;
- Learn to conduct legal research using the resources available at Georgetown;
- Learn how to evaluate and draft arguments within the context of American law;
- Become familiar with the use of sources to support your arguments and proper attribution; and
- Refine your writing process.

There will be a series of ungraded assignments in this course, culminating in a final, graded memorandum. You will receive extensive feedback on your writing, and we will work together to improve your research and writing skills.

Please note that this syllabus may be updated over the course of the semester. Please make sure that you regularly check e-mail and TWEN for any updates or changes to the syllabus.

Meeting Times and Office Hours

This course will meet on Friday afternoons from 3:30-5:30 in Hotung 1008. I will be available to meet with students individually by appointment.

Course Website

Course materials and announcements will be posted on the TWEN site for the course, and submission of assignments will be done through a dropbox on the TWEN site. Please use your Westlaw credentials to log in to the website at www.lawschool.westlaw.com and add this course using TWEN.

Textbook
This course will use the textbook United States Legal Discourse: Legal English for Foreign LLMs, by Craig Hoffman and Andrea Tyler. Other than this textbook, all reading assignments will be available through Westlaw. Note that many of the cases you have been assigned to read are lengthy, and that not all portions of the case will be necessary for our purposes in class. Part of this course will be learning to exercise discretion in how you read a case.

**Assignments and Grading**

This course will be graded on an Honors/Pass/Fail basis. Your grade will be based primarily upon a single, graded memorandum to be submitted at the end of the course, but class attendance and participation will also be a factor. Students will have the opportunity to receive feedback on drafts of the graded memoranda from their peers and myself, and to make revisions before final submission.

Please submit your assignments as Word documents using double-spacing and size 12 Times New Roman font, with numbered pages to the indicated TWEN dropboxes.

**Plagiarism**

Please be aware that your work in this course is subject to the Georgetown Plagiarism Policy. Please see pages 105 to 106 of the Georgetown Law Student Handbook of Academic Policies, Conduct Policies (http://www.law.georgetown.edu/campus-services/registrar/handbook/upload/Conduct_Policies.pdf).
**COURSE SCHEDULE**

**CLASS 1 (SEPTEMBER 4, 2015): COURSE INTRODUCTION**

During Class 1, I will introduce myself and give a general overview of the course. We will then begin considering the role of judicial decisions in the American legal context, and how these decisions are reached and presented.

**Assignment:**
- Read: Chapters 1 and 2 of *United States Legal Discourse*.
- Read Article III of the United States Constitution
- Read: 28 U.S.C.A. 1652

**CLASS 2 (SEPTEMBER 11, 2015): FEDERALISM IN US LAW**

During the first part of Class 2, we will have a discussion about *Erie* and the structure of a legal opinion, as well as the interplay between federal and state legal systems. During the second part of the class, we will discuss how to effectively approach the creation of a document for a specific purpose, and we will have an in-class simulation to set the stage for your first ungraded assignment.

**Assignment:**
- Write: Submit your Client Intake memo, on TWEN by 5pm, September 16. There is no minimum length; please do not submit more than three pages double-spaced.
  - Please bring a copy of your Client Intake Memo to Class 3.
- Read: Chapter 3 of *United States Legal Discourse*.

**CLASS 3 (SEPTEMBER 18, 2015): LEGAL RESEARCH**

During Class 3, we will have a discussion about the merits of a successful Client Intake Memo, and consider how a document can be effective. Afterwards, we will have a presentation on how to conduct efficient research using Westlaw.

**Assignment:**
- Read: Chapter 4 of *United States Legal Discourse*.
  - Consider the questions posed in part 4.5.
CLASS 4 (SEPTEMBER 25, 2015): THE COMMON LAW RUBRIC

During Class 4, we will discuss the functioning of the Common Law Rubric in depth, and how it may serve as the basis of effective legal rhetoric. We will also address the basics of proper citation.

Assignment:
- Read: Chapter 5 of United States Legal Discourse.

CLASS 5 (OCTOBER 2, 2015): OBJECTIVE LEGAL ANALYSIS IN THE FIRM CONTEXT

During Class 5, we will discuss the hypothetical structure of a law firm memorandum, and how that document may be crafted for maximum effectiveness.

Assignment:
- Research: Find one secondary source that helps to inform you about the legal framework surrounding the problem at the center of the graded memorandum.

CLASS 6 (OCTOBER 9, 2015): INTRODUCTION TO THE LAW OF THE GRADED ASSIGNMENT

During Class 6, we will broadly discuss the law surrounding the predictive memorandum that you will be handing in at the end of the course, informed by the secondary sources that you have found. We will also begin to discuss how to prepare to write the memorandum.

Assignment:
- Research: Perform legal research to find precedent regarding your case.
- Write: Prepare descriptions of the facts and holdings of the five most salient cases that you find, and bring this document to class. Please do not provide more than two short paragraphs, maximum, per case.

CLASS 7 (OCTOBER 16, 2015): EFFECTIVE PREDICTIVE WRITING

During Class 7, we will discuss the law and how it applies to the facts. We will also discuss techniques for effective predictive writing.

Assignment:
Read: The cases that may used in writing your predictive memorandum.

CLASS 8 (OCTOBER 23, 2015): IN-CLASS OBJECTIVE MEMO EXERCISE

During Class 8, you will design, research and draft an objective memo in response to a hypothetical fact pattern.

Assignment:
• Write: Prepare a draft Discussion section. Submit on TWEN by 5pm, October 28, 2015. Please do not submit more than five pages double-spaced.
• Sign up: Please sign up on TWEN for one-on-one meetings on October 30, 2015.

CLASS 9 (OCTOBER 30, 2015): ONE-ON-ONE MEETINGS

Instead of meeting for Class 9 as a group, I will have one-on-one meetings with each student to discuss their in-class objective memo assignment, and how the experience of writing it may be applied to the graded assignment.

Assignment:
• Optional: Revise your Discussion section.

CLASS 10 (NOVEMBER 6, 2015): REFINING YOUR DISCUSSION SECTION

During Class 10, we will have peer critiques of your Discussion sections.

Assignment:
• Write: Prepare the first draft of your predictive memorandum. Submit on TWEN by 5pm, November 10, 2015.
• Sign up: Please sign up on TWEN for one-on-one meetings on November 13, 2015.

CLASS 11 (NOVEMBER 13, 2015): ONE-ON-ONE MEETINGS

Instead of meeting for Class 11 as a group, I will have one-on-one meetings with each student to discuss their first draft of the predictive memorandum and how it may be improved. Please come prepared to discuss your own thoughts regarding the strengths and weaknesses of your document.

Assignment:
• Prepare: A short oral presentation.
**CLASS 12 (NOVEMBER 20, 2015): REVISING A FIRST DRAFT AND ORAL PRESENTATIONS**

During Class 12, we will briefly discuss how to effectively revise a first draft and prepare a final draft, and you will orally present the merits of your position.

**Assignment:**
- **Write:** Please submit the final draft of your predictive memorandum to the TWEN dropbox by 3:30, December 4, 2015.

**CLASS 13 (DECEMBER 4, 2015): FINAL DRAFTS OF PREDICTIVE MEMORANDUM**

During Class 13, we will discuss what makes a successful predictive memo, the differences between objective and persuasive writing, review the course as a whole, and have time for course evaluations.