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.

Quarter: Fall 2015

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 2015-16 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- The student may be withdrawn.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Absent extraordinary circumstances, if you miss more than 4 classes, you will be deemed withdrawn from the class.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.
TOPICS AND ASSIGNMENTS FOR EACH CLASS

UNIT ONE: INTRODUCTION TO U.S. LEGAL DISCOURSE

WEEK 1

Friday, September 4

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:

- Erie v. Tompkins, 304 U.S. 64 (1938).
- U.S. Constitution, Article III
- 28 U.S.C.A. 1652

Assignment for Next Class: 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 11

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

Assignment Due Today: Read Textbook, Chapter 2 with accompanying text

Assignment for Next Class: Post Client Intake Memo to the Assignment Drop Box by 9:00 p.m. on Monday, September 14, 2015

Read Textbook, Chapter 3

WEEK 3

Friday, September 18

Topics: Scholarly Discourse about the Law
Assignment Due Today: Client Intake Memo, posted to TWEN site; Read *Textbook*, Chapter 3

Assignment for Next Class: Read *Textbook*, Chapter 4; Read Georgetown Law Plagiarism Policy

**WEEK 4**  
**Friday, September 25**

Topics: Judicial Discourse as the Law; Proper Attribution

Assignment Due Today: Read *Textbook*, Chapter 4; Georgetown Law Plagiarism Policy

Assignment for Next Class: Close Reading of Cases

**WEEK 5**  
**Friday, October 2**

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

Assignment Due Today: Close Reading of Cases

Assignment for Next Class: Read *Textbook*, Chapter 5

**WEEK 6**  
**Friday, October 9**

Topics: Law Firm Discourse Predicting a Likely Legal Outcome

Assignment Due Today: Read *Textbook*, Chapter 5

Final Assignment: Close Reading Exercise due at 9:00 p.m. on Monday, October 12.

**UNIT TWO: WRITING THE MEMORANDUM**

**WEEK 7**  
**Friday, October 16**

Topics: Beginning the Case: Writing the Client Intake Memo

Assignment Due Today: None
Assignment for Next Class: Write a Client Intake Memo and post it to the Assignment Drop Box by 9:00 p.m. on Monday, October 19, 2015.

WEEK 8    Friday, October 23

Topics: Understanding the Law: Writing the Legal Summary

Assignment Due Today: Client Intake Memo; 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 the Assignment Drop Box by 9:00 PM on Sunday October 25, 2015.

Review *United States Legal Discourse*: Chapter 5

WEEK 9    Friday, October 30

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 the Assignment Drop Box by 9:00 p.m. on Monday, October 26, 2015.

Please bring a hard copy of your First Draft to class with you on November 12, 2015.

WEEK 10    Friday, November 6

Topics: No Class. Individual Conferences

Please bring a hard copy of your First Draft to class with you on November 13, 2015.

WEEK 11    Friday, November 13

Topics: Building a Reader-Based Document

Assignment Due Today: Please bring a hard copy of your First Draft to class with you on November 13, 2015.
Assignment for Next Week: Oral Presentations

WEEK 12  Friday, November 20
Topics: Making Concise Oral Arguments: Presenting your Analysis
Assignment Due Today: Oral Presentations
Assignment for Next Week: Re-Write your First Draft and post your Final Draft to the Assignment Drop Box by 9:00 p.m. on Monday, November 23, 2015.

Please Bring a Hard Copy of your Final Draft to Class with you on December 4, 2015.

WEEK 13  Friday, November 27
Topics: Thanksgiving Holiday—no class.

WEEK 14  Friday, December 4
Final thoughts

Please Bring a Hard Copy of your Final Draft to Class with you on December 4, 2015.