

ACADEMIC COURSE SYLLABUS

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| COURSE TITLE: | LEGAL RESEARCH AND WRITING |
| COURSE NUMBER: | LAW I402 |
| UNITS: | 2 |
| COURSE TYPE: | Required |
| PROFESSOR(S) NAME: | Paul Lozada |
| PROFESSOR CONTACT INFO: | PAUL LOZADA, (707) 495-8761 voicemail and text messages, plozada@lilozada.com |
| SCHEDULE: | Feb. 2017 term - Mondays 6-9 p.m., Room # 209 |
| PREREQUISITES: | None |
| COREQUISITES: | None |
| TEXTS AND MATERIALS: (Identification of any texts, materials and references used throughout the course.) | <p><i>California Style Manual, A Handbook of Legal Style for California Courts and Lawyers:</i> 4th Edition; Jessen; ISBN # 0-314-23370-9.</p> <p><i>Legal Writing in Plain English</i> Garner, Bryan A.,2001 , ISBN 0226284182</p> <p><i>Introduction to the Study and Practice of Law in a Nutshell</i> 6th Edition, Hegland, Kenny F., ISBN 978-0-314-29042-7</p> <p><i>Basic Legal Research, Tools and Strategies,</i> Sloan, Amy E., 6th Edition, ISBN #9781454850403 Aspen publishing, 2015</p> <p><i>Legal Analysis, The Fundamental Skill,</i> 2nd Edition, David S. Romantz, Kathleen Elliott Vinson. ISBN 978-1594602795</p> <p>Handouts will be distributed as needed.</p> |
| COURSE DESCRIPTION: | An introduction to legal analytical thought, including practical exercises in writing and the fundamentals of legal research that provides a foundation for writing legal papers. |
| COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.) | <p>Specific learning objectives and outcomes are listed aligned with the weekly assignments which follow at the end of this syllabus.</p> <ol style="list-style-type: none"> 1. Learn and understand the differences between a “Civil” law system and “Common Law” system. 2. Learn and understand the concept of “Stare Decisis” 3. Learn and understand the concept of “Jurisdiction” and how it relates to legal research and writing. 4. Learn and understand “Secondary Source” research methodology. 5. Learn and understand “Primary Source” research methodology. 6. Learn and understand case research methods. 7. Learn and understand statutory research methods. 8. Learn and understand basic California and Federal Citation Formats. 9. Understand how to use a “Law Library” 10. Introduction to Electronic Research Sources 11. Introduction to Legal Analysis methods. 12. Review of formal and informal logic fallacy theories and how that relates to legal argument and writing. 13. Learn and understand IRAC method of legal analysis. |

| | <p>14. Learn and understand how to make a legal argument. 15. Learn to write appropriately for your audience. 16. Learn how to write a “Case Brief” 17. Learn how to write a legal memo. 18. Introduction to basic pleading formats. 19. Learn to “Sheppardize” cases and statutes and how to use this service for research purposes. 20. Learn and understand the differences between “persuasive“ and “informative” writing.</p> <p>Students should expect to spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside preparation time per week.</p> | | | | | | | | |
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| <p>FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)</p> | <p>Course material will be presented in a lecture-discussion and Socratic method format. Students should be prepared to brief all cases and complete all homework assigned. Students must participate in all in class writing assignments. Publish and brief writing assignments to the class orally. Prepare and complete assigned legal memos, briefs and other documents. Participate in guided research activities in the law library. Demonstrate competence in basic research activities. Participate in guided tour of the law library.</p> | | | | | | | | |
| <p>EXAMS:</p> | <p>Due by 6pm Mon. April 17, 2017: Final Project, (Final Research Memo) No separate written final examination administered.</p> | | | | | | | | |
| <p>GRADING / ASSESSMENT CRITERIA / CLASS POLICIES:</p> | <p>Empire College uses the following grading system: <u>Pass/Fail Classes:</u> 65 - 100 P Pass/Credit 64 and Below F Fail/No Credit</p> <p>This class is mandatory; if you fail it, you must repeat it to graduate from law school. The overall course is graded on a pass/fail basis. Individual assignments are graded on; a high pass (80 or above), pass (70-80), low pass (65-70) and no pass basis (64 or lower). Your grades will be based on quality of writing and research, clarity of thought, and overall product. Special attention will be paid to applying the content covered during the course to your assignments. Basic spelling, grammar, punctuation and proof reading are also an essential part of your grade.</p> <table data-bbox="649 1743 1588 1932"> <thead> <tr> <th>Percent</th> <th>Assignment</th> </tr> </thead> <tbody> <tr> <td>15%</td> <td>Class Participation</td> </tr> <tr> <td>35%</td> <td>Homework Assignments (Case Briefs, Research Memos, Citation Exercises)</td> </tr> <tr> <td>50%</td> <td>Final (Final Research Brief)</td> </tr> </tbody> </table> <p>Time is of the essence in this course because there are only ten</p> | Percent | Assignment | 15% | Class Participation | 35% | Homework Assignments (Case Briefs, Research Memos, Citation Exercises) | 50% | Final (Final Research Brief) |
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meetings to cover a great deal of material.
Class attendance and participation are mandatory.
Disruptive conduct such as; cell phone use, text messaging devices and other electronic communications, as well as discussions between students are strictly prohibited during class time.
Two (2) absences or failure to turn in any one assignment results in a no pass grade and student must repeat the class in order to graduate from law school.
Refusal to or inability to participate in class because you are unprepared on three separate occasions results in a no pass grade and student must repeat the class in order to graduate from law school.
Show up late for class on two occasions and that counts as one absence.
All assignments must be typed, spell checked, proof read, stapled, paginated and are due by 6:15 p.m. on date assigned. No exceptions. No emails. Turn assignment in on paper.
All citations to authority must comport substantially with the *California Style Manual* or you will fail the assignment.
Electronic research of every kind is prohibited in this class. Any student who uses any form of electronic, internet, or non-hard copy research will fail the class and will be reported to the Dean's Office for academic dishonesty.

ATTENDANCE:

Under the standards of the Committee of Bar Examiners of the State Bar of California, "regular and punctual attendance" at classes is necessary to satisfy residency requirements. Students should plan to attend all classes. A minimum of 80 percent attendance is required in each course. The instructor will take roll at each class session. A student must attend the entire class session in order to be counted as present for that class session. Students who arrive excessively late, as determined by the instructor, or who leave class before it is dismissed by the instructor, will not be counted as present for that class session. Make-up classes will be scheduled on evenings when classes are not usually held or on weekends. Attendance at make-up classes, while strongly encouraged, is not required. Class sessions which are delayed or canceled because of holidays or policy of Empire College School of Law, and which are re-scheduled for a different date are considered regularly scheduled class sessions, not make-up classes. A student who has exceeded the absence limits outlined will be automatically dropped from the course. A student who is dropped from a course will be required to repeat the course at its next offering in order to meet graduation requirements.

| ASSIGNMENTS: | | |
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| WEEK # | ASSIGNMENT <i>(To be completed before class)</i> | CLASS OBJECTIVES |
| 2/6/17 | Introduction to the Study and Practice of Law (ISPL), 1-85. Basic Legal Research (BLR), 1-25, All sections except D Legal Analysis, The Fundamental Skill (LAFK), Chapter 1. California Style Manual (CSM), Read Table of Contents. | Introductions, overview of the course and law school. Overview of basic legal systems, jurisdiction, <i>Stare Decisis</i> , legal analysis and argument. Handouts: Writing Exercises. |
| 2/13/17 | ISPL, 87-106 CSM, 1-40 Legal Writing in Plain English (LWPE), Part I, §§1, 3, 4. LAFK, Chapter 2. | Case authority and citations. Briefing Cases In class exercises, <i>Rewrite, rewrite, rewrite, Legalese to Plain English.</i> Due: Writing Exercises. Handouts: Citation Exercise, Briefing Assignment I |
| 2/20/17 | Holiday | No school this day |
| 2/27/17 | BLR: 27-60, 69-90 CSM: 41-109 LWPE: §§ 5-8, 10-11 LAFK: Chapter 3 | Research Methodology, Secondary Sources. Introduction to I.R.A.C. In class exercise: <i>Library Tour</i> Due: Citation Exercise, Briefing Assignment I Handouts: IRAC Exercise I, Writing Exercises |
| 3/6/17 | BLR: 91-111, 121-142 CSM: Review 111-178. LWPE: §§ 12-20. LAFK: Chapter 4 | Introduction to Case Research. In class exercises: <i>Review of Citation Exercise, Write How You Speak.</i> Due: IRAC Exercise I, Writing Exercises Handouts: Citators Handout, Briefing Assignment II, Library Case Search. |
| 3/13/17 | BLR: 167-184, 194-208 Review Citators Handout LWPE: §§21-26. LAFK: Chapter 5 | Statutory Research In class exercise: <i>Shepardizing.</i> Handouts: IRAC Exercise II Due: Rewrite of Case Brief I, Briefing Assignment II, Library Case Search. |
| 3/20/17 | LWPE: §§27-30 LAFK: Chapter 6 | Introduction to Electronic Research Introduction to Argument and Counterargument. Organization and Planning. In Class Exercises: <i>Remember Your Audience, rewrite for audience. Client Letters.</i> Handouts: Research Memo Due: Rewrite Briefing Assignment II, IRAC II Exercise |
| 3/27/17 | LWPE: §§46-50 | Editing is more than spell and grammar check. In Class Exercises: <i>Persuasive versus informative writing.</i> Due: Last day for all rewrites. |
| 4/3/17 | ISPL: 107-137. | In Class Exercises: <i>Revision, revision, revision.</i> In Class IRAC Exercise III Due: Draft Research Memo |

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| 4/10/17 | ISPL: 139-151 Review relevant portions of past reading based on comments you received on your assigned writing. | Final Brief Workshop. Draft Research Memo Returned, Reviewed Handouts: Final Project. |
| 4/17/17 by 6:00pm Class follows in normal room | FINAL EXAM | Due: Final Project, (Final Research Memo) Law Study and Exams, Guest Speaker. |

Syllabi subject to change.