

**COLLEGE OF SOUTHERN NEVADA  
BUSINESS ADMINISTRATION DEPARTMENT  
COURSE SYLLABUS  
FALL 2010**

**COURSE NO:** LAW 259  
**COURSE TITLE:** Legal Writing  
**Credits:** 3 credits  
**Location:** C223@ West Charleston Campus  
**Day/Time:** Wednesdays 6:00PM – 8:50PM  
**Prerequisites:** LAW 101 or instructor approval

**Required Text:** Legal Analysis and Writing, Third Edition, Putman, William H.  
**ISBN:** 0-7668-6240-2

**INSTRUCTOR:** Professor Patrick W. Lindemann  
**Office:** C250P, West Charleston Campus  
**Phone:** 651-7531  
**E-Mail:** Patrick.Lindemann@csn.edu  
**Office Hours:** 4:30 PM – 6:00 PM Tuesdays, Wednesdays, and Thursdays  
8:00AM - 8:30 AM Saturdays  
Appointments available upon request

**COURSE DESCRIPTION:** An in-depth study and development of legal writing skills. Introduction to the major forms of legal writing, legal terminology, and the principles for organization of legal memorandums or briefs.

**OBJECTIVES:**

1. Provide students with general knowledge on how to interpret and distinguish legal authorities.
2. Students will learn how to brief a case using the IRAC method.
3. Students will learn how to prepare a law office memorandum, client correspondence, and a court motion.

**INSTRUCTIONAL METHODS:** Lecture, class discussion, in-class assignments, out of class written assignments.

**GRADING POLICY:** Grades will be based on the successful completion of 8 written assignments, a take-home midterm and final examination. In addition, students are graded on class participation and attendance. The point breakdown is as follows:

Attendance and Class Participation*	40 points
Class Written Exercises (7)	140 points
Midterm Examination	120 points

Final Examination	<u>100 points</u>
Total Possible Points:	400 points

\*Class participation is required of all students. Class participation is defined as students being randomly called upon by the instructor and providing an answer that shows the student has read the assigned material.

**GRADING STANDARD:**

400 – 360 points	A
359 – 320 points	B
319 – 280 points	C
279 – 240 points	D
239 - below	F

Note: The Plus (+) and Minus (-) in the grading scale will not be used.

**PRACTICAL ASSIGNMENTS:** Students are assignment 8 written assignments during the semester. These assignments include: a) proofreading sentences for grammatical and spelling errors, b) using IRAC, c) drafting a demand letter, d) writing a case brief, e) spotting the issue from a court case, f) reading a court case and determining whether it is “on point” when compared with different sets of facts, g) use of counter-analysis h) preparing an office legal memorandum. The take-home midterm examination requires the students to draft either an opinion, informational or demand letter for a supervising attorney, use IRAQ in a detailed legal analysis and prepare a case brief. The take-home final examination requires the students to write an office legal memorandum for a supervising attorney and to draft a trial or appellate brief.

**INSTRUCTOR POLICIES ON LATE ASSIGNMENTS AND/OR MAKEUP**

**WORK:** All assignments are due on the date assigned at the start of the class period. Only the 7 highest grades of the 8 assignments will be counted. Therefore, if a student misses an assignment or fails to turn in an assignment, that assignment will count as the “lowest graded” assignment. In other words, students need only complete 7 out of the 8 assignments. NO EMAILED assignments will be accepted!! No late exams will be accepted unless due to emergency circumstances. The student must contact the instructor **within 24 hours** of missing the midterm or final exam explaining the reason for the late exam and to arrange for an alternate turn-in date. Failure to do so will result in a failing grade.

**COURSE CONTENT WITH TIME ALLOCATION:**

September 1, 2010	Introduction/Course Overview
September 8, 2010	Chapter 1
September 15, 2010	Chapter 2
September 22, 2010	Chapters 10, 11

September 29, 2010	Chapter 15
October 6, 2010	Chapters 3, 4
October 13, 2010	Midterm Preparation
October 20, 2010	<b>Midterm Examination Due/Chapter 5</b>
October 27, 2010	Chapter 6
November 3, 2010	Chapter 7
November 10, 2010	Chapter 8
November 17, 2010	Chapter 9
November 24, 2010	Chapters 12, 13
December 1, 2010	Chapter 14
December 8, 2010	<b>FINAL EXAM DUE</b>
December 15, 2010	<b>Final Examination Pick-up and Review</b>

### **ASSIGNMENTS:**

	<b>Due Date</b>	<b>Chapter, Page, and Number</b>
<b>#1</b>	September 22, 2010	Chapter 2, Page 49, Assignment 2
<b>#2</b>	September 29, 2010	Chapter 11, Page 290, Assignment 13/14
<b>#3</b>	October 6, 2010	Chapter 15, Page 406, Assignment 12
<b>#4</b>	October 27, 2010	Chapter 4, Page 107, Assignment E
<b>#5</b>	November 3, 2010	Chapter 4, Page 107, Assignment A
<b>#6</b>	November 17, 2010	Chapter 8, Page 199, Assignment 7
<b>#7</b>	November 24, 2010	Chapter 9, Page 223, Assignment 9
<b>#8</b>	December 1, 2010	Chapter 13, Page 344, Assignment 11

### **COURSE INSTRUCTION:**

Week 1: (September 1<sup>st</sup>) Class introductions, course overview, review of syllabus, general discussion of legal writing and analysis 3 hours

Week 2: (September 8<sup>th</sup>) Review of the sources of law (Enacted law, constitutions, statutes, administrative law, and common law); the role of the courts and court systems; review of precedent and stare decisis; hierarchy of the law; types of authority (primary and secondary); mandatory and persuasive authority 3 hours

Week 3: (September 15<sup>th</sup>) Introduction to legal analysis; the legal analysis process-issue, rule, application, conclusion (IRAC); IRAC analysis process; intellectual honesty and the importance of keeping focused 3 hours

Week 4: (September 22<sup>nd</sup>) Review of assignment 1; importance of the legal writing process; 3 stages of the legal writing process-prewriting stage, writing stage, and post-writing stage; identifying type and purpose of assignment; understanding constraints that may affect performance of assignment; importance of an outline; revising and editing writing 3 hours

Week 5: (September 29<sup>th</sup>) Review of assignment 2; fundamentals of writing; sentence structure; active and passive voice; use of transitions; paragraph structure; use of legalese; grammar; punctuation; formal writing conventions 3 hours

Week 6: (October 6<sup>th</sup>) Review of assignment 3 and the basic components of legal correspondence; the elements of information, opinion, and demand letters, how to draft information, opinion, and demand letter. Draft a demand letter for a supervising attorney using the facts provided and applicable law; learn what statutory law is; the components of a statute; how to analyze a statute and apply it to specific problems; the rule of legislative history and canons of construction; discuss the role and importance of court opinions; the elements of a court opinion; the role and importance of a case brief; how to brief a case 3 hours

Week 7: (October 13<sup>th</sup>) Complete midterm examination;. Take home midterm examination due next week 3 hours

Week 8: (October 20<sup>th</sup>) MIDTERM EXAMINATION DUE no later than start of class period; learn what are key facts and the difference between background facts and key facts; the role and importance of key facts; how to identify key facts in a client's case; how to identify key facts in a court opinion 3 hours

Week 9: (October 27<sup>th</sup>) Review of mid-term examination; issue identification; what is a legal issue and the various types of legal issues, elements of an issue; how to identify the issue in a client's case; how to identify the issue in a court case. Read and Brief a court opinion. 3 hours

Week 10: (November 3<sup>rd</sup>) Review of assignment 4; what is a legal issue and the various types of issues; elements of a well-crafted issue using applicable law, legal question and key facts; issue identification from a client's fact situation; how to spot the issue from a case, what are the elements of a well-crafted issue; value of phrasing the issue narrowly and comprehensively; best way to assemble elements to communicate the issue effectively; importance of stating the issue objectively 3 hours

Week 11: (November 10<sup>th</sup>) Review of assignment 5; what "on point" means when discussing case law; role and importance of a case being "on point" in legal analysis; how to determine if a case is "on point; determining the fact similarities and differences between a given case and the client's fact situation; 3 hours

Week 12: (November 17<sup>th</sup>) What is counteranalysis; why counteranalysis is important; the techniques of counteranalysis, where counteranalysis is placed in an interoffice research memorandum or a court brief. Prepare an argument in support of a position and using the same facts prepare a counterargument. 3 hours

Week 13: (November 24<sup>th</sup>) Review of assignment 6; the importance of an office legal research memorandum; purposes and uses of an office legal research memorandum; sections of a basic office legal research memorandum; how to draft the heading,

statement of assignment, issue, brief answer, and fact sections of a memorandum; how to draft the analysis, conclusion, and recommendations sections of an office legal research memorandum; general considerations when drafting a legal research memorandum.

3 hours

Week 14: (December 1<sup>st</sup>) Review of assignments 7 and 8; discussion of similarities and dissimilarities between court briefs and office memoranda; techniques of persuasive writing; elements of trial and appellate court briefs; how to draft trial and appellate court briefs.

3 hours

Week 15: (December 8<sup>th</sup>) FINAL EXAM DUE BY END OF CLASS PERIOD

3 hours

Week 16: (December 15<sup>th</sup>) FINAL EXAMINATION PICKED UP AND REVIEWED

3 hours

TOTAL

45 hours

**EXTRA CREDIT:** None

**ATTENDANCE POLICY:** Students are responsible for all course work whether in class or absent. Attendance in this class is critical; therefore, **three** or more absences from class will lower a student's grade one letter grade. Excessive tardiness or leaving early will have a negative impact on a student's grade.

**TUTORIAL SERVICES:** Students are entitled to 12 hours free tutoring per semester. For appointment call 651-4232 (Cheyenne), 651-5644 (Charleston), and 651-5089 (Henderson).

**ACADEMIC INTEGRITY POLICY:** Scholastic dishonesty will not be tolerated and will be prosecuted to the fullest extent. You are expected to have read and understood the current issue of the student handbook (published by Student Services) regarding student responsibilities and rights, and the intellectual property policy, for information about procedures and about what constitutes acceptable on-campus behavior. **NOTE:** Students are expected to do their own work. Students found copying other student's assignments will receive a failing grade.

**ADA STATEMENT (DISABILITY RESOURCE CENTER):** If you have a documented disability that may require assistance, you will need to contact the Disability Resource Center (DRC) located in the Student Service Center on each campus. The DRC can be contacted at the following numbers: Cheyenne Campus (651-4045), Henderson (651-3795), and West Charleston (651-5644).

For those students that would like to earn some additional income, stop by the Disability Resource Center to fill out a job interest card. The DRC hires students as note takers, readers, proctors, lab assistants, and research assistants as needed.

**SAFETY PROCEDURES:** Approved classroom safety procedures are posted in each classroom and are to be followed.

**DISRUPTIVE AND ABUSIVE BEHAVIOR:** Students are expected to conduct themselves in a professional manner in the classroom and on campus at all times. Disruptive and abusive conduct will not be tolerated. Students who fail to adhere to behavioral standards may be subject to discipline per CSN's Disruptive and Abusive Student policy. Examples of disruptive behavior include: repeated side conversation in the classroom, consistently arriving to class late or consistently leaving class early, repeated emotional outbursts in class, exchange of personal insults between students in class or through electronic media, fighting words exchanged among students in class or through electronic media or physical altercations between students. A copy of the complete Student Conduct Code and Disruptive and Abusive Student Policy is available for review on the CSN web page under the Student Affairs link or the Policies and Procedures link under "Quick Links" or "Administration."

**FINAL REMARKS:** If you must have a cellular phone, please set it on the "vibrate" mode. Unless it is an emergency, students are expected not to answer their cell phones during class.

Any information contained in this syllabus, other than the Academic Integrity Policy and the ADA statement may be subject to change with advance notice, as deemed appropriate by the instructor.