

Schedule of Assignments

OHJD Fall 2024
Prof. Tenielle Fordyce-Ruff

This is the first course in a yearlong cycle of instruction introducing you to the fundamentals of effective legal research, writing, and citation. In this course, you will learn and practice the basic skills necessary to succeed in the practice of law, whatever your chosen field. In the spring semester, in *Legal Writing II*, you will build on these basic skills to develop more sophisticated researching, writing, and citation practices. The premise of both courses is that research, writing, analysis, and citation weave together like a triple helix, each informing the other in the process called legal writing. We therefore teach the topics of research, writing, and citation as three aspects of the same process: your work product in both courses requires that you practice researching, writing, and citation skills.

We use a spiraling method of instruction in these courses: We first introduce core concepts such as hierarchies of authority, precedent, and *stare decisis*, as well as effective legal research and writing processes. Then, throughout the two semesters, we circle back to these concepts with increasingly complex analytical assignments. This semester, we focus on “objective” writing: The essential skill of predicting the likely outcome of a legal dispute based on an accurate and unbiased analysis of binding precedent applied to your client’s facts. In *Legal Writing II*, we turn to the art of advocacy. You will draft persuasive arguments using the same skills you develop in this course, but in a writing style designed to persuade a court to rule in your client’s favor.

This course is divided into three Units. In Unit 1, we introduce you to the structure of—and relationship between—American legal systems and legal research systems. Understanding the hierarchies of authorities and the appropriate use of primary authority, and how to access that authority is an essential predicate to effective legal analysis, so we begin there.

Unit 2 focuses on how to construct a legal argument using the CREAC organizational structure. Unit 3 synthesizes the lessons of the semester with a final writing project using the Office Memorandum format. The Units all include instruction and practice in proper legal citation format.

By the end of this course, you will be able to:

1. Describe the structure, components, and functions of legal systems in the United States.
2. Describe the relative weight of different types of primary and secondary authority.
3. Demonstrate efficient, thorough, and deliberate research processes for primary and secondary authority in federal and tribal jurisdictions.
4. Identify sources of authority relevant to a complex fact pattern, including constitutional provisions, statutes, regulations, and rules of common law.
5. Identify material facts within a complex fact pattern when given a legal issue.
6. Demonstrate rule-based reasoning skills to analyze the potential outcomes of a legal dispute.
7. Demonstrate analogical reasoning skills to analyze the potential outcomes of a legal dispute.
8. Apply statutes, cases, regulations, and other forms of primary authority to analyze the potential outcomes of a legal dispute.
9. Identify and dismiss counter-analysis.
10. Practice using key principles of plain language to express your analysis clearly and concisely.
11. Practice proper citation format with constitutions, statutes, cases, and regulations.

Key:

- PGLA: Christine Coughlin et al, *A Lawyer Writes: A Practical Guide to Legal Analysis* (4th ed. 2024).
- ALWD: Association of Legal Writing Directors & Carolyn V. Williams, *ALWD Guide to Legal Citation* (7th ed. 2021).
- RTL: Amy E. Sloan, *Researching the Law: Finding What You Need When You Need It* (4th ed. 2023).
- CGL: *Core Grammar for Lawyers*, <https://coregrammarforlawyers.com>.
- Handout: all handouts are posted on Canvas

Note: This schedule is subject to change. Any changes will be announced in writing.

Date & Class	Topics	To Do: Before Class	To Do: After Class
Unit 1: Finding The Law			
Week of August 26 What is “The Law” and How to Find It	– Introductions: <ul style="list-style-type: none"> ○ To This Course ○ To the Legal System ○ To Hierarchy of Authority ○ To the Research Process ○ To Understanding Legal Citation 	– Handout: How to Succeed in LRW – RTL Ch. 1 – PGLA Ch. 2 – Handout: Legal Citation Basics – ALWD pgs. 54, 112, 185, 214, 235 (note the differences in the citations for these various legal authorities so)	– Complete: Getting to Know You
		During Week 1, make sure to <ul style="list-style-type: none"> – Install Microsoft 365 from VLGS IT (if you don’t already have it) – Attend the Westlaw training session (Microsoft Teams) – Attend the Lexis training session (Microsoft Teams) 	

		– Attend OHJD Library Resource Session (Microsoft Teams)	
In-Person at Burlington Residency			
September 6 (2:15-3:30)	– Research Strategies – Secondary Sources	– Handout: Online Legal Research – RTL Ch. 3-6 & 8	– Complete Research Exercise, Part 1
September 7 (1:45-3:00)	– Finding the Law (Cases & Statutes & Reg's)	– Review RTL Ch. 4-5 – RTL Ch. 9 & 11; pgs. 130-134	– Complete Research Exercise, Part 2
September 8 (9:15-10:30)	– Case Reading – Intro to Legal Analysis	– PGLA § 3.2, Ch. 6	– CREAC Exercise
No Class Meeting the Week of September 9	– Complete CGL Pre-Test by 11:59 p.m. (Pacific) Saturday, September 14 – Read: ALWD Rules 1-5, 11, 12.1-12.7, and 14.1-14.5 & appendix 3.E – Watch: Creating Correct Citations		
Week of September 16	– Citators – Prioritizing Research Results – Research Review	– Bring to Class: CREAC exercise – RTL Ch. 10 – Review RTL Ch. 2-6, 9, 11 & pgs. 130-134	– Complete Research Exercise, Part 3 – Complete Unit 1 Assessment
September 22 11:59 p.m. (Pacific) Unit 1 Assessment Due			

Unit 2: Constructing One Legal Argument (aka CREAC)

Week of September 23	<ul style="list-style-type: none"> - Introduction to Discussion Sections - Understanding the Client's Problem - Reaching for Comprehension - Organizing Research Results 	<ul style="list-style-type: none"> - Clean Water Act Case (Unit 2 Assessment Assignment) - Handout: Effective Research Notes - RTL Part III: Research Flowcharts - PGLA Ch. 3 & 5 - Bring to Class: Complete Research Exercise (Parts 1, 2, & 3) 	<ul style="list-style-type: none"> - Authorities Exercises
Week of September 30	<ul style="list-style-type: none"> - Pre-Writing - Finding Your Argument - One Legal Argument 	<ul style="list-style-type: none"> - PGLA Ch. 4 & 6 - Bring to Class: Authorities Exercise 	<ul style="list-style-type: none"> - CWA Case Outline
Week of October 7	<ul style="list-style-type: none"> - Synthesizing Rules - Explaining the Law 	<ul style="list-style-type: none"> - PGLA Ch. 7 - Handout: Formulating Holdings & Legal Principles for Case - ALWD Rules 1-5, 11, 12.1-12.7, and 14.1-14.5 & appendix 3.E - Bring to Class: CWA Case Outline 	<ul style="list-style-type: none"> - Draft R & E for the CWA Case
No Class Meeting the Week of October 14	<ul style="list-style-type: none"> - Read: PGLA Ch. 8 - Watch: Constructing Effective A Sections - Complete Fact Matching Chart Assignment - Add A section to CWA draft 		
Week of October 21	<ul style="list-style-type: none"> - Quoting in Legal Documents - Clear, Concise, Correct Writing - Ensuring R, E & A Sections are complete - C Sentences 	<ul style="list-style-type: none"> - ALWD Rules 38-40 - PGLA Ch. 9 - Bring to Class: R, E & A for CWA Case 	<ul style="list-style-type: none"> - Add C's section to the CWA Case Draft - Revise Draft of CWA Case - Edit, Polish & Proof CREAC for CWA Case

	- Editing & Proofing	- Handouts: Editing Tips & Tricks; E-editing	
	- Blackout Period Begins October 26 at 11:59 p.m. (Pacific)		
October 27 by 11:59 p.m. (Pacific) Unit 2 Assessment Due			

Unit 3: Interoffice Memorandum

Week of October 28	<ul style="list-style-type: none"> – Introduction to Interoffice Memos – Introduction to ADA Case (Unit 3 Assessment) – Pre-Writing 	<ul style="list-style-type: none"> – PGLA Appendix A (skim) – Review PGLA Ch. 4 & 5 	<ul style="list-style-type: none"> – Begin Researching ADA Case
No Class Meeting the Week of November 4	<ul style="list-style-type: none"> – Read PGLA Ch. 4 & 5 – Watch: Introducing & Connecting Legal Arguments – Finish Researching ADA Case – Prepare an Outline of ADA Case Discussion Section 		
Week of November 11	<ul style="list-style-type: none"> – R, E & A revisited – Introducing & Connecting Legal Arguments – Statement of Facts QP & BA – Conclusion Sections 	<ul style="list-style-type: none"> – PGLA Ch. 12 -15 – Review PGLA Ch. 7 & 8 – Bring to Class: Outline of ADA Case 	<ul style="list-style-type: none"> – Draft ADA Case (Entire Interoffice Memo)
No Class Meeting the Weeks of November 18 & 25	Individual Conferences in lieu of class meetings		
Week of December 2	<ul style="list-style-type: none"> – Finalizing the Memo – Editing & Polishing 	<ul style="list-style-type: none"> – Review Handouts on Editing – PGLA Ch. 16 	<ul style="list-style-type: none"> – PGLA Post-Test Due
<ul style="list-style-type: none"> – Blackout Period begins at December 5 at 11:59 p.m. (Pacific) 			

**December 6 by 11:59 p.m. (Pacific)
Unit 3 Assessment Due**