

Foundations of Legal Analysis

REQ 7175 02

Fall 2025

Tuesday/Thursday 11:20-12:35pm

Instructor: Professor Xiaoyu Zhang

Email: xzhang@vermontlaw.edu

Office: Debevoise 313

Office Hours: Thursday 1:00-2:00 p.m., by appointment

Class Structure

Although this course is two-credit, it meets for three hours each week. The reason is that there are several dates throughout the semester where we will not meet. This course is intentionally front-loaded in a way that allows you to learn and practice skills early in the semester that you will be able to apply to your other classes later.

Course Goals

The goals of this course are to:

1. Master fundamental skills required for good legal analysis, including case briefing, note taking, outlining, and efficient class participation.
2. Practice legal analysis through in-class exercises and practice exams.
3. Explore bar-style multiple choice questions.
4. Improve work product through meaningful self-assessment and by incorporating individualized feedback.

Learning Outcomes

Upon successful completion of this course, students will be able to:

1. Create briefs and outlines for courses.
2. Apply legal rules to hypotheticals.
3. Analyze and explain outcomes when given a rule.
4. Diagnose areas of needed improvement in courses.

Course Materials

Required Materials:

You are not required to purchase a book for this class. All required reading materials will be posted to Canvas. You are also expected to access the following throughout the semester:

- Barbri 1L Mastery: Will receive login instructions at the start of the semester.
- Academic Success Program Portal: [ASP Home \(sharepoint.com\)](https://sharepoint.com)
 - This is where you will sign up for student mentor meetings, as well as access other supplementary materials.

Practice Materials:

Practicing applying the law is essential to your success in law school. We will do practice problems in class periodically to review key topics from your doctrinal courses, but these will not be enough to fully prepare you for exams. The following resources are available to you to practice – please use them early and often!

- ASP Resource Library – Waterman 3rd Floor: A variety of supplemental materials available for checkout
- VLGS Library Online Database
- Barbri 1L Mastery Program
- CALI – login on [ASP portal](#)
- Practice Exams (distributed closer to final exams)

Office Hours

I am happy to meet with you to discuss anything that arises while you're navigating law school. You can come to my office hour (Thursdays, 1:00-2:00 p.m.), or schedule an appointment by emailing me, or using this [Calendly link](#). I am available to meet in person in my office or virtually through Teams. Please do not hesitate to reach out if I can answer any questions or provide any assistance at any time.

Email Etiquette

Your VLGS email will be the primary means of communication in this course. I expect that you will check your email at least once a day during the school week.

I expect you to act as a professional in this course. This includes using proper email etiquette. This means that there must be a salutation (e.g., "Hello Professor Zhang"), a body, and a signature. The subject line should also reflect the topic of the email.¹

Grading

This is a two-credit pass honors/pass/low pass/fail course. There is no final exam or final paper. Rather, your grade will be based on the following:

1. Class attendance and participation.
2. Timely submission of assignments.
3. Performance on in-class exercises and practice exams.
4. Presence at individual meetings.
5. Any other assignments that the professor determines necessary.

All assignments are due by the date and time indicated on the Course Overview. If any of these assignments are not completed by the assigned time (or are completed in a manner that is not satisfactory to the professor), it is at the professor's discretion to determine if and how the student can make up the required work. Additionally, all students must comply with the

¹ For more information on writing professional emails, please see the "Sending Professional Emails" link in the Resources section on Canvas.

attendance policy below and be prepared to participate in each class. Quality of work, timeliness, class participation, and attendance will all be factored in your grade for this course.

Attendance Policy²

Attendance is mandatory for this class. Presence also requires being prepared. If you are not prepared for class, the professor reserves the right to count you as being absent for the class.

A student will be counted as absent if he/she is not present within 10 minutes of the scheduled start time of the class. A student will be considered late if he/she arrives to class after attendance is taken, but prior to 10 minutes after the scheduled start time of class. If you are late twice, that counts as one absence.

If a student misses more than three classes, that student will fail the course due to absence. The professor reserves the right to award positive or negative class participation points based on timely class attendance and participation. You will be responsible for all material covered in any class you miss and may be required to complete make-up work at the professor's discretion.

If the reason you are absent for more than three classes is due to serious illness, religious observance, and/or significant personal emergency, you may file a petition to the Committee on Standards with the Registrar or request an accommodation from the Vice President of Diversity, Equity, and Inclusion, or Vice Dean for Students, if appropriate. Any petition to the Committee on Standards or accommodation requests would be considered on a case-by-case basis.

Weather/Emergencies

If school is closed for the time of our scheduled class, I will either notify you that class for that day will be virtual through Teams or we will schedule a separate makeup class. If the school is open, but travel is not safe from where you are coming, exercise your discretion. If you are not able to attend due to weather, inform the professor as soon as possible.

Plagiarism

Students are cautioned to comply with the requirements of the Honor Code by avoiding plagiarism and other misconduct as provided in the student handbook. When in doubt about plagiarism, paraphrasing, quoting, or collaboration, consult the instructor.

You all know not to plagiarize, but some of you may be confused as to what plagiarism means in this context. Of course, you all know that you cannot quote another author without attribution. This includes web sites! Merely altering a few words does not permit you to omit quotation marks. In addition, it is also improper to paraphrase or borrow ideas from another without attribution. If you got an idea from another author, cite that work. It is often appropriate to explain either in text or footnotes how your own argument differs from that previously made by others. You will find other articles' sources/footnotes to be a rich source of information.

² See Academic Regulations II(A)(1).

However, to the extent that you rely on another article's footnotes you must read all such sources yourself to make sure they really say what the other author said they said. It is never proper to cite a source you have not yourself read, unless you note that you are "citing Source A citing Source B." This should only be done rarely, when that second source is important but cannot be located. To the extent you use other authors' footnotes as starting points you will often find you need to update such footnotes, e.g., by citing to a more current statute or version of the book. If you have any questions regarding when cites are and are not needed, please ask me, or err on the side of citation.

Plagiarism is an Honor Code violation that will result in an F in the course and a referral to the Vice Dean for Students for further action.

AI Tools Usage Policy

AI technologies are allowed to use to conduct research or correct grammar. Generative AI³ is not to be used in a way that would constitute academic plagiarism if the generative AI were a human author whose work was used without attribution. If Generative AI tools are used for an assignment, a disclosure statement should be included together with the assignment, including identification of the tools used, the process of using the tools, and the function of the tools used for the assignment.

Accommodations for Disabilities

If you have a disability and would like to request an accommodation please review our Disability Policy at Vermont Law School academic accommodations at:

<https://www.vermontlaw.edu/community/students/academic-success/accommodations>.

On that webpage, there is also an online form you can complete and upload your supporting documentation. If you have questions, please make an appointment with the Vice Dean for Diversity, Equity, and Inclusion. Please note that requests made within two weeks of a midterm or a final examination may not be granted in time. Please make your request as soon as possible.

³ "Generative AI" refers to software, such as ChatGPT, that can generate original text (including research papers, exam answers, etc.) comparable in many respects to human writing. This is distinct from other forms of AI that have been commonplace for longer, such as software in familiar tools like Google and Westlaw, that facilitates the search for and extraction of information from data sources.

Course Overview

Below is a general course overview. Please note that because each class goes at its own pace, the exact timing is likely to change as needed. However, to help you with your semester planning, this overview will hopefully give you a general idea of what we will cover together and the order in which we will cover it. I will distribute updates to this overview in writing as needed.

	Date	Objectives	Readings (Complete Before Class)	Assignments (Due Dates in bold)
1	Aug. 26	<ul style="list-style-type: none">▪ Class Introduction▪ Course Requirements▪ Structure of Law School Courses▪ How to Meet with ASP Mentors	<ul style="list-style-type: none">▪ Join course Canvas page.▪ Read course syllabus▪ Read Hunter Schwartz – “Introduction to Law School Instruction”	N/A
2	Aug. 28	<ul style="list-style-type: none">▪ Structure of the Court System▪ Time Management▪ (Re)introduction to Case Briefing	<ul style="list-style-type: none">▪ Read Ramy – “Structure of the U.S. Court System”▪ <u>Optional</u>: Kerr Article▪ <u>Optional</u>: Watch Time Management Guide – 7 videos embedded in posted article – 50 min. total	<ul style="list-style-type: none">▪ Submit weekly calendar for week of Sept. 1-5 by 11:59pm on 8/31/25
3	Sep. 2	NO CLASS – Attend ASP Session in lieu of class time		<ul style="list-style-type: none">▪ Attend ASP Mentor Networking Workshop: September 2, 2025, 12:45p.m. – 2:00 p.m. (Yates)
	Sep. 4	NO CLASS		
4	Sept. 9	<ul style="list-style-type: none">▪ Techniques for Effective Note Taking▪ After-Class Debriefing▪ Review Groups	<ul style="list-style-type: none">▪ Read Hunter-Schwartz – “Strategies for Learning in the Law School Classroom”	<ul style="list-style-type: none">▪ Submit case brief for <i>Loneragan v. Scolnick</i> of your Contracts text by 11:59pm on Sept. 7

5	Sept. 11	NO Class – Attend ASP Session in lieu of class time		<ul style="list-style-type: none"> Attend ASP Introduction to Outlining Workshop: September 11, 2025 3:35 p.m.- 4:50 p.m. (Oakes 208 or Teams Online)
6	Sept. 16	<ul style="list-style-type: none"> Essay Writing for Exams Part I 	<ul style="list-style-type: none"> Bring your <i>Louisville & Nashville R.R. Co. v. Mottley</i> brief to class for reference 	<ul style="list-style-type: none"> Intro to Outlining – Study Time w/ Mentors, 12:45-2:00p.m. Oakes 208 <u>Optional</u>: Attend Constitution Day: September 17, 2025, 5:00-6:00 p.m. (Chase)
7	Sept. 18	<ul style="list-style-type: none"> Essay Writing for Exams Part II 	<ul style="list-style-type: none"> Bring your <i>Gordon v. Steele</i> and <i>Mas v. Perry</i> briefs to class for reference 	<ul style="list-style-type: none"> ASP Mentor Networking, Sept. 18, 3:30-4:30p.m. Teams
8	Sept. 23	<ul style="list-style-type: none"> Attack Outlines Multiple Choice Strategies 	<ul style="list-style-type: none"> Read Hunter Schwartz – “Taking Law School Multiple Choice Tests” 	<ul style="list-style-type: none"> Submit up-to-date full course outlines on Canvas by 11:59 on Sept.25. Sign up for a meeting time between Sept. 26- Oct.3 to review course outlines with an ASP mentor. Keep record of the meeting time, and the subject discussed.
9	Sept. 25	NO CLASS– Attend ASP Session in lieu of class time		<ul style="list-style-type: none"> Attend ASP “IRAC and Multiple Choice Strategies” Session, Sept. 25, 2025, 12:45-2:00 p.m. Teams or Oakes 208