

Policy Syllabus

The following policies and procedures will be in effect throughout the semester unless I specifically instruct you otherwise. **You are responsible for knowing and understanding the information contained in this document.** Do not hesitate to ask me questions.

Course Information

Legal Writing & Research I is a required course worth two credits towards graduation. Classes will meet on the following days and times:

Monday	9:30 - 10:25	L315
Thursday	9:30 - 10:25	L315

Occasionally, we may meet at an alternate time to make up a class or to keep pace with the schedule. In that event, you will be given advanced notice of the details.

Also, you will have required and optional conferences with me that will be scheduled later in the semester.

Course Objectives

Fall

- The focus of the fall semester in this course is predictive or objective writing and on learning the basics of legal research.
- Class discussion will address legal analysis, effective organization and clear writing, and professionalism.
- Through workshops, exercises and in-class instruction, you will learn how to find, among other resources: [1] judicial opinions and decisions, also known as case law; [2] statutory law; and [3] secondary sources, which consist of a variety of writings about various areas of the law.
- Your major assignments for the fall will involve writing office memoranda analyzing legal principles and applying those principles to specific fact patterns to predict the outcome.
- The first of these memoranda will be “closed”. That is, you will be given the materials on which your legal analysis of a question and prediction of outcome will be based.
- The second memorandum will require you to do your own research.

Thus, in addition to receiving an introduction to the fundamentals of legal research, you will learn how to read and brief a case, how to read a statute, and how to analyze rules of law and apply them to certain factual scenarios. By the end of the fall semester, you will learn how to research a basic legal question independently and to write a clear answer to that question.

Spring

- In the spring, the focus is on persuasive writing.
- Your major assignment will be writing an appellate brief advocating your client's position. You will also make an oral argument before a panel of judges.
- The skills you learn in the first semester (legal analysis, effective organization, and clear writing) are essential to successful advocacy in the second semester.
- Your fall semester research notes should be useful to the research you must perform in the spring, as well as for the **research test** given toward the beginning of the spring semester.

Contact Information and Communications

Office Location: L309
Email: jwolf@law.fsu.edu
Phone number: 644-5081
Office hours: Monday 12:00 – 2:30
Wednesday 9:30 – 10:45
12:00 – 2:30

Open Door Policy/Meetings

I encourage you to contact me with any comments, concerns, problems, or questions you may have. If you cannot take advantage of my office hours, we will make alternative arrangements. You are welcome stop by my office at any time; I have an open-door policy and anticipate being in my office more than my office hours indicate. You may e-mail or call me. During weeks when I expect to meet with a significant number of students, I will post an appointment sign-up sheet on the door of my office.

There are three limitations on meetings.

(1) Unless we use the Discussion Board for postings that everyone can access, I will not discuss a graded writing assignment following the last class before that assignment is due.

(2) I will not discuss graded writing assignments for one full business day after returning them to you. This waiting period should encourage you to read my comments carefully and reflect on your work and grade before coming to see me.

(3) I will not meet with students during times when their other first year courses are scheduled to meet.

BlackBoard

I also plan to use the Discussion Board feature of the BlackBoard to post questions and answers of general interest; therefore, you may post a question to the Discussion Board. I use the BlackBoard and its various features to communicate with you and to make written documents available to you; therefore you need to become familiar with and use these Web-based tools. You should check the BlackBoard announcements frequently.

Attendance

- Attendance is **mandatory** at all scheduled classes, conferences, and research workshops and includes the obligation to arrive on time and to satisfactorily complete reading and homework assignments. Please contact me in advance if you will miss class.
- You are responsible for obtaining handouts, notes, and assignments given in any missed classes.
- Unexcused absences will affect your grade negatively. Excused absences are appropriate for matters such as family emergencies, personal illness, or religious observances. I reserve the discretion to decide whether an excuse will be granted. If you miss more than 20% of the scheduled classes for any reason, you may be administratively dropped from the course.

Grading and Credits

For the fall semester, your grade will be based on the following:

Category	Percentage of Total Points	Maximum Points
Class Participation and Professionalism	10%	50
Research	20%	100
Writing	70%	350
Total		500

Your points in each of these categories will be converted into a final grade. ***This final grade is subject the curve required by the College of Law and will not necessarily correspond to a percentage of the total points.*** The curve dictates the percentage of grades that can be awarded in a certain range and **is binding on the professor.** Because grades are placed on a curve, it is not possible to determine your grade simply

by calculating a percentage. However, I will do my best to provide you with constructive feedback on your assignments so that you will know how you are developing as a legal researcher and writer.

The two sections of this course that I teach will be graded together as one class.

- **Class Participation and Professionalism**

Class participation and professionalism points will be based on attendance and timeliness at all required meetings, preparation for class, and overall class contributions. There is no direct correlation between the number of questions asked and the amount of points earned; however, thoughtful contributions will reflect positively. Professionalism includes behaving in a mature, courteous manner towards your classmates and me, the timeliness and appearance of assignments, and your attentiveness in class.

Included in these points are the marks you receive on other “ungraded” assignments. Ungraded assignments may involve drafts of work in progress, case briefs, legal analysis and writing exercises, or short writing assignments. These assignments will be evaluated on a “check plus” (✓+), “check” (□), and “check minus” (□-) and 0 basis. Failure to timely and satisfactorily complete ungraded assignments will result in deductions from your cumulative points and a lower grade. Consistent outstanding performance will be considered in calculating your grade.

- **Research Worksheets**

The Research component of your grade will consist of graded research assignments. Each will carry equal weight. Research/citation worksheets or other research assignments will be due a week after your research workshop, before classes begin for the day. To receive full credit for each assignment, you must submit it on time, answer each question completely **using correct citation form**, and show through your answers that you understand how to use the resources covered. Although you may work together on finding sources for worksheets (unless otherwise advised), each student must go through all of the steps necessary to answer all questions, including the citation component. **A test on research methods and tools is scheduled for the beginning of the spring semester.**

- **Writing**

This portion of your fall course grade consists of two graded writing assignments: a closed memorandum, which does not involve independent research and an open memorandum, which does require independent research. The closed memorandum will count for 30% of your writing grade and is worth a maximum of 105 points. The open memorandum will count for the remaining 70% of the writing grade and will have a maximum point value of 245. Your draft of the closed memorandum will

be evaluated as an ungraded assignment (previously described). The open memorandum will be subject to self evaluation. Draft versions as well as final versions of memoranda should be proofread carefully for typographical errors before submission. You will receive detailed instruction on how to properly complete these assignments.

- **Extensions**

Due dates for all assignments are strict. Extensions will be granted only for matters such as a family emergency or personal illness. **Computer failure and printing problems are not a valid basis for seeking an extension.** Always **back up your work on at least one disk or flash drive.** If you wish to request an extension, please contact me as soon as possible. Whether to grant an extension will be completely within my discretion.

- **Penalites**

Timeliness is an essential characteristic of a competent lawyer. When each assignment is distributed, you will be provided with the details for turning in the assignment by a certain time in a certain location. Assignments submitted after the deadline will be subject to a five percent deduction of the maximum possible points during the first 24 hours after an assignment is due. Thereafter, an additional ten percent of the maximum possible points will be deducted every 24 hours. Note: The faculty support staff's time is the official time for the purpose of determining whether an assignment is timely. Any time notations made on papers by the faculty support staff are final. **Plan to submit your assignment at least thirty minutes before the deadline.**

Florida State University Honor Code

You are expected to uphold the Academic Honor Code published in The Florida State University Bulletin and Student Handbook. The Academic Honor System of The Florida State University is based on the premise that each student has the responsibility (1) to uphold the highest standards of integrity in the student's own work, (2) to refuse to tolerate violations of academic integrity in the University community, and (3) to foster a high sense of integrity and social responsibility on the part of the University community.

A copy of the honor codes published in The Florida State University Bulletin and Student Handbook will be provided upon request. **Please contact me immediately if you have any questions or concerns about potential or inadvertent violations of the honor codes.**

See the following web site for a complete explanation of the Academic Honor Code.

<http://www.fsu.edu/Books/Student-Handbook/codes/honor.html>
<http://www.fsu.edu/Books/Student-Handbook/>

Specific to this course, you should be aware of the following:

- Computer Research

During the fall semester, unless specifically instructed to the contrary, it is a violation of the Student Code prohibition against unauthorized assistance for you to conduct legal research for class assignments in this course using any version of Lexis or Westlaw, CD-ROM libraries, or Internet sites. Further, you may not use cite-checking programs to check your legal citations.

- Library

The Student Conduct Code prohibits hiding, mutilating, or sequestering library materials. Please re-shelve books properly when you have finished using them, as other students may need those books.

- Cheating and Plagiarism

The Student Conduct Code prohibits cheating and plagiarism. Under the Student Conduct Code, cheating is defined as receiving or giving unauthorized aid or assistance in the completion of any work used in evaluating academic performance, and plagiarism is defined as representing someone else's work as your own.

I encourage you to discuss your assignments with me, the legal writing assistants for this class, the writing specialist (if there is one), and your classmates. Although you are encouraged to discuss your writing assignment with classmates, no other law student should read your work – not even to proofread it. The following is a list of the dos and do nots for working with other students.

- You may discuss the problem or legal issue, analyze it, discuss the cases involved, discuss general writing procedures and grammar, discuss the large-scale organization and structure, formulate the rule(s), talk about applying the rule(s) to the facts, and even discuss generally how you would resolve the problem. Discussing analytic and conceptual problems is permissible.
- You may help each other to understand how to use a library source, but you may not give each other the specific answers (or barely veiled clues) to the correct answer to a question on a research exercise. Although I encourage you to work in groups for research projects, **research**

worksheets are individual assignments and it is a violation of the Student Conduct Code to copy another's answers.

- You may **not** "talk out loud" the narrative structure of a draft of an assignment. **Once you are creating a product, that product must be yours.**
- You may **not** edit each other's work; you may not read or review each other's work; you may not write jointly; you may not write any portion of another student's paper.
- **You may not let another person (except your Legal Writing professor or student assistants or the writing specialist) read a draft of your paper; you may not allow anyone to edit your paper, proofread it, or correct grammatical mistakes.**

The student assistants assigned to this section and the writing specialist will have been given guidelines regarding appropriate assistance in working with you on assignments. You need not worry that seeking assistance from a student assistant or from me constitutes impermissible collaboration on your part. The legal writing assistants and I can help you with writing and structure problems and will review portions of your work to that end. However, we will not proofread or rewrite the assignment for you. You may also discuss the legal issues with the student assistant assigned to this section or with me. However, we will not give you "the answer." (There usually is not one answer.)

All writing must be your own and exclusively your own work. Therefore, you are solely responsible for all writing, including proofreading, produced for Legal Writing & Research.

Student Assistants (Tutors)

The student assistants will conduct the research workshops and will be available to help you with any problems you may encounter in this course. Specifically, the student assistants can and may help you with writing skills, structure, and citation. Along with me, the student assistants can offer general advice, note particular problems you may be having, point you in the right direction, and can generally help you understand the writing and research process. **It is your responsibility to seek out any help you may need.** Although outside of class neither the student assistants nor I can give you specific answers (such as how to cite a case), we can help you learn where to find the answer and can work with you in addressing any problems in your research and writing. Additionally, although the student assistants may not write or

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rewrite your assignments, they can offer great assistance in written and oral communication skills.

Textbooks and Materials

Textbooks

Richard K. Neumann, Jr., *Legal Reasoning and Legal Writing: Structure, Strategy & Style* (5th ed., Aspen L. & Bus. 2005).

David S. Romantz & Kathleen Elliott Vinson, *Legal Analysis: The Fundamental Skill* (Carolina Academic Press 1998).

Anne Enquist & Laurel Currie Oates, *Just Research* (Aspen L. & Bus. 2005).

Anne Enquist & Laurel Currie Oates, *Just Writing: Grammar, Punctuation, and Style for the Legal Writer* (2nd ed., Aspen L. & Bus. 2005).

The Bluebook: A Uniform System of Citation (18th ed. Harvard Law Review 2000).

Other Required Materials:

Five to seven different colored highlighters

Mini stapler (with staples)

Special Accommodations

Students with disabilities who require academic accommodations should (1) contact the College of Law's Dean of Students, (2) register with the Students Disability Resource Center ("SDRC"), and (3) produce a letter that documents the needs for academic accommodations, addressed from the SDRC to me. Please contact me if you need accommodations while you are arranging matters with the SDRC.

For more information about services available to FSU students with disabilities, see

SDRC@admin.fsu.edu
<http://www.fsu.edu/~staffair/dean/StudentDisability/>