WRTG 3020: Conversations on the Law
Spring 2009
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An Overview: Course Description
The law pervades American society and touches each of us daily: from "Law and Order" to "Judge Judy," and from traffic tickets to constitutional questions such as "Can I protest at the UMC?" In "Conversations on the Law," students will build on basic rhetorical knowledge learned in First Year Writing and Rhetoric to expand their analytical and argumentative skills. They will examine and write in several legal genres using a moot court sequence of assignments. Students act as legal counsel to write an analytical memorandum to their law firm. They write an appellate brief—a persuasive argument to a court. In addition, students will participate in oral arguments as both counsel and judge. The semester includes the opportunity to deliberate as a jury. Throughout the semester, students hone their research and writing skills in order to better understand the law: as public policy, as a unique language, as its own creation and as a civilizing force, and as conceptualized by those inside and outside of the profession.

Rhetorical Knowledge: "Conversations on the Law" explores several genres and conventions commonly used to transmit ideas within the legal world and its various discourse communities. We look at how a specialized vocabulary affects clarity and credibility by examining the concept of "Legalese." We explore law as a response to culture, society and place. We define public policy.

We examine legal rhetoric through assignments in three basic legal genres—legal memoranda, appellate briefs, and oral arguments. In preparation for writing in these legal genres, we focus extensively on invention: examining facts, identifying issues, researching and analyzing the possible solutions to a variety of public policy issues. Students identify the requirements of the various genres, thereby revealing the values, goals and assumptions of the larger community. They practice how stance, content, context, conventions, and persuasive strategies work within the seemingly rigid confines of these genres. Legal conventions and due dates are strictly enforced, as courts have stringent rules for formatting briefs (i.e., sections, headings, margins, font size) and inflexible due dates. Visual rhetoric, modeling, and audience analysis also enter into discussion and praxis. Finally, students participate in several reflective and audience-centered activities to help them better understand persuasive evidence, strategies, and credibility.

Writing Process and Writing Conventions: We approach writing as an ongoing process requiring multiple drafts and apply a range of strategies for developing and revising texts. We use many revision strategies such as partial drafts, written and oral peer commentary, editing teams, brainstorming revision criteria, and sentence-level writing exercises. In addition, students meet one-on-one with the instructor two to three times during the semester to workshop drafts. Finally, students extend their mastery of features style, syntax, grammar, punctuation, and spelling to write persuasively.

Content Knowledge: This course is designed to introduce effective communication techniques from the real world of the law—using some of those documents and genres that lawyers and judges assemble or work with on a daily basis. Students demonstrate their ability to compose and adapt content and style to the needs of multiple audiences and rhetorical situations by practicing and demonstrating proficiency in the three legal genres which are the focus of the moot court experience.

As with law school classes, "Conversations on the Law," uses fact patterns each semester to guide the content of the research and writing for the class. The fact patterns vary from semester to semester, and are listed in the Tentative Daily Schedule. Students work, in different capacities, with three of the six fact patterns for the semester. As Margolis and DeJanatt write in their article, "Moving Beyond Product to Process: Building a Better LRW Program," a good fact pattern or writing problem "must be challenging, involve issues that are both realistic and arguable, be culturally sensitive, and stretch the students' analytical and research skills without overwhelming them." (48 Santa Clara L. Rev. 93, 131 (2005)). Specifically when working with undergraduate students, the fact patterns cannot be too "legal" as these students have not had the benefit of legal training.

Perhaps the most important application of the class comes from the focus in the class on public policy issues rather than purely "legal" issues. The fact patterns are written to raise public policy aspects of the law that should concern all members of society, whether law-trained or not.

Technology:
Electronic technologies play an important role in the course. Students use print and electronic resources to prepare for writing legal genres, locating information and analyzing it for accuracy, relevance, credibility, reliability and bias. They also post, edit, and comment on drafts using a WIKI. This integration of Web 2.0 technology...
enhances creativity, communication, information sharing, and collaborative learning both inside and outside of the classroom.

**Texts and Materials:**
- Law as a response to society, culture & place –
  - “Introduction” to *The Philosophy of Law* by Joel Feinberg and Jules Coleman
  - “Patterns of Order in Comparative Law” by Bernhard Gossfeld and Edward J. Eberle
- Basic legal principles as public policy –
  - “Eight Ways to Make Bad Law” by Lon Fuller
  - “Legal Realism” by Jerome Frank
- *Politics and Public Policy* by Van Horn, Baumer & Gormley (selections)
- Defining legal genres and audiences –
  - *Legal Writing and Analysis* by Linda H. Edwards
  - *Legal Reasoning and Legal Writing* by Richard K. Neumann
- Judging and oral arguments –
  - *How Judges Think* by Richard A. Posner
  - Moot court competitions – live at CU Law School, George Washington Moot Court competition on DVD
- Writing process – selections by
  - Don Murray
  - Ken Macrori
  - Bruce Ballenger
  - Tom Romano

**Assignments: Overview**
The basic structure of this class is as a moot court. We spend the first three weeks reading about and writing short reflections on the law as public policy. The remainder of the semester is spent primarily on three basic legal genres: the legal memo, appellate brief, and oral arguments (as petitioner’s counsel, as respondent’s counsel, and as judge). Students work with a different set of facts for each genre.

The legal memo is an internal, law office document written about a particular case. It is a purely analytical document. The audience is the author herself, or other lawyers who may work on the case for that client. The purpose of the memo is to identify those facts which are of legal importance, present the theories or issues raised by those facts regardless of which side might favor theories, and to predict or strategize the outcome of the case.

Students next build on the legal memo and its menu of facts and theories to write an appellate brief which should persuade an external audience of judges to rule in favor of the client. We also pay attention to the physical requirements of the brief in following specific formatting guidelines and deadlines.

The companion piece to the brief is oral argument where students have the opportunity to respond persuasively and directly to questions by a panel of judges. Students argue twice: they argue their brief as the petitioner in a case, and they argue their memo as the respondent in a second case. Students serve as judges for a third set of facts.

There are a series of smaller miscellaneous assignments throughout the semester: rhetorical analyses of selected writings, a reflective judicial philosophy paper written in preparation for judging oral arguments, and the opportunity to deliberate as a jury. The semester ends with a portfolio and reflective cover letter to synthesize the learning about legal genres and the writing process that has occurred throughout the semester.

**Assignments: How do I find them?**
Information on your assignments will be posted on CULearn. Click on the "Syllabus" button to locate due dates and daily work, and the "Assignments" button to locate the explanatory assignment sheets. Readings are predictably under the "Readings" button. Note: The schedule will change over the course of the semester.

**Attendance**
Attendance is required in my classes. This is a seminar/workshopping class – we work in class. Much of what we do in class prepares you for the "next step" of the assignment, and cannot be duplicated outside of the classroom. "Being there" and being prepared are essential for my classes. Both are crucial to your success as a writer and to the success of your peers and class. If you have to miss a class, you are responsible for finding out what you missed and for completing any work on time.

If you miss more than three (3) classes, for any reason, your final grade will be lowered one level for each additional absence (for example, from a B to a B-).

Be punctual; if you walk in late, you miss important announcements and you disrupt the class. Late means you are not present in the classroom at the announced time for class to being and/or when I arrive.

Two late arrivals are counted as one absence.

**Classroom Behavior - CU’s take**
Students and faculty each have responsibility for maintaining an appropriate learning environment. Students who fail to adhere to such behavioral standards may be subject to discipline. Faculty have the professional responsibility to treat all students with understanding, dignity and respect, to guide classroom discussion and to set reasonable limits on the manner in which they and their students express opinions. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender variance, and nationalities. Please see the policies at http://www.colorado.edu/policies/classbehavior.html and http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student_code.

**Classroom Behavior – KWP’s take**
College is basically a job for each of us, whether instructor or student. The classroom is one of our work spaces, and we are all adults. Therefore, to echo some of the language in CU’s official policy, we need to treat each other with dignity, respect, sensitivity and courtesy.

Please turn off **cell phones** when in class. I will do the same so that I can give you my undivided attention.

**This also means no texting.**
You may bring your personal computer to class, and you may want to do that to take notes, access drafts or do research. Please use the computers only for activities related to this class. However, if we have printing capabilities in the classroom, you will not be able to print from your own computer because you won’t have the printer driver installed.

I do not mind if you eat or drink in class, especially since I teach over the lunch hour. However, because we have access to and use computers, all food and drink must be off the tables when the computers are being utilized.

Computers and Computer Problems
If you are having problems with your personal computer, remember that there are computer labs all over campus where you can access CULearn or an article, or print out a draft. Plan ahead!

Computer problems do not excuse the failure to prepare.

CULearn is integral to this course. Make sure you can access it - and access it as soon as the semester begins. Please see "Off Campus Access" in this syllabus.

Know your "identikey" password. You will need it to access CULearn which is where you will find your assignments and readings. Your identikey also provides access to the computers we use in the classroom.

I strongly advise you to invest in a flash drive (memory stick, whatever) and back up your work regularly. Every semester, without fail, I have at least one student who spills coffee on his/her laptop (thereby frying the hard drive) or whose hard drive simply quits (usually in the last week before finals with all class notes and papers on it).

Conferences
You will meet with me for several one-on-one conferences throughout the semester. These are workshops, where I will read your latest draft and make suggestions for improving it. These conferences are required. Missing one affects the quality of your work and your grade.

Disabilities Assistance
If you qualify for accommodations because of a disability, please submit to me a letter from Disability Services in a timely manner so that your needs may be addressed. Disability Services determines accommodations based on documented disabilities.


Drafts
Your writings — drafts, revisions and comments on your classmates’ writings — are often the primary tests for this class.

The following rules always apply:
• Have drafts ready when due for distribution, whether posting electronically or handing out hard copies.
• Drafts are required, but not graded.
• Please indicate which draft is which by putting the date or draft number on the document. This makes it easier for both you and me to determine whether something is a first draft, a second draft, etc.
• Drafts are to be typed and double-spaced. Fonts must be no larger than 12 points.
• When drafts are distributed electronically, please give me a hard copy of the draft.
• Keep copies (electronic or xeroxed or emailed) of your drafts - just in case. Back up your work. You are responsible for having the required documents at the required times. I am not responsible should a draft be misplaced, lost or fried. And, I may ask you to supply a clean copy for program assessment.
• Late drafts will not be accepted for workshopping. Some drafts will be workshopped "cold" - that means we begin working with them in class the day they are due. If you do not have a draft the day it is due, I will dismiss you from class and you will receive no credit ("0") for the day. Due dates should be clearly marked on the syllabus.

Late drafts will be reviewed by the instructor and at her discretion.

Save returned drafts with comments by the instructor. These "instructor drafts," earlier versions of your paper that I have read and made comments on, must accompany your final or portfolio draft.
• All final drafts must be submitted in hard copy and are due at the beginning of the class period on the day they are due.

Hand in all earlier “Instructor drafts” along with the final draft.
• If you come to class without a hard copy draft on the day you are to be workshopped or fail to post your draft on time, you will be credited with an absence for that day.
• Plagiarism will not be tolerated: the paper may receive an automatic F, your case may be reported to the Honor Code Committee and the Dean, and you may fail the course.
• I will not accept final papers that have not been workshopped on a regular basis over the course of the assignment.

If you are absent on the day your draft is workshopped, the paper will not be discussed. If you have no draft at the time drafts are due, your draft will not be workshopped.

The quality of your papers, and by extension, your grade, does suffer when you miss classroom critiques - you lose both the benefit of that extra draft and commentary on it. "First draft" final versions of papers are will not be accepted and you will receive an F for that assignment.

Drop/Add Policy for the PWR
Please be aware that the published policy of the PWR permits an instructor to administratively drop any student who misses two classes during the drop/add period (roughly the first two weeks of the regular semester). The absences need not be consecutive — any two absences during that period count. Because I frequently have long waiting lists for my classes, I frequently drop students after their second absence so that others who are on the waiting list and have been attending regularly may be
admitted. If you must be absent and want to stay in the class, please notify me.

Email
You may e-mail me at kathryn.pieplow@colorado.edu. I will ask for your email address during the first week of classes. Please make sure that I have a current email address - for an account you check frequently. It does not have to be your CU account - it just has to be current and used daily. You will use email to communicate with me and your classmates, to receive changes in assignments or answer questions, and to exchange drafts and comments, and to receive critical information.

All CU students have Internet access and e-mail accounts through the University. You can always access your e-mail account and access the Web from campus. If you don't have access or are having problems, please call ITS.

NOTE: I generally do not access my email after about 5:00 in the evenings. If you have a question about the next day's assignment, ask it early. In my experience, I go to bed “early” and you get up “late.” Be aware that this not a good combination for a question asked at midnight such as “where is the reading for class tomorrow morning?”

English as a Second Language
If you speak English as a second language, you should contact me the first week of classes so that I can better assist you in the course, advise you about special ESL courses, and/or refer you to appropriate services on campus.

Grading
I require a portfolio in this class, and you have the opportunity to revise your larger assignments up until the portfolio is handed in at the end of the semester. However, the portfolio grade is only part of your final grade. I assign provisional or “pencil” grades to your writings throughout the semester. I also weight your assignments as some assignments take longer, involve appropriate research and require extensive revision. Therefore, I give roughly equal weight (1/10th of your final grade) to the following categories of assignments:

- Daily work & portfolio (x2)
  - Quizzes, daily assignments, in-class writings, rhetorical analyses, vocabulary, cover letter
- Moot court assignment sequence (x5)
  - legal memorandum (x2)
  - appellate brief (x2)
  - oral argument(x1)
- Participation (x1)
  - attendance
  - drafts (hard copies) brought to class
  - online drafts and comments posted on time
- Workshops (x2)
  - in-class discussions
  - Workshops (critiquing in class, class prep, written comments on line for peers)
  - editing team evaluations (co-counsel)

I use two different grading schemes. First, much of what we do on a daily basis in class is process work – going through the steps that help us revise and look at our work multiple times. This work is usually graded with a ✓, ✓+ or ✓−. I read these papers and determine whether they are satisfactory, exceptional, or perfunctory.

Satisfactory work means that you have participated in the class and done the work requested. Satisfactory work is roughly equivalent to an “A” and will receive a ✓.

Exceptional work is specific, probing, inventive, risk-taking, surprising, scrappy, or incisive in its thinking. An exceptional piece of work might include all of those adjectives or only a couple. Exceptional work will receive a ✓+.

An assignment that looks as though it has been done in the UMC five minutes before class is perfunctory. For example, a peer comment that skims the surface and offers little more than generalizations without making concrete suggestions for improving the writing is perfunctory and will receive a ✓−.

No response – failure to complete or turn in the assignment – will receive a 0.

Second, your written papers will be given a letter grade: A (100-90), B (89-80), C (79-70), D (69-60) and F. Although we stress the process of writing in this class, we also must produce a product that compares to what others produce.

It is difficult to earn an "A" in my classes, and "earn" is the operative word in my grading philosophy. Writing is a skill; one that can always be improved. There is no perfect paper, no 100%, except on the rare quiz. Therefore, in my classes, you must come up to the standards set. I rarely "deduct" points because you haven't earned many points when I start to grade. (Handing work in late is one thing I do deduct for.) A "C" is the dividing line between adequate work and inadequate work – you have completed the assignment but there is nothing unique or insightful about it. A "B" demonstrates good work. An "A" is outstanding, exceptional and rare work; it is definitely not the norm.

Honor Code
All students of the University of Colorado at Boulder are responsible or knowing and adhering to the academic integrity policy of this institution. Violations of this policy may include cheating, plagiarism, academic dishonesty, fabrication, lying, bribery, and threatening behavior. I will report all incidents of academic misconduct to the Honor Code Council. Students who are found to be in violation of the academic integrity policy will be subject to both academic and non-academic sanctions (including but not limited to university probation, suspension, or expulsion). Additional information may be found at http://www.colorado.edu/policies/honor.html and http://www.colorado.edu/academics/honorcode.

Military Obligation
Please give me as much advance notice as possible if you must be absent to fulfill a military obligation. You will need a note from an officer verifying the reason for your absence. You will also need to arrange in advance for any work that needs to be completed.
"Off campus" Library access - VPN dialer
If you live off campus, you should arrange for what is called "off campus access." The instructions for obtaining off campus access are on the Norlin library website. Off campus access makes the library think you are on campus, which means you can access anything available through the library electronically any time of day or night. It takes about 10 minutes to set up off campus access – and ITS can talk you through it.

Participation & Workshopping
You are expected to attend class and attendance is a percentage of your final grade. Much of what we do in class cannot be duplicated. Because this is not a lecture class, there are few notes you can get from a friend. Please read the Attendance Policy above.

Participation is more than just showing up. This is a WORKSHOPPING class. In a writing workshop, participation entails preparation and timely distribution of drafts, revision efforts, quality of discussion and comments in class, group cooperation, and more.

I give points for two things:
1. **logistics** (having your drafts and comments turned in on time for critiquing by your classmates), and
2. **workshopping** (your preparedness and participation in that day's workshop, discussion or activity, and the quality of your written and oral comments to your peers).

You are expected to come to class prepared – this means having read that day's assignment and having prepared any written work or commentary assigned. There are assigned readings from time to time, but your written work comprises much of the content for this course. Furthermore, as a member of the workshop, you have made a commitment to serve as an active critic. If you come unprepared, I will lower your participation grade for that day.

If you are absent when your work is scheduled to be workshopped or if your draft is late, your draft will not be workshopped, and you will receive a zero for that day's workshop.

Full credit for participation requires high achievement: to receive full credit, you must demonstrate leadership skills, including respect for your peers, engagement in class activities and inclusion of others in those activities.

If you do not attend class, interact only with some class members, fail to contribute to class discussions, or disrupt class, you will receive less than full credit for participation.

Permission to Use Work
Enrollment in a course offered through the Program for Writing and Rhetoric implies permission to reproduce and use any part of a student's writing for educational purposes. Any writing used will be used anonymously.

Plagiarism
It is my policy in all my classes to fail anyone who engages in "academic dishonesty." Academic dishonesty includes, among other offenses, plagiarism of the writing or ideas of others, improper citation, cheating on exams, falsification and fabrication of data, and submitting the assignments or papers of others as your own.

One type of academic dishonesty is plagiarism. Plagiarism is adopting or using someone else's words or ideas without proper attribution. Incidents of plagiarism are serious offenses and will be dealt with accordingly. Please see the section above on "Honor Code."

Religious Observances
Campus policy regarding religious observances requires that faculty make every effort to reasonably and fairly deal with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. In this class, please notify me at least one week in advance so that suitable schedule accommodations can be made. See full details at http://www.colorado.edu/policies/fac_relig.html.

Sexual Harassment
The University of Colorado at Boulder policy on Discrimination and Harassment, the University of Colorado policy on Sexual Harassment and the University of Colorado policy on Amorous Relationships applies to all students, staff, and faculty. Any student, staff or faculty member who believes s/he has been sexually harassed should contact the Office of Sexual Harassment at 303-492-2127 or the Office of Judicial Affairs at 303-492-5550. Information about the OSH and the campus resources available to assist individuals who believe they have been sexually harassed may be found at http://www.colorado.edu/odh.

Syllabus
According to dictionary.com, a syllabus is an outline or other brief statement of the main points of a discourse, the subjects of a course of lectures, the contents of a curriculum, etc." My formal syllabus incorporates multiple items: course policies, course description, grading policies, and a tentative schedule. In addition, there are separate, formal assignment sheets for all major (and some minor) assignments. Some assignment sheets are handed out in class. All of these documents are available on CULearn; as long as you have a computer, you will have access to them 24/7.

I have tried to make information easy to find in the course policy document by arranging it by topics and (for most items) alphabetically. If there is anything you would like more information on, please do not hesitate to ask me.

Texts: another word
All of the readings for this class will be available to you electronically through CULearn or as handouts. Bring a copy – paper or electronic – of any assigned reading. It is extremely difficult to analyze something from memory.
I suggest you have a writing handbook. There are many good handbooks out there – make sure you have one with sections on MLA or APA citation. Because it's small and relatively inexpensive, I recommend:

Diane Hacker, *A Pocket Style Manual* (5th edition) - this is a grammar, style and citation handbook that should serve as a reference for the remainder of your college career and beyond.

**Writing Center**

We have a wonderful writing center here at CU. Trained instructors will help you at any stage of the writing process, from creating a plan for what to write to learning how to use commas properly. But go to the Writing Center prepared. Take your assignment sheet and any related handouts, peer or teacher feedback on your drafts. The more the Writing Center consultants know, the more help they can be in. Two things to remember, however. First, you need an appointment (which you can make online at [www.colorado.edu/pwr/writingcenter.html](http://www.colorado.edu/pwr/writingcenter.html). Second, the later it gets in the semester, the busier the Writing Center gets. So plan ahead! The last couple of weeks of the semester, the Writing Center puts on extra staff, but is still always full.

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### Tentative Schedule

#### WEEK 1: THE SPECIALIZED LANGUAGE OF THE LAW

**Monday, 1.12.09**
Introduction to the course

**Wednesday, 1.14.09**

*For class:*
DUE completed take-home quiz on Syllabus
READ ....
(1) Macrori – “The Poison Fish”
(2) Macrori – “The Language in You”
(3) Romm – “Hereinunder”
(4) Ludlow – “Legalese”
(5) Mark Twain *Life on the Mississippi*, Chapter 8

*In class:*
Discuss readings

**Friday, 1.16.09**

*For class:*
READ ....
(1) Feinberg & Coleman – “Introduction” to *Philosophy of Law*
(2) Grossfeld & Eberle – Patterns of Order in Comparative Law (Sections I - IV, VI and XI)

*In class:*
Discuss the rule of law – what is law? Where does law come from?

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#### WEEK 2: BEGINNING RHETORICAL ANALYSIS

**Monday, 1.19.09**
MARTIN LUTHER KING DAY – NO CLASS

**Wednesday, 1.21.09**

*For class:*
READ ....
(1) Frank – “Legal Realism”
(2) Fuller – “Eight Ways to Make Bad Law”
(3) Altman – Rule of Law
BRING a copy of the rhetorical analysis heuristic on CULearn

*In class:*
Rhetorical analysis of readings, continuing discussion of what is law?

**Friday, 1.23.09**

*For class:*
READ .... Seidman “Stories About Confessions and Confessions About Stories”

*In class:*
Analyze Seidman reading – prewriting for rhetorical analysis
**WEEK 3: RHETORICAL ANALYSIS & REVISION**

**Monday, 1.26.09**

For class:
BRING draft #1 – rhetorical analysis of Seidman reading

In class:
Reading out loud with guided questions

**Wednesday, 1.28.09**

For class:
READ ....
(1) Murray - "Internal Revision"
(2) Murray - "The Maker’s Eye"
(3) Romano – “An Ally in Others”
(4) Ballenger – “The Importance of Writing Badly”

BRING revised draft 2 of Seidman
- post on wiki
- hard copy for each member of your editing team

In class:
Discuss revision philosophy

**Friday, 1.30.09**

For class:
EDIT Seidman draft 2 for editing team
POST Seidman draft 3
READ ....
(1) Van Horn – pp. 299-301, 17-23
(2) Edwards “Persuading Using Public Policy Reasoning”
(3) Public Policy definitions on CU Learn
(4) Read sample fact pattern on Restorative Justice

In class:
Who makes public policy? What is public policy?
What are the public policy issues around restorative justice
(sample fact pattern)?

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**WEEK 4: INTRO TO MOOT COURT ASSIGNMENTS + WORKING WITH FACTS**

**Monday, 2.2.09**

For class:
(1) READ fact patterns ...
   AIDS House, Funeral Protests, Immunizations, Kennewick Man, Single-sex Schools & Takings
(2) BRING fact patterns in order of preference
(3) READ ....
   - Moot Court assignment
   - Legal Memo assignment
   - Annotated Bibliography & Matrix assignments
   - extra materials on legal writing and legal memos
   - sample legal memo on Restorative Justice (for discussion 2/4)

EDIT Seidman draft 3 for editing team

In class:
Introduction to moot court assignments
Research strategies & tools

**Wednesday, 2.4.09**

For class:
DUE: final draft Seidman rhetorical analysis - bring all earlier drafts

In class:
Analyze sample fact pattern & memo

**Friday, 2.6.09**

For class:
DUE .... list of keywords & disciplines for your fact pattern
BRING... your fact pattern
- list material facts – in two columns – which support each side
- list minor facts that make a good story

In class:
Working with facts

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**WEEK 5: RESEARCH**

**Monday, 2.9.09**

In class:
LIBRARY SEMINAR – meet in Norlin E303

**Wednesday, 2.11.09**

For class:
Meet in the computer lab

In class:
In class research

**Friday, 2.13.09**

For class:
Be working on annotated bibliography & matrix

In class:
In class research
WEEK 6: PLAGIARISM

Monday, 2.16.09
For class:
CONTINUE RESEARCH
BRING your handbook [Hacker] to class
READ Posner excerpts from The Little Book of Plagiarism

In class:
plagiarism exercise – work on in class

PLAN AHEAD - 2 ASSIGNMENTS DUE FRIDAY

Wednesday, 2.18.09
For class:
CONTINUE RESEARCH
Complete plagiarism exercise (alone or with your partner)

In class:
plagiarism exercise – go over as a class

Friday, 2.20.09
For class:
DUE: draft 1.1 FACTS
  • post on wiki &
  • bring a hard copy for each of your co-counsel

In class:
Workshop facts – reading out loud

WEEK 7: LEGAL MEMO & MORE REVISION

Monday, 2.23.09
For class:
BRING draft 1.2 DISCUSSION/ANALYSIS §
  • post on wiki &
  • bring a hard copy for each of your co-counsel

In class:
Workshop discussion section

Wednesday, 2.25.09
For class:
BRING draft 1.3 RECOMMENDATION §
  • post on wiki &
  • bring a hard copy for each of your co-counsel

In class:
Workshop recommendations

Friday, 2.27.09
For class:
(1) BRING 2 sentences from your memo that bother you or that aren’t working for some reason.
(2) Put each sentence at the top of piece of paper – bring 2 pages !!!
(3) CONTINUE RESEARCHING AND WRITING MEMOS

In class:
WRITING EXERCISES

WEEK 8: LEGAL MEMO & CITE CHECKING

Monday, 3.2.09
For class:
POST .... legal memo – draft 2
BRING
(1) one hard copy for you, one for each co-counsel
(2) your handbook [Hacker]
(3) your research materials – on paper – or your computer for internet access

In class:
INDIVIDUAL CONFERENCES
ON LEGAL MEMOS

Wednesday, 3.4.09
For class:
EDIT: written comments on draft 2 for co-counsel
POST memo draft 3
BRING
(1) draft you were cite checking
(2) your handbook [Hacker]
(3) your research materials – on paper – or your computer for internet access

In class:
INDIVIDUAL CONFERENCES
ON LEGAL MEMOS

Friday, 3.6.09
For class:
EDIT: written comments on draft 3 on wiki
BRING next-to-last draft – one hard copy for each co-counsel

In class:
Workshop next-to-last draft (reading backwards)
WEEK 9: INTRODUCING THE LEGAL BRIEF & AUDIENCE

Monday  3.9.09
For class:
DUE:
(1) final legal memo
   • one hard copy
   • conference draft
(2) Annotated Bibliography & Matrix (electronic)
(3) Electronic copies of memo for opposing counsel with research links, bibliography
(4) Editing team (co-counsel) evaluations

In class:
Introduce Petitioner’s brief
Discuss sample briefs
Audience analysis – writing to judges

Wednesday  3.11.09
For class:
RESEARCH/WRITE ZERO DRAFT OF BRIEF
READ ...
   • Frank – Chapter VIII: The Jury System
   • O’Connor – “Juries: They May be Broke but we can fix them”

In class:
Jury experience  – Meet in __________

Friday  3.13.09
For class:
RESEARCH/WRITE ZERO DRAFT OF BRIEF
READ jury diary assignment
Write jury diary – day 1

In class:
Jury experience  – Meet in __________

WEEK 10: JURY EXPERIENCE / PERSUASION

Monday  3.16.09
For class:
DUE: Research/write zero draft of brief
Write jury diary – day 2

In class:
Jury experience

Wednesday  3.18.09
For class:
Research/write zero draft of brief
Write jury diary – day 3

In class:
Jury experience

Friday  3.20.09
NO CLASS

WEEK 11: MORE REVISION STRATEGIES

Monday  3.30.09
For class:
DUE: jury diary - including comments on your experience in light of Frank & O’Connor’s statements
BRING draft 1.2 STATEMENT OF THE CASE [FACTS]
   • post on wiki
   • hard copy for each co-counsel

In class:
Workshop Statement of the Case – facts

Wednesday  4.1.09
For class:
EDIT: written comments on facts on wiki
BRING draft 1.2 ARGUMENT/DISCUSSION–
   • post on wiki
   • hard copy for each co-counsel

In class:
Workshop argument section

Friday  4.3.09
For class:
EDIT: written comments on argument § on wiki
BRING draft 1.3 STATEMENT OF ISSUES & CONCLUSION
   • post on wiki
   • hard copy for each co-counsel

In class:
Workshop

SPRING BREAK 3/23 – 3/25

INDIVIDUAL CONFERENCES
ON LEGAL BRIEF
WEEK 12: LEGAL BRIEF CONTINUED

Monday 4.6.09
For class:
EDIT written comments on Statement of Issues/Questions
Presented, Conclusion
BRING draft 2 – complete brief
• post on wiki
• bring hard copy for each co-counsel

In class:
Workshop draft 2

WEEK 13: JUDGING & AUDIENCE ANALYSIS

Monday 4.13.09
For class:
(1) DUE: rhetorical analysis of CWA
(2) READ
• Biskupic
• assignment & materials on oral argument
• portfolio assignment, rubric, table of contents, samples

In class:
Moot Court oral arguments – George Washington Univ.
Meet in ____________

Wednesday 4.15.09
For class:
READ
• judging assignment
• “A Short Essay on Judging”
• Posner – How Judges Think: Introduction

EXTRA READING: (not required)
• Posner – “Nine Theories of Judging”

DUE: judicial philosophy paper

In class:
Group preparation for oral arguments

Friday 4.17.09
No class - KWP to technology Conference

WEEK 14: ORAL ARGUMENTS

Monday 4.20.09
In class:
Oral arguments – meet in small courtroom in Wolf Law Building

Wednesday 4.22.09
In class:
Oral arguments – meet in small courtroom in Wolf Law Building

Friday 4.24.09
In class:
Oral arguments – meet in small courtroom in Wolf Law Building

WEEK 15: ORAL ARGUMENTS

Monday 4.27.09
In class:
Oral arguments – meet in small courtroom in Wolf Law Building

Wednesday 4.29.09
In class:
Oral arguments – meet in small courtroom in Wolf Law Building

Friday 5.1.09
For class:
DUE: portfolio

In class:
Oral arguments – meet in small courtroom in Wolf Law Building