WRTG 3020: Conversations on the Law  
Spring 2015  
http://www.kathrynpieplow.pwrfaculty.org/  
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Senior Instructor • Program for Writing and Rhetoric

Class times § 76: 2:00-3:15  HUMN 160

Office Hours: 1:00-2:00 TR  – and by appointment  
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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 to explore several genres used by the legal community. We use a moot court sequence of assignments. You act as legal counsel to write an analytical memorandum to your law firm. You write an appellate brief – a persuasive argument – to a court. You will participate in oral arguments as both counsel and judge, and write a judicial opinion. In addition, you will analyze writings by legal scholars and practitioners rhetorically. Throughout the semester, you hone the research and writing skills acquired in WRTG 1150 in order to better understand how the law functions: as public policy, as a unique language, as its own creation and a civilizing force, and as conceptualized by those inside and outside of the profession.

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. You will use many revision strategies such as partial drafts, written and oral peer commentary, editing teams, and sentence-level writing exercises. In addition, you meet one-on-one with the instructor two times during the semester to workshop drafts. Finally, you extend you mastery of features style, syntax, grammar, punctuation, and spelling to write persuasively.

Content Knowledge & Critical Thinking: This course is designed to introduce effective communication techniques from the aspect of public policy and its effect on the law – using some of those documents and genres that lawyers and judges assemble or work with on a daily basis. You will demonstrate your ability to analyze, compose and adapt content and style to the needs of multiple audiences and rhetorical situations by practicing and demonstrating proficiency in writing a judicial opinion and performing the three legal genres which are the focus of the moot court experience.

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 four basic legal genres – legal memoranda, appellate briefs, oral arguments, and judicial opinions. In preparation for writing in these legal genres, we focus extensively on rhetoric and invention: observing the legal community, examining methods of persuasion, evaluating facts, identifying issues, researching and analyzing the possible solutions to a variety of public policy issues. You will identify the requirements of the various legal genres, thereby revealing the values, goals and assumptions of the larger community. You 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, you participate in several reflective and audience-centered activities to help you better understand persuasive evidence, strategies, and credibility.

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 can be found on the class website. Each student will work with three of the six fact patterns for the semester in different capacities. 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 because you are undergraduate students, the fact patterns cannot be too “legal” as you have not had the benefit of legal training.

As a result, perhaps the most important application of the class comes from our focus on public policy issues rather than purely “legal” issues. These fact patterns are contemporary debates, and are written to raise public policy aspects of the law that should concern all members of a civically engaged society, whether law-trained or not.
Technology:
Electronic technologies play an important role in the course. We use print and electronic resources to prepare for writing legal genres, locating information and analyzing it for accuracy, relevance, credibility, reliability and bias. We also post, edit, and comment on drafts using Google Drive. Finally, we “file” documents with the court – as is the common practice in most jurisdictions. 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
• Leiter “American Legal Realism”
• Gordon “Law and Ideology”
• “Patterns of Order in Comparative Law” by Bernhard Gorssfeld and Edward J. Eberle

Basic legal principles as public policy –
• “An Introduction to Legal Reasoning” by Edward Levi
• “Eight Ways to Make Bad Law” by Lon Fuller
• “Legal Realism” by Jerome Frank
• Policy Paradox by Deborah Stone (selections)
• “5 Types of Legal Arguments” by Wilson Huhn

Defining legal genres and audiences –
• “The Lawyer as Professional Writer” by Brandon Harrison
• “Writing to Persuade” by Bryan Pattison
• “Thinking like a Journalist” by Hollee Temple
• Legal Writing and Analysis by Linda H. Edwards (selections)
• Legal Reasoning and Legal Writing by Richard K. Neumann (selections)
• “Fiction 101: A Primer for Lawyers on How to Use Fiction Writing Techniques to Write Persuasive Facts Sections” by Foley & Robbins

Judging, oral arguments and judicial opinions –
• “Introduction” to How Judges Think by Richard A. Posner
• Moot court competitions – live at CU Law School, George Washington Moot Court competition on DVD
• Judicial Writing Manual
• Selected judicial opinions

Writing process & rhetorical analysis – selections by
• Don Murray
• Bruce Ballenger
• Louis Michael Seidman
• Ken Macrori
• Tom Romano

Assignments: Overview
The basic structure of this class is as a moot court. We spend the first weeks studying the law as public policy. The remainder of the semester is spent primarily on rhetorical principles and three basic legal genres: the legal memo (as respondent’s counsel), appellate brief (as petitioner’s counsel), and oral arguments (as judge). You work with a different set of facts for each genre. A fourth legal genre, the judicial opinion, is your final exam.

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.

You 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 your client. We also pay attention to the physical requirements of the brief in following specific and realistic formatting guidelines and deadlines.

The companion piece to the brief is oral argument where you have the opportunity to respond persuasively and directly to questions by a panel of judges. Students argue twice: you argue your brief as the petitioner in a case, and you argue your memo as the respondent in a second case. You serve as a judge for a third set of facts. Your final exam is a draft judicial opinion.

There are a series of smaller miscellaneous assignments throughout the semester: worksheets for daily readings, rhetorical analyses, written analyses of the legal genres you will write, and a reflective judicial philosophy paper written in preparation for judging oral arguments. Throughout the semester, you write reflectively on the writing process and you will keep a log of the revision strategies you use and their usefulness.

Assignments: How do I find them?
All of your assignments and the class schedule will be posted on the class website: http://www.kathrynpieplow.pwrfaculty.org. The site is password protected, so please contact your instructor for that information. On the WRTG 3020 page, you will find the assignment schedule as well as links to assignments and readings grouped by due date. On the MOOT COURT page you will find assignments and readings grouped by subject. 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. Both are crucial to your success as a writer and to the success of the 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-).

If you miss more than nine (9) classes, you will fail the course.

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 begin and/or when I arrive.

Two late arrivals are counted as one absence. Being more than 10 minutes late equals an 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 polices 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 in class.

We post all drafts and peer comments on Google Drive, all assignments are on the blog, and you may want to take notes or do research. Computer access is essential for this class. Please bring your personal computer to class. However, please use the computers only for activities related to this class.

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 the blog or Google Drive. Plan ahead!

Computer problems do not excuse the failure to prepare.

I strongly advise you to invest in a flash drive 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.

A missed conference counts as a missed class.

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. Contact: 303-492-8671, Willard 322, and http://www.Colorado.EDU/disabilityservices.

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

The following rules always apply:
• Have drafts ready and posted when due for distribution.
• Drafts are required, but not graded.
• Please follow the naming protocol for Google Drive.
• Final drafts are to be typed and double-spaced. Fonts must be no larger than 12 points.
• Back up your work. You are responsible for having the required documents at the required times. Google Drive is handy, but sometimes not available. 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 in class.
• Late assignments will be reviewed by the instructor 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 any revisions.

• All final drafts must be submitted in hard copy AND posted in the appropriate file on Google Drive, unless otherwise stipulated, and are due at the beginning of the class period on the day they are due.

  **Hand in "conference drafts" along with the final draft.**

• 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 will drop students after their second absence so that those 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 email me.

**Email**

You may e-mail me at kwp.pwr@gmail.com or 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, to receive critical information, and to access Google Drive.

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.

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**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**

You have the opportunity to revise your larger assignments up until last class of the semester. I will assign a final grade to your writings throughout the semester which will stand unless you revise.

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:

- **Workshops, daily work & participation (25%)**
  - Quizzes and worksheets, daily assignments, in-class discussions
  - Workshops (critiquing in class, class prep, written comments on line for peers)
  - Drafts (hard copies) posted/brought to class
  - Online drafts and comments posted on time
  - Revision logs
  - Editing team evaluations (co-counsel)
- **Moot court assignment sequence**
  - Legal memorandum (25%)
  - Appellate brief (25%)
  - Oral argument (15%)
- **Judicial opinion - final exam (10%)**

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 process 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. 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.

I rarely "deduct" points because you haven't earned any points when I start to grade. Exceptions are several important writing/legal conventions:

• periods and commas must be inside quotation marks
• case names must be italicized
• entities (things with "life") must be capitalized – the First Amendment, the Constitution, the Supreme Court, etc.
• papers must be on time

Honor Code
All students of the University of Colorado at Boulder are responsible for 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 homepage of 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.

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 is comprised of two parts: course policies and a schedule. In addition, there are separate, formal assignment sheets for all major (and some minor) assignments. The syllabus, schedule, all assignments and readings are available on my website:

http://www.kathrynpieplow.pwrfaculty.org/

As long as you have a computer, you will have access to them 24/7. If there is anything you would like more information on, please do not hesitate to ask me.

Texts: another word
There is no textbook for this class. All readings can be found on the class website: http://www.kathrynpieplow.pwrfaculty.org

Writing Center
We have a wonderful writing center here at CU. Trained writing tutors 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). 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.
Protected: 3020 | Law

**course policies 2015**

The readings and activities listed are to be completed by the beginning of class on the dates listed.

A quick way to find a specific assignment is to use control <F> and search for the assignments by name.

**Week 1**

**1.13.15 beginning a community**

- course overview
- getting to know one another
- for Google Drive
- EXTRA ... Berger "To take paper, to draw" - the complete reading

**1.15.15 specialized language & rhetorical analysis**

- READ .... for specialized language
  - Macrori “The Poison Fish”
  - Macrori “The Language in You”
  - Romm “Hereinunder”
  - Twain LIfe on the Mississippi chapter 8
  - NPR “five reasons why people code-switch”
- READ ... for rhetorical analysis
  - Frank “Legal Realism”
  - Fuller “8 Ways to Make Bad Law”
  - ethos, pathos & logos (definitions from Durham)
- DUE ...
  - questionnaire_3020 - hard copy due
  - syllabus quiz 2015 - hard copy due
  - worksheet language__rhetoric

I’ve shared the class file with you on Google Drive. It will appear in your Google Drive list under “shared with me.” You must drag and drop it into your “MY DRIVE” folder in order to be able to use the class. Once you have the folder in “MY DRIVE,” any document you create within the folder is automatically shared with the whole class.
Week 2

1.20.15 what is a legal memo?

READ ...

- Neumann “Office memoranda”
- Edwards – memos & law-trained readers
- SAMPLE memo (annotated) | funeral protest (on moot court page)

READ FACT PATTERNS (CASES FOR THE SEMESTER) ... LIST ... preferences ... go to “preferences” file on Google Drive ... rank the cases you want to work on (#1 is your first preference)

- fact patterns (on moot court page)

READ ASSIGNMENTS YOU’LL BE WORKING ON ...

- assg overview 2015
- legal memo assignment
- annotated bibliography
- matrix assignment ~ this is the assignment for my first year classes, but it has an explanation and example

1.22.15 public policy

READ ...

- Pieplow “public policy”
- Edwards “Policy-based reasoning”
- Stone | goals & equity
- Stone | efficiency
- Stone | security
- Stone | liberty
- Huhn defining public policy

REVIEW ...

- sample case | funeral protest testimony (on Moot Court page)

DUE ... worksheet | public policy

Week 3

1.27.15 what is law?
READ ...

- Feinberg & Coleman | Philosophies of Law
- Leiter “American Legal Realism”
- Gordon | Law & Ideology. (pp 15-18 critical legal studies – highlights)
- Altman “Rule of Law”
- rule of law – Colorado Supreme Court
- Grossfeld & Eberle “Patterns of Law”

DUE ... worksheet | philosophies of law

DUE ... at end of class ... post on Google Drive in your case folder...a list of keywords and a list of disciplines where you might find research related to your case.

1.29.15 beginning your research

WATCH ... research videos on advanced information technology

- SEARCH STRATEGIES  http://www.youtube.com/view_play_list?p=A834DCCA016C5ED4
- ORGANIZING INFORMATION  http://www.youtube.com/view_play_list?p=FC17A4269BA440EA

READ ....

- Fowler “Charting Methods”
- synthesis matrix
- Klopper, Lubbe & Rugbeer | excerpts

Class will meet in Norlin E303 for a library seminar

Week 4

2.3.15 research strategies

- continue your research into the public policies raised by the facts in your case

2.5.15 working with facts

READ ...

- Foley & Robbins “Fiction 101”
- Neumann “Working with facts”
- sample case | funeral protest testimony (on Moot Court page)
- your fact pattern

IN CLASS... you’ll complete this worksheet in class with your co-counsel
- worksheet facts (there is also a template on Google Drive)

**Week 5**

**2.10.15**

REVIEW ...[long form heuristic 2015](#)

READ ...

- **LEGAL WRITING**
  - Harrison “Lawyer as Professional Writer”
  - Neumann “Professional creativity”
  - Pattison Writing to Persuade

- **LEGAL REASONING**
  - Levi “Intro to legal reasoning”
  - Edwards – legal reasoning, ethics & plagiarism
  - Huhn “5 Types of Legal Argument”

DUE ...

- worksheet | legal writing

**2.12.15 resumes & cover letters**

- READ ... job packet assignment

**Week 6**

*February 16 & 17: we will meet for one-on-one conferences to see how your research is coming. Sign up for a conference time on Google Drive. Conferences are in KWP's office ... ENVD 1B74. Bring any materials you need to talk about your research to date.*

**2.17.15 citation**

READ ... Posner “Little Book of Plagiarism”

BRING TO CLASS .... your computer and have your citation reference site bookmarked)

IN CLASS ... cite checking exercise (assignment materials on Citation page)

**2.19.15 revision theories**

READ ...

- Murray “The Makers Eye”
- Murray “Internal Revision”
- Ballenger “The Importance of Writing Badly”
- Romano “An Ally in Others”

**REVIEW ...**

- **Revision Log**
  - make a copy of the template on Google Drive (if you haven’t already)
  - rename the copy – include your name in the file name,
  - drag and drop your personal revision log into the ‘revision log’ file
- **Revision page** on this website

**DUE ... worksheet | revision**

**IN CLASS ... go over cite checking exercise**

**Week 7**

We will be workshopping the first draft of the memo in three parts over the next two weeks, and there is no scheduled time to work on a third draft in class. **Therefore, these first drafts MUST BE AS COMPLETE AS POSSIBLE ...**

**2.24.15 drafting**

- **POST legal memo draft 1.1 (facts) ...** you may either post your draft to Google Drive or bring a hard copy for each member of your editing team

**IN CLASS ..... WORKSHOP**

- **memo1.1 (fact section)** ~ read out loud in class with your editing team, answer guided review questions, and make notes in Google Drive
- revision logs on Google Drive

**2.26.15 drafting**

- **REVISE fact section**
- **POST legal memo draft 1.2 (discussion/analysis) ...** you may either post your draft to Google Drive or bring a hard copy for each member of your editing team

**IN CLASS .....workshop**

- **memo 1.2 (analysis/discussion section)~** read out loud in class with your editing team, answer guided review questions, and make notes in Google Drive

**Week 8**

**3.3.15 drafting**
- REVISE analysis section
- POST legal memo draft 1.3 (recommendations)

IN CLASS ... workshop

- memo 1.3 (recommendation section) ~ read out loud in class with your editing team, answer guided review questions, and make notes in Google Drive

**March 4, 5 & 6:** we will meet for one-on-one conferences on your legal memo. Sign up for a conference time on Google Drive. Conferences are in KWP’s office ... ENVD 1B74. Remember to bring a hard copy of your memo.

### 3.15 drafting

- REVISE recommendation section
- COMPILE parts into draft 2 ...
- BRING 2 sentences from your legal memo that bother you or aren’t working for some reason. Write each sentence at the top of a separate piece of paper – 2 pages.

IN CLASS ...

- sentence-level work
- resumes & cover letters

### 3.10.15 cite checking

POST comments on draft 2 for co-counsel

- your group should create a comment sheet for each member
- post your comments on that comment sheet
- everyone should have at least one paragraph of comments for their co-counsels’ drafts
- use the two sets of questions below to guide your thinking – using different sets of questions allows you to look at the writing from different angles
  - Critical Thinking Chart
  - memo drafts 2&3

**BRING / BE ABLE TO ACCESS**

- citation handbook [OWL at Purdue]
- all research materials

IN CLASS - cite checking discussion sections
3.12.15 legal memo due

DUE: FINAL LEGAL MEMO

- what's due for the legal memo [follow the sheet, not this quick list]
  - legal memo – hard copy
  - conference draft – hard copy
  - Annotated Bibliography & matrix
    - if they are on Google Drive, note that on your “what’s due” sheet
  - editing team evaluations – hard copy only
  - Revision Log [keep this in the "revision log" folder on Google Drive]

POST final memo under your case name/memo in “case filings” on Google Drive

POST research for under your case name/research in “case filings” on Google Drive

IN CLASS ... resumes & cover letters

Week 10

3.17.15 analyzing legal briefs

READ ....

- brief assignment
- Alito - Prep more important than oral argument
- Edwards “Ethics, Judges and Briefs”
- Duke Writing Briefs
- Neumann “How judges read briefs”
- Neumann “Statements of the Case” [facts]
- Neuman Persuasive Theory
- Argument strategies
- Neumann “Questions presented”

EXTRA ... Eighth Circuit Court of Appeals oral arguments are available free on iTunes

3.19.15 No class ... I will be presenting a paper at the CCCC conference

  - continue preparations for writing your legal brief

Spring Break

Week 11

3.31.15
REVIEW .....  

- Neumann “Statements of the Case” [facts]

POST .... BRIEF 1.1 [statement of the case]

IN CLASS ... workshop

- brief 1.1 (statement of the case/facts) & procedural history ~ read out loud in class with your editing team, answer guided review questions, and make notes in Google Drive

4.2.15

REVIEW ...

- Neumann “Persuasive Theory”
- Argument strategies
- Neumann “Questions presented”

POST ... BRIEF 1.2 [argument | conclusion]

IN CLASS ... workshop

- brief 1.2.2 (argument/discussion section) & Questions Presented
- brief 1.3 ~ read out loud in class with your editing team, answer guided review questions, and make notes in Google Drive

- OUTSIDE OF CLASS ~ brief 1.2.1 reverse outline and transition check

April 6 and April 7: we will meet for one-on-one conferences on your legal brief. Sign up for a conference time on Google Drive. Conferences will be in KWP’s office ... ENVD 1B74. Remember to bring a hard copy of your brief.

Week 12

4.7.15

POST ... complete draft 2

IN CLASS ....

- drafts 2&3 ~read out loud in class with your editing team, answer guided review questions, and make notes in Google Drive

4.9.15
DUE ... legal brief

- what's due for legal brief
  - [follow the assignment sheet, not this quick list below]
  - petitioner's brief – hard copy
  - conference draft – hard copy
- POST final brief under “case filings” on Google Drive
- editing team evaluations – hard copy only
- Revision Log

Week 13

4.15.14

READ ... on being a judge

- Biskupic “Judges make points”
- Neumann “Oral Argument”
- Miner “The Don’ts of Oral Argument”
- GW Moot Court problem
- YouTube - Chief Justice Roberts talks about oral argument, emphasizing how to handle questions from the bench.

IN CLASS .... DVD of moot court oral arguments held at Geo. Washington [CNN]

4.17.14 judging oral arguments

READ ... on judging

- Posner “How Judges Think”
- Pieplow - A Short Essay on Judging
- judicial philosophy paper - assignment

DUE .... judicial philosophy paper [hard copy]

REVIEW ... assignments

- oral argument assignment
- judging oral arguments
- judicial opinion – final exam

Week 14

4.22.14 analyzing the judicial opinion
READ ...

- Judicial Writing Manual
  - pp 1-5 ... audience and purpose
  - pp 9-10 ... preparation
  - pp 13-20 ... parts / contents of the opinion
  - Appendix A – memorandum opinion
  - Appendix D – concluding paragraphs
  - Appendix E – dissenting opinions

SAMPLE OPINIONS ....

- Bronakowski v. BVSD
- Sierra Club v. Kimbell
- US v. Hines
- find your own opinions at . . .
  - 10th Circuit
  - 8th Circuit

DUE... analysis of judicial opinion

- genre analysis long form

4.24.14

Oral arguments
Wolf Law Bld 102 Carrigan Teaching Courtroom

Final Exam: READ .... judicial opinion – final exam
Email your judicial opinion no later than 24 hours after the oral argument in the case

Week 15

4.29.14

Oral arguments
Wolf Law Bld 102 Carrigan Teaching Courtroom

5.1.14

Oral arguments
Wolf Law Bld 102 Carrigan Teaching Courtroom

5.6.15  final exam period 1:30 pm – 4:00 pm
Oral arguments
Wolf Law Bld 102 Carrigan Teaching Courtroom

Kathryn Pieplow's Class Information
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