
**ANTONIN SCALIA LAW SCHOOL, GEORGE MASON UNIVERSITY
LEGAL RESEARCH, WRITING, AND ANALYSIS**

**LRWA I: Introduction to Legal Research, Writing, and Analysis
FALL 2021 SYLLABUS**

LAW 096-all sections (2 credits)

Program Director

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Textbooks & Subscriptions

Required texts:

- Christine Coughlin et al., A Lawyer Writes: A Practical Guide to Legal Analysis (3d ed. 2018) (“ALW”)
- Eric P. Voigt, Legal Research Demystified: A Step-by-Step Approach (2019) (“LRD”)
- The Bluebook: A Uniform System of Citation (Columbia Law Review Ass’n et al. eds., 21st ed. 2020) (“Bluebook”) (electronic or hard copy)

Required one-year subscriptions (follow “Start-up Instructions” posted on LRWA I Main Page):

- Core Knowledge for Lawyers (“Core Knowledge”) (free with purchase of LRD)
- Core Grammar for Lawyers (“Core Grammar”)
- Mastering the Bluebook Interactive Exercises (“MBIE”)

Optional resources:

- Richard Wydick & Amy Sloan, Plain English for Lawyers (6th ed. 2019) (or any earlier edition)
- Linda Barris, Understanding and Mastering The Bluebook: A Guide for Students and Practitioners (Legal Citation) (4th ed. 2020) (companion text to MBIE)

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Blackboard

- LRWA I Main Page
- LAW-096-[section #]

Students must be enrolled in both the main course page and their section page. The main page contains material relevant to all sections. The section pages have instructor-specific material and assignment drop boxes. Please note that LRWA I section numbers differ from section numbers for doctrinal courses.

Course Description

LRWA I is a skills course that focuses on the fundamentals of legal research, writing, analysis, and citation that are essential for law practice. The writing projects this semester are predictive in nature. Students will learn to use research tools to find the law, to use legal reasoning to analyze the law and solve client problems, and to communicate their findings in written forms expected in the legal profession.

Learning Outcomes

By the end of the semester, students should be able to do the following:

- Locate primary and secondary authority relevant to a legal problem
- Distinguish between mandatory and persuasive authority
- Read and interpret cases and statutes
- Correctly articulate a rule from a case
- Synthesize, analogize, and distinguish cases
- Write using the basic structure of legal analysis
- Understand the form and content of an office memorandum
- Use basic case citation
- Use grammar, syntax, and tone appropriate for the intended audience and purpose

Course Format

All sections of LRWA I will follow a uniform syllabus, with uniform projects and deadlines. Most weeks, LRWA I will meet in a small-group setting led by an instructor. All sections will also have a Writing Fellow, a third-year law student who will serve as a teaching assistant and mentor. On research weeks, research instruction will be led by a law librarian.

Assessments and Grading

Final grades will be based on performance on (1) written projects, (2) skills exercises, and (3) other assignments, participation, and professionalism. The course is graded on a curve, and students are evaluated relative to the students in their instructor section.

The chart below summarizes how each assessment will be used to calculate the final grade in the course.

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Assessment	Weight	Due
Project 1: Single IRAC	5%	9/12 before 6 pm
Project 2: Closed Memo Discussion	5%	9/26 before 6 pm
Project 3: Closed Memo	20%	10/10 before 6 pm
Project 4: Open Memo Research Report & Annotated Outline	10%	10/17 before 6 pm & 10/24 before 6 pm
Project 5: Open Memo	40%	11/21 before 6 pm
Skills Exercises	15%	Various
Other assignments, participation, and professionalism	5%	Throughout

Projects:

The writing projects this semester are based on client files that simulate problems a new attorney might face in practice. For Projects 1 through 3, students will be provided all the research needed to answer the clients' questions. Projects 4 and 5 require students to conduct their own research to analyze the client's problem.

An assignment memorandum detailing the scoring and expectations for each project will be posted on the LRWA I Main Page on Blackboard. Briefly, Projects 1 and 2 will be graded on a credit/no credit basis. They are designed to provide feedback and to allow students to become accustomed to timely submission and formatting requirements. Projects 3 and 5 will be scored on a scale of 0 to 6, in 0.25-point increments, with 6.0 being the highest score a student can achieve. These two projects will be anonymously graded, meaning that the instructor will not know the identity of the writer until after the project is graded. Project 4 will be graded on a modified 6-point scale. On this project, a student could receive a 0, 3, 4, or 5. Project 4 will not be anonymously graded.

The following guide generally describes the 6-point grading scale:

LRWA GRADING GUIDE	
LRWA is a practice-focused program. Accordingly, instructors grade projects in terms of how they would be perceived if submitted to a supervising attorney in practice.	
<u>Score</u>	<u>Description</u>
6.0	Exemplary work product. A project that receives a grade of 6 demonstrates a high degree of competence in response to the task assigned. It is a project that a supervising attorney would not change before passing on to a client or filing with a court.
5.0 - 5.75	Excellent work product. A project that receives a grade in the 5-range demonstrates clear competence in response to the task assigned. A project in this range is one that would require relatively minor changes before being passed to a client or filed with a court.

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4.0 - 4.75	Strong work product. A project that receives a grade in the 4-range demonstrates adequate competence in response to the task assigned. A project in this range is one that is generally on target but would require some discussion and revision before being passed to a client or filed with a court.
3.0 - 3.75	Good work product. A project that receives a grade in the 3-range demonstrates some competence in response to the task assigned. A project in this range is one that would require significant discussion and substantial revision before being passed to a client or filed with a court.
2.0 - 2.75	Weak work product. A project that receives a grade in the 2-range demonstrates only limited competence in response to the task assigned. A project in this range is one that is off target in a significant way and would require a complete revision.
1.0 - 1.75	Deficient work product. A project that receives a grade in the 1-range demonstrates fundamental deficiency in response to the task assigned. A project in this range is one that would be rejected outright by a supervising attorney in practice.

Students should submit their highest quality work as would be expected in law practice. Instructors will provide comments on written projects, identifying mistakes and areas for improvement, but instructors will be responding as supervising attorneys and teachers, not as editors. An instructor may, for instance, correct an error the first time it appears but leave it to the student to correct the error throughout the rest of the paper and in future assignments. Students are expected to integrate readings, exercises, instructor feedback, and classroom instruction to self-edit their work. The instructor will report the high, low, and mean project grades for the section.

Skills Exercises:

Research Exercises and Core Knowledge Quizzes: As indicated in the Course Calendar, there are four research exercises due during the semester. Each exercise will be evaluated on a credit/no credit basis. A student will receive credit if the student timely and successfully completes the exercise and follows the submission instructions. During weeks in which research exercises are completed in class, students must submit the exercise by Friday evening before 11:59 pm.

Core Knowledge is the online companion to Legal Research Demystified, and an access code is provided with purchase of the text. Core Knowledge quizzes are part of the research curriculum and must be completed by the dates and times indicated in the Course Calendar.

Mastering the Bluebook Interactive Exercises: MBIE will help students learn the Bluebook, a uniform legal citation system, and will be completed independently online. Follow the “Start-up Instructions” posted on the LRWA I Main Page.

MBIE exercise sets and tests are graded on a credit/no credit basis. To receive credit, students must complete the exercise sets and tests in a good-faith manner by the specified deadlines. Examples of bad faith include submitting blank answers, repeatedly submitting the same

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incorrect answer, and repeatedly scoring “0” on exercise sets. Students struggling with citation should seek help from a Writing Fellow.

Core Grammar Exercises: Core Grammar for Lawyers is an online tool designed to ensure that students have the grammar skills expected in the legal profession. Follow the “Start-up Instructions” posted on the LRWA I Main Page; **do not opt out of the Pre-Test.**

The Core Grammar exercises are divided into lettered sections, each of which contains four lessons. J.D. students must complete the Pre-Test, complete or test out of all lessons in sections A through F, and must achieve a score of 85% on the Post-Test by the deadlines in the Course Calendar to receive credit. LL.M. students must complete the Pre-Test, complete or test out of all lessons in sections A through F, and must achieve a score of 75% on the Post-Test by the deadlines in the Course Calendar to receive credit. Students may take the Post-Test as many times as necessary before the deadline to achieve the minimum score.

Other Assignments, Participation, and Professionalism:

The Course Calendar contains weekly homework assignments, and these assignments may be supplemented by individual instructors. Unless otherwise indicated, such assignments must be uploaded to the “Homework Drop Box” on the instructor’s Blackboard section page before the start of class.

Students should consider homework an “entry ticket” for class and should not expect individualized feedback on homework assignments, although such feedback may occasionally be provided. Homework assignments are designed for students to prepare for class, to attempt new skills, and to stay on schedule for graded projects. Homework assignments also allow instructors and Writing Fellows to gauge student understanding of concepts and guide instruction accordingly.

A good-faith effort is required on all assignments, graded or otherwise. Failure to complete homework assignments may result in a failing grade for the course. Additional work may be assigned when a student’s original assignment does not demonstrate minimum competency.

Students are expected to participate in class and behave as professionals. Participation and professionalism include, but are not limited to, the following:

- Completing reading and other assignments before class
- Fully engaging in class discussions and exercises
- Demonstrating a willingness to experiment with new skills and approaches
- Exhibiting respect for classmates, Writing Fellows, librarians, and instructors
- Preparing for individual meetings with an agenda, emailed in advance to the instructor (see below)
- Asking questions after attempting to find answers using available resources
- Using technology appropriately

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An in-depth discussion of professionalism is posted in the Week 1 Folder on the LRWA I Main Page, and a description of appropriate preparation for individual meetings follows.

Preparation for Individual Meetings

Students must sign up for individual meetings and email an agenda by the deadlines in the Course Calendar. The agenda should contain specific questions or direct the instructor to specific parts of a paper. Broad questions like “how is my draft?” or “could you explain IRAC?” are not acceptable topics for an individual meeting. Targeted issues like “I am having trouble identifying the key facts that should be included in a case illustration” are appropriate. Students should also be mindful that meetings last approximately 15 to 20 minutes and should tailor the agenda accordingly. Instructors may set additional requirements for meetings and will notify students of such requirements in advance.

Where to Get Help

Program Concerns: Professor FitzGerald

Class Content: Section Instructor

Citation, Formatting, and Writing Style: Writing Fellows

Research: Reference Librarians

Basic Grammar: University Writing Center

Accommodations: George Mason University Disability Services / ods@gmu.edu / 703-993-2474

Please visit <https://ds.gmu.edu> for detailed information about the Disabilities Registration Process. If you have questions about how accommodations are implemented at the law school, please contact Christine Malone, Assistant Dean, Student Academic Affairs, at cmalone4@gmu.edu.

Syllabus Changes

The Director reserves the right to revise the syllabus, Course Calendar, and LRWA Rules. Students will be notified of any changes, and a revised syllabus will be posted on the LRWA I Main Page.

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Course Calendar

Week	Topics	Read/View Before Class (check Blackboard Main Page for weekly material)	Assignments (upload “for class” assignments to the “Homework Drop Box” on Blackboard Section Page before class begins)
Week 1 8/23-8/27	Course Overview Introduction to the Office Memo Breaking Down a Legal Rule	LRWA I Syllabus & Rules ALW Ch. 1, 4; Appendix A Week 1 Folder	For class, complete Jammer Exercise 1 Complete Research Exercise 1 (Library Tour), Core Knowledge quizzes for Chapters 1 & 2 , and Core Grammar Pre-Test before 11:59 pm on 8/29
Week 2 8/30-9/3	Introduction to IRAC IRAC: Rules & Case Illustrations	ALW Ch. 6-7 Week 2 Folder	For class, complete Jammer Exercise 2
Week 3 9/6-9/10	IRAC: Rules (cont.) IRAC: Applying the Law & Concluding	ALW Ch. 8-9 Week 3 Folder	For class, complete Jammer Exercise 3 P1 Single IRAC due 9/12 before 6:00 pm
Week 4 9/13-9/17	Organizing Introducing & Connecting IRACs	ALW Ch. 5 (pp. 74-84 only); Ch. 12 LRD Ch. 3 Week 4 Folder	For class, complete Closed Memo element charts Complete Core Knowledge Chapter 3 quiz before 11:59 pm on 9/19
Week 5 9/20-9/24	Research Session: Introduction to Legal Research Citation	LRD Ch. 5 & 9 Week 5 Folder	Complete Core Knowledge quizzes for Chapters 5 & 9 before class Bring draft of Closed Memo Discussion to class (do not upload) Complete Research Exercise 2 in class P2 Closed Memo Discussion due 9/26 before 6:00 pm

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Week	Topics	Read/View Before Class (check Blackboard Main Page for weekly material)	Assignments (upload “for class” assignments to the “Homework Drop Box” on Blackboard Section Page before class begins)
Week 6 9/27- 10/1	Facts Conclusion	ALW Ch. 14-15 Week 6 Folder	For class, complete elements/facts chart (upload) Bring Closed Memo Discussion (do not upload) Sign up for individual meeting before 11:59 pm on 10/1 Complete MBIE 1-8 and Test 1 & Core Grammar Post-Test before 11:59 pm on 10/3
Week 7 10/4- 10/8	No class Closed Memo work week Individual Meetings 10/4 – 10/8	ALW Ch. 16 Week 7 Folder	Email agenda to instructor at least 24 hours before meeting P3 Closed Memo due 10/10 before 6:00 pm
Week 8 10/11- 10/15	Research Session: Secondary Sources & Cases	LRD Ch. 6-7 ALW Ch. 5 (pp. 85-91) Week 8 Folder	Complete Core Knowledge quizzes for Chapters 6 & 7 before class Complete Research Exercise 3 in class P4 Research Report Email due 10/17 before 6:00 pm
Week 9 10/18- 10/22	Research Session: Citators	LRD Ch. 8 Week 9 Folder	Complete Core Knowledge quiz for Chapters 8 before class Complete Research Exercise 4 in class P4 Annotated Outline due 10/24 before 6:00 pm

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Week	Topics	Read/View Before Class (check Blackboard Main Page for weekly material)	Assignments (upload “for class” assignments to the “Homework Drop Box” on Blackboard Section Page before class begins)
Week 10 10/25- 10/29	Question Presented & Brief Answer Citation	ALW Ch. 13 LRD Ch. 10-12 Week 10 Folder	Complete Core Knowledge quizzes for Chapters 10 & 11 before class For class, draft Open Memo Roadmap and IRAC 1 and complete QP/BA Worksheet
Week 11 11/1- 11/5	Open Memo Questions Email Analysis	ALW Ch. 18 Week 11 Folder	For class, draft Open Memo IRAC 2 Sign up for individual meeting before 11:59 pm on 11/5 Complete MBIE 31-36 before 11:59 pm on 11/7
Week 12 11/8- 11/12	No class Open Memo work week Individual Meetings 11/8 – 11/12		Email agenda to instructor at least 24 hours before meeting
Week 13 11/15- 11/19	Common Problems Editing & Polishing	ALW Ch. 16 (review) Week 13 Folder	Bring draft of complete Open Memo to class (do not upload) P5 Open Memo due 11/21 before 6:00 pm

LRWA Rules

Scope of the Rules

These Rules apply to all students and assignments in LRWA I: Introduction to Legal Research, Writing, and Analysis (“Course”). The Rules simulate court rules, which practicing attorneys must follow.

Rule 1. Course Attendance & Engagement

- 1.1 **Course Attendance.** An instructor or Writing Fellow will take attendance during every class session. Students are also responsible for maintaining their own attendance records. Pursuant to Academic Regulation 4-1, a student must be present for at least 75% of a class session to be counted as having attended that session, and any student missing more than 20% of the class sessions will not receive credit for the Course. Each mandatory individual writing conference counts as a class session.
- 1.2 **Excessive Absences.** Any student who may miss more than 20% of the class sessions should immediately notify Christine Malone, Assistant Dean of Student Academic Affairs or Annamaria Nields, Associate Dean for Administration and Student Affairs.
- 1.3 **Postings and Email.** Students must check both the Course main page and their instructor’s section page on Blackboard daily for updates to the Course syllabus and assignments. Students must also check their George Mason email account each day.

Rule 2. Individual Work and Sources of Assistance with Assignments

- 2.1 **Restrictions on Assistance, Discussion, and Collaboration.** Except as expressly provided below, students may not seek, receive, or provide assistance on any assignment. Outside of class, students may not discuss the substantive content of Course assignments, nor may students review each other’s work for this Course during the semester. Because later assignments build on earlier assignments, this prohibition applies to drafts as well as final or graded assignments.
- 2.2 **Permitted Assistance.** Students may seek assistance with Course assignments from instructors, law librarians, Writing Fellows, the Director, and the Writing Center only.
- 2.3 **Permitted Discussion, Collaboration, and Peer Review.** Students are permitted to, and encouraged to, engage in collaborative discussion and exercises when specifically directed by their instructor. Instructors or Writing Fellows may distribute student work in class or post student work for instructional purposes, including critique and analysis.

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Students may also be asked to exchange work in class for peer review exercises. Students should discuss fellow students' work in a professional and respectful manner.

2.4 Consequence(s) of Violation(s). Students who violate these rules may receive a "0" for the assignment(s) involved, an "F" for the final grade in the Course, a referral to the Honor Committee, or any combination of these penalties.

Rule 3. Plagiarism

3.1 Plagiarism. A student must provide proper attribution when using the words or ideas of another person or a court. Students must use quotation marks when using another writer's exact wording or when only slightly altering another writer's wording. Carelessness or lack of intent does not excuse plagiarism.

3.2 Consequence(s) of Violation(s). Students who violate this rule may receive a "0" for the assignment(s) involved, an "F" for the final grade in the course, a referral to the Honor Committee, or any combination of these penalties.

Rule 4. Submission of Projects, Exercises, and Other Assignments

4.1 Due Dates and Times. Projects, exercises, and other assignments are due as provided in the Course Calendar, syllabus, and assignment memoranda. **For deadlines "before" a stated time, submissions at or after the stated time are late. Late submissions will receive a "0."**

4.2 Submission Method. Students must follow the submission instructions outlined in the syllabus or assignment memorandum, or provided by the instructor.

4.3 Blackboard Submissions. For projects, exercises, and other assignments that require Blackboard submission, students should access the appropriate drop box on their Blackboard section page. Before submitting, students should ensure that they have attached the correct document. Resubmissions will not be allowed for projects.

Because there may be a time delay on Blackboard, students should **begin to submit projects at least fifteen minutes before the deadline** to ensure timely submission. The clock on the Blackboard will determine the time of the submission. **Students assume the risk of a late submission by waiting to submit a project until the final minutes before a deadline.**

Upon submission, the student will receive a confirmation email that contains the date and time of submission. Students must retain a copy of the confirmation email; this

email will be required if the student has any submission issue or question regarding timely submission of any project.

In the unlikely event that a project fails to upload to Blackboard because of a Blackboard malfunction, a student may email the project to the Director at sfitzg11@gmu.edu. The time and date of receipt of the email will determine the timeliness of the submission. In the event of an email submission, the Director may investigate the student's activity on Blackboard, including when submissions were attempted via Blackboard, and any email submission may be rejected if the student did not first attempt submission via Blackboard.

4.4 Deadline Extensions. Only the Director may grant an extension of an assignment deadline; students must not direct extension requests to section instructors or Writing Fellows. Extensions will be granted rarely and only for circumstances entirely beyond the control of the student. Students seeking an extension must (1) inform the Director of the emergency before the due date and time for the assignment if possible, (2) provide a written request to the Director as soon as practicable, and (3) provide documentation if requested. Extensions will not be granted for computer malfunctions, internet service disruptions, or other technological issues; such issues are not unexpected or rare.

Rule 5. Format

5.1 Formatting Requirements. Unless specifically directed otherwise, all writing assignments must be:

- In Microsoft Word format;
- Formatted for 8-1/2" x 11" unruled white paper with 1-inch margins;
- In black Times New Roman 12-point font (including footnotes and page numbers);
- Left aligned, with indentation to indicate the beginning of a paragraph;
- Page-numbered, with only the typed page number centered at the bottom of the page;
- Double-spaced, with no extra spacing between paragraphs or sections *except* (1) extra space must be added to avoid stranding a heading at the bottom of a page, and (2) footnotes, block quotations, multi-line section headings, and the "Re" line in the main heading must be single-spaced;
- In compliance with the page limit, if stated;
- For office memoranda or portions of office memoranda, in compliance with LRWA Rule 6;
- For anonymous-graded assignments, students must include their anonymous grading number (AGN) in the file name and memorandum heading. No other identifying information should appear anywhere in the file name or the document.

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Students are therefore responsible for excluding their names and for removing metadata from anonymous-graded assignments.

5.2 Special Formatting Instructions. Special formatting instructions, different from or in addition to those specified above, may apply to a Course assignment. Whenever students are expected to follow special formatting rules, students will be informed of such expectations in writing.

5.3 Penalties for Non-Compliance. Failure to comply with any formatting rule on a project graded on the 0 to 6 scale will result in a deduction from the final grade for the assignment of one-quarter (0.25) point per violation, not to exceed a cumulative one-point deduction on any given project.

Rule 6. Memorandum Heading and Signature for Projects

Office memoranda and portions of office memoranda must have the following heading:

MEMORANDUM

To: [INSERT instructor's name]

From: [INSERT student's name or AGN, as appropriate]

Date: [INSERT assignment due date]

Re: [INSERT subject]

[INSERT body of memorandum]

Rule 7. Document Retention

7.1 Retention Requirements. Students must retain one ungraded copy of every assignment submitted and the graded copy returned from their instructor until all grades for the Course are available from the registrar. The student must also retain the Blackboard email confirmation indicating the date and time of submission.

7.2 Retained Documents for Grade Appeals. Grade appeals on individual assignments are not permitted. Any student wishing to appeal a final Course grade must follow the procedure outlined in the Academic Regulations, and must retain and make available to the Director the ungraded copies, the email confirmations and attachments, and the graded copies of all assignments submitted by the student for the Course.