



The mission of Concord University is to provide quality, liberal arts based education, to foster scholarly and creative activities and to serve the regional community (<http://www.concord.edu/academics/>).

## **Course Prefix, Number and Title: LSPL 201 Legal Research and Writing**

**Course CRN # and Section: 20674 (20)**

**Semester Taught (including year): Spring 2019**

**Credit Hours: 3**

**Prerequisites: LSPL 101**

**Course Time (if applicable): 6:30-9:00PM**

**Building and Room Number (if applicable): Admin 110**

**Professor: Adam B. Wolfe, BSW, J.D.**

**Office Location: 120 Scott Street,  
Suite 200 Princeton**

**Office Hours: By appointment**

**Email: [abwolfe13@gmail.com](mailto:abwolfe13@gmail.com)**

**Phone: Cell 304-921-4663  
Office 304-487-8444**

**Office Fax: 304-487-8357**

**College/Department Website:  
[www.concord.edu/sws](http://www.concord.edu/sws)**

### **Course Description/Rationale:**

This course is intended to introduce the student to the fundamentals of legal research and writing and develop the skills necessary to prepare case briefs, office memorandums, motion memorandums, demand letters, and an appellate brief to a court.

After successful completion of this course, the student should be prepared to digest the inner structure of a rule; to recognize the distinctive parts of a judicial decision; to apply the elements or factors of a rule or legal test to a set of determinative facts; to structure proof of a conclusion of law on the written page in a legal format; to predict the outcome of a specific legal dispute given a set of determinative facts and law; to effectively advise a client or plan litigation based on a set of determinative facts and law; to craft a persuasive set of facts; to persuade a judge to decide a case in a client's favor; to perform law clerk or paralegal duties such as legal research and writing; and to perform general legal assistant duties. The student will also be prepared to enter into their first year of law school with an understanding of the theories of legal research and writing and a general overview of the legal system.

**Course Management System:** Blackboard

**Hardware/Software Needed:** Westlaw Access

**Text requirements:**

*I will assign weekly cases that need to be read prior to coming to class.*

**Concord University Educational Goal(s):**

An ability to employ appropriate observational, logical, analytical, computational, creative, and critical thinking skills within and across academic disciplines; and to apply these skills in problem solving.

An ability to analyze, synthesize, and integrate elements, information and ideas.

An ability to evaluate elements, information, and ideas on the basis of appropriate criteria.

**National Standards:** N/A

**Specific Learning Outcomes:**

To prepare students for the rigorous challenges of Law School through the use of the Socratic Method and the study of Case law.

**Course Requirements:**

Students are expected to read and follow the schedule in the course syllabus, to read assigned cases, to read/review lecture notes.. You will be held responsible for all material in the cases, lectures, and handouts. In addition, students are expected to be alert and attentive with note taking in class and have a demonstrated desire to participate in any discussion. Exams are to be completed as assigned, and all instructions given by the Instructor are to be followed precisely. Do not miss an exam!

Modified Socratic Method: I will call on students randomly to present case facts, issues, and holdings and to answer questions. If you are unprepared, I reserve the right to lower your class participation/discussion grade. I also encourage you to volunteer, and I hope that many of you will do so from time to time.

The use of a modified Socratic method in my class is not designed to intimidate or humiliate you, but rather to teach you to be good lawyers. This is a method used in law school. If you are shy about public speaking, you need to start overcoming that inhibition now. I want to help you become better oral communicators, and my modified Socratic method is designed to facilitate that goal.

In order of importance, these are the things I want you to know about every case assigned:

- (1) the facts;
- (2) the issue;
- (3) the holding/rule for which the case stands;
- (4) the rival arguments, legal & factual, of the prosecution and the defense;
- (5) the reasoning of the deciding court.

**Grading Policy and Scale, Make-up Policy, Late Work:**

**Points for Each Assignment:**

50 = Attendance & Class Participation (including in-class exercises re: CREAC and Demand Letters)

10 = Quiz #1

10 = Quiz #2

25 = Case Brief #1

25 = Case Brief #2  
30 = Office Memorandum  
100 = Midterm  
100 = Motion for Summary Judgment  
100 = Oral Arguments  
100 = Final Exam  
Total = 550 possible points

**Grading Scale:**

The grading scale will be the standard grading scale:

90-100 = A  
80-90 = B  
70-80 = C  
60-70 = D  
0 - 60 = F

**Attendance Policy:**

I will take attendance during each class via a sign-in sheet and visual observations of who is physically present. Because this class only meets once per week, I expect you to attend every class meeting. Perfect attendance is rewarded in your class participation grade; however, for each unexcused absence, your grade in this course will be adversely affected as follows:

One Absence = lowering of class participation grade by 10 points  
Two Absences = lowering of class participation grade by an additional 10 points  
Three Absences = final grade lowered by one letter grade  
Four Absences = automatic failure of the course

Again, four unexcused absences and you fail. No exceptions.

Students must notify me by email or text message before any class which they find it necessary to miss due to compelling circumstances beyond their reasonable control. This notice must indicate the unavoidable and compelling circumstances which necessitate the student's absence. I will determine whether these circumstances warrant an excused absence or not. Please do not send me an email saying that your sorority/fraternity has Homecoming dance practice and you have to miss class. That, dear student, is not a compelling circumstance. Extracurricular activities are not considered to be an excused absence without an educational excuse form filled out. In preparing to enter the professional world, you need to assess whether a Judge or employer might consider the same excuses to be valid.

If at all possible, please do not arrive late to class. If you are late to class, I reserve the right to count as an absence and treat it accordingly in reducing your grade or in giving a failing grade.

**Course Timeline (Schedule of Assignments/Assessments/Presentations)**

**Written Assignments:**

The following rules apply for all written assignments outlined below:

- 1) All written assignments are due at the beginning of class on the due date.
- 2) I request that you print out a hard copy of the assignment and also submit a "backup" electronic copy via email. My email address is abwolfe13@gmail.com (as listed above).

- 3) All emails pertaining to written assignments should have a subject line with the name of the student, a dash, and the title of the assignment. For example, an email containing the first case brief in this class would have a subject line of “Johnathan Doughboy - Case Brief 1”.
- 4) You should also save the Microsoft Word document that you include as an attachment in the same format (“Johnathan Doughboy - Case Brief 1”).
- 5) Each student shall submit all written assignments on time. Points will be deducted for late submissions.
- 6) Extensions for written assignments may only be granted in exceptional circumstances. Any request for an extension must be submitted in writing before the assignment is due. You must file a Motion for Extension of Time with me outlining the reasons why you will be late and how long you will need to complete the assignment. Your Motion must include a Certificate of Service. I will notify you in writing whether your motion is granted or denied.

**PLEASE NOTE:** Late papers will result in the loss of a letter grade for every class the paper is late. For example, if a paper is turned in a week late (at the class following the class in which it was due), and the paper would have earned a “B”, the grade will be reduced to a “C”. If it is two weeks late, the grade will be reduced to a “D”. A paper is considered late immediately after the start of the class in which it was due. Please make a special note of this policy.

Technology is simultaneously our best friend and worst enemy at times. **However, computer malfunctions are not an excuse for late submissions!** You are responsible for knowing how to use your equipment and for making sure that it works when you need it, so please test your computer and printer a few days before each deadline. If the printer you use malfunctions at the last minute, you must still submit your assignment electronically by the assignment deadline. See me immediately to discuss submitting a hard copy.

**I welcome your questions about anything pertaining to this class, including assignments. Feel free to contact me via email or text message.**

#### **Format for All Papers:**

The following formatting standards apply for all papers:

- 1) Each student shall neatly type and double-space all assignments on 8-1/2" x 11" white paper.
- 2) All pages must have a one-inch margin on the top, bottom, left, and right.
- 3) Each student shall use Times New Roman font at 12 point font size.
- 4) **ALL PAPERS MUST BE STAPLED!**

While minor variations will occur, a paper that does not conform substantially with this policy will be marked down accordingly. Do not play with the margins or make the font size larger to make it appear that your submission is more robust than what it would be under these guidelines. Also, please make sure your printer produces reasonably dark print.

Spelling mistakes, grammatical errors, inconsistencies, aesthetic problems, and general sloppiness are unacceptable. They also detract from an attorney’s credibility, as they make his or her work appear unreliable. Appearance is half the battle. Any paper that appears sloppy or otherwise reflects a lack of attention to grammar, spelling, and the formatting requirements will be penalized. Likewise, any paper which appears to lack appropriate effort will be penalized. If you find yourself hastily drafting your written assignments at the last minute, I will likely be able to tell, and the submission will be graded according to the poor effort.

## Course Outline

<b>Class Dates</b>	<b>Assignments</b>
January 16, 2019	<p>Introductions Review of the Syllabus</p> <p><i><b>Lecture: The [Very Peculiar] World of Legal Research and Writing</b></i></p>
January 23, 2019	<i><b>Lecture: Introduction to Westlaw</b></i>
January 30, 2019	<p><i><b>Lecture: The Anatomy of a Case and How to Do a Case Brief</b></i> -Discussion of “Case Brief #1” Assignment Assignment for next time: Case Brief #1;</p>
February 6, 2019	<p><u><i><b>Due: Case Brief #1</b></i></u></p> <p><i><b>Lecture: Predictive v. Persuasive Writing</b></i> -Discussion of “Case Brief #2” assignment  Assignment for next time: Case Brief #2;</p>
February 13, 2019	<p><u><i><b>Due: Case Brief #2</b></i></u></p> <p><i><b>Lecture: Intro to the Paradigm for Structuring Proof of a Conclusion of Law: CREAC</b></i></p>
February 20, 2019	<p><i><b>Lecture: CREAC (continued); Westlaw Training (continued)</b></i></p> <p>-CREAC Group Exercise (in class) -Discussion of “Office Memorandum” assignment  Assignment for next time: Office Memorandum</p>
February 27, 2019	<p><u><i><b>Due: Office Memorandum</b></i></u></p> <p><i><b>Lecture: Review for Midterm &amp; Other Miscellaneous Items</b></i></p>
March 6, 2019	Midterm Exam
March 13, 2019	<i><b>Lecture: Persuasive Writing &amp; Motion Memorandum Format</b></i>
March 20, 2019	<i><b>Lecture: Working with Facts; How to Write the Case Statement</b></i>
March 27, 2019	<i><b>Lecture: Motion Memorandum; Argument; Headings and Subheadings</b></i>

	-Review of sample Motion for Summary Judgment  Assignment for next time: Motion for Summary Judgment
April 3, 2019	<b><u>Due: Motion for Summary Judgment</u></b>  <b>Lecture: How to Draft a Demand Letter</b> -Demand Letter (in class exercise)
April 10, 2019	<b>Lecture: Structure of Appellate Brief</b> -Components of Appellate Brief -Review sample Appellate Brief
April 17, 2019	<b>Continued Lecture: Structure of Appellate Brief</b> -Components of Appellate Brief -Review sample Appellate Brief Review of Final Exam
April 24, 2019	Thanksgiving Break
May 1, 2019	Oral Arguments
May 8, 2019	Exam

### **Accessibility/Accommodations:**

Concord University is committed to responding to the needs of students with disabilities as defined by the Americans with Disabilities Act. Please inform your instructor at the beginning of the class semester if you have a disability and are requesting accommodations. It is your responsibility to self-disclose that you are requesting accommodations. The University and instructor will provide you with a reasonable accommodation. You should register with CU's Disability Services Office, located in the Athens campus Jerry and Jean Beasley Student Center, Bottom Floor, across from the Campus Post Office. The Disability Services Office phone is 304-384-6086 or you can email the Director, Nancy Ellison, at nellison@concord.edu for assistance.

### **Academic Dishonesty**

Academic dishonesty is morally unacceptable as well as destructive to the learning and teaching atmosphere. Academic dishonesty includes the giving or receiving of improper help on examinations or assignments, falsifying documents, and plagiarism (the act of stealing and using, as one's own, the ideas or the expression of the ideas of another). Such dishonesty can lead to a variety of penalties — including but not limited to failure of assignment, failure of course, loss of institutional privileges, or dismissal from the University. (See University Catalog Academic Policies and Procedures.)

### **Concord University Honor Code**

A Concord University Honor Code was approved by students, staff, faculty, administration, and the CU Board of Governors. The Code states:

*"As a member of the Concord University Community I will act with honesty and integrity in accordance with our fundamental principles and I will respect myself and others while challenging them to do the same."*

The Honor Code is intended to unite the Concord community behind a culture of honesty, integrity, and civility.

### **Class/Online Attendance Policy**

Regular class attendance is part of a student's academic obligation at Concord. Irregular attendance may affect academic performance adversely and is detrimental to the atmosphere of a class. (See University Catalog Academic Policies and Procedures.)

### **Emergency Alert System**

In an effort to increase safety and security on our campus, Concord University encourages everyone to register for instant text message alerts. Alerts will only be used for security and safety notices. All students, faculty, and staff are eligible to receive text message alerts on their cell phones or email alerts. Please contact the IT Help Desk for further assistance (304-384-5291).

### **Emergency Information**

Emergency/courtesy telephones are located at the main entrance of each residence hall and at various other locations on campus. Emergency telephones can be identified by the flashing blue light and will provide the user with a direct link to Public Safety at the press of a button. To report an on-campus emergency, call 304-384-5357 or 911. The Office of Public Safety is located on the bottom floor of the Rahall Technology Center. For further emergency information go to:

<http://www.concord.edu/administration/office-public-safety>.

### **Inclement Weather Policy**

As a general policy, the University will remain in normal operations during adverse weather conditions. In the event of severe weather conditions, the following may occur:

#### University Closure

No students or employees are to report.

#### Classes Cancelled

Students do NOT report BUT employees are expected to report to work at their normal time.

#### Operating on an Inclement Weather Delay

Under this schedule, all 8 a.m. classes will start at 10 a.m. Students and faculty will follow the Inclement Weather Schedule. (See <http://www.concord.edu/emergency-alerts> for Athens/Beckley Inclement Weather Schedules.)

*\*Announcements invoking the late schedule or other options referenced above are aired on area radio and television stations and are sent as text and email messages to those enrolled for this service.*

### **Student Conduct**

In classrooms, online, laboratories, and during any activities that are part of course requirements, students are expected to observe reasonable rules of conduct.

### **Sexual Harassment & Assault**

Federal law, Title IX, and Concord University policy prohibits discrimination, harassment, and violence based on sex and gender (including sexual harassment, sexual assault, domestic/dating violence, stalking, sexual exploitation, and retaliation). If you or someone you know has been harassed or assaulted, you can receive confidential counseling support through the Concord University Counseling Center (304-384-

5290). Alleged Violations can be reported non-confidentially to the Concord University Title IX Coordinator at 304-384-6327 or [titleix@concord.edu](mailto:titleix@concord.edu). Reports to Campus Security can be made at (304-384-5357). As an employee at Concord University, I am a mandatory reporter which means I must report any sexual misconduct I am made aware of. This includes verbal or written (such as in an assignment) disclosures of sexual harassment or sexual assault.

### **Technology Services**

Contact the CU Help Desk at extension 5291 from campus or 304-384-5291 off campus. You may also e-mail [cuhelpdesk@concord.edu](mailto:cuhelpdesk@concord.edu).

### **Syllabus Disclaimer**

**"This syllabus is subject to change based on the needs of the class. Please check it regularly."**

### **Miscellaneous (for example):**

Sources of Help

Glossary of Terms

Related Research/Professional Organizations