**Email: bcandler@berkeley.edu**

**Office Hours: Wednesdays ,10-11 am**

**Writing Coach: Amber Phillips, ambervictoria@berkeley.edu**

### Course Goals

This two-semester class introduces LLM students to the methods of legal research and the basic forms and methods of legal writing in the United States. The fall semester will include several shorter research and writing assignments, including one 6-8 page memorandum of law, which will test your ability to communicate in written English in a format typically used in US law offices. This class will also focus on oral advocacy skills and each week there will be in-class oral presentations. The fall semester serves as the foundation for the rigors of the spring semester, when students will draft a capstone writing project of 15 to 20 pages and participate in a mock oral argument.

The course is worth one unit for the fall semester and one unit during your spring semester, and is graded credit/no credit. Please note that this is not a course in Legal English. The course does not stress grammar and vocabulary. Rather, it emphasizes legal problem solving, and effective written communication of legal analysis (in objective and persuasive forms).

### Course Logistics

This course meets for 70 minutes per week. In addition, there will be one-on-one conferences scheduled to discuss your work at least once during the semester.

The required course materials will be posted on this course’s bSpace page. You should check this course’s bSpace page regularly. If you intend to practice law in the United States, it is additionally recommended that you purchase a copy of The Bluebook: A Uniform System of Citation 19th Ed.

### Course Policies

To receive a passing grade in this class, you must:

* Complete all assignments (case briefs, writing and research assignments, etc.), in a timely fashion;
* Produce a memo of sufficient quality to fulfill the degree requirement; and
* Attend class regularly and participate as required for in-class presentations and group work.

Note that assignments are not “complete” unless they are done completely and correctly, in the assessment of your instructor.

Class attendance is expected. We move through the material quickly. Because this course teaches a skill, each class builds on prior classes. Thus, significant absence from class can influence whether or not you pass this course.

“Regular attendance” presumes your timely appearance at class sessions. I may take attendance at the start of each class session. If you are not present at the start of class, you may be marked absent for that session. While occasional lateness may be excused, regular tardiness will not be. If you miss class more than twice over the semester – including tardiness marked as absences – you may receive a failing grade in this course. If you must miss class, please email your instructor in advance where possible.

Unless required to do so as part of class, you should not be on the internet during class time. This means: no email checking, no use of Lexis and Westlaw, and no other web-surfing activities may be conducted during class time unless part of a classroom exercise. In the event student(s) do not comply with this rule, we may ban all laptop use in class.

The Honor Code applies to this course, and it will be strictly enforced. Submitting the work of another – intentionally or not – will result in a failing grade for the course. In the United States, the rules on attribution are quite important. In general, you may not incorporate into your assignments the works or ideas of another without appropriate attribution, and without quotation marks where necessary. Additionally, you may not submit an assignment that has been prepared by another. It is your obligation to provide proper attribution to your source material – even accidental failure to do so can have serious consequences in your ability to pass this course.

Collaboration on research and in discussion of assignments is encouraged, and some work in small groups will be required. However, each student must write his or her own papers separately.

**Syllabus**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Topics** | **Reading Assignments – TBA** | **Assignments** |
| Class 1 | * US Legal System Overview: Reading a Case & Sources of Law
 |  | Be prepared to briefly discuss your area of legal expertise. |
| Class 2 | * Briefing a case
* CRAC/IRAC
 |  | Case Study |
| Class 3 | * Basic Civil Procedure
* Weight of authority
* Finding the rule in a case (“Rule Extraction”)
 |   | Case BriefIn-Class: Rule Statements  |
| Class 4 | * Predictive Writing Structure
* US Legal System Sources of Law review
* Basic Citation and Attribution to authority
* Research Basics
 |  | In-Class: Topic Sentences |
| Class 5 | * Predictive Writing in Practice
* Discussion of the lead case for the memo
* Basic Citation and Attribution to authority (continued)
 |  | **Mini-memo, 2-3 pages** |
| Class 6 | * Research goals and methods
* Secondary sources and additional case
* Full Memo – office work
 |   | In-class peer review of MemosUS Business Letter***Conferences with Writing Coach*** |
| Class 7 | * US Business Letters
* US Emails (form and discovery issues)
 |  | **First draft of 6-8 page memo due** |
| Class 8 | * Predictive Writing Skills: Organization, Counter arguments, style

   |  | Multi-case ChartResearch Assignment Sign up for conference times |
|  | ***Conferences*** |  |  |
| Class 9 | * Predictive v. Persuasive Writing
* Exam Writing – Outlining Answers
 |  | **Final Memo due (6-8 pages)**Independent Research: Secondary Sources |
| Class 10 | * Persuasive Briefs
 |   | Review Case File on bSpace, come with Draft Statement of Facts |