

**SYLLABUS**  
**LAWYERING SKILLS WRITING**  
**LAW 510A**  
**Sections 1 & 3**  
**Fall 2021**

**learning objectives:**

At the end of the semester, each student will be able to:

- write a memorandum to a supervising attorney, applying the relevant law to the client's facts and predicting the likely results if the client's problem were to become a court case
- interview a client to obtain the facts relevant to the client's legal problem
- find the up-to-date law relevant to the client's problem through research in secondary and primary legal sources

**required texts:**

- Linda H. Edwards, *Legal Writing: Process, Analysis, and Organization* (7<sup>th</sup> ed., Wolters Kluwer 2018). ISBN 9781454895916
- Coleen Barger, *ALWD Guide to Legal Citation* (6th ed., Wolters Kluwer 2017). ISBN 9781454887768
- *Core Grammar for Lawyers*, <http://www.coregrammarforlawyers.com>, one year subscription.

**recommended text:**

- Richard C. Wydick & Amy E. Sloan, *Plain English for Lawyers* (6th ed., Carolina Academic Press 2019). ISBN 9781531006990

**course management webpage:**

Course related information and materials are located on the course page on TWEN for Law 510A-Lawyering Skills Writing, Fall 2021, available at: <https://lawschool.westlaw.com/twen>.

**writing professor:**

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**course description:**

In this course you will learn and practice basic lawyering skills. You will apply the various modes of legal analysis that you are learning to clients' legal problems, becoming familiar with the research, writing, and client interviewing processes that practicing attorneys use. Surveys of

practicing attorneys (including those who do hiring) consistently demonstrate these are critically important skills. There is a symbiotic relationship between legal research and writing. It does not matter how proficient you are at written or verbal communication if you are wrong on the law, and being right on the law can not help your client if you are not able to communicate effectively. We teach these subjects in an integrated manner in Lawyering Skills Writing and Lawyering Skills Research, underscoring that relationship.

This semester you will be introduced to and practice the basic conventions of written legal analysis, primarily focusing on objective legal writing. These skills and conventions include how to find, choose, and cite to appropriate authority; how to organize a written legal analysis; and how to write an objective legal memorandum. You will also be introduced to and practice the skills needed to search for relevant legal authority, both in print and electronic formats. Next semester, in Lawyering Skills II, the focus will shift to persuasive legal writing, more complex legal analysis, and additional legal resources and research techniques.

**class schedule:**

Each Lawyering Skills section has two class meeting times scheduled for each week. The Tuesday class meeting will cover writing topics (Lawyering Skills Writing), and the Thursday class meeting will cover research topics (Lawyering Skills Research). Many of the class meetings will include opportunities to work in smaller groups. Section 1 will meet on T and Th from 9-1015, and Section 3 will meet on T and Th from 11-1215, both in Room 206.

**attendance:**

Attendance is mandatory for all scheduled class meetings and other scheduled course activities, and it is recorded by signing the attendance sheet. The absence of a signature on an attendance sheet is conclusive evidence of absence. Any student who misses a class is responsible for obtaining from classmates all material covered during the class. Be aware, however, that if you miss a class, it is often impossible to duplicate the active learning exercises that take place during class. No deadlines will be extended based solely on a student's absence from a class. This policy applies to all regularly scheduled class sessions listed in this syllabus, as well as other required activities scheduled during the semester (e.g., writing conferences, client interviews, etc.).

Attendance is required at 5 of the 9 Study (Writer's) Block sessions. You may, and are encouraged to, attend all nine sessions, but five sessions are required in order to meet the course instructional attendance hours.

**assignments:**

Along with many shorter assignments, you will write two complete legal memoranda. For the first complete memo, a set of facts and cases will be provided for you to use. For the second memo, you will interview clients (people role-playing) to collect the facts, and you will do your own research to locate the relevant authorities.

For readings assigned in the texts to prepare for the writing portion of the class, you do not need to prepare any exercises found in those texts. Written assignments are specified separately below, and additional short assignments may be announced on the course TWEN site or in class.

For readings assigned in the *ALWD Guide to Legal Citation*, please skip any paragraphs and examples labeled “academic formatting” and identified by a maroon line in the left-hand margin. Your Lawyering Skills professors will assume you have read the assigned reading before the class. Students who do well in the course read all of the assigned reading carefully before class.

**grading:**

Based on a maximum raw score of 100 points for the entire course, the number of points you may earn on each assignment toward your final course grade is:

- partial legal memorandum exercise: 15 points
- closed legal memorandum: 30 points
- open research memorandum: 45 points
- client interview: 5 points
- professionalism: 5 points

\*Note: Up to two bonus points may be earned toward the final course grade, by completing the requirements of resume and cover letter writing (as part of professional written communication) as set forth by Dean Ruiz, through the Career Services Office.

**professionalism:**

Lawyers are professionals, and part of what you will be learning in the Lawyering Skills course is how to handle yourself professionally in the context of your legal education and your newly acquired legal skills. The professionalism part of your grade is based on your timely completion of all LS pass-fail and graded assignments, drafts, and re-writes; your attendance and active participation in class; your adherence to the course policies; and how you conduct yourself in person and by e-mail, with your classmates, the TA’s, and the professors. For example, surfing the Internet in class, e-mailing an LS professor during the time you are in another professor’s class, coming to class late, or e-mailing the professor with a question answered in the syllabus would all be unprofessional conduct. This is not an exhaustive list of unprofessional conduct. Before you act, please consider whether you would say or do what you want to say or do in front of a judge or in a meeting with a senior attorney in a law office.

**minimum requirements:**

You must satisfactorily complete every assessed assignment in the course to pass the course. “Every assessed assignment” includes the shorter pass-fail writing assignments, the partial legal memo, the two memos, and the client interview. Your professor will have full discretion to determine whether you have satisfactorily completed each assessed assignment or need to re-do it. If you have questions or you find yourself confused or uncertain as you work on the assignments, talk to your professors and TA’s.

Lawyering Skills Writing is a two credit hour class. The American Bar Association standards require you to spend at least 6 hours of your time each week on the course. The classroom component is scheduled for 75 minutes each week, and the required conferences and simulated

learning meet the two hours per week direct instruction requirement. The course focuses on attaining various lawyering skills, so a good deal of the learning occurs as you work through the exercises and assignments outside of the classroom and when you talk to your professors and TA's. At first, you should expect to spend 4 hours on your work outside of the classroom for this course each week. Toward the end of the semester, some classroom time will be canceled, to allow you to spend more time on your work outside the classroom. Please note that the ABA standard of six hours per week is a minimum standard, and students typically find this class requires more time than that, given the importance of the subject, and you should plan accordingly.

### **classroom electronics:**

The basic rule during class is simple: no electronic grazing. This rule applies to your use of laptops, phones, tablets, and all other mobile or wireless devices. Use is limited to class note taking and other tasks authorized by your professor. Unauthorized electronics use during class may result in losing the use of the electronics for the remainder of the semester. Unauthorized use during class includes texting, e-mailing, gaming, shopping, and accessing other sites not related to the classroom topic. Please turn off phone ringers and texting functions before class begins.

### **recording:**

Lawyering Skills Writing class sessions generally will not be recorded. Students may not record the class sessions without the professor's permission. If you feel you need a recording of a class session, please seek permission for this.

### **emergency procedures:**

SIUC is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, you should become familiar with the SIUC emergency response plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in campus buildings, at <http://www.bert.siu.edu>, at <http://www.dps.siu.edu>, and in the Emergency Response Guidelines pamphlet. You should know how to respond to each type of emergency. Instructors will guide and direct students in the classroom if an emergency affects your location. Follow their instructions, and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will assist your instructor if you need to evacuate or shelter in the building.

### **accommodations & assistance:**

The SIU Disability Support Services office determines and provides academic support services for students with permanent and temporary disabilities. If you think you may be eligible for accommodations but have not yet obtained approval, please contact 618-453-5738 or [disabilityservices.siu.edu](http://disabilityservices.siu.edu). There you will have an interview, have your documentation reviewed, and complete a Disability Accommodation Agreement. Give that agreement to the School of Law Registrar, who arranges classroom and exam accommodations. Accommodation [request](#) and [renewal](#) forms can be found here: <https://law.siu.edu/academics/>

Saluki Cares is a university-wide program of care and support for students in any type of distress—physical, emotional, or financial. You can reach Saluki Cares at 618-453-2461, [siucares@siu.edu](mailto:siucares@siu.edu), or <http://salukicare.siu.edu/index.html>. School of Law Assistant Dean Judi Ray will also help you access university resources. You can contact her at [judiray@siu.edu](mailto:judiray@siu.edu), 618-453-3135.

**COVID-19:**

As a condition of on-campus enrollment, all SIUC students are required to engage in safe behaviors to avoid the spread of COVID-19, including the requirement that all students wear a mask in campus buildings, including classrooms, laboratories, and studios when others are present, regardless of social distancing. Students are expected to follow physical or social distancing guidelines, and practice good hand hygiene. Failure to comply with this policy may result in dismissal from the current class session. If the student refuses to leave the classroom after being dismissed, the student may be referred to the Office of Student Rights and Responsibilities. SIUC will follow federal, state and county public health recommendations and mandates in all decisions relating to university operation. Students should regularly review the link for the [SIUC COVID-19 response](#).

## **Week 1**

### **Tuesday, August 17**

class topic: introduction to legal writing and Lawyering Skills; case briefing

prepare for class:

- Edwards, pp. 1-13; 47-56

handed out: first and second cases to brief; case briefing format handout

### **Friday, August 20**

10-12 study block- initial questions, case briefing, time management, CALI research lessons, Core Grammar tutorials

## **Week 2**

### **Tuesday, August 24**

class topic: case synthesis

prepare for class:

- Edwards, pp. 66-68

hand in at the beginning of class: first and second case briefs

handed out: case synthesis exercise

### **Friday, August 27**

10-12 study block- synthesis exercise, CALI research lessons, Core Grammar tutorials

## **Week 3**

### **Tuesday, August 31**

class topic: introduction to the legal memorandum; statement of facts

prepare for class:

- Edwards, Appendix A; Erin Carroll, *Teaching Patience: Why Law Students Need to Slow Down and How to Help Them Do It*, 24 *Perspectives* 23 (2016).

hand in at the beginning of class: case synthesis exercise

handed out: partial memo exercise

### **Friday, September 3**

10-12 study block- fact section of office memo, CALI research lessons, Core Grammar tutorials

## **Week 4**

### **Tuesday, September 7**

class topic: small scale structure of written legal analysis

prepare for class:

- Edwards, pp. 75-103

hand in at the beginning of class: statement of facts

### **Friday, September 10**

10-12 study block- work on IRAC, Core Grammar tutorials, CALI research lessons

## **Week 5**

### **Tuesday, September 14**

class topic: large scale structure of written legal analysis

prepare for class:

- Edwards, pp. 123-146; Michael J. Higdon, *The Legal Reader: An Expose*, 43 N.M. L. Rev. 77 (2013).

hand in at the beginning of class: partial memo exercise

handed out: full closed memo assignment

### **Friday, September 17**

10-12 study block- work on case chart, Core Grammar tutorials

## **Week 6**

### **Tuesday, September 21**

class topic: working with statutes

prepare for class:

- Edwards, pp. 37-43

### **Friday, September 24**

10-12 study block- work on closed memo, Core Grammar tutorials, CALI research lessons

4:00 p.m.: deadline for completing *Core Grammar* post-test and tutorials

### **Wednesday, September 22 - Tuesday, September 28**

required conference with writing professor

## **Week 7**

### **Tuesday, September 28**

class topic: citations and quotations; selecting authority

prepare for class:

- Edwards, pp. 149-173; pp. 57-71

### **Friday, October 1**

hand in by 4:00 p.m.: full closed memo

no study block today

## **Week 8 MIDTERM WEEK**

No LS classes or study block this week

## **Week 9**

### **Tuesday, October 12**

class topic: selecting authority continued; client interviewing & collecting facts

prepare for class:

- required reading TBD

handed out: client interviewing exercise

**Friday, October 15**

10-12 study block- prepare for interview

**Week 10**

**Monday, October 18 - Wednesday, October 20**

client interviews

**Friday, October 22**

10-12 study block- researching the open memo

**Week 11**

**Tuesday, October 26**

class topic: questions & answers on open memo, research & writing; citation competency

exam administered

hand in at the beginning of class: list of authorities

**Friday, October 29**

10-12 study block- work on open memo, research exam prep

**Week 12**

**Wednesday, November 3 - Tuesday, November 9**

required conference with writing professor

no study block this week

**Week 13**

**Tuesday, November 9**

class topic: plain English, gender neutral language, editing & proofreading

prepare for class:

- Edwards, pp.175-189; J. Atlas, E. McKee, & A. Mooney, *The Final Legal Writing Class: Parting Wisdom for Students*, 24 Perspectives 48 (2016).

**Friday, November 12**

hand in by 4:00 p.m.: open research memo