

**WRITING AND LEGAL REASONING**  
**SPRING 2021 - Day and Evening Class**  
**Director: Professor Anne Hemingway**

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Office Hours: Mondays 4pm – 7pm by appointment via zoom

**Required Text:** *The Lawyer's Craft*, Glaser, Lieberman, Ruescher, & Su

**Recommended Texts:** *A Writer's Reference*, Diana Hacker  
*Just Writing*, Anne Enquist & Laurel Currie Oates (5<sup>th</sup>)

**CLASS DAYS/TIMES:** Monday & Wednesday 11:00-12:15 p.m., 1:00-2:15 p.m. & 9:00-10:15 p.m.

**\*\*Writing classes are intentionally kept small for an ideal learning environment. You will be assigned a professor before your first class. Your class assignment will be posted to the course TWEN page on Westlaw(<https://lawschool.westlaw.com/twen>) where you will also find the zoom link for class. If you have trouble logging in, contact Dan Harayda ([harayda@msla.edu](mailto:harayda@msla.edu)) or Mick Coyne ([mick@mslaw.edu](mailto:mick@mslaw.edu)).**

Please note: The syllabus is subject to change. You will be informed of changes as they occur.

**COURSE REQUIREMENTS:**

**Grading:** Your final class grade will be based upon case briefs, in-class writings, a substantive course outline, and a case analysis assignment. Possible points per assignment:

- Case Briefs (15 points)
- In-class writings (15 points)
- Course Outline (25 points)
- Case Analysis (30 points)
- Professional Points (50 points)

There will be no make-up of in-class work granted for any unexcused absence (as determined by the professor). The professor can, however, consider a lack of attendance in determining the final grade, along with any other acts of unprofessionalism, as explained below:

A critical component of practicing law is always acting professionally. Since law school is where you learn to become a lawyer, you should always handle yourself professionally. This includes, but is not limited to, attending class regularly and on time, submitting assignments on time and in the appropriate format, actively participating in class, turning cell phones off *before* class, and not surfing the Internet or using e-mail during class. Also, how you conduct yourself in your interactions—both in person and via e-mail—with the professor and others is a reflection of your professionalism. **Each student will start the semester with 50 professionalism points. Points will be deducted for any unprofessional conduct, as explained above.**

**Assignments:** Cases for case brief assignments are located in the coursebook for your substantive class unless otherwise stated. Other supplemental material will be posted under the Course Material or the dropbox on the course TWEN page.

**All assignments are due at the beginning of your regular class time on the due date. Submissions after the start of class are considered late.**

Every assignment you submit must be your own work, including case briefs, outlines, and papers. Please read the examples of plagiarism and plagiarism warning; submit your signed plagiarism warning on the first day of class. Both documents are located on the course TWEN page under course materials. Please review the MSLAW policy on Academic Honesty.

\*\*\*\*\*SYLLABUS IS SUBJECT TO CHANGE\*\*\*\*\*

**Week 1:** Course overview. What is legal analysis? How is the legal system structured? Why do we read and brief cases? How do you write a case brief?

**Monday – January 25th:**

**Email signed plagiarism warning to small group professor by the start of class.**

Required Reading and Assignment Due: *Lawyer's Craft – Chpt. 1 pp 8-15, Chpt. 3 pp 40-58; Do all exercises pp 58 -62.*

**Wednesday – January 27<sup>th</sup>**

Proofreading Exercise

**Case Briefs Due: Contracts**  
Kirksey v. Kirksey

**Week 2:** Continuing case briefs. Introduction to Analyzing Legal Issues.

**Monday – February 1st**

Required Reading and Assignment Due: *Lawyer's Craft – Chpt 2, pp 20 - 34; Do all exercises pp 35 - 38.*

**Wednesday – February 3rd**

**Case Briefs Due: Contracts**  
Alaska Packers' Assoc v. Domenico  
Wood v. Lucy  
On Group, Inc. v. Seattle-First National Bank

**Week 3:** Law school course outline. Introduction to IRAC. What is IRAC? How is IRAC used in law school exams vs. formal legal writing?

**Monday – February 8<sup>th</sup>**

**Assignment of substantive course outline**

Required Reading: **Article on TWEN** Creating an Outline for a Law School Course

Required Reading and Assignment Due: *Lawyer's Craft – Chpt. 4, pp 63 -72*; **Do all exercises pp 73 -77**

**Wednesday – February 10th**

**Case Briefs Due: Contracts**

Ricketts v. Scothorn

Langer v. Superior Steel Corp.

Allegheny College v. National Chautaugua County Bank of Jamestown

**Week 4:** Continuation of IRAC and Issue Spotting. First In-class Writing.

**Monday – February 15th**

**Case Briefs Due: Contracts**

Corinthian Pharmaceutical Systems, Inc. v. Lederle Laboratories

Industrial America, Inc. v. Fulton Industries, Inc.

**Wednesday – February 17th**

**In-class Writing 1 (Contracts)**

**Week 5:** Preparing for and Writing the Law School Exam

**Monday – February 22nd**

**Case Briefs Due: Torts**

Lamprecht v. Schluntz

Martin v. Herzog

Required Reading and Assignment Due: *Lawyer's Craft – Chpt 17, pp 293-304*

**Wednesday – February 24th**

**In-Class Writing 2 (Torts)**

**Week 6:**

**Monday, March 1st**

**Case Briefs Due: Torts**

Perkins v. Texas and New Orleans R. Co.

Reynolds v. Texas & Pac. Ry.

Karmer Service, Inc. v. Wilkins

**Wednesday, March 3rd**

**Issue Spotting**

**Substantive Course OUTLINE DUE**

**Week 7:**

**Monday, March 8th**

**Case Briefs Due: Contracts**

Professional Bull Riders, Inc. v. Autozone

Bowling v. Sperry

**Wednesday, March 10th**

**Analyzing Statutory Issues**

Required Reading and Assignment Due: *Lawyer's Craft Chpt 5 pp 79 – 97; do all exercises pp 98-103*

**Week 8:** Introduction to sources of law and citations.

**Monday, March 15th**

**In-class Writing 3 (Contracts)**

**Case Briefs Due: Contracts**

Boise Junior College District v. Mattefs Construction Co.

Sherwood v. Walker

### **Wednesday, March 17th**

Introduction to binding v. persuasive authority and legal citations

Required Reading and Assignment Due: *Lawyer's Craft* pp 226 - 229;

Research the structure of the Massachusetts court system or your home state court system.

### **Week 9:**

#### **Monday, March 22nd**

Introduction to the Case Analysis Assignment and the Legal Memorandum.

Required Reading and Assignment Due: *Lawyer's Craft*, pp 108 -112

#### **Case Briefs Due: Torts**

Fletcher v. Rylands

Rylands v. Fletcher

#### **Wednesday, March 24th**

#### **Case Briefs Due for the Case Analysis Assignment**

Discussion – Case Analysis Assignment

### **Week 10:**

#### **Monday, March 29th**

Using IRAC in your Case Analysis.

Required Reading and Assignment Due: *Lawyer's Craft*, pp 115 -133

#### **Case Briefs Due: Torts**

Baxter v. Ford

#### **Wednesday, March 31st**

#### **In-class Writing #4 IRAC (Torts)**

### **Week 11:**

#### **Monday, April 5th**

Case Analysis Format

**Wednesday, April 7th**

**Case Briefs Due:** Contracts

Centronics Corporation v. Genicom Corporation

Patterson v. Meyerhofer

**Week 12:**

**Monday, April 12th**

Draft for Case Analysis Assignment Due

**Self-Editing Exercise**

**Wednesday, April 14th**

**In-class Writing #5 IRAC (Contracts)**

**Case Briefs Due:** Contracts

American Mechanical v. Union Machine Co.

Locks v. Wade

**Week 13:**

**Monday, April 19th – NO CLASS Patriot's Day**

**Wednesday, April 21st CONFERENCES**

**Week 14:**

**Monday, April 26th CONFERENCES/**

**Wednesday, April 28th Discussion/TBD**

**Week 15: Wrap up**

**Monday, May 3rd** Final questions regarding case analysis assignment

Last Day for In-class writing make-up

**Wednesday, May 5th**

**FINAL PAPER DUE**