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LEG 287.02: Legal Research and Writing III

Thomas W. Trigg

University of Montana - Missoula, thomas.trigg@mso.umt.edu

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Syllabus: Legal Research & Writing III (LEG 287)

(rev. 1/20/2016)

Spring Semester 2016

Faculty: Thomas W. Trigg

Email: thomas.trigg@umontana.edu

Phone 406-721-6778

(prerequisite: Introduction to Legal Research, LEG 286T)

Missoula College

Business Technology Department

Paralegal Studies

Academic Misconduct Statement

Be honest, and never offer someone else's work as your own. Missoula College insists that all students practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and disciplinary sanction by the University. All students need to be familiar with the Student Conduct Code. The Code is available for review online at: http://www.umt.edu/vpsa/policies/student_conduct.php

Course Description

This is a two credit course. The course provides continued development of legal research and writing skills including advanced legal theory and case law synthesis, drafting correspondence, pleadings, discovery documents, persuasive writing. Students will examine Montana statutes and cases to illuminate course topics. Course information is available at:

https://webprocess.umt.edu/cyberbear/bwckctlg.p_disp_course_detail?cat_term_in=999999&subj_code_in=LEG&crse_num_in=287T

Required Text and Materials

The Legal Research and Writing Handbook, authors: Andrea Yelin and Hope Samborn. Any edition is fine; one is ISBN 978-0-7355-0789-0. I recommend that you read Strunk and White, *The Elements of Style* (1959). The book has been revised by Joseph Devlin, but I have not examined the revision and cannot advise you about it. You should be comfortable buying used copies of each of these books. I suggest you check www.amazon.com, <http://www.powells.com/>, www.chegg.com, and any other online supplier you can locate.

Course Objectives

Upon completion of this course, the student will be able to:

1. Research, analyze, synthesize, and prioritize law cases, treatises, doctrines,

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- theory of the law, legal rules, and other information.
2. Draft appropriate correspondence, pleadings, motions, briefs, discovery documents or memoranda for a law office.
 3. Always employ proper English usage, grammar, punctuation, and spelling.

Course Outline

The course will address legal writing and research topics, including:

1. Routine, effective use of computerized legal research resources.
2. Close reading and analysis of legal authorities, including cases, statutes, and treatises.
3. Preparation of diverse legal documents, including letters, memos, and papers to be filed with the court.

The midterm examination and the final examination will each take one class period. Both will involve in class research and writing on challenging legal issues.

Assignment Spreadsheet

Details about weekly class assignments will appear on the course plan spreadsheet. The instructor may alter the spreadsheet during the semester.

Instructional Methods

Classes will include class discussions of legal documents and writing and research techniques, one-on-one in-class reviews by the instructor of ongoing student work, time-limited team projects involving legal research and writing, classroom presentations of computerized legal research tools, and other projects as determined by the instructor with input from the class.

How I Plan to Teach the Course

We will ordinarily spend two weeks each on class writing projects, with extensive in-class one-on-one review of ongoing student work by the instructor. These class sessions will include occasional remarks by the instructor to the entire class.

Participation in the one-on-one reviews will require you to attend class meetings. Two class sessions will be devoted to time-limited independent team projects, which will be due at the end of the class session. Two class sessions will be devoted to examinations, a midterm examination and final examination. In each case, students will individually conduct research and prepare a written product of one or more research projects. Classes might include quizzes, either announced in advance or during the class in which the quiz is given.

Student Performance Assessment Methods and Grading Procedures

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Your final grade in this course will be determined from points earned through assignments, any quizzes, a midterm examination, and a final examination. These will be graded objectively using of a point allocation system and weight factoring formula. All writing outside of examinations (and any quizzes) will contribute 50% of your grade. Each writing project and quiz will be given equal weight. The midterm examination and the final examination will contribute 25% each to your grade. If you attend classes and complete all work on time, you are likely to learn the material and do well in the class. If you skimp on any of these, your learning and your grade are likely to suffer, perhaps severely.

Untimely Work. You may submit your work late without your grade being reduced as a consequence. You should write the word "Late" prominently at the top of the first page of any work that is turned in after its due date. Deposit all late submitted work in the lock box outside the Adjunct Office, AD 14A. All late-submitted work will be graded at the end of the semester. You should not count on having late-submitted work before you have take your final examination. The instructor's comments on late work will be more sparse than those on timely work.

Grades. If you wish, you may keep track of the grades you have received on work that has been returned to you. You can calculate your ongoing average by using the information included in the syllabus and the assignment spreadsheet. If you have questions about why you received a particular grade, contact your instructor.

Grade Scale

- A: 100-93%
- B: 92-85%
- C: 84-77%
- D: 76-69%
- F: below 69%

Grades falling between integers in the final calculations of grades will be rounded up or down to the nearest integer. Grades falling exactly on the half integer, for instance, 92.5000, will always be rounded up. However, 92.4999 will be rounded down to 92.

Meeting Challenges. If you confront circumstances that make the class challenging, contact the instructor to discuss ways you can improve upon your situation.

Meetings with Instructor

I will be glad to meet with any student outside of class to discuss your work in the

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course. Please contact me by email, thomas.trigg@umontana.edu, or by phone, 406-721-6778, to schedule a mutually convenient time and place for the meeting.

Disability Accommodations Statement

Accommodations will be made for students with special needs. If any student requires special consideration for any reason, it is the responsibility of the student to contact the instructor to discuss the matter prior to any situation that might give rise to the special consideration requested. You may also wish to contact Disability Services for Students by email, dss@umontana.edu or by phone, 406-243-2243.

Machines

All law offices rely on computers, smartphones, and similar machines. I encourage you to bring them to class and to use them suitably. Whenever a machine can help you learn and contribute to the class, use it. Whenever the contemplated usage might prompt an irascible senior partner to fire you from a job, don't use it. Treat this class -- and machines -- as an opportunity to learn how to practice your profession.