

STUDENT WARNING: This course syllabus is from a previous semester archive and serves only as a preparatory reference. Please use this syllabus as a reference only until the professor opens the classroom and you have access to the updated course syllabus. Please do NOT purchase any books or start any work based on this syllabus; this syllabus may NOT be the one that your individual instructor uses for a course that has not yet started. If you need to verify course textbooks, please refer to the online course description through your student portal. This syllabus is proprietary material of APUS.

American Public University System

The Ultimate Advantage is an Educated Mind

School of Security and Global Studies

Masters of Legal Studies Program

Course Number: LSTD 504

Course Name: Methods of Legal Research and Writing I

Credit Hours: 3

Length of Course: 8 Weeks

Prerequisites: None

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Instructor Information

Instructor: See information provided in the Syllabus link in the classroom

Email: Please use internal classroom messaging system

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Course Description (Catalog)

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Methods of Legal Research and Writing I

Part one of a two-part intensive legal writing program designed to develop students' research and writing skills. Students will learn and practice the skills necessary for identifying, locating, and using legal resources, including primary sources of administrative, statutory, and case law; secondary authority; and research reference tools, to include computer research tools, commonly used in the practice of law. Students will also explore the process of legal analysis, incorporating the results of their legal research into correspondence, case briefs, legal memoranda.

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Course Scope

The purpose and scope of this course is to provide non-lawyer professionals enrolled in the Masters of Legal Studies Program with the skills and knowledge necessary to identify, understand, and respond to the legal issues they are likely to encounter in a legal setting. Students will complete a number of practical exercises requiring effective research, citation, and writing skills. Students will learn how to effectively write case briefs, office memoranda, client letters, and will end the course by researching and drafting an office memo and a client letter regarding a client's legal problem. Students will also gain a solid understanding of the role of the non-lawyer professional in the legal setting, and of some of the Rules of Professional Responsibility governing their conduct.

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Course Objectives

After completing this course, the Student will be able to:

- Dissect simple factual / legal issues, applying the basics of legal reasoning and analysis
- Devise and execute a sound, efficient research plan using primary and secondary sources
- Analyze the applicability of legal research results to the factual / legal issue presented
- Assess the relative merits of various legal positions on an issue, using sound legal and logical reasoning

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- Write a clear, concise, and thorough legal document distilling the results of the legal research, reasoning, and analysis as they apply to the factual / legal issue presented

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Course Delivery Method

This course, delivered via distance learning, will enable students to complete academic work in a flexible manner, completely online. Course materials and access to an online learning management system will be made available to each student. Online assignments are due weekly by Sunday evening as noted and include forum questions (accomplished in groups through a threaded forum), examination, and individual assignments submitted for review by the Faculty Member. Assigned faculty will support the students throughout this eight-week course.

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Course Materials

Required Course Textbooks:

William H. Putman & Jennifer R. Albright, *Legal Research, Analysis, and Writing* (4th ed. 2018).

The BlueBook: A Uniform System of Citation (Columbia Law Review Ass'n et al. eds., 20th ed. 2015). There is information in the classroom on Bluebook, and you also have access to the Bluebook online through the Online Library. Here is the link:

<http://ezproxy.apus.edu/login?url=https://www.legalbluebook.com>. Please be sure to click "Release Seat" when you are finished with the Bluebook, since only 100 students university-wide may use the online Bluebook at any one time.

Required Readings: Students will find these in the weekly assignments and in the weekly lessons.

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Additional Resources: Students will find these in the weekly assignments and in the weekly lessons and the student resources. Students will also find Weekly Lessons for each week.

Web Sites:

In addition to the required course texts, the following public domain web sites are useful. Students must abide by the university's academic honesty policy when using Internet sources as well. Note web site addresses are subject to change.

Site Name	Web Site URL/Address
Findlaw	http://www.findlaw.com
Cornell Legal Information Institute	http://www.law.cornell.edu
Basic Outlining (from the John Jay College of Criminal Justice)	Basic Outlining
Library of Congress	https://www.congress.gov/
United Nations	http://www.un.org/en/
American Bar Association (ABA)	http://www.americanbar.org/aba.html
Purdue Online Writing Lab (OWL)	http://owl.english.purdue.edu/owl/

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Evaluation Procedures

Reading Assignments: The readings from the text are geared to help students complete their written assignments and answer discussion forum questions. Students who do not complete the required readings will not be able to successfully complete the written assignments.

Supplemental Readings: Students will be required to find supplemental readings using LexisNexis and other APUS Library resources. These readings will also help the students complete their written assignments and answer their discussion forum questions.

Late Assignments

Students are expected to submit classroom assignments by the posted due date and to complete the course according to the published class schedule. As adults, students, and working professionals, students must manage competing demands on your time. Should a student need additional time to complete an assignment, that student must contact the professor before the due date so to discuss the situation and determine an acceptable resolution. Routine submission of late assignments is unacceptable and will result in points deducted from a student's final course grade.

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Deductions:

Late forum posts can be penalized up to 5 points per day

Late assignments can be penalized up to 5 points per day

Late exams / quizzes can be penalized up to 5 points per day

Forum Discussions: Forum discussions will compliment the written assignments each week. In the forums, students must post a primary submission that is at least 250 words in length, and must also submit at least two responses to classmates' posts. These responses must be at least 100 words long. Students must also respond to any follow-up questions posed by the faculty member. These responses do not count as responses to classmates. Students must give credit to their sources using Bluebook format. Forum submissions will be graded based upon content, participation, writing mechanics, proper Bluebook citation, ability to follow instructions, and timeliness.

Homework Assignments: Written homework assignments will be graded based upon content, writing mechanics, proper Bluebook citation and ability to follow instructions / timeliness. Rubrics are in the student resources in the classroom.

Quizzes: There are no exams in this course. The quiz will be graded based upon technical correctness of answers given.

<u>Grade Instruments</u>	<u>% of Final Grade</u>
Assignment 1 (Introduction and substantive forum for Week 1)	5%
Quiz 1	5%
Assignment 2	5%
Assignment 3	13%
Assignment 4	13%
Assignment 5	13%
Assignment 6	13%
Assignment 7	13%
Assignment 8	20%

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8 – Week Course Outline

Please see the [Student Handbook](#) to reference the University's [grading scale](#)

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<u>Week</u>	<u>Topic</u>	<u>Learning Objectives</u>	<u>Readings</u>	<u>Assignment</u>
1	Legal Principles and Authority, LexisNexis, and the Bluebook.	<p>LO-1: Learn sources of primary legal authority</p> <p>LO-2: Explain different types of secondary authorities</p> <p>LO-3: Differentiate between mandatory and persuasive authority</p> <p>LO-4: Analyze subsequent case history and treatment</p> <p>LO-5: Review the Bluebook</p>	<p>(1) Read Chapters 1 –3 and Chapter 8 in text and Review Bluebook for organizational scheme and content. Additionally, read Bluepages in Bluebook and Rules 1 – 9 in the Whitepages.</p> <p>(2) Read slides found in Week 1 Lesson</p> <p>(3) Review helpful websites listed in book</p>	<p>(1) Go to the Online Library and access LexisNexis and explore LexisNexis Database. See Assignment instructions in Week 1 Lesson for details.</p> <p>(2) Participate in two discussion forums. The first is the introductory forum and the second is a substantive forum.</p> <p>(3) Review Bluebook, paying close attention to how it is</p>

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				organized and structured.
2	Elements and Importance of Case Briefs and Bluebook	<p>LO-1: Demonstrate the ability to accurately cite primary and secondary authority</p> <p>LO-2: Summarize the most efficient methods of performing research</p> <p>LO-3: Demonstrate ability to use a case citator</p> <p>LO-4: Familiarize self with Bluebook</p> <p>LO-5: Learn theory of case analysis</p>	<p>(1) Read Chapters 4– 6 in text and read Rules 10 – 21 in the Bluebook’s Whitepages.</p> <p>(2) Read slides found in Week 2 Lesson.</p>	<p>(1) Answer Discussion Forum Questions.</p> <p>(2) Complete Assignments 5 (Skip Question 5a) and 9 on page 139 (Chapter 4) of the text, and Assignments 3 and 5 on page 239 (Chapter 7) of the text.</p>
3	Case Briefs and Bluebook	<p>LO-1: Distinguish between substantive and procedural law</p> <p>LO-2: Demonstrate the ability to properly cite Rules of Procedure</p>	<p>Read Chapter 7 in text and review tables at back of Bluebook CAREFULLY.</p> <p>Read slides found in Week 3 Lesson.</p>	<p>(1) Find the Federal Rule of Civil Procedure governing summons using Lexis and identify what is</p>

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		<p>LO-3: Analyze case law and demonstrate the ability to brief a legal case</p> <p>LO-4: Learn about the appellate process</p>		<p>required to be in a summons. Cite the rule properly, as required by the Blue Book. Is this a matter of substantive of procedural law?</p> <p>(2) Complete Assignment 10 on page 239 of your text (Chapter 7).</p> <p>(3) Brief cases of <i>United States v. Collier</i>, decided by the Army Court of Military Review and the Court of Military Appeals. Participate in a Discussion Forum.</p> <p>See "Assignment 3" for particulars.</p>
	Key facts, and	LO-1:	Read Chapters 9, 10	(1) Answer

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4	case briefs	<p>Demonstrate improved ability brief a legal case and effective writing style</p> <p>LO-2: Demonstrate understanding of briefing cases as part of legal research for drafting a memo or other document</p> <p>LO-3: Identify determinative facts</p>	<p>and 11 in text</p> <p>Read slides found in Week 4 Packet</p>	<p>Discussion Forum Questions.</p> <p>(2) Brief the cases found in the Week 4 Assignment.</p>
5	Bluebook Citation and Office Memoranda	<p>LO-1: Demonstrate the ability to write an effective office memorandum</p> <p>LO-2: Demonstrate general analytical skills</p> <p>LO-3: Demonstrate effective writing skills and style</p> <p>LO-4: Differentiate between predictive and persuasive writing</p>	<p>(1) Read Chapters 12, 16, and 17 in text and review Chapter 11</p> <p>(2) Read slides found in Week 5 Lesson</p> <p>(3) Read Introduction, Rules 10 and 12, and Table 1 in Bluebook</p>	<p>(1) Participate in Forum Discussion.</p> <p>(2) Draft first office memo. See "Assignment 5" for details.</p>

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		LO-5: Demonstrate understanding of role of briefing cases as part of legal research for drafting a memo or other document		
6	Office Memoranda and Bluebook	<p>LO-1: Demonstrate improved ability to write an effective office memorandum</p> <p>LO-2: Demonstrate general analytical skills</p> <p>LO-3: Demonstrate effective writing skills and style</p> <p>LO-4: Differentiate between predictive and persuasive writing</p> <p>LO-5: Demonstrate understanding of role of briefing cases as part of legal research for drafting a memo or other document</p>	<p>(1) Review Chapters on Office Memos (Chapters 16, 17 & 18)</p> <p>(2) Read Introduction, Bluepages, and Rules 1 – 9 in Bluebook</p> <p>(3) Read Slides in Week 6 Lesson</p>	<p>(1) Draft second office memo</p> <p>(2) Participate in Discussion Forum.</p> <p>See "Assignment 6" for details.</p>

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7	Client Letters and Bluebook	<p>LO-1: Demonstrate ability to write a client letter</p> <p>LO-2: Understand the importance of knowing your audience in drafting a document</p> <p>LO-3: Understand, within the context of a case, which decisions properly fall to the attorney and which fall to the client</p>	<p>(1) Read Chapter 19</p> <p>(2) Review Slides in Week 7 Lesson</p>	<p>(1) Draft a client letter.</p> <p>(2) Participate in Discussion Forum</p> <p>(3) Take Bluebook Quiz</p> <p>(4) Choose Book for LSTD 505 Book Review.</p> <p>See "Assignment 7" for details.</p>
8	Final Assignment	<p>The final assignment will test everything students have learned over the past 7 weeks. Students must do legal research, use the Blue Book to properly cite sources, and must draft an office memorandum. There is no time limit on this</p>	Final Assignment. No required readings.	<p>Research and draft an office memo. See "Assignment 8" for details.</p>

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Policies

Please see the [Student Handbook](#) to reference all University policies. Quick links to frequently asked question about policies are listed below.

- [Drop/Withdrawal Policy](#)
- [Plagiarism Policy](#)
- [Extension Process and Policy](#)
- [Disability Accommodations](#)

Writing Expectations

All written submissions should be submitted in the font and page set-up described below:

- Typewritten in a readable style and font and submitted inside the electronic classroom (unless classroom access is not possible and other arrangements have been approved by the professor).
- Arial 11 or 12-point font or Times New Roman 11 or 12-point font styles.
- Page margins Top, Bottom, Left Side and Right Side = 1 inch, with reasonable accommodation being made for special situations and online submission variances. Documents should only be left justified.

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Citation and Reference Style

The central function of legal citation is to allow the reader to efficiently locate the cited source. All courses in the Legal Studies program require that any narrative essay or composition format follow the legal citation guidelines set forth in *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds., 20th ed. 2015).

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This book is a required text for this class. Students have access to the Bluebook online through the Online Library. Here is the link:
<http://ezproxy.apus.edu/login?url=https://www.legalbluebook.com>.
Students must click "Release Seat" when finished with the Bluebook, since only 100 students university-wide may use the online Bluebook at any one time.

Additionally, students may refer to the APUS Bluebook Citation Guide, which is in the Week 1 Lesson.

Late Assignments

Students are expected to submit classroom assignments by the posted due date and to complete the course according to the published class schedule. As adults, students, and working professionals, students must manage competing demands on your time. Should students need additional time to complete an assignment please contact the professor before the due date so to discuss the situation and determine an acceptable resolution. Routine submission of late assignments is unacceptable and will result in points deducted from a student's final course grade.

Deductions

Late forum posts can be penalized up to 5 points per day.

Late assignments can be penalized up to 5 points per day.

Netiquette

Online universities promote the advance of knowledge through positive and constructive debate--both inside and outside the classroom. Discussions on the Internet, however, can occasionally degenerate into needless insults and "flaming." Such activity and the loss of good manners are not acceptable in a university setting--basic academic rules of good behavior and proper "Netiquette" must persist. Remember that you are in a place for the fun and excitement of learning that does not include descent to personal attacks, or student attempts to stifle the discussion of others.

- **Technology Limitations:** While students should feel free to explore the full-range of creative composition in formal papers, they should keep e-mail layouts simple. The classroom may not fully support MIME or HTML encoded messages, which means that bold face, italics, underlining, and a variety of color-coding or other visual effects will not translate in e-mail messages.
- **Humor Note:** Despite the best of intentions, jokes and--especially--satire can easily get lost or taken seriously. If students feel the need

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for humor, you may wish to add "emoticons" to help alert the readers:
;-), :), ☺

Disclaimer Statement

Course content may vary from the outline to meet the needs of this particular group.

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Online Library

ONLINE LIBRARY RESEARCH CENTER & LEARNING RESOURCES

The Online Library Resource Center is available to enrolled students and faculty from inside the electronic campus. This is the starting point for access to online books, subscription periodicals, and Web resources that are designed to support classes and generally not available through search engines on the open Web. In addition, the Center provides access to special learning resources, which the University has contracted to assist with studies. Questions can be directed to librarian@apus.edu.

- **Charles Town Library and Inter Library Loan:** The University maintains a special library with a limited number of supporting volumes, collection of our professors' publication, and services to search and borrow research books and articles from other libraries.
- **Electronic Books:** Students may use the online library to uncover and download over 50,000 titles, which have been scanned and made available in electronic format.
- **Electronic Journals:** The University provides access to over 12,000 journals, which are available in electronic form and only through limited subscription services.
- **Tutor.com** offers online homework help and learning resources by connecting students to certified tutors for one-on-one help. AMU and APU students are eligible for 10 free hours* of tutoring provided by APUS. Tutors are available 24/7 unless otherwise noted. Tutor.com also has a SkillCenter Resource Library offering educational resources, worksheets, videos, websites and career help. Accessing these resources does not count against tutoring hours and is also available 24/7.

Request a Library Guide for your course

(<http://apus.libguides.com/index.php>)

The AMU/APU Library Guides provide access to collections of trusted sites on the Open Web and licensed resources on the Deep Web. These are specially tailored for academic research at APUS:

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- Program Portals contain topical and methodological resources to help launch general research in the degree program. To locate, search by department name or navigate by school.
- Course Lib-Guides narrow the focus to relevant resources for the corresponding course. To locate, search by class code (e.g., SOCI111) or class name.

If a guide you need isn't available yet, let us know by emailing the APUS Library: librarian@apus.edu

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Selected Bibliography

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Michael R. Smith, *Rhetoric Theory and Legal Writing: An Annotated Bibliography*, J. ASS'N. OF LEGAL WRITING DIRECTORS, vol. 3, Fall 2006.

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