

CENTRAL TEXAS COLLEGE
SYLLABUS FOR LGLA 2331
ADVANCED LEGAL RESEARCH AND WRITING
Semester Hours Credit: 3

INSTRUCTOR: _____
OFFICE HOURS: _____

I. COURSE DESCRIPTION:

- A. This course is designed to enhance the foundation of paralegal competencies developed in the student's introductory and elective course work. Through study of advanced legal specialty subjects, students will gain additional experience and skill in critical analysis of legal issues, locating and evaluating appropriate legal authority and the application of such authority to the resolution of hypothetical factual situations.
- B. LGLA 2331, Advanced Legal Research and Writing, is a required course in the Paralegal/Legal Assistant degree program.
- C. This course is occupationally related and serves as preparation for careers in law.
- D. Prerequisite(s): LGLA 1303.

II. LEARNING OUTCOMES

General Objectives: To help students integrate their knowledge of theoretical concepts and practical competencies of research, writing and critical thinking.

Specific Objectives: Upon successful completion of this course, Advanced Legal Research and Writing, the student will:

- a. Analyze a problem, identify and evaluate alternative solutions.
- b. Determine which areas of law are relevant to a particular situation.
- c. Apply recognized legal authority to a specific factual situation.
- d. Prepare and carry out a legal research plan, analyze and categorize key facts in a situation.
- e. Use both print and electronic sources of law to locate applicable statutes, administrative regulations, constitutional provisions, court cases and other primary source materials.

- f. Use Both Print and electronic sources of law to locate treatises, law review articles, legal encyclopedias, and other secondary source materials that help explain the law.
- g. Properly cite both print and electronic sources of law.
- h. Understand and apply principles of writing and rules of English grammar to all writing tasks.
- i. Write in style that conveys legal theory in a clear and concise manner.
- j. Report legal research findings in a standard interoffice memorandum or other appropriate format.
- k. Identify attributes of a team player, work effectively as part of a team, and work independently and with a minimal amount of supervision when appropriate.

Student Outcomes:

- A. To demonstrate the ability to identify and retrieve relevant primary and secondary print and electronic sources of law.
Measure: Students will complete written, collaborative research assignments utilizing print and electronic sources of law.
Standard: At least 80% of all students will receive a grade of “C” or better on each of these assignments.
- B. To demonstrate knowledge of English grammar and rules of writing.
Measure: Students will complete written, independent research assignments that will be graded, in part, for correct grammar and adherence to the rules of writing.
Standard: At least 80% of all students will receive a grade of “C” or better on each of these assignments.
- C. To demonstrate effective critical analysis, resolution of legal research problems and the ability to communicate these results in a clear and concise manner.
Measure: Students will critically analyze several legal problems. For each problem, students will be required to locate, evaluate and properly cite relevant print and electronic sources of law, apply these sources to the problem and report the results in a properly formatted legal memorandum.
Standard: At least 80% of all students will receive a grade of “C” or better for this project.

III. INSTRUCTIONAL MATERIALS

- A. The instructional materials identified for this course are viewable through www.ctcd.edu/books

- B. Additional references may be established by the Instructor based upon library resources available.

IV. COURSE REQUIREMENTS

- A. Reading Assignment:
As assigned by Instructor.
- B. Projects, Oral Reports, Case Studies, On-line research and assignments, and Research Papers:
Students will be expected to complete and submit all assigned projects, reports, and other assignments as indicated by the instructor.
- C. Class Performance:
All students are required and expected to maintain the highest standards of scholastic honesty in the preparation of all course work and during examinations.
For a description and consequences of scholastic dishonesty see the CTC Catalog.
- D. Class Participation:
The Student is expected to be on time to class, to have read the assigned materials, and be prepared to discuss the assignment in class. All persons must be present on exam day unless properly excused in advance. Students who are late for or absent from class have the absolute responsibility for obtaining the missed information. Students will be expected to take all scheduled examinations in the class period in which they are assigned. Students are expected to observe the Central Texas College policy for attendance as explained in the current catalog.
- E. Each student is expected to act in a manner consistent with the College's functions and goals as an institution of higher education. The Board of Trustees of Central Texas College states the following examples of misconduct constitute an interference with the lawful and orderly use of college premises, facilities, and activities for which students may be subject to disciplinary action. This is not an all-inclusive list of prohibited behavior.
 - a. Interference with teaching, research, administration or CTC's other responsibilities through disorderly conduct or disruptive behavior. This includes the use of or ringing of cell phones in the classroom. The instructor has the right to ask the student to leave the classroom and if the incident is repeated, the instructor has the right to ask the student to leave the class.

- b. Refusing to depart from any property or facility of the College upon direction by College officials.

For more information on Non-Academic Misconduct please see the Student Handbook.

F. Academic Dishonesty: The College and its official representatives may initiate disciplinary proceedings against any student accused of any form of academic dishonesty. Academic dishonesty includes, but is not limited to, cheating on academic work, plagiarism and collusion.

- a. Cheating on academic work includes:
 - 1. Copying another student's test paper, research paper or term paper.
 - 2. Using materials during a test that are not authorized by the test administrator.
 - 3. Collaborating with another student during a test or in academic preparation without permission.
 - 4. Using, buying, selling, stealing, transporting, or soliciting the contents of an un-administered test.
- b. Plagiarism is defined as presentation for credit as one's own idea or product derived from an existing source.
- c. Collusion is defined as the unauthorized collaboration with another person in preparing written work for credit.

All questions of academic dishonesty are reviewed by the faculty member. If the student does not accept the decision of the faculty member, the student may appeal to the department chairperson. If the student disagrees with the decision of the department head, the student's case will be referred to the Dean of the Central Campus. The student will be allowed to remain in class until the process is exhausted except when immediate suspension or expulsion is deemed necessary for the continuance of the educational mission or when the safety of persons or property is in jeopardy. (See Student Handbook for more details.)

G. Feedback is the return of data about the result of a process. Feedback will be provided via test scores, graded assignments, and/or instructor evaluation of the students' progress. Each student is encouraged to take advantage of the many avenues for feedback available to them. For example, office hours are established primarily to provide students access to their instructors to discuss their academic performance, to answer their substantive questions, and in some cases, to give them other academic guidance. While adjunct faculties do not normally have office hours, they are generally available before or after class to

meet with you. E-mail is another easily available medium to obtain feedback. Additional feedback may be provided at the discretion of the instructor or upon the request of the student.

V. EXAMINATIONS

Due to the nature of this course, which is a hands-on type of course consisting of research projects, there will not be any examinations.

IV. SEMESTER GRADE COMPUTATIONS

Evaluation of grasp of information and ability to perform will be based upon small research projects, which may be graded at the teacher's discretion, and a short paper, a grammar quiz, a letter assignment, and a final interoffice memorandum.

Late work: 10% will be deducted for each class that an assignment is late without excuse. The instructor must be notified that an assignment will be late, prior to the class in which it due.

FOR EXAMPLE: *Although un-graded (Pass/Fail only), completion of course requires satisfactory passing of all lab assignments.*

VII. NOTES AND ADDITIONAL INSTRUCTIONS FROM COURSE INSTRUCTOR

A. Withdrawal from Course: There are occasions when it may be necessary to drop a course. In order to be officially withdrawn from the course, a student must obtain and complete a withdrawal form and have it signed thereon. The student's transcript will show "W" or "F", depending on whether the student is passing or failing in his/her course at the time of withdrawal.

Friday of 3rd week for 5-week courses
Friday of 4th week for 6-week courses
Friday of 6th week for 8-week courses
Friday of 7th week for 10-week courses
Friday of 9th week for 12-week courses
Friday of 12th week for 16-week courses

B. An Administrative Withdrawal: Results when a student is absent an excessive number of times, as defined in the current Central Texas College Catalogue and/or other published amendatory documentation. In such a case, the student is dropped from the course with a grade of "F".

C. An Incomplete Grade: May be given only in those cases where, because of personal illness, death in the immediate family, school sponsored trip, or military orders, the student is unable to complete the final examination for a course. Prior approval from the instructor is required before the grade of "IP"

is recorded. A student who merely fails to show for the final examination will receive a zero for the final and “F” for the course.

- D. Cellular Phones and Beepers: Cellular phones and beepers will be turned off while the student is in the classroom or laboratory.
- E. American’s with Disabilities Act (ADA): Disability Support Services provides services to students who have appropriate documentation of a disability. Students requiring accommodations for class are responsible for contacting the Office of Disability Support Services (DSS) located on the central campus. This service is available to all students, regardless of location. Explore the website at www.ctcd.edu/disability-support for further information. Reasonable accommodations will be given in accordance with the federal and state laws through the DSS office.
- F. Instructor Discretion: The instructor reserves the right of final decision in course requirements.
- G. Civility: Individuals are expected to be cognizant of what a constructive educational experience is and respectful of those participating in a learning environment. Failure to do so can result in disciplinary action up to and including expulsion.
- H. Nonattribution Policy: In order to facilitate the free flow of information, no statements of personal opinion by the instructor concerning lawyers, judges, cases, or the legal system may be attributed to the speaker and is meant to be a confidential communication. This educational institution encourages complete freedom of expression in all academic endeavors. Comments made by instructors and students will not be attributed to them in any public forum or to any individual likely to transmit such statements to a public forum. However, participation in CTC academic events does not create a category of privileged communication. Our nonattribution policy protects all participants in our program -- staff, faculty, students, speakers, and other guests -- against having their remarks and opinions publicly quoted or otherwise attributed to them without their express consent; allows such statements to be discussed, away from CTC, provided care is taken to avoid publicly identifying the speaker; and encourages speakers to be responsible for the substantive content of their statements.

VIII. COURSE OUTLINE

A. Unit 1: (Chapter 9) Legal Analysis – Key Facts

- 1. Unit Objectives: Upon successful completion of this unit, the student will be able to:

- a. Discuss main types of facts and the importance of same as related to legal research. **(FB1-FB6; FA5; CB2)**
 - b. Explain and define Key facts. **(FC3; FB1-FB6; CB2)**
 - c. Describe how to identify Key Facts. **(FB1-FB6, FA5; CB2)**
2. Learning Activities:
- a. Classroom lecture and discussion **(FA4, FA5)**
 - b. Student homework and study **(CA1; CC1, CC2)**
 - c. Reading Assignments **(FA1, CA1)**
 - d. Tour of a law library where feasible

3. Unit Outline:

Suggested time:

- | | | |
|---------|----|---|
| 2.0 hrs | a. | Types of Facts in General |
| 1.5 hrs | b. | Key Facts -- Definition and Types |
| 1.5 hrs | c. | Key Facts Identification--Client's Case |
| 1.5 hrs | d. | Key Facts Identification – Case Law |

B. Unit Two: (Chapter 10) Legal Analysis – Issue Identification

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:
 - a. Discuss the definition of legal analysis. **(FB1-FB6; FA5; CB2)**
 - b. Describe the elements of legal analysis. **(FB1-FB6; FA5; CB2)**
 - c. Distinguish Issue Identification – Client's Case. **(FB1-FB6; FA5; CB2)**
 - d. Explain Issue Identification – Case Law. **(FC3; FB1-FB2; CB2)**

2. Learning Activities:
 - a. Classroom lecture and discussion **(FA4, FA5)**
 - b. Student homework and study **(CA1; CC1, CC2)**
 - c. Reading Assignments **(FA1; CA1)**
 - d. Utilize law library where possible **(FA1, FA2; FB1-FB3, FB6; FC1, FC4)**

3. Unit Outline:

Suggested time:

- | | | |
|---------|----|--|
| .5 hrs | a. | Definition and Types of Issue Identification |
| 1.5 hrs | b. | Elements |
| 1.0 hrs | c. | Issue Identification – Client's Case |
| 2.0 hrs | d. | Issue Identification – Case Law |

C. Unit Three: (Chapter 11) Legal Analysis – Stating the Issue

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:
 - a. Understand how to state an Issue. **(FB1-FB6; FA5; CB2)**
 - b. Describe Shorthand/Broad Statement of the Issue. **(FB1-FB6; FA5; CB2);**
 - c. Discuss Comprehensive/Narrow Statement of the Issue. **(FB1-FB6; FA5; CB2)**
 - d. Identify and describe Issue – Law Component, Question Component and Significant/Key Facts Component. **(FB1-FB6; FA4; CB2)**

- e. Discuss the ethics involved in objectively stating the issue. (**FB1-FB6; FA4; CB2**)

2. Learning Activities:
 - a. Classroom lecture and discussion (**FA4, FA5**)
 - b. Student homework and study (**CA1; CC1, CC2**)
 - c. Reading Assignments (**FA1; CA1**)
 - d. Utilize law library where possible (**FA1, FA2; FB1-FB3, FB6; FC1, FC4**)
3. Unit Outline:

Suggested time:

- | | | |
|---------|----|--|
| 0.5 hr | a. | Introduction to stating the issue. |
| 0.5 hr | b. | Shorthand/Broad statement of the issue. |
| 0.5 hr | c. | Comprehensive/Narrow statement of the issue. |
| 1.0 hr | d. | Issue – Law Component |
| 0.5 hr | e. | Issue – Question Component |
| 1.5 hrs | f. | Issue – Significant/Key Facts Component |
| 0.5 hr | g. | Ethics – Objectively Stating the Issue |

D. Unit Four: (Chapter 12) Case Law – Is a Case on Point?

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:
 - a. Understand the definition – On Point. (**FB1-FB6; FA5; CB2**)
 - b. Identify and describe the importance of ON Point. (**FB1-FB6; FA5; CB2**)
 - c. Determine if a case is On Point. (**FC1; FC4**)
2. Learning Activities:
 - a. Classroom lecture and discussion (**FA4, FA5**)
 - b. Student homework and study (**CA1; CC1; CC2**)
 - c. Reading Assignments (**FA1; CA1**)

3. Lesson Outline:

Suggested time:

- | | | |
|---------|----|-----------------------------------|
| 0.5 hrs | a. | Definition – On Point |
| 2.0 hrs | b. | On Point -- Importance |
| 1.0 hrs | c. | Determining if a case is on Point |

E. Unit Five: (Chapter 13) Counteranalysis

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:
 - a. Discuss the definition of Counteranalysis. (**FB1-FB6; FA5; CB2**)
 - b. Understand the Why, When, and Where of Counteranalysis. (**FA1; FA4; FA5**)

- c. Describe the techniques of Counteranalysis. (FB1-FB6; FA5; CB2)

2. Learning Activities:

- a. Classroom lecture and discussion (FA4, FA5)
- b. Student homework and study (CA1, CC1, CC2)
- c. Reading Assignments (FA1, CA1)

3. Unit Outline:

Suggested time:

- | | | |
|---------|----|---------------------------------|
| 0.5 hrs | a. | Counteranalysis -- Definition |
| 0.5 hrs | b. | Counteranalysis -- Why and When |
| 0.5 hrs | c. | Counteranalysis -- Techniques |
| 0.5 hrs | d. | Counteranalysis -- Where |
| 1.5 hrs | e. | Court Brief |
| 1.5 hrs | f. | Interoffice Research memorandum |

F. Unit Six: (Chapter 14) Fundamentals of Writing

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:

- a. Discuss sentence structure/pattern and basic rules. (FB1-FB6; FA5; CB2)
- b. Explain paragraphs, topic sentence, body, closing sentence, transition sentence and paragraph length. (FC3; FB1-FB6; CB2)
- c. Apply word selection and usage, grammar and punctuation in a writing assignment. (FA1, FA4, FA5)

2. Learning Activities:

- a. Classroom lecture and discussion (FA4, 5)
- b. Student homework and study (CA1, CC1, 2, CA1)
- c. Reading Assignments (FA1, CA1)

3. Unit Outline:

Suggested time:

- | | | |
|---------|----|--------------------------|
| 0.5 hr | a. | Sentences |
| 0.5 hr | b. | Paragraphs |
| 0.5 hr | c. | Word Selection and Usage |
| 0.5 hr | d. | Grammar |
| 1.5 hrs | e. | Punctuation |
| 0.5 hrs | f. | General Considerations |

G. Unit Seven: (Chapter 15) The Writing Process for Effective Legal Writing

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:

- a. Describe the importance of writing skills. **(FB1-FB6; FA5; CB2)**
- b. Discuss the goal of Legal Writing. **(FB1-FB6; FA5; CB2)**
- c. Understand the Legal Writing Process. **(FA1; FA2; FB1-FB3; FB6; FC1; FC4)**

2. Learning Activities:

- a. Classroom lecture and discussion **(FA4, FA5)**
- b. Student homework and study **(CA1; CC1, CC2)**
- c. Reading Assignments **(FA1; CA1)**

3. Unit Outline:

Suggested time:

- | | |
|---------|---------------------------------|
| 1.5 hrs | a. Importance of Writing Skills |
| 0.5 hrs | b. Goal of Legal Writing |
| 1.5 hrs | c. Legal Writing Process |

H. Unit Eight: (Chapter 16) Office Legal Memorandum: Issues and Fact

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:

- a. Understand what a Legal Memorandum is and how it is written. **FA1; FA4; FA5)**
- b. Discuss the purposes, uses, and importance of a legal memorandum. **(FB1-FB6; FA5; CB2)**
- c. Describe the stages and sections of the office memorandum. **(FB1-FB6; FA5; CB2)**

2. Learning Activities:

- a. Classroom lecture and discussion **(FA4, FA5)**
- b. Student homework and study **(CA1; CC1, CC2)**
- c. Reading Assignments **(FA1; CA1)**

3. Unit Outline:

Suggested Time:

- | | |
|---------|---|
| 1.0 hrs | a. Definition of an Office Legal Memorandum |
| 0.5 hrs | b. Purposes, uses and importance |
| 1.0 hrs | c. Prewriting stage |
| 1.0 hrs | d. Section of the Office memorandum |
| 0.5 hrs | e. Conclusion |
| 0.5 hrs | f. Recommendations |
| 0.5 hrs | g. General Considerations |

I. Unit Nine: (Chapter 17) Office Legal Memorandum: Analysis to Conclusion

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:
 - a. Discuss how to analyze cases to be used in an Office Memorandum. **(FB1-FB6; FA5; CB2)**
 - b. Know how to interpret case law and apply it to client's case. **(FA1; FA2; FA4; FA5)**
 - c. Utilize this knowledge to write a conclusion and a recommendation. **(FA1; FA2; FB1-FB3; FB6; FC1; FC4)**
 - d. Write an Office Legal Memorandum. **(FA1; FA2; FB1-FB3; FB6; FC1; FC4; FC5)**

2. Learning Activities:
 - a. Classroom lecture and discussion. **(FA4, FA5)**
 - b. Student homework and study. **(CA1; CC1, CC2)**
 - c. Reading and writing assignments **(FA1; CA1)**

3. Unit Outline:

Suggested Time:

- | | | |
|---------|----|------------------------|
| 1.5 hrs | a. | Analysis Section |
| 0.5 hrs | b. | Conclusion |
| 0.5 hrs | c. | Recommendations |
| 1.5 hrs | d. | General Considerations |

J. Unit Ten: (Chapter 18) External Memoranda: Court Briefs

1. Unit Objectives: Upon successful completion of this unit, the student will be able to:
 - a. Discuss the similarities and dissimilarities between an Office Memorandum and a court brief. **(FB1-FB6; FA5; CB2)**
 - b. Describe the audience, constraints and the format/content of Trial Court Briefs and Appellate Court Briefs. **(FB1-FB6; FA5; CB2)**
 - c. Write a court brief. **(FA1; FA2; FB1-FB4; FB6; FC1; FC4;**

FC5)

2. Learning Activities:

- a. Classroom lecture and discussion **(FA4, FA5)**
- b. Student homework and study **(CA1; CC1, CC2)**
- c. Reading Assignments **(FA1; CA1)**

3. Unit Outline:

Suggested Time:

- | | | |
|---------|----|------------------------|
| 0.5 hrs | a. | General Considerations |
| 1.0 hrs | b. | Trial Court Briefs |
| 1.0 hrs | c. | Appellate Court Briefs |

Unit Eleven: (Chapter 19) Correspondence

1. **Unit Objectives:** Upon successful completion of this unit, the student will be able to:
 - a. Describe the basic components of all correspondence. **(FB1-FB6; FA5; CB2)**
 - b. Discuss the different types of correspondence. **(FB1-FB6; FA5; CB2)**
 - c. Write a proper information letter, opinion letter, and a demand/advocacy letter. **(FA1; FA2; FB1-FB4; FB6; FC1; FC4; FC5)**

2. **Learning Activities:**
 - a. Classroom lecture and discussion **(FA4, FA5)**
 - b. Student homework and study **(CA1: CC1, CC1)**
 - c. Reading Assignments **(FA1; CA1)**

3. **Unit Outline:**

Suggested Times:

- | | |
|---------|---|
| 0.5 hrs | a. Basic Components of all legal correspondence |
| 0.5 hrs | b. Types of Correspondence |

Other time blocks not specifically allocated above are spent with introductory topics, administrative matters, exams, and review classes, as well as library tours and other assignments as resources permit.