PSC 475: LEGAL RESEARCH & WRITING
Stephen F. Austin State University
Department of Government
SEMEREST

INSTRUCTOR INFORMATION
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BLOG: www.poliscipundit.com

COURSE INFORMATION
Course Number:
PSC 475
Section: 001
Prerequisites:
PSC 141 | PSC 142
Credit Hours: 3

Course Description: “This course is designed to introduce students to the types of legal reasoning used by lawyers and judges. It focuses on the necessary skills to use legal resources and legal reasoning in your academic work, including reading and understanding cases and statutes, doing legal research and writing legal memoranda, and applying existing law to the issue at hand. Students will be familiarized with primary and secondary legal sources. Course instruction is designed to enhance reasoning and advocacy skills.” General Bulletin, 2019-20, p.325

Class Meeting Days & Times: TBD
Room: Online

REQUIRED TEXTS

It is, emphatically, the province and duty of the judicial department, to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule."

Chief Justice John Marshall, Marbury v. Madison

THE COURSE

COURSE OBJECTIVES

General Education Core Curriculum Objectives/Outcomes:
This course is associated with the major, second major, and minor in the political science. The course is not part of the general education core curriculum. No specific general education objectives or outcomes are addressed in this course.

Program Learning Outcomes:
This course is designed to instruct students in legal writing, legal research, and legal analysis as part of the Pre-Law program. It serves as an elective course to the Pre-Law Concentration and a required course for the Pre-Law Minor in the Department of Government's Political Science program.

Student Learning Outcomes:
By the end of the course, students will be able…
- To locate, read and understand court opinions, statutes, court rules, Constitutions, and apply them to hypothetical fact patterns.
- To learn the effective use of secondary sources and the role secondary authority plays in legal research.
- To learn how to create effective research strategies
- To acquire knowledge of the basic legal research sources.
- To acquire knowledge to properly cite a case
- To use and understand the Internet as a legal research tool.
- To employ legal reasoning and proper legal advocacy.

CLASSROOM POLICIES

- This is an online course, so you will be required to engage in self-study and self-reminders as to when assignments are due and what is required of you. We will maintain regular contact through D2L email. Assignment due dates are posted to the D2L calendar. You are responsible for turning your work in on time.

- I have a 48-hour response policy for emails. Keep in mind that emails sometimes do not reach their intended destination. If you have not heard from me within 48 hours of having sent an email to me – send another email and/or attempt another contact.

- Late assignments are not accepted. Make-up assignments will only be allowed under exceptional circumstances.
Having another exam or paper due that day is not an exceptional circumstance. Grades are non-negotiable.

- The open exchange of ideas will be respected by all students. Respectful discussion is required. While you are allowed to express your opinions during the discussions remember that other students may have different opinions and have the right to have and express those opinions. Personal attacks are not allowed as they do not promote civilized debate (one of the main purposes of the required discussions).

LEGAL RESEARCH AND WRITING

This course is designed to familiarize students with the fundamentals of legal research. It will provide a comprehensive working knowledge and an understanding of the research materials and research tools. The course will include a general overview of the federal and state court systems. Students will learn the elements of a court decision, how to find case law, statutory law, court rules, and constitutions. Students will learn how to use the "Blue Book" to cite cases, and how to use the Internet as a "tool" while doing legal research. Students will learn to research and write an objective legal office memo, a universal tool of practicing attorneys.

EVALUATION

1) Legal Writing Assignments (300 points).
   a. Case Analysis. 5 pages. (100 points)
   b. Legal Memo. 5-8 pages. (100 points)
   c. Appellate Brief. 10 pages. (100 points)

2) Participation (100 points). You are expected to actively participate in the course through discussions on the discussion board.

3) Quizzes (150 points). Each module has a quiz on module contents.

4) Case Briefs (50 points). You will submit case briefs on D2L. You must write a one page brief for all cases assigned (10 cases), and you must submit your briefs on D2L prior to the start of class. No exceptions. Briefing cases not only helps you learn the material, but provides the basis for your informed participation in class discussions and oral arguments. Briefs you turn in will be graded for grammar and accuracy. That is, I will peruse briefs to make sure they correctly summarize the facts, legal question, and legal reasoning of the cases. When it comes to the briefs, you do not need to consult outside sources. If you copy and paste briefs from Oyez.com or another website, then you earn a zero for the legal briefs assignment. Moreover, I will inform the appropriate authorities about the situation.

5) Final Exam (100 points). There will be a comprehensive final exam.

WEIGHTING SCALE

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<tr>
<th>Evaluation</th>
<th>Points</th>
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<tr>
<td>Writing Assignments</td>
<td>300</td>
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<tr>
<td>Participation</td>
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<tr>
<td>Quizzes</td>
<td>150</td>
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<tr>
<td>Case Briefs</td>
<td>50</td>
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<tr>
<td>Final Exam</td>
<td>100</td>
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<td>TOTAL</td>
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**GRADING SCALE**

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<td>B</td>
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<td>629 – 560</td>
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<tr>
<td>C</td>
<td>70% - 79%</td>
<td>559 – 490</td>
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<tr>
<th></th>
<th>60% - 69%</th>
<th>489 – 420</th>
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<tr>
<td>F</td>
<td>59% &amp; below</td>
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**ACADEMIC HONESTY**

The following is taken from SFASU’s *Policy Manual* (2016), section on “Academic Integrity” (A-9). Academic integrity is a responsibility of all university faculty and students. Faculty members promote academic integrity in multiple ways including instruction on the components of academic honesty, as well as abiding by university policy on penalties for cheating and plagiarism.

**Definition of Academic Dishonesty:** Academic dishonesty includes both cheating and plagiarism. Cheating includes but is not limited to (1) using or attempting to use unauthorized materials to aid in achieving a better grade on a component of a class; (2) the falsification or invention of any information, including citations, on an assigned exercise; and/or (3) helping or attempting to help another in an act of cheating or plagiarism. Plagiarism is presenting the words or ideas of another person as if they were your own. Examples of plagiarism are (1) submitting an assignment as if it were one's own work when, in fact, it is at least partly the work of another; (2) submitting a work that has been purchased or otherwise obtained from an Internet source or another source; and (3) incorporating the words or ideas of an author into one's paper without giving the author due credit.

Please read the complete policy at [http://www.sfasu.edu/policies/academic_integrity.asp](http://www.sfasu.edu/policies/academic_integrity.asp). All cases of academic dishonesty will be handled according to University policies and procedures (A-9.1). The consequences for academic dishonesty may range from a score of zero (0) on the assignment to an “F” for the course. For details, students should refer to the SFA *Policy Manual* (2016) or the University’s *General Bulletin, 2016 – 2017* section entitled “Academic Integrity” and other sources of University policy.

**WITHHELD GRADES**

The following is taken from SFASU’s *Policy Manual* (2016), “Semester Grades Policy” (A-54). At the discretion of the instructor of record and with the approval of the academic chair/director, a grade of WH will be assigned only if the student cannot complete the course work because of unavoidable circumstances. Students must complete the work within one calendar year from the end of the semester in which they receive a WH, or the grade automatically becomes an F. If students register for the same course in future semesters, the WH will automatically become an F and will be counted as a repeated course for the purpose of computing the grade point average.

**STUDENTS WITH DISABILITIES**

To obtain disability related accommodations, alternate formats and/or auxiliary aids, students with disabilities must contact the Office of Disability Services (ODS), Human Services Building, and Room 325, 468-3004 / 468-1004 (TDD) as early as possible in the semester. Once verified, ODS will notify the course instructor and outline the accommodation and/or auxiliary aids to be provided. Failure to request services in a timely manner may delay your accommodations.

For additional information, go to [http://www.sfasu.edu/disabilityservices/](http://www.sfasu.edu/disabilityservices/).

**ACCEPTABLE STUDENT BEHAVIOR**

Classroom behavior should not interfere with the instructor’s ability to conduct the class or the ability of other students to learn from the instructional program (see the Student Conduct Code, policy D-34.1). Unacceptable or disruptive behavior
will not be tolerated. Students who disrupt the learning environment may be asked to leave class and may be subject to judicial, academic or other penalties. This prohibition applies to all instructional forums, including electronic, classroom, labs, discussion groups, field trips, etc. The instructor shall have full discretion over what behavior is appropriate/inappropriate in the classroom. Students who do not attend class regularly or who perform poorly on class projects/exams may be referred to the Early Alert Program. This program provides students with recommendations for resources or other assistance that is available to help SFA students succeed.

### COURSE SCHEDULE

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<tr>
<th>WEEK</th>
<th>COVERAGE</th>
<th>LECTURE TOPICS</th>
<th>READINGS</th>
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| WEEK 1 | Introduction to Course | o Introductory Materials  
          o Expectations for Students  
          o Introduction to Legal Research | “How to Read a Legal Opinion” – Orrin Kerr  
Putnam and Albright, Intro |
| WEEK 2 | The Law | o Introduction to Legal Writing | Putnam and Albright, Ch. 1 |
| WEEK 3 | The Law | o The American Legal System | Putnam and Albright, Ch. 2 |
| WEEK 4 | The Law | o Constitutions | Putnam and Albright, Ch. 3 |
| WEEK 5 | The Law | o Statutes | Putnam and Albright, Ch. 4  
Case Analysis Due |
| WEEK 6 | Legal Writing | o Memo Writing | Putnam and Albright, Ch. 5 |
| WEEK 7 | Legal Writing | o Memo Writing | Putnam and Albright, Ch. 5 |
| WEEK 8 | Legal Writing | o Other Legal Documents | Putnam and Albright, Ch. 6 |
| WEEK 9 | Legal Writing | o Style and Persuasive Writing | Putnam and Albright, Ch. 7 |
| WEEK 10 | Legal Research | o Citations | Putnam and Albright, Ch. 8 |
| WEEK 11 | Legal Research | o Primary Sources | Putnam and Albright, Ch. 9  
Legal Memo Due |
<p>| WEEK 12 | Legal Research | o Secondary Sources | Putnam and Albright, Ch. 10 |
| WEEK 13 | Legal Research | o Online Research | Putnam and Albright, Ch. 11 |
| WEEK 14 | Appellate Advocacy | o Appellate Writing | Putnam and Albright, Ch. 12 |
| WEEK 15 | Appellate Advocacy | o Drafts, Revisions, and Submissions | Appellate Brief Due |</p>
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This is a preliminary schedule only. The instructor reserves the right to make changes to schedule as needed.