

Course Syllabus and Policies

The policies updated for winter are noted in [blue](#).

General Course Structure and Goals

Legal Analysis, Research, and Writing (LARW) is a seven-credit course that you will take throughout your 1L year. The Autumn and Winter Quarters constitute a single five-credit course, with three credits during Autumn and two credits during Winter. You will receive one grade for the Autumn-Winter portion of the course at the end of Winter Quarter. Spring Quarter is a separate, two-credit course.

Updated for Winter: In Winter Quarter, you will continue to practice legal reasoning, legal analysis, and legal writing. You will also build on last quarter's introduction to legal research with more in-depth research activities. Like last quarter, you will participate in lectures, workshops, and hands-on activities. Your writing assignments this quarter will be "open research," which means you will need to locate the relevant legal materials before you use those materials to explain the law and apply it to the facts.

LARW is built around fundamental goals and objectives that you should review periodically throughout the year to assess your progress. The goals for the first-year LARW course are:

1. To understand the United States legal system and lawyers' principal roles in that system.
2. To read, understand, and use cases to construct legal arguments.
3. To read, understand, and use statutes and other enacted rules to solve legal problems or construct legal arguments.
4. To predict the probable judicial resolution of simulated legal disputes.
5. To write a memorandum predicting the probable judicial resolution of a simulated legal dispute in a form that conforms to basic professional conventions regarding analytic support, organization, and style.
6. To conduct basic legal research.
7. To recognize excellent writing in and about law, and to learn techniques for improving one's own writing.
8. To learn techniques for time-management, self-reflection, and collaboration to support ongoing acquisition of information and skills necessary for successful academic study and professional practice.
9. To learn techniques of persuasive written advocacy.

Updated for Winter: During Winter Quarter, you will continue to work on Goals 1, 2, 4, 5, 7, and 8. We will also focus on Goal 3 (statutes and regulations) and Goal 6 (legal research). In the Spring Quarter we will add Goal 9 (persuasive written advocacy). More details about the goals and objectives are available here: <https://www.law.washington.edu/writing/goals.aspx>
(<https://www.law.washington.edu/writing/goals.aspx>)

Required Texts and Materials (and abbreviations used in syllabus)

Textbooks:

- Helene S. Shapo et al., *Writing and Analysis in the Law* (6th ed. 2013). This is referred to as “Shapo” in the syllabus.
- Julie A. Heintz-Cho, Tom Cobb, and Mary Hotchkiss, *Washington Legal Research* (2d ed. 2009). This is referred to as “WLR” in the syllabus. We will use it primarily in the Winter and Spring Quarters.
- *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass’n et al. eds., 20th ed. 2015). It is available in print or online. Our Gallagher Law Library has prepared a [blog post](http://gallagherlawlibrary.blogspot.com/2012/08/bluebook-technologies.html) (<http://gallagherlawlibrary.blogspot.com/2012/08/bluebook-technologies.html>) explaining the pros and cons. I recommend the print version.

Online reading: these should be read before the class date on which they are listed.

Handouts: Please check the course website each week for additional materials that will occasionally supplement your readings.

Canvas announcements: I will sometimes make course announcements using Canvas. Please be sure your Canvas settings allow you to receive those messages.

Updated for Winter:

CGL: *Core Grammar for Lawyers* at www.coregrammarforlawyers.com

(<http://www.coregrammarforlawyers.com>). In addition to these required texts, you must purchase the CGL program online. CGL is an interactive learning program that has replaced *The Redbook* in the LARW syllabus. Please see below for more information on CGL. When purchasing, use the code WASH2018 to get a discount. Please also sign up with our Class Code, 119-225-8586. (If you already signed up, you can add the code by entering the "My Account" link.)

Optional, Recommended Texts

- Bryan A. Garner, *The Redbook: A Manual on Legal Style* (4th ed. 2018) — *The Redbook* is an excellent guide to grammar, usage, and style in legal writing. In previous years I required this text. This year, however, we will be using a computer-based grammar program during the Winter Quarter; I have therefore made *The Redbook* optional. Despite being optional, *The Redbook* is still an excellent resource. Copies are available in the Legal Writing Center and the library. I encourage you to use them.
- Terrill Pollman, Judith M. Stinson, & Elizabeth Pollman, *Legal Writing: Examples & Explanations* (2d ed. 2014) — Some professors have used *Examples & Explanations* as their primary text for LARW. Though the text is not ideally designed for our class, it does provide examples of legal writing (both effective and ineffective) for you to read and judge on your own. If you are having difficulty understanding why a certain structure or style is not effective, the examples and explanations in (the aptly named) *Examples & Explanations* are a good place to look. Copies are available in the Legal Writing Center.
- *Black’s Law Dictionary* — This reference is available in three formats: free online in the Westlaw legal database while you’re a student, as a [smartphone app](http://www.blackslawdictionary.com/home/Mobile.aspx) (<http://www.blackslawdictionary.com/home/Mobile.aspx>), or in print as full or pocket editions. Buying a

print or app version might be a wise investment because you'll use this resource for the rest of your career.

- Joseph M. Williams & Joseph Bizup, *Style: Lessons in Clarity and Grace* (11th ed. 2014) – This wonderful book on writing is the primary textbook for the Intensive Legal Writing Workshop.
- Bryan A. Garner, *Legal Writing in Plain English: A Text with Exercises* (2001) — This is more focused on style than is the *Redbook*, and more focused on the law than is *Style*. Garner's advice is quite prescriptive, and his style is not for everyone. But this is an excellent additional resource.

Updated for Winter:

Core Grammar for Lawyers – Required Grammar Assessment and Lessons

Lawyers must be able to write accurately and clearly. Some of you may already have received a robust education in sentence-level writing and grammar. Even so, you'll likely find that legal writing has some new conventions. Others of you may not have received much instruction or feedback on your writing. Regardless of your writing background, Core Grammar for Lawyers (CGL) is an excellent resource.

The course uses CGL now, instead of during the Autumn Quarter, because during the Autumn Quarter you focused on a new way of thinking about arguments and presenting those arguments. Those large-scale learning goals would have been hampered by excessive focus on small-scale sentence-level grammar and usage. But now that you have built a strong analytical and structural foundation, you can spend time this quarter fine-tuning your writing style.

You'll start by taking a **Pre-Test**. The Pre-Test contains 96 questions and should take about 60-90 minutes to complete. The Pre-Test covers a variety of topics. Some may seem simple. Some may seem unfair and totally new. That's okay! I do not expect you to "pass" the Pre-Test. Rather, its purpose is to make the next stage (the Lessons) more focused and efficient. If you get 100% correct on a particular topic, then you test out of that topic and will not need to complete the associated Lesson. The Pre-Test means you won't waste any time "learning" grammar and writing conventions that you have already mastered.

After the Pre-Test, the program will assign you Lessons for particular conventions. Each Lesson will take about 20-30 minutes. The Lessons explain the relevant convention and give you examples. You can review these Lessons and practice as much as you'd like, until you successfully "complete" the Lesson. You complete the Lesson by successfully answering five exercises in a row. Once you've done that, you can move on to the next Lesson.

Once you have completed all the assigned Lessons (either by testing out or working through the Lesson) you have satisfied the CGL requirement for this course. Completing the assigned Lessons is required to receive credit for Autumn-Winter LARW. If you are having difficulty with the Lessons, please reach out to your professor. We have additional resources that can help.

After you complete all the assigned Lessons, CGL will prompt you to complete a "Post-Test." Like the Pre-Test, the Post-Test contains 96 questions. You do *not* need to obtain any particular score on the Post-Test. But you must take the Post-Test at least once. (We will use the Post-Test scores as a diagnostic for use of CGL in future years.)

CGL Deadlines:

Pre-Test: You must complete the Pre-Test by *Friday, January 25, at 5:00 p.m.*

Lessons: You must have completed your assigned Lessons by *Monday, February 25, at 8:45 a.m.*

Post-Test: You must complete a Post-Test by *Monday, March 4, at 8:45 a.m.*

Remember that the Lessons take some time to work through, since you will be learning various writing and grammar conventions through the lessons. Give yourself plenty of time to complete the Lessons.

Legal Writing Fellows and the Legal Writing Center

Each section of LARW has a dedicated Legal Writing Fellow (LWF). LWFs are 2L or 3L students who can help you with any part of the course. They hold office hours in the Legal Writing Center or elsewhere around campus. You'll be receiving more information from the LWFs on how to best schedule an appointment.

I strongly encourage you to meet with the LWFs. Even though each section has an "assigned" LWF, you are free to meet with any of the LWFs in the Legal Writing Center. Because each has taken LARW recently (and done well), the LWFs have a perspective on the course—and on the process of learning legal writing—that might be more helpful than your peers' or even, at times, your professor's.

At times, I may require you to meet with a LWF to review a particular assignment. To take full advantage of these meetings, please make sure you've reviewed my comments on the assignment before you get together.

Course Grading

You will receive one final grade for your combined performance during Autumn and Winter Quarters. [This course is subject to UW Law's mandatory grading curve \(http://www.law.washington.edu/Students/Academics/Grading.aspx#Grade\)](http://www.law.washington.edu/Students/Academics/Grading.aspx#Grade). You must satisfactorily complete **all required** assignments and activities, **whether graded or not**, to pass this course.

I will sometimes assess ungraded assignments using a "check," "check plus," or "check minus" scale. If you receive a "check" or "check plus," you have satisfactorily completed the assignment. If you receive a "check minus," you have not yet reached a satisfactory level on the assignment. To receive credit for the assignment—and the course—you must then take the additional steps indicated for that assignment. Usually the additional step will be a meeting with a LWF to discuss the assignment and make improvements.

Autumn Quarter

Graded Assignment—30%

Updated for Winter:

Winter Quarter

Assignment 2 — 10%

Assignment 4 — 50%

Overall Class Engagement and Professionalism —10%

Winter Quarter is weighted more heavily than Autumn (even though it carries two credits instead of three) because I want to base your grade more on the proficiency you ultimately achieve, and less on your early, experimental efforts.

You will turn in most ungraded assignments by uploading them to the course website. Graded assignments will also be turned in to the Office of Academic Services in print form. This course has no final exam.

Late assignments will be penalized unless excused by illness or prior arrangement. Please email me well before the due date if you need an extension on an ungraded assignment, and arrange extensions through the Office of Academic Services for final papers that are graded anonymously.

A note on class engagement: During both quarters, a percent of your grade will be based on class engagement. Please keep in mind that class engagement can take many forms, including participating in small group activities, participating in class discussions, coming to class prepared, helping your classmates, and putting forth a solid, good-faith effort on ungraded exercises. You do not need to speak to the entire class every week to earn engagement points. If you'd like to further discuss ways to engage and participate, please feel free to talk with me.

A note on professionalism: As professionals, lawyers are held to high standards—by the ethics rules, by judges, and by their clients. That same professionalism is required in law school. Professionalism includes turning in assignments on time, coming to class on time, asking ahead of time for extensions or other scheduling matters, showing up for scheduled office hours, following assignment instructions, demonstrating that you've tried to resolve a question on your own before asking a question, and respecting your classmates and the LWFs. These closely parallel requirements you will face as an attorney.

One common example of a lack of professionalism is waiting until the last minute to submit an assignment, only to then run into some kind of computer problem. Computer problems happen. When they happen at the last minute, they generally do not constitute an excuse for a late assignment, just as in practice, they generally will not be excused by a court. Failure to act professionally in any of these or other ways can result in a reduction of this portion of your grade.

Updated for Winter:

Overview of Winter Quarter Assignments

LARW includes four Assignments during the Winter Quarter. Only Assignment 2 and Assignment 4 will be graded, but you must complete all the Assignments to receive credit for the course. The Assignments progress so your skills build over time with practice:

1. Learn a skill
2. Practice that skill (in an exercise or ungraded Assignment)
3. Receive feedback on your work
4. Learn from that feedback

5. Incorporate a new skill and then repeat steps 2-5.

You will receive feedback on each Assignment, though that feedback will take different forms. Sometimes I will provide a “sample” or “model” answer as feedback. In those instances, it is your responsibility to review the model answer and compare it to your own work product. Other times, I will provide general feedback to the entire class on an assignment. It is your responsibility to review your work product in light of that general feedback. Other times, you will receive guided feedback from your peers. It is your responsibility to evaluate that feedback and use it to improve your work product. At any time, I encourage you to meet with me or the LWFs to discuss your work product.

Other times, on larger assignments, I will provide in-depth, written feedback. Do not simply read that feedback or mechanically make my recommended changes. Instead, try to understand why a particular change was offered. Treat every suggested change as a global change. In other words, if someone suggests that a particular phrasing is confusing, don't just change that one instance; search through the rest of the document to see if you can find similar writing that could be improved. Only by understanding and internalizing the feedback will you be able to improve your work product the next time around.

With that overall progression in mind, here are the goals for each assignment:

Assignment 1: Use a research plan to find relevant statutory, regulatory, and judicial authority. Understand the legal effects of the relevant authorities, particularly the statutory and regulatory authorities. Use the relevant authorities to answer a question using the CRAC structure.

Assignment 2: Use a research plan to find relevant authority in the context of a more complicated legal problem. The relevant authorities will include statutes and interpretive case law. Understand the legal effects of the relevant authorities. Use the relevant authorities to answer a question using the CRAC structure. *(10 points.)*

Assignment 3: Identify vague statutory language that has not been interpreted by case law. To the extent possible, use the statute's plain meaning, statutory context, and canons of construction to define a vague term. Locate relevant legislative history materials to further define the vague term. Explain the application of the law in a manner that reflects the way Washington courts interpret statutes.

Assignment 4: Use previously learned skills—including skills from Autumn Quarter and Winter Quarter's statute- and research-related skills—to find relevant authorities, understand the relevant authorities, and then explain how those authorities apply to a complex factual scenario. *(50 points.)*

This class will meet nine times over the ten-week quarter, including a conference during Week 8. These nine meetings are fewer than you might normally have for a two-credit course. However, I expect that you will devote substantial time outside of class to your research and writing, particularly to Assignment 4, which is worth 50 points.

Updated for Winter:

Legal Research Instruction

This quarter will involve in-depth legal research. We will spend much of our class time walking through various online databases and resources. But the more, the better; so I strongly recommend that you take advantage of the free legal research presentations put on by Lexis, Westlaw, and Bloomberg here at the law school. Getting that additional experience will likely make you more comfortable with the resources we use in class. The extra practice can't hurt!

Honor Code

Please read the [UW Law Honor Code](https://www.law.washington.edu/students/academics/honorcode.aspx)

(<https://www.law.washington.edu/students/academics/honorcode.aspx>), paying particular attention to Chapter 2's discussion of student violations. If you have questions about how the Honor Code applies in a particular situation, please **ask me for clarification**. Legal writing norms surrounding collaboration and plagiarism may not be self-evident, so I encourage you to ask.

- For each **graded assignment**, I will provide specific rules regarding permissible levels of collaboration. All written work must be your own. If you quote or paraphrase from any source, you **must** provide proper attribution. Though I generally allow (and encourage) you to discuss your general analysis, research, and ideas with your classmates, you **cannot** copy your classmates' words. Therefore, for graded assignments, do not share or exchange written drafts with your classmates. Violations of these rules constitute Honor Code violations.
- For **ungraded assignments**, I strongly encourage you to discuss your **research** and **analysis** with any Legal Writing Fellow, other students in this section, students currently in my other LARW section, students in Prof. Cobb's, Prof. Sancken's, Prof. McGinnis's, or Prof. Ziff's LARW sections (the five of us collaborate a great deal and will have similar ungraded assignments), or your other professors. However, please share ungraded **written work** only with the Legal Writing Fellows or other students in our section. Though I encourage you to consult with your classmates on ungraded assignments, **all written work must be your own**, even when not graded. The following people should not review your written drafts at any time: family members, mentors, friends at other schools, other professors, students taking LARW from other professors, or anyone who is not me, a Legal Writing Fellow, or a student in your section. These rules modify Sec. 2-204 of the UW Law Honor Code.
- Because matters of proofreading and style are an important part of what we study in this course, I define "Collaboration" more broadly than Sec. 2-204 does.

Plagiarism and Attribution

The conventions of legal writing on plagiarism and attribution may be different than those you are used to in other fields. You should expect to provide citations to a law's source whenever you make a statement about the law. Because legal writing involves a lot of statements about the law, you will be providing a lot of citations. That may seem strange at first, but you'll get used to it. You should provide a citation to the source of law even if you are not quoting that source.

Whenever you use the same words as a source, you *must* use quotation marks around the words and then attribute the words to the quoted source.

You should never copy words from another student's work. Remember this foundational rule: *All written words must be your own*. You may, however, use ideas you learn from other people. In the law, legal arguments, methods of structuring a memo, sources of law found during research, or other ideas are generally open to anyone!

If you have any questions about plagiarism and attribution, please play it safe and ask me.

Updated for Winter:

Attendance

UW Law's attendance policy requires you to attend at least 80 percent of our class sessions or I may drop your enrollment from this course after the fifth week of the quarter. This course will meet *only nine times* during the Winter Quarter, so you are only permitted *one* unexcused absence. (Two absences means you'd have 7/9 attendance, which is 78%; that's less than 80%.) If you need to miss a class, please contact me in advance of your absence to make other arrangements.

I expect you to attend all the classes; this is a hands-on course in which your learning depends on your active participation. The attendance policy allows faculty members to impose stricter attendance standards or other sanctions for nonattendance, including lowering of a grade, and I will take your level of attendance into account when assigning the participation portion of your final grade.

If you need to miss a class because of a reasonable conflict, please contact me in advance so we can make arrangements for you to complete the work you'll miss. For in-class peer review activities, you cannot skip class and do your own peer review outside of class. (If you have an excused absence, please contact me to set up a peer review.) Being ready with a draft before class is a prerequisite for obtaining a sanctioned peer review. (And remember the general rules regarding your peers' written work.)

Access and Accommodations

Your ability to fully participate in this class is important to me. If you have already established accommodations with Disability Resources for Students (DRS), please communicate your approved accommodations to me at your earliest convenience so we can discuss your needs.

If you have not yet established services through DRS, but have a temporary health condition or permanent disability that requires accommodations (conditions include but not limited to; mental health, attention-related, learning, vision, hearing, physical or health impacts), you are welcome to contact DRS at 011 Mary Gates Hall or 206-543-8924 or uwdrs@uw.edu or disability.uw.edu. DRS offers resources and coordinates reasonable accommodations for students with disabilities and/or temporary health conditions. Reasonable accommodations are established through an interactive process between you, your instructor(s) and DRS. It is the policy and practice of the University of Washington to create inclusive and accessible learning environments consistent with federal and state law.

Using Computers and Other Electronic Devices in Class

Please be respectful. You will need to bring a computer for the classes covering research topics. Please let me know if this is an issue for you.

Gallagher Law Library

The reference librarians at the Gallagher Law Library look forward to helping you become efficient, effective legal researchers during the next three years. Please get to know them so you will feel comfortable asking them research questions. You can obtain reference support in person by visiting the reference office (located near the Circulation Desk on floor L1), by sending a web/email request, or by calling (206) 543-6794 during business hours. In the next few weeks, please explore the Gallagher Law Library website. Some specific resources you may want to bookmark for use in this course are:

- [Washington State Law research guide \(https://guides.lib.uw.edu/c.php?g=857923&p=6146660\)](https://guides.lib.uw.edu/c.php?g=857923&p=6146660)
- [Federal Law research guide \(https://guides.lib.uw.edu/c.php?g=857923&p=6146659\)](https://guides.lib.uw.edu/c.php?g=857923&p=6146659)
- [Bluebook 101 \(http://guides.lib.uw.edu/bluebook101\)](http://guides.lib.uw.edu/bluebook101)
- [Legal and General Writing Resources \(https://guides.lib.uw.edu/c.php?g=857923&p=6146662\)](https://guides.lib.uw.edu/c.php?g=857923&p=6146662)
- [Microsoft Word Tips to Make Your Life Easier \(https://guides.lib.uw.edu/law/wordtips\)](https://guides.lib.uw.edu/law/wordtips)

Tips for Class Preparation

Legal analysis, research, and writing courses are among the most time-consuming and challenging courses offered in law school. Major projects require more time and concentrated attention than you might initially expect, and “undergraduate strategies” like waiting until the night before a paper is due to dash off a first-and-only draft will no longer suffice. Consult the course schedule in advance so you can plan ahead for busy periods, reserving enough time for editing and proofreading. If you feel overwhelmed, please see me or your Legal Writing Fellow. We’ll go over the assignment with you and talk about efficient research and writing habits, including ways to divide the assignment into smaller, more manageable tasks. Remember that your Legal Writing Fellow was in your shoes last year, and I was a 1L once, too; we are here to help.

Legal Analysis, Research, and Writing

Detailed Class-by-Class Syllabus

This is the detail of assignments due each day. Please review the [Course Syllabus and Policies](#) as well.

Also, please check this syllabus regularly, as it may change from time to time.

Week 1: Introduction to Statutes, Regulation, and Research

Before Class: Read *Shapo* Ch. 3, I through IV (introduction to statutes); *WLR* pp. 10-15 (research fundamentals), 23-31 (research techniques), 61-78 (statutes), 105-09 (digests generally), 116-120 (digests online), and 137-41 (on administrative law). Skim *WLR* pp. 121-32 (citators). As a review, consider skimming *WLR* pp. 4-10 (sources of legal authority), 33-37 (*Washington Practice* as a secondary source), 85-88 (Washington case law), and 96-98 (federal case law).

During Class: **Bring your computer to class.** Research activity to practice locating statutes, using the table of contents and index, and locating relevant regulations.

 [Here](#) ▾ are today's slides.  [Here](#) ▾ is the workshop.

Week 2: Research and Writing Assignment 1—our client has some questions

Before Class: Read  [instructions for Assignment 1](#) ▾ (we'll start on the research in class). If necessary, review readings from Week 1.

During Class: Begin work on research workshop to find relevant statutes, case law, and regulations that answer the client's questions.

Week 3: Research and Writing Assignment 2—A “Private Conversation”

Before Class: [Turn in](#) Assignment 1 on Canvas. Take a quick look at the  [facts for Assignment 2](#) ▾ . Don't worry about starting research yet--we'll do that in class.

During Class: Review model answer for Assignment 1. Begin work on Assignment 2. Additional practice finding relevant statutes and case law.

Friday, January 25: Complete the Core Grammar for Lawyers pre-test by 5:00 p.m.

Week 4: Writing About Statutes; Continue Working on Assignment 2

Before Class: Continue your research on Assignment 2. Review *Shapo* Chapter 8 (reminders on structure and writing tips), Appendix A TOC, and any sections in Appendix A that look helpful.

During Class: Additional research practice and review. In-class practice reading a complicated statute and writing a simple analysis.

Week 5: Statutory Ambiguity and Interpretation

Before Class: Turn in Assignment 2. Read *Shapo* Chapter 3 V (techniques of statutory interpretation) and [additional readings on statutory interpretations to be posted].

During Class: Discuss statutory interpretation. Begin research workshop on legislative history. Results of this research workshop will be Assignment 3.

Week 6: Results of Statutory Interpretation; Beginning of Assignment 4

Before Class: Turn in Assignment 3.

During Class: Discuss results of statutory interpretation exercise. Introduce Assignment 4 and begin workshop.

Week 7: Research Workshop for Assignment 4; Prepare for “Presentation” Exercise

Before Class: Review materials for Assignment 4.

During Class: Research activity for Assignment 4. During the second half of class, break into groups for presentation exercise.

Week 8: No Class—Group Meetings with the Assigning Partner

Monday, February 25: Complete your assigned Core Grammar lessons by 8:45 a.m.

No Class This Week. Meet with your group to prepare for your conference. Then sign up for a time slot on Canvas. I expect that you will devote at least six hours to your individual research, individual preparation, and group coordination before your conference.

Week 9: In-Class Peer Review

Monday, March 4: Complete the Core Grammar post-test by 8:45 a.m.

Before Class: Complete a draft of Assignment 4. You must bring a completed draft to class to participate in peer review. Lack of a completed draft is not a basis for an excused absence.

During Class: Peer Review.

Final Assignment

Monday, March 11: Turn in Assignment 4 on Canvas by 10:00 a.m. Turn in the hard copy to Academic Services by 4:00 p.m.

No class this week; see note on the detailed syllabus.