

Kankakee Community College Syllabus

Course prefix and number: PLAS 1123

Course title: LEGAL RESEARCH & WRITING I, Fall 2019

Credit hours/Length: Lecture hours: 3 Clinical/Lab hours: None

Catalog description: This course, the first of a two-semester comprehensive course, emphasizes performing legal research in the library and on the computer. The fundamentals of legal analysis and writing, correct citation form, and eliminating mechanical errors are all stressed.

The following are prerequisites:

1. Completion of PLAS 1103 (Introduction to Paralegal/Legal Assistant Studies) with a grade of "B" or better;
2. Completion of ENGL 1613 (English I) with a grade of "C" or better;
3. PLSC 1513 (American Government);
4. COSC 1352 (Microsoft Word), Microsoft Office Specialist certification, or instructor consent.

Faculty

Dr. Kristine M. Condon, Professor and Program Coordinator
Office Phone (815) 802-8216
E-mail kcondon@kcc.edu
www.facebook.com/kccparalegal
Department Phone (815) 802-8850

Office Location/Office Hours

Location: Workforce Development Center, D116
Office hours change weekly; please check my web site at
www.kcc.edu/facultysites/kcondon
I will post my office hours on a weekly basis.

Textbook(s) and Other Materials

- A. Putman, William H., and Jennifer R. Albright. Legal Research, Analysis, and Writing, Fourth Edition. Clifton Park, New York: Delmar Cengage Learning, 2018. This text will also be used for PLAS 1133, Legal Research & Writing II.
- B. Website content to accompany the text.

- C. Association of Legal Writing Directors and Darby Dickerson. ALWD Citation Manual: A Professional System of Citation, Fifth Edition. New York: Aspen Law and Business, 2014. This text will also be used for PLAS 1133, Legal Research & Writing II.
 - D. Supplemental handouts and other materials will be distributed during class.
 - E. (Recommended, but not required) Wojcik, Mark E. Illinois Legal Research, Second Edition. Durham, N.C.: Carolina Academic Press, 2009.
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Instructional Methods

Methods will include lectures, discussions, in-class and library research and writing projects, and individual assignments and activities.

Relationship to academic programs and transferability

Legal Research & Writing I was designed to meet specific student needs, either individually or within a program. Transferability of this course will be determined by each transfer institution. Please see an academic advisor for an explanation concerning transfer options. Refer to the IAI web page at www.itransfer.org for more information.

Course Goals and Learning Outcomes

At the conclusion of this course, you, the legal professional, will be able to:

1. Discuss the various sources of American law;
2. Distinguish the various components of briefs and opinions;
3. Identify and implement basic writing strategies in a variety of legal documents and add these documents to your professional portfolio;
4. Review and correctly use grammar mechanics in conjunction with any legal writing you generate;
5. Clearly and concisely make persuasive legal arguments through your writing;
6. Create basic legal correspondence, memoranda of law, and legal pleadings;
7. Demonstrate the effective use of the paralegal in the discovery and litigation processes;
8. Use proper citation format in creating any legal document;
9. Discuss the importance of computer technology in the legal environment.

Evaluation of Student Performance

See the Course Calendar and Homework Table for this session. Homework will generally be due at the start of a class period as noted in this syllabus. All homework is to be stapled, with your name on the top page, along with a description of the homework assigned. For example:

John Smith
PLAS 1123
Review Problem 3
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Homework that is not clearly labeled and stapled will be returned to the student ungraded.

Students are expected to submit homework on the evening it is due. The final homework grade will be reduced by 10% (1 letter grade) per class period until the homework is submitted. The exception to this rule is if you are absent on the date a homework assignment is due; in that case, the due date is automatically extended to the date you return for your next class without any reduction in points. All homework will be submitted in typewritten format (typewriter or PC acceptable) unless otherwise directed by the instructor.

The instructor reserves the right to alter or modify the content of an assignment or its position in the course calendar.

90-100% of total points possible = A
80-89% of total points possible = B
70-79% of total points possible = C
60-69% of total points possible = D
Under 60% of total points possible = F

The points will be apportioned as follows:

50% of final course grade: Midterm and Final Project.
40% of final course grade: Weekly writing and analytical assignments.
10% of final course grade: Class attendance, punctuality, and substantive participation.

Course Policies: Please review these carefully.

You will be allowed a total of three absences for this semester. **Please note that since these are four-hour classes, one absence is the equivalent of TWO absences.** I reserve the right to inform you that your successful completion of the class is being jeopardized when you have missed your third class. I also reserve the right to request that you withdraw from the class with a grade of "W" when you have missed your fourth class. Each absence in excess of three will result in a one letter grade reduction of your final course grade. Class will begin promptly; students are expected to be on time for class and are strongly encouraged to get notes from fellow students if they miss a class. Students understand that the attendance/punctuality/participation

component of the course grade will be reduced based upon their commitment to be on time and ready to learn during each Saturday session.

As is the case in all KCC computing labs and classrooms, no food, drink, or smoking is permitted. Children are also not permitted in the labs.

The Program's in-class examination policy is pursuant to Section 4.1 of the Code of Campus Affairs and Regulations, which states that "permission to make up work missed because of absence may be granted at the instructor's discretion." For in-class examinations, there are no makeups allowed for any reason except for illness, which must be documented with an original note explaining the absence which is signed by the treating physician. For final projects, the project is due on the assigned due date. Final projects received after the due date will not be graded. Students may not use notes, books, or reference materials on examinations unless specifically authorized to do so by the instructor. Students are to turn off all cell phones and pagers during an examination. Sending and receiving e-mails, instant or text messages, or other forms of electronic communication during the exam are strictly prohibited. Students are expected to be on time for exams and will not be given additional time to complete an exam due to a late arrival.

It is assumed that all course assignments and examinations represent the student's own efforts. Any impropriety, or appearance of impropriety, will result in a minimum of a "zero" for that assignment/examination and possible removal from the course. In addition, any student found copying software for personal use or altering settings on the computers (beyond the scope of any classroom assignment) will be removed from the course.

In addition, all assignments shall be submitted with a cover sheet containing this statement regarding academic honesty:

Because academic dishonesty fundamentally undermines the mission of KCC's PLAS Program and diminishes my individual efforts and those of my classmates, I certify that this work product is the result of my own independent and original effort; that I have completed this work product without the assistance of others unless otherwise directed by the instructor; and that I understand the syllabus's sanctions for work product meeting the definition of "impropriety or the appearance of impropriety."

The cover sheet shall also contain the student's original signature.

Each student's KCC-based LexisAdvance account is for academic use only. Any unauthorized use of such account to accumulate billable hours, to generate client fees, to provide work product for an internship site provider or individual authorized by statute or court rule to provide legal advice, or for any other income-producing use is strictly prohibited under the terms of the Westlaw Acceptable Use Policy; further, such use serves as grounds for immediate withdrawal from the course and possible sanctions under college policy.

College Policies

Withdrawals

When it is necessary to withdraw from a course or from the college, a student may do so on or before the withdrawal date stated on the syllabus without receiving a punitive final grade. Change of Schedule forms (used to add or drop a course) are available in Student Services and the student should obtain the required signatures prior to submitting the Change of Schedule form to an adviser in Student Services. Students may submit Change of Schedule forms through the mail, but they must be postmarked no later than the withdrawal date. No withdrawals are allowed by phone. The last date to withdraw with a grade of "W" is ten school days after the midpoint of the course pursuant to the Kankakee Community College catalog.

Code of Conduct

By participating in this course, the student agrees to adhere to the KCC Code of Conduct, found in each academic year's catalog, and understands that his or her classroom behavior shall be in compliance with the Code.

Inclement Weather

As a general rule, KCC will remain open during inclement weather. If the College will be closed due to inclement weather, cancellation announcements will be broadcast over Kankakee radio stations WKAN-AM, WBSW-FM, and WLRT-FM; Watseka stations WGFA-AM/FM; and Pontiac stations WJEZ-AM/FM. In addition, KCC reports campus closings at www.emergencyclosings.com.

Use of KCC Student E-mail Accounts

To ensure a student's privacy under all applicable education laws and to facilitate timely interactions, two College-authorized methods of electronic communication exist: KCC-issued student email accounts (using the domain name of .student.kcc.edu) and the Canvas Learning Management System. Students are expected to regularly check their KCC email accounts and Canvas for important incoming communication from the college or from individual instructors. Students understand that emails they send from personal email accounts (other than those listed above) may not be delivered to the KCC recipient, and students should have no expectation that such messages will be answered.

Non-Attendance/Non-Participation

KCC complies with state law and federal financial aid policy. If you receive an attendance grade of F or are institutionally withdrawn from a course, it will affect your eligibility for financial aid. (1) You must attend at least one class, or participate at least once for an online course (logging in without participation is not attending), by the 10th day of 16 week courses or within the first 10% of shorter term classes. Non-attendance will result in an attendance grade of F. (2) If you have excessive absences and no reasonable chance of passing the course at midterm (or after), your instructor may give you a WX grade and have you institutionally withdrawn from the course.

College Resources

Tutoring Services

Tutoring assistance is free to all currently enrolled KCC students. Our tutor program is certified by the College Reading and Learning Association (CRLA). For schedules, resources and other helpful information, go to www.kcc.edu/tutoring.

Office of Disability Services

KCC works closely with students and instructors to accommodate individual student learning needs. For the services they offer, their contact information and other helpful information, go to www.kcc.edu/disabilityservices.

Miner Memorial Library

The Miner Memorial Library provides a variety of services free to students. For the services they offer, their hours of operation and other helpful information, go to www.kcc.edu/library.

Syllabus Disclaimer

The course syllabus and calendar are subject to change.

Copyright

The materials on this course are only for the use of students enrolled in this course for purposes associated with this course. Further Information regarding KCC's copyright policy is available at www.kcc-online.org/copyright/policy.html.

Course Calendar Detailing Subject Coverage and Homework Table

Class Date	In-Class Activity (Each Class is 5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated
<p>Week 1: Saturday, 8/17/2019</p>	<ul style="list-style-type: none"> Review of course syllabus and expectations Set up e-mail accounts and send reply message to the instructor Customize LexisAdvance Accounts Review of materials in LRC Chapter 1, Introduction to Legal Principles and Authorities Chapter 2, Introduction to Legal Research and Analysis 	<p>Chapter 1, Introduction to Legal Principles and Authorities</p> <ul style="list-style-type: none"> A. Introduction B. Sources of Law C. Hierarchy of the Law D. Authority <p>Chapter 2, Introduction to Legal Research and Analysis</p> <ul style="list-style-type: none"> A. Introduction B. Legal Analysis Defined C. Legal Research and the Analysis Process D. General Considerations 	<ul style="list-style-type: none"> Read and be ready to discuss Chapters 1 and 2.
<p>Week 2: Saturday, 8/24/2019</p>	<ul style="list-style-type: none"> HOMEWORK DUE ON OR BEFORE START OF OUR REGULAR CLASS PERIOD: Chapter 1 Exercises, Assignments 2, 3, and 5, pp. 24-25. For Assignments 2 and 3, describe the differences between a trial court and a court of appeals and discuss when a court opinion is considered precedent. For Assignment 5, answer the questions related to the hypothetical and then rank the authority hierarchically. (OBJECTIVES 1, 2) Chapter 2 Exercises, Assignments 4 and 5, pp. 49-50. For Assignment 4, detail the steps of the analysis process for the client, the local public library claiming that the revocation of the Sepositus budget violates its rights to intellectual freedom, to read, and to privacy. For Assignment 5, detail the steps involved in analyzing whether the client's traffic ticket, issued for passing in a no-passing zone, can be set aside. (OBJECTIVES 1, 2, 3, 4, 5) We will not meet as a class this week. 		
<p>Week 3: Saturday, 8/31/2019</p>	<ul style="list-style-type: none"> NO CLASS—CAMPUS CLOSED FOR LABOR DAY WEEKEND. YOU ARE STRONGLY URGED TO “LABOR” THIS WEEKEND AND BEYOND IN READING AND STUDYING CHAPTER 4—WE WILL BE FLYING WHEN WE COME BACK TO CAMPUS! 		

Class Date	In-Class Activity (Each Class is 5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated
<p>Week 4: Saturday, 9/7/2019</p>	<ul style="list-style-type: none"> Chapter 4, Case Law—Research and Briefing Hands-on work in LRC looking up cases and checking parallel citations 	<p>Chapter 4: Case Law—Research and Briefing</p> <ul style="list-style-type: none"> A. Introduction B. Court Opinions in General C. Court Opinions: Importance D. Court Opinions: Elements E. Court Opinions: Researching F. Court Opinions: Case Briefs 	<ul style="list-style-type: none"> Read and be ready to discuss Chapter 4.
<p>Week 5: Saturday, 9/14/2019</p>	<ul style="list-style-type: none"> HOMEWORK DUE ON OR BEFORE THE START OF OUR REGULAR CLASS PERIOD: Chapter 4 Exercises, Assignments 1, 2, 4, 6, 8-10, and 13, pp. 138-140. For Assignments 1 and 2, locate the authority and answer the questions. For Assignment 4, you will need to visit the Illinois Digests in the library to answer the questions on uninsured motorist insurance coverage. For Assignment 6, use ILCS to answer the questions regarding aggravated or armed robbery. For Assignments 8-10, use LexisAdvance to locate the three cases and answer the questions. For Assignment 13, visit the Illinois Supreme Court's web site and answer the related questions. (OBJECTIVES 1, 2, 3, 4, 7, 8, 9) We will not meet as a class this week. 		
<p>Week 6: Saturday, 9/21/2019</p>	<ul style="list-style-type: none"> Chapter 3, Constitutions, Statutes, Administrative Law, and Court Rules: Research and Analysis Chapter 5, Secondary Authority and Other Research Sources—Encyclopedias, Treatises, American Law Reports, Digests, and Shepard's Hands-on work with digests and encyclopedias in MML 	<p>Constitutions, Statutes, Administrative Law, and Court Rules: Research and Analysis</p> <ul style="list-style-type: none"> A. Introduction B. Anatomy of a Statute C. Locating Statutes D. Administrative Law E. Court Rules F. Analysis: the Process G. General Considerations <p>Secondary and Other Research Sources—Encyclopedias, Treatises, American Law Reports, Digests, and Shepard's</p> <ul style="list-style-type: none"> A. Introduction B. Legal Encyclopedias C. Treatises D. American Law Reports 	<ul style="list-style-type: none"> Read and be ready to discuss Chapters 3 and 5.

Class Date	In-Class Activity (Each Class is 5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated
		E. Digests F. Updating and Validating Research G. Research Using Citators	
Week 7: Saturday, 9/28/2019	<ul style="list-style-type: none"> • HOMEWORK DUE ON OR BEFORE THE START OF OUR REGULAR CLASS PERIOD: • Chapter 3 Exercises, Assignments 1, 6, 8, 9, 12, and 14, pp. 95-98. For Assignment 1, use ILCS to determine whether Illinois has a law requiring a special license in order to sell alcohol at your state's paralegal association conference. For Assignment 6, look up the annotations to the Fifth Amendment to find the 1967 case referenced in the text. For Assignment 8, identify the elements of arson and answer the related questions. For Assignment 9, complete the same task related to arson, but instead use ILCS. For Assignment 12, analyze the statute on nuncupative wills and answer the related questions. For Assignment 14, analyze the statute and answer the related questions. (OBJECTIVES 1, 5, 6, 7) • Chapter 5 Exercises, Assignments 1, 5, 14-16, pp. 190-191. For Assignments 1 and 5, use CJS to respond to each question and document your research trail. For Assignments 14-16, use <u>Shepard's Citations</u> and Shepard's in LexisAdvance and document your research trail. (OBJECTIVES 2, 7, 8, 9) • We will not meet as a class this week. 		
Week 8: Saturday, 10/5/2019	<ul style="list-style-type: none"> • Completed Shepard's citation exercise packet due. (OBJECTIVES 7, 8, 9) • Distribution of take-home midterm exam. • We will not meet as a class this week. 		
Week 9: Saturday, 10/12/2019	<ul style="list-style-type: none"> • Continue work with Chapters 3 and 5 and hands-on work with Shepard's and ILCS in Library • Review of ALWD Citation Manual. Pay particular attention to the following ALWD rules: <i>11, 12, 14, 17</i> <i>Illinois Rules</i> <i>Illinois Supreme Court Rule 6 (new rule re citation format)</i> <i>Federal Rules</i> <i>Appendices 3-5</i> 	Legal Citation A. Introduction B. Primary Authority C. Secondary Authority D. General Rules of Citation E. Illinois Court Rules	<ul style="list-style-type: none"> • Bring paper clips, tape flags, or Post-It Notes to flag appropriate sections of the ALWD manual. • MIDTERM EXAM DUE ON OR BEFORE THE START OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) • Distribution of final project.

Class Date	In-Class Activity (Each Class is 5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated
SPECIAL DATE: Week 10: Wednesday, 10/16/2019	<ul style="list-style-type: none"> • ALL CARTWHEEL TERMS AND FIRST DRAFT OF ISSUE TO BE APPROVED ON OR BEFORE THE END OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) • We will not meet as a class this week. 		
Week 11: Saturday, 10/26/2019	<ul style="list-style-type: none"> • Chapter 7, Computers and Internet Legal Research • Chapter 10, Legal Analysis—Issue Identification—Spotting the Issue • Chapter 11, Legal Analysis—Stating the Issue • Chapter 12, Case Law Analysis: Is a Case on Point? 	<p>Chapter 7, Computers and Internet Legal Research</p> <ul style="list-style-type: none"> A. Introduction B. Commercial Internet Research C. Nonfee-based Law-Related Web Sites and Other Computer-Based Resources D. Overview of Westlaw/Lexis <p>Chapter 10, Legal Analysis—Issue Identification—Spotting the Issue</p> <ul style="list-style-type: none"> A. Introduction B. Definition and Types C. Elements D. Issue Identification: Client's Case E. Issue Identification: Case Law <p>Chapter 11, Legal Analysis—Stating the Issue</p> <ul style="list-style-type: none"> A. Introduction B. Shorthand or Broad Statement of the Issue C. Comprehensive or Narrow Statement of the Issue D. Issue: Law Component E. Issue: Question Component 	<ul style="list-style-type: none"> • Read and be ready to discuss Chapters 7, 10, 11, and 12.

Class Date	In-Class Activity (Each Class is 5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated
		<p>F. Issue: Significant or Key Facts Component G. Ethics: Objectively Stating the Issue H. General Considerations</p> <p>Chapter 12, Case Law Analysis—Is a Case on Point? A. Introduction B. Definition of “On Point” C. On Point—Importance D. Determining if a Case is “On Point”</p>	
<p>SPECIAL DATE: Week 12: Wednesday, 10/30/2019</p>	<ul style="list-style-type: none"> • FINAL STATEMENT OF ISSUE(S) APPROVED VIA E-MAIL ON OR BEFORE THE END OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) • Continue locating and briefing cases for your final project. 		
<p>Week 13: Saturday, 11/9/2019</p>	<ul style="list-style-type: none"> • Chapter 16, Office Legal Memorandum: Issues and Facts • Chapter 17, Office Legal Memorandum: Analysis to Conclusion 	<p>Chapter 16, Office Legal Memorandum: Issues and Facts A. Introduction B. Definition C. Purposes, Uses, and Importance D. Prewriting Stage E. Sections of the Office Memorandum</p> <p>Chapter 17, Office Legal Memorandum: Analysis to Conclusion A. Introduction B. Analysis Section C. Conclusion</p>	<ul style="list-style-type: none"> • Read and be ready to discuss Chapters 16 and 17. •

Class Date	In-Class Activity (Each Class is 5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated
		D. Recommendations E. General Considerations	
SPECIAL DATE: Week 14: Wednesday, 11/13/2019	<ul style="list-style-type: none"> • LIST OF AUTHORITIES IN PROPER ALWD FORMAT TO BE APPROVED ON OR BEFORE THE END OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) • Continue working on case briefs. You should be sending me work on a daily basis so you stay on time and on task. • We will not meet as a class this week. 		
Week 15: Saturday, 11/23/2019	<ul style="list-style-type: none"> • Chapter 9, Legal Analysis: Key Facts • Chapter 14, Fundamentals of Writing • Chapter 15, The Writing Process for Effective Legal Writing • Review of creating an expanded outline 	<p>Chapter 9, Legal Analysis: Key Facts</p> <ul style="list-style-type: none"> A. Introduction B. Facts in General—Definition C. Importance of Facts D. Types of Facts in General E. Key Facts—Definition and types F. Key Facts Identification—Client’s Case G. Key Facts Identification—Case Law <p>Chapter 14, Fundamentals of Writing</p> <ul style="list-style-type: none"> A. Sentences B. Paragraphs C. Word Selection and Usage D. Grammar E. Punctuation F. General Considerations <p>Chapter 15, The Writing Process for Effective Legal Writing</p> <ul style="list-style-type: none"> A. Introduction B. The Importance of Writing Skills 	<ul style="list-style-type: none"> • ANY STATUTORY ANALYSIS AND ALL CASE BRIEFS TO BE FINALIZED AND APPROVED ON OR BEFORE THE END OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) • Read and be ready to discuss Chapters 9, 14, and 15.

Class Date	In-Class Activity (Each Class is 5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated
		C. Goal of Legal Writing D. Legal Writing Process E. General Research Suggestions	
SPECIAL DATE: Week 16: Wednesday, 11/27/2019	<ul style="list-style-type: none"> • FINAL MEMO FACTS STATEMENT TO BE FINALIZED AND APPROVED ON OR BEFORE THE END OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) • FIRST DRAFT OF MEMO OUTLINE TO BE FINALIZED AND APPROVED ON OR BEFORE THE END OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) • We will not meet as a class this week. 		
Week 17: Saturday, 12/7/2019	<ul style="list-style-type: none"> • FINAL DRAFT OF MEMO OUTLINE TO BE FINALIZED AND APPROVED ON OR BEFORE THE END OF OUR REGULAR CLASS PERIOD. (OBJECTIVES 1-9) 		
SPECIAL DATE: WEDNESDAY, 12/11/2019	<ul style="list-style-type: none"> • FINAL PROJECT DUE, 5:00 P.M., MY OFFICE. PROJECTS MARKED AS ARRIVING AFTER 5:00 P.M. WILL NOT BE GRADED; NO EXCEPTIONS. • Your final project folder must include your finished memo; the final expanded outline; the approved case briefs; and the approved statutory analysis (if any). 		