

Kankakee Community College Syllabus

Course prefix and number: PLAS 1133

Course title: LEGAL RESEARCH & WRITING II, Fall 2019

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

Catalog description: This course, the second of a two-semester comprehensive course, continues to emphasize performing legal research in the library and on the computer. While the first semester stresses research techniques, this course stresses correct citation form and eliminating grammatical, spelling, and other writing errors.

The following are prerequisites:

1. PLAS 1123 (Legal Research & Writing I);
2. PLAS 1213 (Civil Litigation);
3. BSNS 1653 (Business Law).

Faculty

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Office Location/Office Hours

Office hours by appointment.

Textbook(s) and Other Handouts

- A. Putman, William H., and Albright, Jennifer R. Legal Research, Analysis, and Writing, Fourth Edition. Clifton Park, NY: Cengage Delmar Learning, 2018. This text was also used for PLAS 1123, Legal Research & Writing I.
- B. Association of Legal Writing Directors. ALWD Citation Manual: A Professional System of Citation, Fifth Edition. New York, NY: Aspen Law and Business, 2014. This text was also used for PLAS 1123, Legal Research & Writing I.
- C. Supplemental handouts and other materials will be distributed during class.
- D. (Optional) Wojcik, Mark E. Illinois Legal Research, Second Edition. Durham, N.C.: Carolina Academic Press, 2009.
- E. You will need to set up a folder on your student KCC OneDrive and provide shared access to me for the purpose of collaborating on writing and homework assignments. You may not use other cloud-based services, such as Dropbox or Google Drive. OneDrive, to which you have access through

the MyKCC portal, is a Microsoft-standard cloud service. In addition, all documents will have to be prepared using Microsoft Office applications (Word, Excel, etc.) Google Docs are not acceptable for use in homework submissions, will not be accepted, and will be returned ungraded.

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 II 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.
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Evaluation of Student Performance

See the Course Calendar 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 1133
Review Problem 3
Page 79

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. When noted, files will be shared with the instructor via your OneDrive account.

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:

60% of final course grade: Midterm and Final Project.
30% 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. **Attendance will be taken for lecture/presentation classes, not open lab periods. Please note that since these are five-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.

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.com 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 LexisAdvance 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 When you are answering chapter review questions this semester, write out the question along with the answer.
<p>Week 1: Saturday, 8/24/2019</p>	<ul style="list-style-type: none"> • Review of course syllabus and expectations • Set up KCC e-mail accounts and send reply message to instructor • Review of key chapters from PLAS 1123: Chapter 3 Chapter 4 Appendix A Appendix C Chapter 14 • Distribution of midterm project, Part 1 • Review LexisAdvance searching techniques 	<p>Constitutions, Statutes, Administrative Law, and Court Rules—Research and Analysis</p> <ul style="list-style-type: none"> A. Anatomy of a Statute B. Statutory Research—Locating Statutes C. Administrative Law D. Court Rules E. Analysis—The Process <p>Fundamentals of Writing</p> <ul style="list-style-type: none"> A. Sentences B. Paragraphs C. Word Selection and Usage D. Grammar E. Punctuation <p>Case Law—Research and Briefing</p> <ul style="list-style-type: none"> A. Importance and Elements B. Researching C. Briefing D. Review of LexisAdvance basic searching techniques F. PowerPoint presentation covering ALWD guidelines 	<ul style="list-style-type: none"> • Be ready to engage in a comprehensive review of last semester. • Set up a folder for OneDrive access with permissions extended to Dr. Condon; this must be done before you leave class today. • Yelin and Samborn digesting exercise (handouts provided by instructor) due by the end of class. Please turn in paper copies to Dr. Condon by the end of class.
<p>Week 2: Saturday, 8/31/2019</p>	<ul style="list-style-type: none"> • NO CLASS THIS WEEK; LABOR DAY HOLIDAY. • You must advise me in writing via e-mail whether you plan to rewrite your Glassowine memo or write a different memo per midterm project distributed during the last class. • Distribution of ALWD practice exercise. 		

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 When you are answering chapter review questions this semester, write out the question along with the answer.
Week 3: Saturday, 9/7/2019	<ul style="list-style-type: none"> • ALWD practice exercise due. • Review online lectures in Canvas for Chapters 9, 10, 11, and 13 and preparation of “Teach Us” presentation. (OBJECTIVES 1, 2, 9) • We will not meet as a class this week. 		
Week 4: Saturday, 9/14/2019	<ul style="list-style-type: none"> • Chapter 9, “Key Facts” • Chapter 10, “Issue Identification” • Chapter 11, “Stating the Issue” and discussion of assertions vs. issues • Chapter 13, “Counteranalysis” 	<p>Legal Analysis—Key Facts</p> <ul style="list-style-type: none"> A. Definition B. Importance C. Types of Facts in General D. Definition and Types E. Application to Client’s Case F. Application to Case Law <p>Legal Analysis—Issue Identification</p> <ul style="list-style-type: none"> A. Elements of Issue Identification B. Application to Client’s Case C. Application to Case Law <p>Legal Analysis—Stating the Issue</p> <ul style="list-style-type: none"> A. Broad vs. Narrow Statements B. Law Component C. Question Component D. Significant/Key Facts Component E. Objectively Stating the Issue <p>Counteranalysis</p> <ul style="list-style-type: none"> A. Definition; When and Why B. Techniques, Comments, and Where to Use 	<ul style="list-style-type: none"> • “Teach Us” session on Chapters 9-11 and 13. (OBJECTIVES 1, 2, AND 9) • (Do in class together) Chapter 9 Assignment 7, p. 282. As a class, identify the key facts needed to support Sam’s claim for negligence. (OBJECTIVES 2, 7, 8) • (Do in class together) Chapter 10 Assignments 8, 9, and 10, pp. 305-309. Read the cases presented in the text and identify the issues using the three-step process discussed in class. (OBJECTIVES 2, 7, 8) • Lab time: Work on Midterm Part 1. Must submit draft of current effort in Word format in OneDrive by the end of class.

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 When you are answering chapter review questions this semester, write out the question along with the answer.
Week 5: Saturday, 9/21/2019	<ul style="list-style-type: none"> • NO CLASS THIS WEEK. • Review online lecture for Chapter 18 and preparation of “Teach Us” presentation. (OBJECTIVES 1, 2, 9) 		
Week 6: Saturday, 9/28/2019	<ul style="list-style-type: none"> • Chapter 18, “External Memoranda: Court Briefs” • Review of Illinois Supreme Court Rules 315, the 340 series, 361, 381, 383, 603, 606, 608, and 612 • These rules can be downloaded from lexisadvance.com, the Illinois Supreme Court’s web site, or are in Volume I of <u>Illinois Court Rules and Procedure</u>, which you purchased for Civil Litigation. • Distribution of appellee’s brief project (Stewart/Van Dyke; must choose from one of two options) 	External Memoranda: Court Briefs A. Similarities Between Court Briefs and Office Memoranda B. Trial Court Briefs C. Appellate Court Briefs D. Review of Illinois appeals court rules for filing briefs	<ul style="list-style-type: none"> • Reworked 1123 midterm or new memo due (Midterm, Part 1). • Distribution of Midterm Part 2. • All cartwheel terms and statement of assertion (formerly known as issues for Midterm Part 2) must be finalized and approved by the end of class. Must submit draft of current effort in Word format in OneDrive by the end of class.
Week 7: Saturday, 10/5/2019	<ul style="list-style-type: none"> • NO CLASS THIS WEEK. 		
Week 8: Saturday, 10/12/2019	<ul style="list-style-type: none"> • NO CLASS THIS WEEK. • ALL RESEARCH FOR MIDTERM PROJECT COMPLETED AND LIST OF POSSIBLE AUTHORITIES MUST BE FINALIZED, IN ALWD FORMAT, AND APPROVED BY THE END OF OUR REGULAR CLASS PERIOD TO AVOID A LATE PENALTY. • Third District due date calculation exercise due. 		

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 When you are answering chapter review questions this semester, write out the question along with the answer.
Week 9: Saturday, 10/29/2019	<ul style="list-style-type: none"> Continue Chapter 18 and Illinois Supreme Court Rules 	A. Special Emphasis on Illinois Supreme Court Rules for filing Petitions for Leave to Appeal and Overview of Appellate Process	<ul style="list-style-type: none"> In-class work on appellee's brief. All work on this brief must be completed in class. Must be submitted in Word format in OneDrive by the end of class. (OBJECTIVES 3, 4, 5, 6, 9)
Week 10: Saturday, 10/26/2019	<ul style="list-style-type: none"> NO CLASS THIS WEEK. ANY STATUTORY ANALYSIS FOR MIDTERM PROJECT MUST BE FINALIZED AND APPROVED BY THE END OF OUR REGULAR CLASS PERIOD TO AVOID LATE PENALTY. Review online lecture for Forms and Form Books and preparation of "Teach Us" presentation. (OBJECTIVES 1, 2, 9) 		
Week 11: Saturday, 11/2/2019	<ul style="list-style-type: none"> Forms and form books 	A. Forms and form books	<ul style="list-style-type: none"> "Teach Us" presentation on assigned form. (OBJECTIVES 1, 2, 9) ALL CASE BRIEFS USED IN FINISHED MIDTERM MEMO MUST BE FINALIZED AND APPROVED BY THE END OF OUR REGULAR CLASS PERIOD TO AVOID LATE PENALTY. Begin work on midterm facts statement and expanded midterm outline; draft of work must be uploaded in Word format to OneDrive by end of class. (OBJECTIVES 3, 4, 5, 6, 9)
Week 12: Saturday, 11/9/2019	<ul style="list-style-type: none"> NO CLASS THIS WEEK. MIDTERM FACTS STATEMENT MUST BE FINALIZED AND APPROVED BY THE END OF OUR REGULAR CLASS PERIOD TO AVOID A LATE PENALTY. EXPANDED MIDTERM OUTLINE MUST BE FINALIZED AND APPROVED BY THE END OF OUR REGULAR CLASS PERIOD TO AVOID A LATE PENALTY. We will not meet as a class this week. Review online lecture for Deposition Summaries, Deposition Abstracts, and Chapter 19, "Correspondence." (OBJECTIVES 2-7, 9) 		

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 When you are answering chapter review questions this semester, write out the question along with the answer.
Week 13: Saturday, 11/16/2019	<ul style="list-style-type: none"> Unit on Deposition Summaries vs. Deposition Abstracts Chapter 19, "Correspondence" 	<p>Summaries vs. Abstracts</p> <ul style="list-style-type: none"> Review handouts from Samborn 2nd Edition, "In-House and Objective Client Documents," pp. 254-259 <p>Correspondence</p> <p>A. Basic Components B. Types of Correspondence</p>	<ul style="list-style-type: none"> Complete sample abstract in class and upload in Word format to OneDrive by end of class. Complete four separate letter examples provided by instructor. (OBJECTIVES 2, 3, 4, 5, 6, 7, 9)
Week 13: Saturday, 11/23/2019	<ul style="list-style-type: none"> Distribution of final project. We will not meet as a class this week. 		
Week 15: Saturday, 11/30/2019	<ul style="list-style-type: none"> NO CLASS THIS WEEK; THANKSGIVING HOLIDAY. 		
Week 16: Saturday, 12/7/2019	<ul style="list-style-type: none"> Open lab time 		<ul style="list-style-type: none"> Open lab to work on final project. All drafting must be stored in Word format to OneDrive by end of class.
SPECIAL DATE: Tuesday, 12/10/2019	<ul style="list-style-type: none"> FINAL PROJECT DUE, 5:00 P.M. 		