

SCHOLARLY WRITING
LAW 510 SECTION 007
FALL 2022

Professor Lora Barnhart Driscoll

lbarnha2@gmu.edu
(c) 917-596-5115

CO-COUNSEL

Professor Mindy Brown
Professor Rod Harrell
Professor Stacey Worthy

COURSE SCHEDULE/MEETING TIMES/TYPE: This is an online course that meets via Zoom on selected Fridays from 3:00-5:00 p.m.:

August 26—topic selection
September 2—research and source selection
September 16—thesis, background, and analysis
October 7—academic citation
October 21—refining and drafting
November 4—formatting and finalizing

Scholarly Writing section 007 -- 3:00-5:00 p.m. on selected Fridays

<https://gmu.zoom.us/j/91475883465?pwd=aHJ6eDlNaTlXVDdudHRuWmFlanUzUT09>

Meeting ID: 914 7588 3465

Passcode: on our section's TWEN site

OFFICE HOURS: Office hours will be all virtual, scheduled in advance at mutually convenient times and held via Zoom or phone.

REQUIRED TEXTS

Eugene Volokh, *Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review* (5th ed.)

Columbia Law Review *et al.*, *The Bluebook: A Uniform System of Citation* (21st ed.)

RECOMMENDED TEXT

Bryan A. Garner, *Modern English Usage* (2d ed.)

COURSE OVERVIEW/DESCRIPTION

This semester you will focus on writing for an academic audience, which is a shift in many respects from the predictive and persuasive writing taught in the LRWA program. The final product of this course will be an original comment or case note suitable for publication either in your ASLS journal or elsewhere.

Our section of Scholarly Writing is larger than the others and will therefore proceed using a different format. I will deliver all lectures and answer your questions about the presented material. Professors Brown, Harrell, and Worthy will assist me with your requests for feedback on your writing during the semester and with evaluating your final work product. You may direct all inquiries to me (lbarnha2@gmu.edu), and I will distribute feedback requests to my co-counsel. **Please join the Section 007 TWEN page at your earliest convenience and take the survey on the front page.**

LEARNING OUTCOMES

By the end of the course, students should be able to:

- Choose a timely and useful topic
- Formulate a legal thesis that is both descriptive and prescriptive
- Identify proper authority supporting and opposing each proposition
- Assemble teachings from primary and secondary sources into a background section that gives context
- Describe a novel, nonobvious, useful, and sound solution to a legal problem and defend it against counterarguments
- Accurately apply the rules of legal citation for academic works (the “white pages”)

BASIS OF EVALUATION AND ASSESSMENTS

Scholarly Writing is a credit/no credit (“CR”/“NC”) course. Under Academic Regulation 4-5, “CR indicates work equivalent to a C or better on the A+* through F scale,” and “[t]he grade of NC indicates work that falls below the equivalent of a C on the A+* through F scale and does not qualify for credit towards the Juris Doctor degree.”

To determine whether a student will receive credit for the course, I’ll first assign each final paper a letter grade from A through F, depending on the student’s understanding of the various organizational, structural, stylistic, and analytical concepts that are the substance of the course.

I will deduct one-third of a letter grade if the final paper does not conform to the formatting requirements set forth below. Furthermore, per AR 4-4.1(b)(iii), late submission of the final paper will result in a full grade reduction for each 24-hour period that the paper is submitted beyond the deadline.

I reserve the right to add one-third of a letter grade for truly exceptional and consistent participation in class meetings.

All papers with a final grade of C or better will earn a CR. Grading is objective, i.e. not on a curve. I would love for everyone in my section to receive a CR.

INSTRUCTOR EXPECTATIONS AND COURSE RULES/STRUCTURE

You should come to each class meeting having completed all assigned readings, and you should also bring any assigned samples of your own work for discussion.

You must have your webcam turned on and pointing toward your face at all times during each class to be considered “in attendance.” Microphones should be off unless you wish to participate or I call on you. Every student is on call for every class meeting.

It is to your benefit to focus on our class during our meeting time. Our class is small, so there should be few occasions to use the Zoom chat function.

Students must use their GMU email accounts to receive important University information, including communications related to this class. I will not respond to messages sent from or send messages to a non-Mason email address.

ATTENDANCE

Regular and punctual attendance are required to earn academic credit. Attendance requirements for academic credit will follow the policies set forth in Academic Regulation 4-1. Should a student anticipate the possibility of missing a substantial number of class sessions (e.g. a serious illness), he or she should immediately contact the Assistant Dean, Student Academic Affairs. There is no substituted work available for this course (see AR 4-1.2).

This is a virtual class, so I will track attendance by visually surveying the class in Zoom. If you are not present (i.e., with your face viewable on the screen) for at least 75 percent of a session of the course, you will be considered absent from that session (AR 4-1.1).

CLASS RECORDINGS PROHIBITED

Pursuant to Academic Regulation 4-2.2, no portion of a class session or an examination may be preserved by means of a recording device such as an audio or video recording device or camera, including cameras on smartphones and tablets. Any exceptions to this policy must be expressly permitted in writing by me.

I do not plan to record any course sessions for students. Requests to record a particular meeting should be made to the Assistant Dean, Student Academic Affairs.

FINAL PAPER FORMATTING REQUIREMENTS

Your final paper should be submitted as a Microsoft Word file (.doc or .docx). The filename should be your last name (e.g., Driscoll.docx). Do not send a .pdf or any other type of file. Submit your papers to me via email (not TWEN) before 10:00 p.m. on Sunday, January 8, 2023. In case of multiple submissions, I will grade your latest timely submission.

The final paper must be double-spaced and left-justified in 12-point Arial font with 1" margins (0.5" margins for header and footer). The only exception is block quotations, which should be single-spaced in 12-point Arial, indented 0.5" on each side. The title should be in all caps. Do not include an abstract. The paper should be between 30 and 45 pages long; I will permit longer papers on a case-by-case basis and only by advance request.

Footnotes should be single-spaced in 10-point Arial; block quotations should again be indented 0.5" on each side. All footnotes must conform to the *Bluebook* (21st ed.) for academic works, including the requirements of the Tables. Do not include a "glory note" (the asterisked first footnote traditionally included in journals giving acknowledgements, gratitude, etc.) in your Scholarly Writing submission.

Every page should have a page number centered at the bottom in 12-point Arial. Every page should have a header with your last name centered at the top in 12-point Arial.

DUAL SOVEREIGNTY

I have no authority over individual journals' membership and publication determinations. Please direct all questions about journal operations to your editorial board and/or faculty adviser. Likewise, the journals' editorial boards and faculty advisers have no authority over my evaluations of your work for this course.

ACADEMIC INTEGRITY

I expect that students will adhere to the Antonin Scalia Law School Honor Code. The Honor Code prohibits lying, cheating, or stealing. This includes a student obligation to never represent the work of another as their own, and to never provide or accept unauthorized assistance on any school related assignment. The Honor Code is available here: <https://sls.gmu.edu/honor/>.

In academic circles in particular, plagiarism is a serious offense with potentially career-ending implications. You must be diligent in your work habits and editing to ensure that you are attributing words and ideas appropriately. If an objective reader would recognize a passage as substantially constituting the **words and/or ideas** of another writer, you must attribute that passage to the original writer. Carelessness in work, inattention to detail, a failure to carry over citations when cut-and-pasting material from electronic sources, and the like will not serve as an excuse in instances of plagiarism. I reserve the right to test any project in this course using plagiarism-screening software.

It is not unusual to be concerned with or confused about proper attribution or quotation form. If you have any questions about this subject at any time, please email me. I would rather you ask while drafting than choose incorrectly.

ACADEMIC REGULATIONS

The ASLS academic regulations are available here:
<https://www.law.gmu.edu/academics/regulations>

PAPER EXTENSIONS

Except for instances described in AR 4-4.1(b)(ii), faculty may not grant deadline extensions for final papers (i.e. any written assignment that accounts for 50% or more of the final course grade). In this class, there is only one assignment, so I cannot grant extensions. The Assistant Dean, Student Academic Affairs has exclusive authority on this matter. Excuses and requests for a deadline extension must be presented, with appropriate documentation, to the Assistant Dean, Academic Affairs. Except in emergencies, deadline extensions must be sought in advance of the scheduled deadline.

CLASS USE OF STUDENT MATERIALS

Any written work you submit may be used as a teaching tool for discussion with the entire class or with future classes. Any identifying information will be removed to protect student confidentiality.