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**ANTONIN SCALIA LAW SCHOOL, GEORGE MASON UNIVERSITY  
LEGAL RESEARCH, WRITING, AND ANALYSIS**

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**LRWA II: Trial-Level Writing  
SPRING 2022 SYLLABUS**  
LAW 097-all sections (3 credits)

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**Program Director**

Suzanne FitzGerald  
Director, First Year Legal Research, Writing, and Analysis Program  
Hazel Hall, Room 433B  
(703) 993-9679  
[sfitzg11@gmu.edu](mailto:sfitzg11@gmu.edu) (please review email policy)  
Office hours: Mondays, 1 to 2 pm, and by appointment (please email availability to schedule)

**Research Director**

Ashley Matthews  
Reference Librarian  
Hazel Hall, Law Library, Room 143  
(703) 993-8604  
[amatthe@gmu.edu](mailto:amatthe@gmu.edu) (please review email policy)

**Email Policy**

If you have a question of common interest, please post the question on the Discussion Board on the LRWA I & II Main Page instead of emailing the Directors so that we can easily share the response with all students. For matters of individual concern, please email us directly.

**Textbooks & Subscriptions**

We will continue to use Legal Research Demystified (“LRD”) and The Bluebook as well as Core Knowledge and MBIE subscriptions from last semester. Students should also have access to the Federal Rules of Civil Procedure (“FRCP”), which are available on Westlaw, Lexis, and at <https://www.law.cornell.edu/rules/frcp> (linked on the LRWA I & II Main Page). In addition, the following text is required and will be used again in LRWA III:

- Joan M. Rocklin et al., An Advocate Persuades (Carolina Academic Press 2016) (“AAP”) (ISBN:978-1-61165-150-0)

The following resources are not required but may be helpful:

- Richard Wydick & Amy Sloan, Plain English for Lawyers (6th ed. 2019) (or any earlier edition)
- Linda Barris, Understanding and Mastering The Bluebook: A Guide for Students and Practitioners (Legal Citation) (4th ed. 2020)

**Blackboard**

- LRWA I & II Main Page
- LAW-097-[section #]

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Students must be enrolled in both the main course page and their section page. Instructor assignments and section numbers are the same as Fall 2021. The main page contains material relevant to all sections. The section pages have instructor-specific material and assignment drop boxes.

**Course Description**

LRWA II: Trial-Level Writing builds on the foundational legal research, writing, analysis, and citation skills acquired in LRWA I. In LRWA II, students learn to draft various litigation documents and learn to write persuasively. Students are also introduced to oral advocacy.

**Learning Outcomes**

Students will practice and improve on skills from last semester, and students will learn to apply those skills in communicating with different audiences for different purposes. Specifically, by the end of the semester, students should be able to do the following:

- Locate statutes, regulations, court rules, and court documents
- Apply case law research skills to a problem arising under federal law
- Cite court rules, administrative regulations, unpublished decisions, and federal cases
- Recognize the varying roles of a lawyer from analyst to advocate
- Describe the pretrial litigation process
- Understand the function, form, and content of basic litigation documents
- Draft complaints, answers, motions, and motion briefs
- Recognize the similarities and differences between predictive and persuasive writing
- Use the basic structure of legal analysis to construct a persuasive argument
- Orally communicate research results to a supervisor
- Orally communicate an argument on behalf of a client

**Course Format**

The course format for Spring 2022 will be the same as Fall 2021, with all sections of LRWA II following a uniform syllabus, with uniform projects and deadlines. Most weeks, LRWA II will meet in a small group setting led by an instructor. On research weeks, research instruction will be led by a law librarian.

Like last semester, classes will usually meet on the scheduled day for two hours. Please carefully review the Course Calendar, however, as some alternate meeting schedules occur throughout the course. In particular, please note the special meeting times for the Winter Term class and the Moot Court First Year Competition (“FYC”). All students must participate in the first round of the FYC on Saturday, April 2, 2022, so mark your calendars now. In addition, all day students must view the FYC Finals on April 8, 2022; evening students may view the event live or recorded.

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**Assessments and Grading**

Final grades will be based on (1) performance on projects; (2) performance on skills exercises; (3) participation and professionalism; and (4) completion of all assignments. The course is graded on a B+ curve, and students are evaluated relative to the students in their instructor section.

The chart below summarizes how each assessment will be used to calculate the final grade in the course.

<b>Assessment</b>	<b>Grading</b>	<b>Weight</b>	<b>Due</b>
Project 1: Oral report on research	0/3/4/5	10%	January 24-28
Project 2: Complaint	0/3/4/5	5%	February 13
Project 3: Discovery	0/3/4/5	10%	February 27
Project 4: Draft Argument	0-6 scale	15%	March 13
Project 5: Draft Introduction and Facts	0/3/4/5	10%	March 27
Project 6: Oral Argument	0/6	5%	April 2
Project 7: Motion Brief	0-6 scale	35%	April 24
Research Exercises	0/6	5%	Various
MBIE Exercises	0/6	5%	April 3
Other assignments, participation and professionalism	Grade adjustment	Grade adjustment	Throughout

Projects:

An assignment memorandum detailing the expectations for each project will be posted on the LRWA I & II Main Page on Blackboard. Most projects will be graded on a modified 6-point scale in which a student could receive a 0, 3, 4, or 5. Project 6 will be graded on a credit/no credit basis. The major writing assignments, Projects 4 and 7, will be scored on a scale of 0 to 6, in 0.25-point increments. These latter assignments will be anonymously graded.

The following guide generally describes the 0 to 6 grading scale:

<b>LRWA GRADING GUIDE</b>	
LRWA is a practice-focused program. Accordingly, instructors grade projects in terms of how they would be perceived if submitted to a supervising attorney in practice.	
<u>Score</u>	<u>Description</u>
<b>6.0</b>	<b>Exemplary work product.</b> A project that receives a grade of 6 demonstrates a high degree of competence in response to the task assigned. It is a project that a supervising attorney would not change before passing on to a client or filing with a court.

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<b>5.0 - 5.75</b>	<b>Excellent work product.</b> A project that receives a grade in the 5-range demonstrates clear competence in response to the task assigned. A project in this range is one that would require relatively minor changes before being passed to a client or filed with a court.
<b>4.0 - 4.75</b>	<b>Strong work product.</b> A project that receives a grade in the 4-range demonstrates adequate competence in response to the task assigned. A project in this range is one that is generally on target but would require some discussion and revision before being passed to a client or filed with a court.
<b>3.0 - 3.75</b>	<b>Good work product.</b> A project that receives a grade in the 3-range demonstrates some competence in response to the task assigned. A project in this range is one that would require significant discussion and substantial revision before being passed to a client or filed with a court.
<b>2.0 - 2.75</b>	<b>Weak work product.</b> A project that receives a grade in the 2-range demonstrates only limited competence in response to the task assigned. A project in this range is one that is off target in a significant way and would require a complete revision.
<b>1.0 - 1.75</b>	<b>Deficient work product.</b> A project that receives a grade in the 1-range demonstrates fundamental deficiency in response to the task assigned. A project in this range is one that would be rejected outright by a supervising attorney in practice.

Students should submit their highest quality work as would be expected in law practice. Students are expected to integrate readings, exercises, instructor feedback, and classroom instruction to self-edit their work. The instructor will report the high, low, and mean project grades for the section.

Skills Exercises:

*Research Exercises:* Research exercises are graded on a credit/no credit basis. A student will receive credit if the student timely and successfully completes the research exercises and follows the submission instructions. Students must enter the class code on the Core Knowledge platform to receive credit for their work. During weeks in which research exercises are completed in class, students must submit the exercise by Friday evening before 11:59 pm.

*Mastering the Bluebook Interactive Exercises:* Like last semester, students will complete MBIE independently online. MBIE exercise sets and tests are graded on a credit/no credit basis. To receive credit, students must (1) complete exercise sets 9-23 and 30 as well as Test 2 in a good-faith manner and (2) meet the deadline indicated in the Course Calendar. Examples of bad faith include submitting blank answers, repeatedly submitting the same incorrect answer, and repeatedly scoring "0" on exercise sets. Students struggling with the exercises must seek help from a Writing Fellow.

Other Assignments, Participation, and Professionalism:

A student's course grade may be adjusted up or down one step (e.g., from B to B- or from B to

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B+) based on other assignments, participation, and professionalism. The Course Calendar contains weekly homework assignments, and these assignments may be supplemented by individual instructors. Unless otherwise indicated, such assignments must be uploaded to the appropriate “Homework Drop Box” on the instructor’s Blackboard section page before the start of class.

Students should consider homework an “entry ticket” for class and should not expect individualized feedback on homework assignments, although such feedback may occasionally be provided. Homework assignments are designed for students to prepare for class, to attempt new skills, and to stay on schedule for graded projects. Homework assignments also allow instructors and Writing Fellows to gauge student understanding of concepts and guide instruction accordingly.

A good-faith effort is required on all assignments, graded or otherwise. Additional work may be assigned when a student’s original assignment does not demonstrate minimum competency.

Students are expected to participate in class and behave as professionals. Participation and professionalism include, but are not limited to, the following:

- Completing reading and other assignments before class
- Fully engaging in class discussions and exercises
- Demonstrating a willingness to experiment with new skills and approaches
- Exhibiting respect for classmates, Writing Fellows, librarians, and instructors
- Preparing for individual meetings with an agenda, emailed in advance to the instructor (see below)
- Asking questions only after attempting to find answers using available resources
- Using technology appropriately

#### Preparation for Individual Meetings

Students must sign up for individual meetings and email an agenda as indicated in the Course Calendar. The agenda should contain specific questions or direct the instructor to specific parts of a paper. Students should be mindful that meetings last approximately 15 to 20 minutes and should tailor the agenda accordingly. Instructors may set additional requirements for meetings and will notify students of such requirements in advance.

#### **Where to Get Help**

*Program Concerns:* Professor FitzGerald

*Class Content:* Section Instructor

*Citation, Formatting, and Writing Style:* Writing Fellows

*Research Curriculum Questions:* Ms. Ashley Matthews

*Research:* Reference Librarians

*Basic Grammar:* University Writing Center

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*Accommodations:* George Mason University Disability Services / [ods@gmu.edu](mailto:ods@gmu.edu) / 703-993-2474  
Please visit <https://ds.gmu.edu> for detailed information about the Disabilities Registration Process. If you have questions about how accommodations are implemented at the law school, please contact Christine Malone, Assistant Dean, Student Academic Affairs, at [cmalone4@gmu.edu](mailto:cmalone4@gmu.edu).

**Syllabus Changes**

The Program Director reserves the right to revise the syllabus, Course Calendar, and LRWA Rules. Students will be notified of any changes, and a revised syllabus will be posted on the LRWA I & II Main Page.

**Spring 2022 Course Calendar**

<b>Week</b>	<b>Topics</b>	<b>Read/View Before Class</b> (check Blackboard Main Page for weekly material)	<b>Assignments</b> (upload "for class" assignments to the "Homework Drop Box" on Blackboard Section Page before class begins)
<b>Winter Term</b> January 13	<b>Research (1 of 3)</b> • Statutes	LRD Ch. 15, 16, 17 & 19	Before class on January 13, complete Core Knowledge end-of-chapter quizzes for Ch. 15, 16, 17 & 19 (optional)  In class, complete Research Exercise 1
<b>Week 1</b> January 18-21	<b>Course Overview</b>  <b>Investigating &amp; Initiating Litigation</b>  <b>Litigation Overview</b>	AAP Ch. 2 and Ch. 3 (pp. 23-29 only)  FRCP 11  Week 1 Folder	For class, complete research plan  Sign up for individual meeting by January 22 at 11:59 pm (no agenda required)
<b>Week 2</b> January 24-28	<b>Individual Meeting to report on research</b>	Week 2 Folder	<b>P1 Oral Research Report due during meeting</b>
<b>Week 3</b> January 31-Feb. 4	<b>Research (2 of 3)</b> • Court Rules, Dockets, Court Documents	Week 3 Folder	In class, complete Research Exercise 2
<b>Week 4</b> Feb. 7-11	<b>Complaint &amp; Answer</b>	FRCP 7(a), 8, 10, 12  Week 4 Folder	<b>P2 Complaint due Feb. 13 before 6 pm</b>
<b>Week 5</b> Feb. 14-18	<b>Discovery</b>	FRCP 26, 33-37  Week 5 Folder	For class, prepare a list of discovery topics

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<b>Week</b>	<b>Topics</b>	<b>Read/View Before Class</b> (check Blackboard Main Page for weekly material)	<b>Assignments</b> (upload “for class” assignments to the “Homework Drop Box” on Blackboard Section Page before class begins)
<b>Week 6</b> Feb. 21-25	<b>Introduction to Persuasive Writing</b>  <b>Motions Practice</b>  <b>Parts of Motion Brief</b>	AAP Ch. 1, 4, and 6; skim AAP Appendix B (pp. 369-99)  FRCP 7(b), 56  Week 6 Folder	For class, complete posted worksheet  <b>P3 Discovery due Feb. 27 before 6 pm</b>
<b>Week 7</b> Feb. 28-March 4	<b>Motion Brief</b> <ul style="list-style-type: none"> <li>• Organizing Arguments</li> <li>• Developing Arguments</li> <li>• Persuasive CRAC</li> </ul>	AAP Ch. 7 (§§ 7.1 & 7.5 only) & Ch. 8  Week 7 Folder	For class, outline the argument
Sunday, March 6	<b>Moot Court Info Session</b> (participation recommended)		
<b>Week 8</b> March 7-11	<b>Oral Argument</b>	AAP Ch. 14 (§§ 14.1-14.3 only)  Week 8 Folder	For class, script an oral argument opening  <b>P4 Draft Standard and Argument due March 13 before 6 pm</b>
Week of March 14-18	<b>SPRING BREAK</b>		
Week of March 21-25	<b>Moot Court Mooting Sessions</b> (participation recommended)		
<b>Week 9</b> March 21-25	<b>Motion Brief</b> <ul style="list-style-type: none"> <li>• Remaining Components</li> <li>• Refining for Persuasion</li> </ul>	AAP Ch. 9, 10 (pp. 222-227 only) and Ch. 12  Week 9 Folder	For class, prepare a draft introduction and list of facts  <b>P5 Draft Intro. and Facts due March 27 before 6 pm</b>
Week of March 28-April 1	<b>Moot Court Mooting Sessions</b> (participation recommended)		
<b>Week 10</b> March 28-April 1	<b>Oral Argument Practice</b>	Review FYC materials	

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<b>Week</b>	<b>Topics</b>	<b>Read/View Before Class</b> (check Blackboard Main Page for weekly material)	<b>Assignments</b> (upload “for class” assignments to the “Homework Drop Box” on Blackboard Section Page before class begins)
Saturday, April 2	<b>First Year Competition</b> First Round (attendance required)		<b>P6 Oral Argument</b> due during FYC
Sunday, April 3	<b>First Year Competition</b> Advancing Round (attendance required for advancing competitors)		MBIE Exercises and Test 2 due April 3 by 11:59 pm
<b>Week 11</b> Friday, April 8	<b>First Year Competition</b> Final Round (attendance required)  <b>Individual Meetings</b> (April 4-8 or 11-15)		Day students view final round live; evening students may view live or recorded  Follow instructor’s guidance to sign up for individual meeting; email agenda 24 hours before meeting
<b>Week 12</b> April 11-15	<b>Research</b> (3 of 3) • Resources & Access  <b>Individual Meetings</b>	Week 12 Folder	Email agenda 24 hours before meeting
<b>Week 13</b> April 18-22	<b>Motion Brief</b> • Final Product	AAP Ch. 13  Week 13 Folder	Bring complete draft of motion brief to class (do not upload)  <b>P7 Motion Brief</b> due April 24 before 6 pm



## **LRWA Rules**

### **Scope of the Rules**

These Rules apply to all students and assignments in LRWA II: Trial-Level Writing (“Course”). The Rules simulate court rules that practicing attorneys must follow.

### **Rule 1. Course Attendance & Engagement**

- 1.1 **Course Attendance.** An instructor or Writing Fellow will take attendance during every class session. Students also are responsible for maintaining their own attendance records. Pursuant to Academic Regulation 4-1, a student must be present for at least 75% of a class session to be counted as having attended that session, and any student missing more than 20% of the class sessions will not receive credit for the Course. Each mandatory individual writing conference counts as a class session.
- 1.2 **Excessive Absences.** Any student who may miss more than 20% of the class sessions should immediately notify Christine Malone, Assistant Dean of Student Academic Affairs or Annamaria Nields, Associate Dean for Administration and Student Affairs.
- 1.3 **Postings and Email.** Students must check both the Course main page and their instructor’s section page on Blackboard daily for updates to the Course syllabus and assignments. Students must also check their George Mason email account each day.

### **Rule 2. Individual Work and Sources of Assistance with Assignments**

- 2.1 **Restrictions on Assistance, Discussion, and Collaboration.** Except as expressly provided below, students may not seek, receive, or provide assistance on any assignment. Outside of class, students may not discuss the substantive content of Course assignments, nor may students review each other’s work for this Course during the semester. Because later assignments build on earlier assignments, this prohibition applies to drafts as well as final or graded assignments.
- 2.2 **Permitted Assistance.** Students may seek assistance with Course assignments from instructors, law librarians, Writing Fellows, the Director, and the Writing Center only.
- 2.3 **Permitted Discussion, Collaboration, and Peer Review.** Students are permitted to, and encouraged to, engage in collaborative discussion and exercises when specifically directed by their instructor. Instructors or Writing Fellows may distribute student work in class or post student work for instructional purposes, including critique and analysis. Students may also be asked to exchange work in class for peer review exercises. Students should discuss fellow students’ work in a professional and respectful manner.

2.4 **Consequence(s) of Violation(s).** Students who violate these rules may receive a “0” for the assignment(s) involved, an “F” for the final grade in the Course, a referral to the Honor Committee, or any combination of these penalties.

### **Rule 3. Plagiarism**

3.1 **Plagiarism.** A student must provide proper attribution when using the words or ideas of another person or a court. Students must use quotation marks when using another writer’s exact wording or when only slightly altering another writer’s wording. Carelessness or lack of intent does not excuse plagiarism.

3.2 **Consequence(s) of Violation(s).** Students who violate this rule may receive a “0” for the assignment(s) involved, an “F” for the final grade in the course, a referral to the Honor Committee, or any combination of these penalties.

### **Rule 4. Submission of Projects, Exercises, and Other Assignments**

4.1 **Due Dates and Times.** Projects, exercises, and other assignments are due as provided in the Course Calendar, syllabus, and assignment memoranda. **For deadlines “before” a stated time, submissions at or after the stated time are late. Late submissions will receive a “0.”**

4.2 **Submission Method.** Students must follow the submission instructions outlined in the syllabus or assignment memorandum, or provided by the instructor.

4.3 **Blackboard Submissions.** For projects, exercises, and other assignments that require Blackboard submission, students must access the appropriate drop box on their Blackboard section page. Before submitting, students must ensure that they have attached the correct document. Resubmissions will not be allowed for projects.

Because students must allow time to log onto the site and because there may be a time delay on Blackboard, students must **begin to submit projects at least fifteen minutes before the deadline** to ensure timely submission. The clock on Blackboard will determine the time of the submission. **Students assume the risk of a late submission by waiting to submit a project until the final minutes before a deadline.**

Upon submission, the student will receive a confirmation email that contains the date and time of submission. Students must retain a copy of the confirmation email; this email will be required if the student has any submission issue or question regarding timely submission of any project.

In the unlikely event that a project fails to upload to Blackboard because of a Blackboard malfunction, a student may email the project to the Program Director at [sfitzg11@gmu.edu](mailto:sfitzg11@gmu.edu). The time and date of receipt of the email will determine the timeliness of the submission. In the event of an email submission, the Director may investigate the student's activity on Blackboard, including when submissions were attempted via Blackboard, and any email submission may be rejected if the student did not first attempt submission via Blackboard.

**4.4 Deadline Extensions.** Only the Program Director may grant an extension of an assignment deadline; students must not direct extension requests to section instructors or Writing Fellows. Extensions will be granted rarely and only for circumstances entirely beyond the control of the student. Students seeking an extension must (1) inform the Director of the emergency before the due date and time for the assignment if possible, (2) provide a written request to the Director as soon as practicable, and (3) provide documentation if requested. Extensions will not be granted for computer malfunctions, internet service disruptions, or other technological issues; such issues are not unexpected or rare.

## **Rule 5. Format**

**5.1 Formatting Requirements.** Unless specifically directed otherwise, all writing assignments must be:

- In Microsoft Word format;
- Formatted for 8-1/2" x 11" unruled white paper with 1-inch margins;
- In black Times New Roman 12-point font (including footnotes and page numbers);
- Left aligned, with indentation to indicate the beginning of a paragraph;
- Page-numbered, with only the typed page number centered at the bottom of the page;
- Double-spaced, with no extra spacing between paragraphs or sections *except* (1) extra space must be added to avoid stranding a heading at the bottom of a page, and (2) footnotes, block quotations, multi-line section headings, and the "Re" line in the main heading must be single-spaced;
- In compliance with the page limit, if stated;
- For office memoranda or portions of office memoranda, in compliance with LRWA Rule 6;
- For anonymous-graded assignments, students must include their anonymous grading number (AGN) in the file name and heading (for memoranda) or in the file name and signature block (for court documents). No other identifying information should appear anywhere in the file name or the document. Students are therefore responsible for excluding their names and for removing metadata from anonymous-graded assignments.

**5.2 Special Formatting Instructions.** Special formatting instructions, different from or in addition to those specified above, may apply to a Course assignment. Whenever students are expected to follow special formatting rules, students will be informed of such expectations in writing.

**5.3 Penalties for Non-Compliance.** Failure to comply with any formatting rule on a project graded on the 0 to 6 scale will result in a deduction from the final grade for the assignment of one-quarter (0.25) point per violation, not to exceed a cumulative one-point deduction on any given project.

### **Rule 6. Memorandum Heading and Signature for Projects**

Office memoranda and portions of office memoranda must have the following heading:

#### **MEMORANDUM**

To: [INSERT instructor's name]

From: [INSERT student's name or AGN, as appropriate]

Date: [INSERT assignment due date]

Re: [INSERT subject]

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[INSERT body of memorandum]

### **Rule 7. Document Retention**

**7.1 Retention Requirements.** Students must retain one ungraded copy of every assignment submitted and the graded copy returned from their instructor until all grades for the Course are available from the registrar. The student must also retain the Blackboard email confirmation indicating the date and time of submission.

**7.2 Retained Documents for Grade Appeals.** Grade appeals on individual assignments are not permitted. Any student wishing to appeal a final Course grade must follow the procedure outlined in the Academic Regulations, and must retain and make available to the Program Director the ungraded copies, the email confirmations, and the graded copies of all assignments submitted by the student for the Course.