

SCHOLARLY WRITING
LAW 510 SECTION 006 (CRN#74640)
Fall 2023

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COURSE SCHEDULE

selected Tuesdays 9:50 - 11:50A (first meeting: Aug 29)

OFFICE HOURS

by appointment; I also encourage you to meet with our very helpful research librarians

RECOMMENDED TEXT

Eugene Volokh, *Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review* (5th ed.)¹

Columbia Law Review *et al.*, *The Bluebook: A Uniform System of Citation* (20th/21st ed.)

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

COURSE OVERVIEW/DESCRIPTION

This semester you will focus on writing for an academic audience. Your final product will be an original comment or case note suitable for publication either in your journal or elsewhere. Prerequisite: None.

LEARNING OUTCOMES

- Choose a current *legal* research topic
- Articulate a *legal* thesis that is both descriptive and prescriptive
- Identify proper authority supporting and opposing each proposition
- Assemble primary and secondary sources that contextualize your thesis
- Describe a novel, nonobvious, useful, and sound solution to a legal problem
- Anticipate counterarguments and defend your arguments
- Apply the rules of legal citation for academic works (the *Bluebook* “white pages”)

¹ Not all students found this book helpful, so I am making it optional this year. Writing, and especially scholarly writing, is very much a personal exercise – you will have to choose your own topic, conduct independent research, and manage the long process. The writing process is also different for each individual. For those who want some structured guidance, the book does provide one possible framework. Here are some suggestions.

Sample Paper - Chapter XX

Topic Selection - Foreword and Chapters I and II;

Introduction - Chapters III, IV, IX, XIX, and pages 223-231;

Background Section - Chapters V, VI, VII and VIII

Editing - Chapters X to XVI

Other parts that you may find helpful: Chapters XVIII, XXIV, XXV, XXVII, XXI, Appendix I

GRADING: Students will receive either CR (credit) or NC (no credit).

Under Academic Regulation (“AR”) 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. Grading is objective, i.e. not on a curve.

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), I will deduct a full letter grade for each 24-hour period that the paper is submitted beyond the deadline.

To receive CR, you must in addition complete all assignments and fulfill the attendance requirement set forth below.

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).

FINAL PAPER FORMATTING REQUIREMENTS

Your final paper should be submitted as a Microsoft Word file (.doc or .docx). I will provide submission instructions. The due date will be **January 8, 2024** (by 10pm EST).

The paper should 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. The paper should be between 30 and 45 pages long.

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* (20th/21st ed.) for academic works, including the requirements of the Tables.

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.

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); all authority in this matter is delegated to the Assistant Dean, Student Academic Affairs. Excuses and requests for a deadline extension must be presented, with appropriate documentation, to the Assistant Dean, Student Academic Affairs. Except in emergencies, deadline extensions must be sought in advance of the scheduled deadline.

COURSE SCHEDULE

(Subject to change – please refer to TWEN)

Date	
8/29	<p>Topic Selection I</p> <p>Note: class does <u>not</u> meet on 8/22</p> <ol style="list-style-type: none"> 1. <i>Read</i> Eugene Volokh, Writing a Student Article, Journal of Legal Education 48 (2) Link: https://www.jstor.org/stable/42893553 2. <i>Skim</i> student note samples <ol style="list-style-type: none"> a. https://lawreview.gmu.edu/print_issues/connecticut-yankee-in-king-rehnquists-court-an-alternative-history-of-hybrid-rulemaking/ b. https://static1.squarespace.com/static/6233d0b9d24b954d519e5d62/t/644714d278ce0527efb9c879/1682379986607/Bush+18.1+To+Publish.pdf 3. <i>Please come to the class with 1-3 topics for discussion.</i> <p style="text-align: center;">Due 9/5 Topic Selection (1-2 paragraphs)</p>
9/5	<p>Librarian Presentation Topic Selection II Introduction Section</p>
<p>Due 9/25 Introduction Section Due 10/9 Peer Feedback (I will assign groups)</p>	
10/10	<p>Background Section <i>Present your Work</i></p>
10/17	<p>Editing <i>Present your Work</i></p>
<p>Due 10/30 First Draft (Introduction + Background Section) Due 11/8 Feedback (I will assign groups)</p>	
11/7	<p><i>Group Workshop</i></p>
11/14	<p><i>Group Workshop</i></p>
<p>Due 12/3 Second Draft Due 10pm EST 1/8/2024 Final Paper</p>	

INSTRUCTOR EXPECTATIONS AND COURSE RULES/STRUCTURE

Please come to each class having completed all assigned exercises. Students must use their MasonLive email account 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.

CLASS RECORDINGS PROHIBITED

Pursuant to AR 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 recording device or camera. Any exceptions to this policy must be expressly permitted in writing by me. Requests to access a particular meeting to accommodate a COVID-related absence should be made to the Assistant Dean, Student Academic Affairs.

ACADEMIC INTEGRITY

It is expected that students 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/>.

Students may use artificial intelligence tools to conduct research. However, they must write their own papers.

CLASSROOM ACCOMMODATIONS

Disability Services at George Mason University is committed to providing equitable access to learning opportunities for all students by upholding laws that ensure equal treatment of people with disabilities. If you are seeking accommodations for this class, please visit <http://ds.gmu.edu/> for detailed information about the Disabilities Registration Process. Faculty may not receive or respond to requests for an accommodation. All requests must be handled by the office of Disability Services. You may contact Disability Services directly via email at ods@gmu.edu or phone at (703) 993-2474. If you have any questions about how in-class or testing accommodations are implemented at the law school, please contact the Assistant Dean, Student Academic Affairs for more information.

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.

DUAL SOVEREIGNTY

I have no authority over individual journals' membership 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.

ADDITIONAL SCHOOL POLICIES AND RESOURCES:

STUDENT HONOR CODE - [Click Here](#)

ACADEMIC REGULATIONS - [Click Here](#)

UNIVERSITY LIFE: University Life provides student support resources such as **Counseling and Psychological Services** (<https://caps.gmu.edu/>), **Student Health Services** (<https://shs.gmu.edu/>), and the **Student Support and Advocacy Center** (<https://ssac.gmu.edu/>). For more information about University Life on the Arlington Campus, please visit: <https://ularlington.gmu.edu/>