

SCHOLARLY WRITING

LAW 510-007

FALL 2023

Professor Rao

wrao2@gmu.edu

Course schedule/meeting times/type:

Thursday 1:50-3:50 PM

Office hours: by appointment (Hazel Hall 450E)

Recommended Text:

- Columbia Law Review et al., *The Bluebook: A Uniform System of Citation* (20th/21st ed.)
- Eugene Volokh, *Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review* (2016, 5th ed.)
- Additional Materials will be posted on TWEN

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 ASLS journal or elsewhere. Prerequisite: None.

Learning outcomes:

- Choose a timely and useful 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 into a background section that gives context
- 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”)

Basis of evaluation & assessments:

Students will either receive credit (CR) or no credit (NC) in this class. 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. I reserve the right to add one-third of a letter grade for truly exceptional participation in class meetings.

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

Instructor expectations and Course rules/structure: Please come to each class having completed all assigned readings. Bring any assigned samples of your own work for discussion. Students must use their MasonLive email account to receive important University information, including communications related to this class. I might 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). If you are not present 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 recording device or camera. Any exceptions to this policy must be expressly permitted in writing by me.

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 generative artificial intelligence tools to conduct research. However, students may not use such tools to write their 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.

The Syllabus is Preliminary and Subject to Change: We may deviate from the tentative syllabus

to accommodate scheduling changes, etc. Please make sure you are signed up to receive updates via TWEN.

Final Paper Formatting Requirements: Your final paper should be submitted as a Microsoft Word file (.doc or .docx) to my email account. The due date will be Monday, 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.

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.

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.

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/>

Couse Schedule:

Preliminary and subject to change.

| Date | Activity and Reading Assignments |
|---|---|
| August 24 | Researching (presentation by Research Librarian) Topic selection I: Please come to class with one or two possible ideas you want to write about and be ready to discuss why. |
| August 31 | Topic selection II Reading: Eugene Volokh, Writing a Student Article, Journal of Legal Education 48 (2): 247-272 (1998); <i>skim</i> student note examples |
| Due September 18 Research Plan Form (I will assign peer commentators) Due September 28 Peer feedback | |
| October 5 | Presentation of research plan Part I |
| October 6 | Presentation of research plan Part II |
| Due November 2 First Draft | |
| November 9 | Group Workshop: Presentation and Feedback |
| November 16 | Group Workshop: Presentation and Feedback |
| Due January 8, 2024 10PM Final Paper | |