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

LRWA II: Trial-Level Writing
SPRING 2024 SYLLABUS
LAW 097-all sections (3 credits)

Program Administration

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Ashley Matthews

Reference and Instructional Services Librarian

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(703) 993-8604 | amatthe@gmu.edu

Textbooks & Subscriptions

We will continue to use *Legal Research in a Nutshell* (“Nutshell”) and *The Bluebook* as well as the ICW and Peerceptiv platforms. Students should also have access to the Federal Rules of Civil Procedure (“FRCP”), available on Westlaw, Lexis, and <https://www.law.cornell.edu/rules/frcp> (linked on the LRWA 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* (2d ed. 2022) (“AAP”) (ISBN: 978-1-5310-1910-5)

Optional resources:

- Richard Wydick & Amy Sloan, *Plain English for Lawyers* (6th ed. 2019) (or any earlier edition) (electronic version free through Lexis Study Aids)
- Tracy L.M. Norton, *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation 2023 Edition* (2023) (on reserve in the law library)

TWEN

Courses to add:

- LRWA II Main
- LRWA II [Professor’s Name] Section [#]

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Students must be enrolled in both Main TWEN and their Section TWEN. Section assignments and section numbers are the same as Fall 2023. Like last semester, Main TWEN contains material relevant to all sections, including a detailed calendar that can be exported to Outlook, iCal, or Google Calendar. Main TWEN also contains the Research Exercise Drop Box. Section TWEN sites have professor-specific material and writing assignment drop boxes. **Students may not join a Section TWEN other than their own.**

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. 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, statutes, federal cases, and litigation documents
- 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 2024 will be the same as Fall 2023, 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 a legal writing professor. On research weeks, research instruction will be led by law librarians.

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 semester. In particular, please note the special meeting times for the Moot Court First Year Competition (“FYC”). All students must participate in the first round of the FYC on **Saturday, April 13, 2024**. In addition, all day students must attend the FYC Finals on **Friday, April 19, 2024**; evening students may view the event live or recorded. Finally, there is a special on-campus opportunity for day students to attend a hearing before the Court of International

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Trade on **January 25, 2024**, from **12 to 2 p.m.**, and for all students to attend an information session on clerkships with Judge Jennifer Choe-Groves that evening at **5 p.m.** Students with irreconcilable conflicts for any of these dates should promptly contact Professor FitzGerald.

Assessments and Grading

Final grades will be based on performance on projects; performance on skills exercises and peer review; participation and professionalism; and completion of all assignments. The course is graded on a B+ curve, and students are evaluated relative to the students in their small section. The chart below summarizes how each assessment will be used to calculate the final course grade.

Assessment	Weight
Project 1: Oral Research Report	10%
Project 2: Complaint	5%
Project 3: Discovery	5%
Project 4: Argument Outline	15%
Project 5: Motion Brief	30%
Project 6: Oral Argument	5%
Research Exercises	5%
ICW Exercises	5%
Peerceptiv	10%
Other assignments, participation, and professionalism	10%

Projects:

The projects this semester will be based on a single fact pattern and will track the path of a civil suit. An assignment memorandum detailing the expectations for each project will be posted on LRWA II Main TWEN.

On written assignments, whether draft or final, students should submit the highest quality work that they are capable of when the assignment is due, as would be expected in law practice. Students are expected to integrate readings, exercises, feedback, and classroom instruction to self-edit their work.

Skills Exercises:

Research Exercises: Research exercises will be completed under the guidance of law librarians during research classes. Each exercise will be evaluated on a credit/no credit basis. Students will receive credit if they successfully complete the exercise and upload it to the Research Exercise Drop Box on LRWA II Main TWEN by 11:59 p.m. on Friday following class.

Interactive Citation Workstation (ICW) Exercises: This semester, students must complete all problems in **Bluebook Exercises 6, 7, 8, 10, 11, and 16**. Each exercise will be graded on a credit/no credit basis. To receive credit for an exercise, a student must correctly answer at least

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70% of the problems before the deadline in the course calendar and comply with the submission instructions. Students will have three chances to correctly answer each problem. Students struggling with citation should seek help from a Writing Fellow.

Peer Review:

As noted in the course calendar, some assignments will be submitted on the Peerceptiv platform. Following submission, students must review their peers' work, and give feedback on the helpfulness of comments received. **Please track all three deadlines: submission, review, and feedback.** These deadlines are listed in the course calendar and the calendar on Main TWEN. Students' peer review grades will be based on the quality of their writing, the accuracy and helpfulness of their reviews, and timeliness.

Class Preparation, Participation, and Professionalism:

The course calendar contains weekly class prep assignments, which may be supplemented by individual professors. These assignments are designed for students to prepare for class, to attempt new skills, and to stay on schedule for graded projects. Class prep assignments allow students, Writing Fellows, and professors to gauge learning and respond accordingly. Unless otherwise indicated, such assignments must be uploaded to the "Class Prep" box under "Assignments & Quizzes" on the professor's TWEN section page **before** the start of class.

Class prep assignments are "entry tickets" for class, and students who fail to complete them may be asked to leave class. In such cases, the student will be marked absent. Failure to complete class prep assignments may also result in a failing grade for the course. A good-faith effort is required on all course assignments regardless of whether they are graded, and 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 professors
- Preparing appropriately for individual meetings
- Asking questions only after attempting to find answers using available resources
- Using technology appropriately

Where to Get Help

Program Concerns: Professor FitzGerald or Professor Trumbo

Class Content: Section Professor or Writing Fellow

Citation, Formatting, and Writing Style: Writing Fellows

Research: Reference Librarians

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Basic Grammar: University Writing Center

Accommodations: George Mason University Disability Services / 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 Annamaria Nields, Associate Dean for Administration and Student Affairs, at aniels@gmu.edu.

Syllabus Changes

The Director reserves the right to revise the syllabus, course calendar, and LRWA Rules.

Course Calendar

Dates	Topics	Before Class
Week 1 Jan. 16 – 19	Research <ul style="list-style-type: none"> ▫ Statutes & Regulations 	Read/View: <ul style="list-style-type: none"> ▫ LRWA II Syllabus & Rules ▫ Nutshell Ch. 4, 6–1 & 6–3 ▫ Week 1 Folder Complete: ICW Ex. 6, 7, 8, and 11 Upload to Section TWEN Class Prep: Citations to secondary sources helpful for trial problem
Upload Research Exercise 1 to Main TWEN before 11:59 pm on Jan. 19		
Day students attend Court of International Trade Hearing on Jan. 25 from 12-2 pm All-student information session with Judge Choe-Groves on Jan. 25 at 5 pm		
Week 2 Jan. 22 – 26	Investigating & Initiating Litigation Litigation Overview	Read/View: <ul style="list-style-type: none"> ▫ AAP Ch. 1-2 & Appendix A (pp. 369-77 only) ▫ FRCP 11 ▫ Week 2 Folder Complete: ICW Ex. 10 Upload to Section TWEN Class Prep: Summary of primary sources helpful for trial problem

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Week 3 Jan. 29 – Feb. 2	Research <ul style="list-style-type: none"> ▫ Court Rules & Documents ▫ Discovery & Forms 	Read/View: <ul style="list-style-type: none"> ▫ Nutshell Ch. 7 ▫ Week 3 Folder Complete: ICW Ex. 16
	Individual Meeting	Follow professor’s guidance to sign up and prepare for meeting
P1 (Oral Research Report) due during individual meeting Upload Research Exercise 2 to Main TWEN before 11:59 pm on Feb. 2		
Week 4 Feb. 5 – 9	Complaint & Answer	Read/View: <ul style="list-style-type: none"> ▫ FRCP 7(a), 8, 10, 12 ▫ Week 4 Folder Upload to Section TWEN Class Prep: A complaint filed in a similar case (PDF or other format is acceptable). Include an explanation of why it is a useful sample.
P2 (Complaint) due before 11:59 pm on Feb. 11		
Week 5 Feb. 12 – 16	Discovery	Read/View: <ul style="list-style-type: none"> ▫ FRCP 26, 33, 34, 36 ▫ Week 5 Folder Upload to Section TWEN Class Prep: A list of potential discovery topics
P3 (Discovery) due before 11:59 pm on Feb. 18		
Week 6 Feb. 19 – 23	Motions Practice <ul style="list-style-type: none"> ▫ Summary Judgment Standard Parts of a Motion Brief	Read/View: <ul style="list-style-type: none"> ▫ AAP Ch. 8 & Appendix B ▫ FRCP 7(b), 56 ▫ Week 6 Folder Upload to Section TWEN Class Prep: Posted worksheet
Upload Summary Judgment Standard to Peerceptiv before 11:59 pm on Feb. 25 Complete Peer Review before 11:59 pm on Feb. 27 Complete Feedback before 11:59 pm on Feb. 28		

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Week 7 Feb. 26 – Mar. 1	Motion Brief <ul style="list-style-type: none"> ▫ Point Headings ▫ Argument 	Read/View: <ul style="list-style-type: none"> ▫ AAP Ch. 3 (§§ 3.1 & 3.5 only), 5, 6 (pp.129-34 only) ▫ Week 7 Folder <p>Upload to Section TWEN Class Prep: Draft point headings</p>
Mar. 4 – 8	SPRING BREAK	
P4 (Argument Outline) due before 11:59 pm on Mar. 10		
Week 8 Mar. 11 – 15	Motion Brief <ul style="list-style-type: none"> ▫ Introduction ▫ Statement of Facts ▫ Conclusion 	Read/View: <ul style="list-style-type: none"> ▫ AAP Ch. 10 ▫ Review AAP Ch 8 (pp. 192-98 only) ▫ Week 8 Folder <p>Upload to Section TWEN Class Prep: Roadmap and two IRACs</p>
Upload Statement of Facts to Peerceptiv before 11:59 pm on Mar. 17 Complete Peer Review before 11:59 pm on Mar. 19 Complete Feedback before 11:59 pm on Mar. 20		
Week 9 Mar. 18 – 22	Motion Brief <ul style="list-style-type: none"> ▫ Refining the Argument 	Read/View: <ul style="list-style-type: none"> ▫ AAP Ch. 6 ▫ Week 9 Folder <p>Upload to Section TWEN Class Prep: Draft Introduction</p>
Upload Revised Roadmap and Two IRACs (with track changes and comments explaining revisions) to Section TWEN before 11:59 pm on Mar. 24		
Week 10 Mar. 25 – 29	Research <ul style="list-style-type: none"> ▫ Legislative & Regulatory History ▫ Summer Practice 	Read/View: <ul style="list-style-type: none"> ▫ Nutshell Ch. 5 & 8 ▫ Week 10 Folder
	Individual Meetings	Follow professor’s guidance to sign up and prepare for meeting
Upload Research Exercise 3 to Main TWEN before 11:59 pm on Mar. 29		
Apr. 1 – 12	MCB Mooting Sessions	Participation recommended

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Week 11 Apr. 1 – 5	Oral Argument Final Editing	Read/View: <ul style="list-style-type: none"> ▫ AAP Ch. 7 & 11 (§§ 11.1-11.3 only) ▫ Week 11 Folder Bring to class (do not upload): Complete motion brief
P5 (Motion Brief) due before 11:59 pm on Apr. 7		
Week 12 Apr. 8 – 12	Oral Argument Practice	Read/View: <ul style="list-style-type: none"> ▫ Posted FYC Competitor Materials ▫ Week 12 Folder Upload to Section TWEN Class Prep: Oral argument outline
Saturday, Apr. 13	First Year Competition <ul style="list-style-type: none"> ▫ First Round 	Attendance required
P6 (Oral Argument) due Apr. 13 (FYC First Round)		
Sunday, Apr. 14	First Year Competition <ul style="list-style-type: none"> ▫ Advancing Round 	Attendance required for advancing competitors
Week 13 Apr. 19	First Year Competition <ul style="list-style-type: none"> ▫ Final Round 	Attendance or viewing required: Day students attend final round at courthouse; evening students attend or view recording

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. A professor or Writing Fellow will take attendance during every class session. Students are also 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 meeting counts as a class session.

- 1.2 **Excessive Absences.** Any student who may miss more than 20% of the class sessions should immediately notify Annamaria Nields, Associate Dean for Administration and Student Affairs.
- 1.3 **Postings and Email.** Students must check both Main TWEN and their Section TWEN 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.** All coursework submitted by a student is expected to be the student's own work. Therefore, except as provided below, students may not seek, provide, or accept writing, editing, or proofreading assistance from any person. Likewise, in accordance with the law school GAI policy, students are prohibited from using generative artificial intelligence in drafting or writing coursework. Outside of class, students may not discuss the substantive content of course assignments, nor may students review each other's coursework 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 Classroom Discussion, Group Exercises, and Peer Review.** Students are permitted to, and encouraged to, engage in collaborative discussion and writing exercises when directed by their professor or Writing Fellow. Professors 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 or on the Peerceptiv platform for peer review exercises. Students should discuss fellow students' work in a professional and respectful manner.
- 2.3 **Permitted Assistance.** Students may seek assistance on course assignments from their section professor, law librarians, Writing Fellows, the Director, the Assistant Director, and the Writing Center only.
- 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 Assignments

4.1 **Due Dates and Times.** Assignments are due as provided in the course calendar. **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 as provided by the professor.

4.3 **TWEN Submissions.** For assignments that require TWEN submission, students should access the appropriate drop box. Before submitting, students should ensure that they have attached the correct document. Resubmissions will not be allowed.

Because there may be a time delay on TWEN, students should **begin to submit assignments at least fifteen minutes before the deadline** to ensure timely submission. The clock on the TWEN will determine the time of the submission. **Students assume the risk of a late submission by waiting to submit an assignment 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 assignment.

In the unlikely event that an assignment fails to upload to TWEN because of a TWEN malfunction, a student may email the assignment to the Director at 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 TWEN, including when submissions were attempted via TWEN, and any email submission may be rejected if the student did not first attempt submission via TWEN.

4.4 **Deadline Extensions.** Only the Director may grant an extension of an assignment deadline; **students must not direct extension requests to section professors 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 uniform 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; (2) footnotes, block quotations, and multi-line section headings must be single-spaced; and (3) multi-line components in the main heading (e.g., a two-line subject) must be single-spaced;
- In compliance with the page or word 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 memorandum 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 an anonymously graded assignment 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 an assignment.

Rule 6. Memorandum Heading

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

MEMORANDUM

To: [INSERT professor's name]

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

Date: [INSERT assignment due date]

Re: [INSERT subject]

[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 professor until all grades for the Course are available from the registrar. The student must also retain the TWEN 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 Director the ungraded copies, the email confirmations and attachments, and the graded copies of all assignments submitted by the student for the course.