Course Description:

This course covers advanced legal drafting and writing, including special research and projects.

Prerequisites: Paralegal 10 and English 101

Section Number 4651 meets in Room CE 220, 2nd Floor from 6:45 p.m. to 10:00 p.m. on Wednesdays from February 12, 2014 to June 4, 2014.

Instructor: Mr. Bobby T. Rimas, Adjunct Assistant Professor

Email Addresses: Bobby.Rimas@alumni.ucla.edu, Bobby_Rimas@hotmail.com, or Rimasb@wlac.edu

Telephone Number: (213) 952-9914

Office Hours: 6:15 p.m. to 6:45 p.m. on Wednesdays in Room CE 220, 2nd Floor


PARALEGAL: A paralegal is a person, qualified by education, training, or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency, or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible.

Paralegal Program Objectives

1. The Paralegal Studies Program is designed to prepare the student to assist the attorney in both private and public sectors in all phases of legal work and to equip the student with the knowledge necessary to enter the legal service fields as an entry-level paralegal.
2. To ensure quality paralegal education at the community college level.
3. To familiarize students with the legal system and the role of the paralegal in the delivery of legal services in the public and private sectors.
4. To train students to be prepared to use and apply the most current paralegal skills.
5. To educate students to intelligently and ethically serve the legal community.
6. To train students in critical paralegal skills such as investigation, legal research, interviewing, written and oral communications.
7. To educate, train and provide students with the theoretical background to perform the paralegal's tasks in substantive areas of law and legal specialties.
8. To educate and train students in areas of procedural law emphasizing the paralegal’s role in litigation, mediation and arbitration.
9. To educate students about the general principles of ethical legal practice as defined by the American Bar Association's Standing Committee on Ethics and Professional Responsibility, and California Business & Professions Code §6450.
10. To encourage students to contribute to the advancement of the legal profession.
11. To provide counseling during the program and to assist students in preparing for and obtaining meaningful careers in the paralegal field.
12. To participate in and understand the following “Student Learning Outcomes”:

- **Student Learning Outcomes (SLO)—Critical Thinking:** Learn about and analyze the various aspects of legal writing and their practical uses in law firm and corporate settings.
  
  *Students will draft pleadings that initiate lawsuits and analyze the details of discovery, trial, and post-trial stages. Students will also draft deposition summaries and briefs.*

- **Student Learning Outcomes (SLO)—Communication:** Through writing, effectively communicate thought in a clear, well-organized manner to persuade, inform, and convey ideas in academic, work, and community settings.

  *Students will regularly submit written assignments designed to connect in-class instruction and discussion to pertinent current events.*

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**Paralegals may not provide legal services directly to the public.**

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**Grading and Evaluation**

<table>
<thead>
<tr>
<th>Component</th>
<th>Points</th>
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<tbody>
<tr>
<td>Homework Assignments</td>
<td>120 points</td>
</tr>
<tr>
<td>2 Examinations</td>
<td>100 points</td>
</tr>
<tr>
<td>1 Midterm Examination</td>
<td>100 points</td>
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<tr>
<td>1 Final Examination</td>
<td>150 points</td>
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<tr>
<td>5 Practical Assignments</td>
<td>120 points</td>
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</tbody>
</table>

TOTAL: 590 points

**Grading**

- **A = 90 – 100%** Superior Performance
- **B = 80 – 89%** More than Satisfactory Performance
- **C = 70 – 79%** Satisfactory Performance
- **D = 60 – 69%** Unsatisfactory Performance
- **F = 0 – 59%** Failure to Meet Minimum Course Requirements

**Extra Credit:** Extra credit opportunities will be provided during the semester.
Make up exams are given only due to documented serious illness or family emergency.

### Attendance/Participation

- Your attendance will be recorded for each class. It is your responsibility to make sure that you sign the attendance roster each class session. The instructor has the discretion to drop any student who has more than three absences (excused or unexcused) in the semester.
- You are expected to stay for the entire class session and to be on time.
- Attend every class and be prepared. If you are absent, you are responsible for the work which is due upon your return. Thus, obtain several students’ telephone numbers and e-mail addresses in order to properly prepare for class prior to your return.
- There are absolutely no make-ups for any missed assignments or classes unless previously agreed upon by the instructor. NO LATE WORK WILL BE ACCEPTED. You are in professional training. In the legal profession, there are no excuses for missed deadlines, failure to appear at hearing, lack of preparation or failure to read footnotes.
- Please turn off all cell phones.
- No children are allowed in class.
- No taping of this class is allowed.

### Supplies and Requirements

All assignments must be typed, double-spaced, 1-inch margin, and at least 12 pt. font. All assignments must have your name, description of assignment, section #, class name and number, and date.

### Learning Objectives

The student will learn:

- Key elements of legal drafting and writing;
- Steps to drafting a legal memorandum;
- Steps to drafting a pleading;
- How to complete the research process and make the transition to writing; and
- Steps to drafting a brief and deposition summary.

### ASSIGNMENTS

PLEASE NOTE: THIS SCHEDULE IS SUBJECT TO CHANGE IN CLASS BY THE ADJUNCT ASSISTANT PROFESSOR. ADDITIONAL HANDOUTS AND ASSIGNMENTS WILL BE GIVEN THROUGHOUT THE SEMESTER. YOU ARE RESPONSIBLE FOR ALL ASSIGNMENTS EVEN IF YOU ARE ABSENT.

**Week 1**

**Chapter 1**

Introduction to Legal Research and Writing
The role of the Paralegal in Legal Research and Writing
The Organization of the Legal System
Components of the Federal System and Governing Law
Relationship Between Federal and State Governments
Organization of State Governments

Homework: Read Chapters 1 and 2
Chapter 1 Exercises
BEGIN PRACTICAL ASSIGNMENT #1
(Please see page 11 for details.)

Week 2  DUE: CHAPTER 1 EXERCISES

CHAPTER 2: Legal Authorities and How to Use Them

Determination of Governing Law
Jurisdiction
What Factors Determine Which Jurisdiction Governs Your Case
Precedent
Hierarchy of Authorities
Conflicting Decisions Between Circuits
Conflicts in Federal and State Authority
Primary Authority and Secondary Authority

Homework: Chapter 2 Exercises
Read Chapter 3
Practical Assignment #1 [Part 1]

Week 3  DUE: CHAPTER 2 EXERCISES

PRACTICAL ASSIGNMENT #1 [Part 1]

CHAPTER 3: Getting Ready to Write

The Writing Process
Preparing to Write
Purpose and Audience
How Do You Complete the Research Process and Make the Transition to Writing?
Purpose and Audience
Drafting a Detailed Outline

Homework: Chapter 3 Exercises
Read Chapter 4
Prepare for EXAMINATION #1
EXAMINATION #1

CHAPTER 4: Clear Writing and Editing

Purposes, Process, and Editing
What Is Diction?
What Are Concrete Verbs?
How Do You Avoid Legalese or Legal Speak?
What Is the Difference Between Active Voice and Passive Voice?

Homework: Chapter 4 Exercises
Read Chapter 5
Practical Assignment #1 [Part 2]

Week 5

DUE: CHAPTER 4 EXERCISES
PRACTICAL ASSIGNMENT #1 [Part 2]

CHAPTER 5: WRITING BASICS

Punctuation
Special Common Rules
Double and Single Quotation Marks
Modifiers and Parallel Construction
Subject and Verb Agreement
Run-on Sentences and Sentence Fragments

Homework: Chapter 5 Exercises
Read Chapter 6
Practical Assignment #2

Week 6

DUE: CHAPTER 5 EXERCISES
PRACTICAL ASSIGNMENT #2

CHAPTER 6: Case Briefing and Analysis

Purpose of a Case Brief
Anatomy of a Case Brief
How Do You Draft a Statement of the Issue or Issues?
How Do You Draft a Holding?
Facts and What Are the Relevant Facts?
How Do You Organize Your Facts Statement?
Reasoning

**Homework:**
- Chapter 6 Exercises
- Read Chapter 7
- Practical Assignment #1 [Part 2]

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**Week 7**

**DUE: CHAPTER 6 EXERCISES**
**PRACTICAL ASSIGNMENT #1 [Part 2]**

**CHAPTER 7: The Legal Memorandum**

What Is an Objective Legal Memorandum and Why Is It Written?
Who Reads a Memorandum
Components in a Memorandum
Questions Presented or Issues
Conclusion or Brief Answer
Steps in Drafting a Memorandum

**Homework:**
- Chapter 7 Exercises
- Prepare for MIDTERM EXAMINATION

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**Week 8**

**MIDTERM EXAMINATION**

**Homework:**
- Read Chapters 8 and 9
- Chapters 8 and 9 Exercises

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**Week 9**

**CLASS NOT IN SESSION**

**SPRING BREAK**

**Wednesday, April 9, 2014**

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Week 10  DUE:  *CHAPTERS 8 AND 9 EXERCISES*  
PRACTICAL ASSIGNMENT #3  

**CHAPTER 8: Questions Presented and Conclusions**  
Who Reads the Questions Presented Statement?  
First Draft  
What are Legally Significant Facts?  
Research the Issue and Revise It  
Brief Answers and Conclusions  
How Is a Conclusion Different from a Brief Answer?  
Drafting Conclusions  

**CHAPTER 9: Facts**  
Defining Facts  
Legally Significant Facts  
What Facts Should Be Included in the Facts Statement?  
Source of Information for a Facts Statement  
Party Organization  
Writing the Facts Statement  
Revise to Include Only Legally Significant Facts  
Statement Based on the Client Interview  
Objective Writing  

**Homework:**  
Read Chapters 10 and 11  
Chapters 10 and 11 Exercises  
Prepare for Practical Assignment #1 [Part 3]  

Week 11  DUE:  *CHAPTERS 10 AND 11 EXERCISES*  

**CHAPTER 10: The IRAC Method**  
Purposes of IRAC (Issue, Rule, Application, and Conclusion)  
IRAC Components  
What Does an IRAC Paragraph Look Like?  
What Is the Difference Between the Question Presented and the Issues in IRAC Paragraphs?  
Rules of Law  
Why is Citation Important?  
Application of the Law to the Problem’s Facts  
How Do You Use the Legally Significant Facts?  
The Arson Hypothetical
CHAPTER 11: Synthesizing Cases and Authorities

Synthesis and Types of Synthesis
What is the Process of Synthesizing Legal Rules?
Why Do We Synthesize Legal Authority?
What are the Four Methods of Synthesizing Authority?
Step-by-Step Process to Synthesizing Legal Rules
Examples of Case Synthesis

Homework: Read Chapter 12
Chapter 12 Exercises
PRACTICAL ASSIGNMENT #1 [Part 3]

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Week 12

DUE: CHAPTER 12 EXERCISES
PRACTICAL ASSIGNMENT #1 [Part 3]

CHAPTER 12: Outlining and Organizing a Memorandum

Purposes of Outlining
Steps to Outlining
Steps in Compiling a List of Legal Authorities
Outline a Battery Discussion
Organize Issues
What Steps Should You Follow in Preparing Your Outline of Each of the Issues?
Draft a Thesis Paragraph
Determine Which Element to Discuss First
List Elements or Subissues
Add Authority and Refine Issues
How Do You Organize a Multi-Issue Memorandum?
Sample Memorandum Slip and Fall Case
Memorandum: Sex Discrimination Case

Homework: Read Chapter 13
Chapter 13 Exercises
Practical Assignment #4

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Week 13

DUE: CHAPTER 13 EXERCISES
PRACTICAL ASSIGNMENT #4

CHAPTER 13: Persuasive Writing
The Nature of Persuasive Writing
What Kinds of Documents are Persuasive?
Which Aspects of Persuasive Writing Do Paralegals Perform?
What is the Difference between Objective and Persuasive Writing?
What Are Some Techniques Used in Persuasive Writing?
Are There Any Other Tools That Are Helpful for Persuasive Writing?
When Does the Need to Write Persuasively Arise?
What is a Complaint? How Do You Draft the Body of an Answer to a Complaint?
What is a Motion?
Trial Briefs and How Do You Draft a Trial Brief or Memorandum in Support of a Motion?
Summary Judgment Motions
What Should Be Included in a Motion for Summary Judgment and How Do You Draft One?
Are There Any General Tips for Writing an Appellate Brief?
Sample of Persuasive Writing, Letter Format

**Homework:** Read Chapter 14
Chapter 14 Exercises
Prepare for **EXAMINATION #2**

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Chapter 14
Wednesday, May 14, 2014

Week 14 DUE: **CHAPTER 14 EXERCISES**

**EXAMINATION #2**

**CHAPTER 14: In-House and Objective Client Documents**

Client or Witness Interview Summary
What Is a Client or Witness Interview Summary?
What Questions Should You Ask Yourself Before You Begin to Write?
Clients’ Statements
Witness’ Statement
How Do You Draft a Client or Witness Summary?
What Should the Detailed Summary Include?
Deposition Summaries
When and Why Do You Draft a Deposition Summary, and Who Will Read It?
How Do You Draft a Deposition Summary?

**Homework:** Read Chapter 14
Deposition Summary Exercises
Week 15  DUE: **DEPOSITION SUMMARY EXERCISES**

CHAPTER 14: In-House and Objective Client Documents (continued)

What Is the Difference Between a Deposition Summary and a Deposition Abstract?
Who Will Read a Deposition Abstract?
What Is the Purpose of a Deposition Abstract, and When Is It Drafted?
What Format Is Used for a Deposition Abstract?
Example of a Deposition Abstract
How Do You Draft a Deposition Abstract?

**Homework:**  Read Chapter 15
Chapter 15 Exercises
Prepare for **FINAL EXAMINATION**

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Week 16  DUE: **CHAPTER 15 EXERCISES**

CHAPTER 15: Letter Writing

Basics of Letter Writing
What Formats Are Used?
Components of a Letter
Method of Transmission
Copies to Others and Enclosures
Letter Confirming Deposition
Status Letters and Transaction Summary Letters
Letter Enclosing Deposition Transcript
Status Report Letter
Demand Letter
Request to Produce Documents
Letter Accompanying Documents
Opinion Letters
Social Media

**Homework:**  Prepare for **FINAL EXAMINATION**
Practical Assignment #5
Week 17  DUE: PRACTICAL ASSIGNMENT #5

**** FINAL EXAMINATION ****

LAST DAY OF CLASS

THIS SCHEDULE IS SUBJECT TO CHANGE. ALL CHANGES WILL BE ANNOUNCED IN CLASS.

PRACTICAL ASSIGNMENTS

PRACTICAL ASSIGNMENT #1
Please turn in a typed, three (3) page, double-spaced report on the steps in planning litigation and explain why each step is important. Utilizing what you have learned in the Legal Writing class, create and be a part of a team (2 to 3 students) to prepare and finalize a litigation plan for Shamrock Enterprises (details about Shamrock Enterprises will be announced in class). Please be prepared to discuss the team’s litigation plan in class. Afterwards, please draft the initial pleading for your case. Note: There are various due dates for Practical Assignment #1, which will be presented in several segments during class.

PRACTICAL ASSIGNMENT #2
Draft a deposition summary of a sample deposition testimony given in class.

PRACTICAL ASSIGNMENT #3
Using your Lexis Student Account, please research and locate California Business and Professions Code §6455(a) and §6455(b). Please summarize these codes. Additionally, please give three (3) different examples of how individuals may possibly violate §6455(b) and the fines that may be imposed for such violations.

PRACTICAL ASSIGNMENT #4
Draft a deposition summary of a sample deposition testimony given in class.

PRACTICAL ASSIGNMENT #5
Draft legal correspondence to a client utilizing the details learned in the Legal Writing class.