



WEST LOS ANGELES COLLEGE

9000 Overland Avenue, Culver City, California 90230

PARALEGAL STUDIES PROGRAM LEGAL WRITING — PARALEGAL 17 Spring Semester 2014 — Section Number: 4651

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@wlaac.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

Textbook: *Basic Legal Writing for Paralegals*, Fourth Edition by Hope Viner Samborn and Andrea B. Yelin, published by Wolters Kluwer Law & Business in New York, ISBN: 978-1-4548-0890-9

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.

Paralegals may not provide legal services directly to the public.

Grading and Evaluation

Homework Assignments	120 points (10 points per homework assignment)
2 Examinations	100 points (50 points per Examination)
1 Midterm Examination	100 points
1 Final Examination	150 points
5 Practical Assignments	120 points (20 points per assignment)

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

Wednesday, February 12, 2014

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

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

Chapters 1 and 2
Wednesday, February 19, 2014

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
Wednesday, February 26, 2014

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**

Week 4

DUE: *CHAPTER 3 EXERCISES*

**Chapter 4
Wednesday, March 5, 2014**

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?
Paragraphs and Sentences
Other Key Rules

**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
Wednesday, March 12, 2014**

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
Wednesday, March 19, 2014**

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]

Chapters 7
Wednesday, March 26, 2014

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

Wednesday, April 2, 2014

Week 8 **MIDTERM EXAMINATION**

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

Week 9 ***CLASS NOT IN SESSION***

Wednesday, April 9, 2014

SPRING BREAK

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]

Week 12

Chapter 12
Wednesday, April 30, 2014

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

Week 13

Chapter 13
Wednesday, May 7, 2014

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**

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

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.