



LEGAL WRITING & RESEARCH STUDY GUIDE

First-Year J.D. Program • 4 Units • 180 Hours
Week-by-Week Companion to the 1L Syllabus
Sections 1–12 Mapped to LWR Weeks 4–48

How to Use This Guide

This study guide is your week-by-week companion for the Legal Writing & Research (LWR) course. It is organized into twelve sections that correspond directly to the twelve LWR weeks in your 1L syllabus. Each time your rotation brings you to an LWR week, open the matching section of this guide.

Structure of Each Section

Every section opens with the same information you see in your syllabus for that week: the topic, CBX Map reference, learning objectives, assigned readings, and key terms. What follows is the substantive teaching content for that week, including explanations, worked examples, practice exercises, and—where applicable—detailed instructions for assignments due that week.

The 12-Week LWR Rotation

Section	Week	Topic	Key Deadline
1	4	Foundations of Legal Logic: IRAC Structure	Forum Post 1
2	8	Dissecting Judicial Opinions	Quiz 1
3	12	Architecture of the Memo	Project 1: Memo Outline
4	16	Statement of Facts	SWP #1; Quiz 2
5	20	Legal Research Strategies	Lexis Modules 9–10
6	24	Midterm Assessment	Midterm; Quiz 3
7	28	Professional Syntax & Modals	SWP #2; Lexis 75% Gate
8	32	Revision & Self-Audit	Project 2: Office Memo
9	36	Rule Synthesis	Definitions & Case Briefs
10	40	Professional Communication & AI	Project 3: Client Letter; Quiz 5
11	44	Citation Mastery	SWP #3
12	48	Final Compliance & Review	All VAE; All Lexis

Doctrinal Cross-References

Because LWR falls every fourth week, you always arrive at an LWR session having just completed a Contracts week, a Torts week, and a Criminal Law week. Each section includes a green cross-reference box identifying the doctrinal topics from your

preceding three weeks. Use these connections to practice applying writing skills to fresh substantive material.

Symbols Used in This Guide

Symbol	Meaning
 TIP	Practical advice that will improve your work
 WARNING	Critical rules—violating these will cost you points
 NOTE	Additional context or explanation
 DEADLINE	Assignment or submission due this week



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Section 1: Foundations of Legal Logic: IRAC Structure

WEEK 4 | LWR Session 1 of 12 | CBX Map: Legal Analysis & Writing

Learning Objectives

Upon completion of this section, you will be able to:

- Define each IRAC component and explain its function
- Identify legal issues in fact patterns
- Construct rule statements from legal authority
- Apply rules element-by-element for decisive presentation
- Understand sub-IRAC construction within a parent IRAC structure

Assigned Reading

- Calleros: Ch. 1 (Introduction to Legal Reasoning)
- Norton: Ch. 1–2 (The Legal System & Introduction to Legal Writing)
- LALI Legal Writing Study Guide: This Section

Key Terms

IRAC, Issue, Rule, Application, Conclusion, Legal Analysis, Fact Pattern, Elements, Reasoning, Sub-IRAC.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Formation & Offer (W1)), Torts (Intentional Torts: Battery & Assault (W2)), Criminal Law (General Principles: Actus Reus & Mens Rea (W3)). Look for opportunities to apply this section's writing skills to those topics.

1.1 Why Legal Writing Matters

Legal writing is the single most important skill you will develop in law school. Every grade you earn, every bar exam answer you write, and every professional document you produce as an attorney depends on your ability to communicate legal analysis in writing. Unlike academic writing—where you present a thesis and support it with evidence—legal writing follows a precise analytical structure designed to answer a specific legal question by applying the law to facts.

In your other courses this week, you began learning substantive law: what the elements of battery are, how offer works in contracts, what actus reus means. Legal Writing & Research is where you learn to use that knowledge. Think of your doctrinal courses as teaching you the ingredients and LWR as teaching you to cook.



How Legal Writing Differs from Academic Writing

Feature	Academic Writing	Legal Writing
Purpose	Argue a thesis	Answer a legal question
Structure	Intro → Body → Conclusion	IRAC (Issue → Rule → Application → Conclusion)
Sources	Scholarly articles, data	Cases, statutes, regulations
Audience	Professor, peers	Supervising attorney, judge, client
Tone	Persuasive or exploratory	Objective (memos) or persuasive (briefs)
Citations	Footnotes (APA, MLA)	In-text (Bluebook / ALWD)

Two Modes of Legal Writing

Objective (Predictive) Writing: You analyze both sides and predict the likely outcome. This is what associates do in office memoranda. Most of your 1L writing will be objective.

Persuasive (Advocacy) Writing: You argue for one side. This is what litigators do in briefs and motions. You will encounter this more in upper-division courses.

1.2 What Is IRAC?

IRAC is an acronym that stands for Issue, Rule, Application, and Conclusion. It is the fundamental framework for organizing legal analysis. Every legal essay, memorandum, and exam answer you write in law school uses some version of this structure.

Think of IRAC as answering four questions in order:

1. **Issue:** What legal question needs to be answered?
2. **Rule:** What law applies to this question?
3. **Application:** How do the facts of this case interact with the rule?
4. **Conclusion:** Based on that analysis, what is the answer to the issue?

[GRAPHIC: IRAC Framework Diagram]

Four interlocking blocks labeled I-R-A-C with arrows showing analytical flow. Each block includes the key question it answers.

1.3 The Four Components in Detail



Issue: Framing the Legal Question

The issue statement identifies the specific legal question presented by the facts. A well-crafted issue statement does three things: it names the legal doctrine at play, it incorporates the key facts that make the question debatable, and it frames the question so the reader knows exactly what you will analyze.

Poor Issue: "The issue is whether there is battery."

Better Issue: "The issue is whether Davis committed battery when he pulled a chair from under Peterson as she was sitting down."

 **TIP:** A good issue statement includes who did what to whom and identifies the legal theory being tested.

Rule: Stating the Applicable Law

The rule statement lays out the legal standard that will govern your analysis. It comes from authoritative sources: cases, statutes, and regulations. A rule statement should be a complete, self-contained declaration of the law—a reader should understand the legal standard without needing to look anything else up.

A complete rule statement typically includes three parts:

1. **The general rule:** The black-letter law definition of the legal concept.
2. **The elements or factors:** The specific requirements that must be met (or the factors courts consider).
3. **The source:** A citation to the case or statute from which the rule derives.

Example Rule Statement: Battery

A battery is the intentional infliction of a harmful or offensive contact upon the person of another. Restatement (Second) of Torts § 13 (1965). To establish a prima facie case of battery, the plaintiff must prove: (1) an act by the defendant, (2) intent to cause contact, (3) harmful or offensive contact, and (4) causation. *Garratt v. Dailey*, 46 Wash. 2d 197 (1955).

 **WARNING:** Never merge your rule statement with your application. The rule stands on its own as a statement of law. It contains no facts from the current case.

Application: The Fact-to-Law Bridge

Application—also called analysis—is where you earn your grade. This is the section where you take each element from your rule and measure the facts against it. Think of it

as building a bridge between the abstract law (the rule) and the concrete situation (the facts).

The key technique is element-by-element analysis. You take each element you identified in your rule statement and ask: "Do the facts satisfy this element?" For each element, you should:

1. **State the element** you are analyzing.
2. **Identify the specific facts** from the problem that relate to this element.
3. **Explain why** those facts do or do not satisfy the element.
4. **If relevant, compare** to how courts have applied this element in prior cases.

[GRAPHIC: Fact-to-Law Bridge Diagram]

Left side: column of specific facts from the problem. Right side: column of legal elements from the rule. Arrows connecting specific facts to the elements they satisfy, with reasoning labels on each arrow.

Conclusion: Answering the Question

The conclusion directly answers the question posed in your issue statement. In objective writing, your conclusion is a prediction: "Therefore, a court would likely find that Davis committed battery." In persuasive writing, it is an assertion: "Therefore, the court should find for the plaintiff on the battery claim."

▶ TIP: Your conclusion should not introduce any new information or analysis. It is simply the logical result of the application section that preceded it.

1.4 IRAC: The LALI Methodology

Most legal rules have multiple elements, and each element may require its own focused analysis. In LALI's model, the parent IRAC identifies the overall legal issue and states the complete rule with all its elements. Then, each element gets its own sub-IRAC, creating a nested structure.

Here is how it works visually:

IRAC Structure

PARENT ISSUE: Did D commit battery against P?

PARENT RULE: Battery requires (1) act, (2) intent, (3) harmful/offensive contact, (4) causation.

PARENT CONCLUSION: Therefore, P can establish a prima facie case of battery against D.

[GRAPHIC: IRAC Interlocking Gears]



Central large gear labeled 'Parent IRAC' surrounded by four smaller gears labeled 'Element 1 Sub-IRAC' through 'Element 4 Sub-IRAC,' showing how each element analysis drives the overall conclusion.

⚠ WARNING: Never analyze multiple elements together in one paragraph. Each element gets its own sub-IRAC. This is the most common mistake new law students make.

1.5 Worked Example: Battery Analysis Using IRAC

The Fact Pattern

Peterson is about to sit down in a chair. Davis, who is standing nearby, deliberately pulls the chair out from under Peterson just as she begins to sit. Peterson falls to the ground and breaks her hip. Peterson sues Davis for battery.

The Full Nested IRAC Analysis

Parent Issue: The issue is whether Davis committed a battery when he pulled a chair from under Peterson as she was sitting down, causing her to fall and break her hip.

Parent Rule: A battery is the intentional infliction of a harmful or offensive contact upon another person. *Garratt v. Dailey*, 46 Wash. 2d 197 (1955). To establish battery, the plaintiff must prove: (1) an act by the defendant, (2) intent to cause contact, (3) harmful or offensive contact with the plaintiff's person, and (4) causation. Restatement (Second) of Torts § 13.

Sub-IRAC #1: Act. The first element requires a voluntary act by the defendant. An act is a volitional muscular movement. Restatement (Second) of Torts § 2. Here, Davis deliberately reached out and pulled the chair away from Peterson. This pulling motion was a voluntary, purposeful physical movement. Therefore, Davis committed a voluntary act satisfying the first element.

Sub-IRAC #2: Intent. The second element requires intent to cause a harmful or offensive contact. Intent is established when the defendant acts with the purpose of causing contact or with substantial certainty that contact will result. *Garratt v. Dailey*, 46 Wash. 2d at 202. Here, Davis pulled the chair at the precise moment Peterson was lowering herself to sit. Davis knew, with substantial certainty, that removing the chair would cause Peterson to fall and make contact with the ground. Even if Davis did not desire to injure Peterson, the substantial certainty of contact is sufficient. Therefore, the intent element is satisfied.

Sub-IRAC #3: Harmful or Offensive Contact. The third element requires that the contact be harmful or offensive. Harmful contact is contact that causes bodily injury. Restatement (Second) of Torts § 15. Here, Peterson fell to the ground and broke her hip. A broken hip constitutes physical injury, clearly satisfying the harmful contact requirement. Therefore, the contact was harmful.

Sub-IRAC #4: Causation. The fourth element requires that the defendant's act be the legal cause of the contact. Here, but for Davis pulling the chair, Peterson would have sat down safely. The chair removal was the direct cause of her fall and resulting injury. Therefore, causation is established.

Parent Conclusion: Because all four elements are satisfied—Davis committed a voluntary act, with the intent to cause contact, resulting in harmful contact, caused by his act—Peterson can establish a prima facie case of battery against Davis.

▶ **TIP:** Notice how each sub-IRAC follows the same I-R-A-C pattern. The sub-issue identifies the element, the sub-rule defines that element, the sub-application measures the facts against it, and the sub-conclusion states whether the element is met. This is the engine of legal analysis.

1.6 Five Common Mistakes and How to Fix Them

1. **Merging elements:** Analyzing intent and act in the same paragraph. Fix: Give each element its own sub-IRAC.
2. **Conclusory application:** "The intent element is met because Davis intended to cause contact." This is circular. Fix: Explain WHY the facts show intent (substantial certainty from timing of the pull).
3. **Rule-fact sandwiching:** Mixing rule statements with facts. Fix: State the complete rule first, THEN apply it to the facts.
4. **Missing the parent structure:** Jumping straight into element analysis without a parent issue and rule. Fix: Always open with the overall issue and full rule before sub-IRACs.
5. **No conclusion for sub-IRACs:** Analyzing an element but not explicitly stating whether it is satisfied. Fix: End every sub-IRAC with a clear conclusion on that element.

1.7 Practice Exercise

Read the following fact pattern and identify: (a) the legal issue, (b) the rule and its elements, and (c) which elements are likely satisfied.

Morgan is walking down the street when Taylor runs up behind her, grabs her arm, and pulls her into an alley. Taylor says, "I just need to talk to you!" Morgan suffers bruising on her arm. Morgan sues Taylor for battery.

Answer Key

- a) Issue: Whether Taylor committed a battery when he grabbed Morgan's arm and pulled her into an alley, causing bruising.



- b) Rule: Battery requires (1) act, (2) intent, (3) harmful or offensive contact, (4) causation.
- c) Analysis: (1) Act—Taylor voluntarily grabbed and pulled (satisfied). (2) Intent—Taylor purposely grabbed Morgan’s arm, so he intended the contact (satisfied). (3) Harmful or offensive contact—bruising constitutes physical injury (harmful); alternatively, being grabbed and dragged is offensive to a reasonable person (satisfied). (4) Causation—but for Taylor’s grabbing, Morgan would not have suffered bruising (satisfied). All elements are met.

■ **DEADLINE:** Forum Post 1 (300+ words) due Sunday, 11:59 PM. Lexis® Learn Modules 1–4 must be completed this week.

Section 2: Dissecting Judicial Opinions

WEEK 8 | LWR Session 2 of 12 | CBX Map: Case Analysis & Legal Synthesis

Learning Objectives

Upon completion of this section, you will be able to:

- Dissect court opinions to identify procedural history, issue, holding, and reasoning
- Distinguish between holding and dicta
- Extract black letter law from judicial opinions
- Write an effective case brief

Assigned Reading

- Norton: Ch. 3 (Reading and Briefing Cases)
- LALI Legal Writing Study Guide: This Section

Key Terms

Holding, Procedural History, Dicta, Stare Decisis, Precedent, Remand, Affirm, Reverse, Black Letter Law.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Acceptance & Mailbox Rule (W5)), Torts (Defamation & Privacy (W6)), Criminal Law (Criminal Responsibility / Mens Rea (W7)). Look for opportunities to apply this section's writing skills to those topics.

2.1 Why You Must Learn to Read Cases

Cases are the raw material of legal analysis. In Section 1, you learned the IRAC structure—the rules you plug into that structure come from cases (and statutes). But judicial opinions are not written like textbooks. They are written for lawyers and judges, and they follow their own conventions. Learning to read them efficiently and extract the information you need is a foundational lawyering skill.

You will read hundreds of cases during law school. The goal is never to memorize them word-for-word, but to extract four things: (1) what the case was about (facts and procedural posture), (2) the legal question the court addressed (issue), (3) the court's answer to that question (holding), and (4) why the court reached that answer (reasoning). Those four elements are what you need to build rule statements and analogize in your analysis.



2.2 Anatomy of a Judicial Opinion

Component	What It Is	Why It Matters
Caption	Case name, court, date, citation	Tells you the jurisdiction and binding weight
Procedural History	How the case arrived at this court	Reveals the legal posture (appeal, motion, etc.)
Facts	The relevant events that gave rise to the dispute	You will analogize or distinguish these facts
Issue	The legal question the court is deciding	Defines the scope of the holding
Holding	The court's answer to the legal question	This IS the law—it becomes precedent
Reasoning	The court's explanation for its holding	Shows HOW to apply the rule
Dicta	Statements not essential to the holding	Persuasive but not binding

2.3 Holding vs. Dicta

Understanding the difference between holding and dicta is critical because only holdings create binding precedent. A holding is the court's resolution of the specific legal issue presented by the facts before it. Everything else—hypothetical examples, policy discussions, commentary on issues not actually before the court—is dicta.

Holding vs. Dicta Example

Holding: "We hold that a five-year-old child may be held liable for battery if the child had the requisite intent." — This resolves the actual question in the case.

Dicta: "We note that in cases involving children under three, a different analysis might apply." — The court is speculating about a situation not before it.

▶ **TIP:** When you cite a case in your writing, make sure you are citing its holding, not dicta. A reader—or bar exam grader—who recognizes that you have cited dicta as binding law will lose confidence in your analysis.

2.4 How to Brief a Case: Step-by-Step

A case brief is a condensed summary of a judicial opinion. Briefing forces you to actively read the case and extract the information you will need later. Here is the LALI case brief format:



1. **Case Name & Citation:** Full citation in proper Bluebook format.
2. **Facts:** The legally relevant facts only—not every detail. Ask yourself: "If this fact changed, would the outcome change?" If yes, include it.
3. **Procedural History:** How the case got to this court. Who sued whom? What happened at trial? Who appealed?
4. **Issue:** The specific legal question the court is deciding. Frame it as a yes/no question when possible.
5. **Holding:** The court's answer to the issue. One to two sentences.
6. **Reasoning:** WHY the court reached this holding. What rules did it apply? What policy considerations did it weigh?
7. **Disposition:** What the court actually did: affirmed, reversed, remanded, etc.

2.5 Worked Example: Briefing Garratt v. Dailey

Case: Garratt v. Dailey, 46 Wash. 2d 197, 279 P.2d 1091 (1955).

Facts: Five-year-old Brian Dailey pulled a chair out from under Ruth Garratt as she was sitting down. Garratt fell and fractured her hip. The trial court found Dailey did not have the subjective intent to cause harmful contact.

Procedural History: Garratt sued Dailey for battery. The trial court found for the defendant. Plaintiff appealed to the Washington Supreme Court.

Issue: Whether a five-year-old child can be liable for battery when the trial court found he did not intend to cause harmful contact, but may have known with substantial certainty that the contact would occur.

Holding: The court held that intent for battery can be satisfied by substantial certainty that contact will result, not only by a desire to cause contact. The case was remanded for the trial court to determine whether Dailey knew with substantial certainty that Garratt would attempt to sit where the chair had been.

Reasoning: The court applied the Restatement (Second) of Torts definition of intent, which includes both purpose and substantial certainty. Because the trial court only assessed whether Dailey desired to cause contact (not whether he was substantially certain), the factual finding was incomplete.

Disposition: Reversed and remanded.

[i] NOTE: Garratt v. Dailey is one of the most assigned cases in American legal education. It establishes the "substantial certainty" prong of intent for battery—a rule you will use frequently.

2.6 Extracting Black Letter Law



Black letter law refers to well-established legal principles. When you read a case, your goal is to extract the rule that the court applied and restate it as a clean, general principle that could apply to any similar case—not just the one you read.

For example, from *Garratt v. Dailey*, the black letter law you extract is:

"Intent for battery is satisfied when the defendant acts with the purpose of causing harmful or offensive contact, OR when the defendant knows with substantial certainty that such contact will result."

This rule statement can now be used in any battery analysis. It is not tied to five-year-olds or chairs—it is a general principle.

2.7 Practice Exercise: Brief a Short Opinion

Using the format from Section 2.4, brief the following condensed opinion:

In Vosburg v. Putney, 80 Wis. 523 (1891), a twelve-year-old boy kicked another boy's leg under a desk during class. The kick was slight, but it aggravated a pre-existing injury, causing the victim to lose the use of his leg. The trial court entered judgment for the plaintiff. The defendant appealed, arguing he did not intend any harm. The Wisconsin Supreme Court affirmed, holding that in an unlawful context (the classroom, where horseplay was forbidden), the defendant need only have intended the contact itself, not the resulting harm.

Answer Key

Issue: Whether a defendant who intended only a minor kick is liable for battery when the kick caused unforeseen serious injury.

Holding: Yes. Where the initial contact is unlawful (unauthorized physical contact in a setting where it is prohibited), the defendant is liable for all resulting harm, even if unforeseeable.

Black Letter Rule: A defendant who commits an intentional, unlawful touching is liable for all consequences, regardless of whether the extent of harm was foreseeable. (The “eggshell plaintiff” / “thin skull” rule in intentional torts.)

■ **DEADLINE:** Quiz 1 (All Subjects) due this week.



Section 3: Architecture of the Memo: Predictive Writing & Outlining

WEEK 12 | LWR Session 3 of 12 | CBX Map: PT Organization & Outlining

Learning Objectives

Upon completion of this section, you will be able to:

- Construct a skeleton outline for an objective memorandum
- Distinguish predictive writing from advocacy
- Understand the components: Question Presented, Brief Answer, Statement of Facts, Discussion, Conclusion

Assigned Reading

- Norton: Ch. 4 (The Objective Memorandum)
- Calleros: Ch. 5 (Organizing the Discussion)
- LALI Legal Writing Study Guide: This Section

Key Terms

Predictive Writing, Objective Analysis, Skeleton Outline, Question Presented, Brief Answer, Statement of Facts, Discussion, Conclusion.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Capacity & Competency (W9)), Torts (Negligence: Duty & Standard of Care (W10)), Criminal Law (Inchoate Offenses (W11)). Look for opportunities to apply this section's writing skills to those topics.

3.1 Predictive vs. Persuasive Writing

In legal practice, the audience determines the style. When a partner asks you to “research an issue and write a memo,” they want an honest, objective prediction of how a court would likely rule. They do not want cheerleading. They need to know the strengths and weaknesses of both sides so they can advise the client.

Feature	Predictive (Objective)	Persuasive (Advocacy)
Purpose	Predict how a court would rule	Convince the court to rule your way
Document	Office memorandum	Brief, motion



Audience	Supervising attorney	Judge
Tone	Neutral, balanced	Assertive, strategic
Approach	Analyze both sides honestly	Emphasize favorable facts/law
Language	"The court would likely find..."	"The court should find..."

⚠ WARNING: All three of your major LWR projects use predictive writing. Never use advocacy language ("clearly," "the court should") in an office memo or memo outline.

3.2 Components of an Objective Memorandum

An objective legal memorandum follows a standard structure used in virtually every law firm in the country. Understanding this structure now prepares you for both your exam and professional practice.

1. **Heading Block:** To/From/Date/Re fields that identify the memo's purpose.
2. **Question Presented (QP):** A one-sentence question that identifies the legal issue, incorporates key facts, and frames the analysis. The QP should be answerable with a yes, no, or probably.
3. **Brief Answer (BA):** A one-paragraph answer to the QP. Start with your conclusion ("Probably yes"), then briefly explain why, touching on the key elements.
4. **Statement of Facts (SOF):** An objective, chronological narrative of the relevant facts. No legal conclusions. No argument.
5. **Discussion:** The heart of the memo. This is where your IRAC analysis lives. For complex issues, use nested IRAC with headings for each major issue and sub-headings for each element.
6. **Conclusion:** A concise summary of your prediction and the key reasons supporting it. Typically one paragraph.

3.3 Skeleton Outlining: A Step-by-Step Process

Before you draft a full memorandum, you create a skeleton outline. This is a structural roadmap that organizes your IRAC analysis before you write any prose. Think of it as the blueprint for a building—you do not start pouring concrete until the architect has planned every floor.

Step-by-Step Process

1. **Read the fact pattern carefully.** Identify all legally relevant facts.



2. **Spot the legal issues.** What causes of action or defenses might apply?
3. **For each issue, identify the rule and its elements.** Write out the elements in a numbered list.
4. **Map facts to elements.** For each element, note which facts support it and which cut against it.
5. **Organize hierarchically.** Parent IRAC at the top, sub-IRACs for each element indented below.
6. **Draft the QP and BA.** These frame your entire analysis.

Sample Skeleton Outline

QP: Whether Peterson can establish battery against Davis...

BA: Probably yes. All four elements are likely met...

I. Battery (Parent IRAC)

Rule: [full rule statement with citation]

A. Act — pulling the chair (satisfied)

B. Intent — substantial certainty (satisfied)

C. Harmful or Offensive Contact — broken hip (satisfied)

D. Causation — but-for (satisfied)

Conclusion: Battery established.

3.4 PROJECT 1: The Memo Outline

Due: Sunday of Week 12, 11:59 PM PST

Format: PDF upload to LMS

Grading: This is a skills component contributing to your LWR Skills grade (20% of final grade).

What You Will Submit

A complete skeleton outline for an objective memorandum based on a fact pattern provided by your instructor. Your outline must include:

1. A draft Question Presented
2. A draft Brief Answer
3. An outline of the Discussion section organized using nested IRAC
4. Identification of all elements for each legal issue
5. Fact-to-element mapping for each sub-IRAC



Grading Criteria

Criterion	Weight	What Graders Look For
Issue Identification	25%	All relevant issues spotted and framed as legal questions
Rule Accuracy	25%	Correct statement of rules with proper citations
Organizational Structure	25%	Proper nested IRAC hierarchy; elements clearly separated
Fact Integration	25%	Facts mapped to correct elements; counterarguments noted

■ **DEADLINE:** LWR Project 1: The Memo Outline due Sunday, 11:59 PM. CALI Lesson: "How to Brief a Case" must be completed. Lexis® Learn Modules 5–6 due.



Section 4: The Statement of Facts: Factual Narrative

WEEK 16 | LWR Session 4 of 12 | CBX Map: Narrative & Factual Organization

Learning Objectives

Upon completion of this section, you will be able to:

- Draft a neutral Statement of Facts
- Avoid legal conclusions in factual narrative
- Organize facts chronologically
- Handle adverse facts appropriately

Assigned Reading

- Calleros: Ch. 4 (Statements of Facts)
- Norton: Ch. 5
- LALI Legal Writing Study Guide: This Section

Key Terms

Neutrality, Narrative Tone, Adverse Facts, Chronological Order, Topical Organization.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Consideration (W13)), Torts (Defenses to Intentional Torts (W14)), Criminal Law (Homicide (W15)). Look for opportunities to apply this section's writing skills to those topics.

4.1 Purpose of the Statement of Facts

The Statement of Facts (SOF) is the section of your memorandum that tells the reader what happened. In an objective memo, the SOF must be neutral—you present the facts as they are, without spin, without argument, and without legal conclusions. The reader should be able to understand the full factual picture and draw their own legal inferences.

A well-written SOF serves three functions: it provides context for the analysis that follows, it establishes your credibility as an objective analyst, and it ensures the reader has all the information needed to evaluate your Discussion section.

4.2 Rules for Writing an Effective SOF

Rule 1: No Legal Conclusions

Wrong: "Davis negligently pulled the chair out from under Peterson."



Right: "Davis pulled the chair out from under Peterson as she was sitting down."

The word "negligently" is a legal conclusion—it is the very question the memo is analyzing. Let the facts speak for themselves.

Rule 2: Include All Legally Relevant Facts

A fact is legally relevant if it would affect the analysis of any element of any issue in your memo. Include facts that help your client AND facts that hurt your client. Omitting adverse facts destroys credibility.

Rule 3: Organize Chronologically (Usually)

The default organization for an SOF is chronological: tell the story in the order events happened. This is the clearest narrative structure for most legal memos. In complex cases with multiple parties or separate incidents, you may use a topical organization (grouping facts by issue), but always default to chronological unless there is a compelling reason not to.

Rule 4: Handle Adverse Facts Honestly

An objective memo includes adverse facts without trying to minimize them. You do not need to emphasize them, but you must not bury them or omit them. Place adverse facts in the middle of a paragraph where they will be noticed but not over-emphasized.

4.3 Worked Example: Drafting a Statement of Facts

Raw Facts (as provided to you)

- June 15, 2025: Peterson arrived at a company picnic at 2:00 PM.
- Peterson approached a table with several chairs.
- Davis, a co-worker, was seated at the table.
- Peterson and Davis had an argument at work the previous week.
- As Peterson began to sit, Davis pulled the chair backward.
- Peterson fell to the ground.
- Peterson was taken to the hospital and diagnosed with a fractured hip.
- Davis later told a co-worker he "just wanted to see the look on her face."
- Several witnesses saw the incident.

Draft Statement of Facts

On June 15, 2025, Ruth Peterson attended a company picnic. At approximately 2:00 PM, Peterson approached a table where several co-workers, including Thomas Davis, were seated. Peterson and Davis had been involved in a workplace argument the previous week.



As Peterson began to lower herself into a chair, Davis reached out and pulled the chair backward, away from Peterson. Peterson fell to the ground. She was transported to the hospital, where she was diagnosed with a fractured hip.

Following the incident, Davis told a co-worker that he "just wanted to see the look on her face." Several witnesses observed the incident.

► **TIP:** Notice: no legal conclusions (no "intentionally," "negligently," or "battery"). The prior argument is included because it is relevant to intent, even though it is somewhat adverse to Davis. Davis's own statement is included because it is directly relevant to the intent analysis.

4.4 SMALL WRITING PROJECT #1: Rule Statement Isolation

Due: Sunday of Week 16, 11:59 PM PST

Format: PDF upload to LMS

What This Assignment Requires

You will be given three short case excerpts. For each excerpt, you must isolate and write a clean rule statement by:

1. Identifying the legal principle the court applied
2. Restating it as a general rule (not tied to the specific case facts)
3. Including a proper citation to the case

Worked Example

Case Excerpt: "In this case, we hold that the defendant had a duty to exercise reasonable care because the plaintiff was a foreseeable victim of the defendant's conduct. A defendant owes a duty of care to all persons who are foreseeably endangered by his conduct, with respect to all risks that make the conduct unreasonably dangerous." — *Palsgraf v. Long Island R.R. Co.*, 248 N.Y. 339 (1928) (Andrews, J., dissenting).

Isolated Rule Statement: A defendant owes a duty of care to all persons who are foreseeably endangered by the defendant's conduct, with respect to all risks that make the conduct unreasonably dangerous. *Palsgraf v. Long Island R.R. Co.*, 248 N.Y. 339, 350 (1928) (Andrews, J., dissenting).

❏ **NOTE:** Notice that the isolated rule strips out the case-specific facts ("the defendant," "the plaintiff," "this case") and restates the principle in general terms. Also note that this example cites a dissent—you must always indicate when citing a dissent or concurrence.



■ **DEADLINE:** Small Writing Project #1: Rule Statement Isolation due Sunday, 11:59 PM. Quiz 2 (All Subjects) due this week. Forum Post 2 (300+ words) due. Lexis® Learn Modules 7–8 due.



Section 5: Legal Research Strategies (Electronic + Physical/Print)

WEEK 20 | LWR Session 5 of 12 | CBX Map: Essay Skills & Legal Analysis

Learning Objectives

Upon completion of this section, you will be able to:

- Develop a systematic research plan
- Distinguish primary and secondary sources
- Use online platforms (Lexis+, free databases)
- Navigate physical legal publications (reporters, digests, pocket parts)

Assigned Reading

- LALI Writing Resource: Physical & Electronic Research
- Calleros: Ch. 2
- Martin: Introduction to Basic Legal Citation

Key Terms

Primary Authority, Secondary Authority, Mandatory Authority, Persuasive Authority, Digest, Key Number, Reporter, Pocket Part, Shepard's.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Consideration Substitutes & Mistake (W17)), Torts (Negligence: Causation (W18)), Criminal Law (Justification Defenses (W19)). Look for opportunities to apply this section's writing skills to those topics.

5.1 Understanding Legal Authority

Before you can research the law, you need to understand the hierarchy of legal authority. Not all legal sources carry the same weight, and using the wrong type of authority can undermine your entire analysis.

The Authority Pyramid

[GRAPHIC: Authority Pyramid]

Five-tier pyramid. Top tier: U.S. Constitution. Second tier: Federal/State Statutes. Third tier: Case Law (binding precedent). Fourth tier: Regulations & Administrative Decisions. Fifth tier (base): Secondary Sources (treatises, law reviews, restatements).

Type	Examples	Weight
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Primary Mandatory	U.S. Constitution, binding case law from your jurisdiction, applicable statutes	Must follow—this is the law
Primary Persuasive	Case law from other jurisdictions, lower court decisions, dissents	May consider—useful for novel issues
Secondary	Treatises, law reviews, Restatements, legal encyclopedias	Never binding—useful for understanding and finding primary sources

Binding vs. Persuasive Authority

Whether authority is binding depends on two factors: (1) the type of source and (2) the jurisdiction. A California Supreme Court decision on contract law is binding on California trial courts. A New York Court of Appeals decision on the same issue is merely persuasive in California—a California court may consider it, but is not required to follow it.

5.2 The Six-Step Research Process

[GRAPHIC: Research Flowchart]

Circular flow diagram with six steps: (1) Frame the Issue, (2) Identify Key Terms, (3) Find Secondary Sources, (4) Find Primary Authority, (5) Update & Validate, (6) Organize & Synthesize. Arrows connect steps in order with a return loop from Step 6 to Step 1 indicating iterative process.

1. **Frame the Issue:** What legal question are you trying to answer? Write it out before you start searching.
2. **Identify Key Terms:** What legal concepts, doctrines, or terms are relevant? Brainstorm synonyms ("automobile" vs. "vehicle" vs. "car").
3. **Start with Secondary Sources:** Legal encyclopedias and treatises give you an overview of the law and point you to key cases. This saves enormous time versus diving straight into case databases.
4. **Find Primary Authority:** Use the cases and statutes you found through secondary sources as a starting point. Search case databases for additional authority.
5. **Update & Validate:** Use Shepard's (Lexis) or KeyCite (Westlaw) to make sure your cases are still good law. A case that has been overruled is worse than no case at all.
6. **Organize & Synthesize:** Group your authorities by issue. Identify how they work together to form a complete rule.

5.3 Electronic Research: Lexis+ and Free Databases

As LALI students, you have access to Lexis+ through the Lexis® Learn program. You are also completing the 14-module Lexis® Learn curriculum, which teaches you to navigate the platform. Beyond Lexis, several free databases are invaluable:

- **Google Scholar (scholar.google.com):** Free case law search. Covers federal and state courts. Good for initial research, but lacks updating tools.
- **Caselaw Access Project (case.law):** Harvard’s free, comprehensive digitized case law database.
- **Cornell LII (law.cornell.edu):** Free access to statutes, regulations, and legal encyclopedias.
- **OpenCasebook / H2O (opencasebook.org):** Open-source legal education platform. Many of your course materials come from here.

5.4 Physical Publications: The Library Walkthrough

⚠ WARNING: This section addresses a specific State Bar requirement. You must demonstrate familiarity with physical legal publications—print reporters, digests, and Shepard’s citations. This requirement exists because physical research skills remain essential in practice.

The following walkthrough guides you through the key physical publications you would encounter in a law library. Even as a correspondence student, understanding these materials is required and will be tested.

Reporters

Reporters are published collections of judicial opinions organized by court and date. The West National Reporter System is the dominant commercial system, dividing the country into regional reporters:

- **Pacific Reporter (P., P.2d, P.3d):** Covers California, along with other western states.
- **California Reporter (Cal.Rptr., Cal.Rptr.2d):** Covers California-specific case law.
- **Supreme Court Reporter (S.Ct.):** U.S. Supreme Court decisions.

Digests

Digests are finding tools. They organize legal points from cases by topic using West’s Key Number System. Each Key Number represents a specific legal concept (e.g., Negligence — Key Number 1670: Duty of Care). You look up the Key Number for your topic and find summaries of every case that has addressed that point.



Pocket Parts

A pocket part is a supplement inserted into the back cover of a bound legal volume. Because law changes constantly, publishers issue annual pocket parts to update the material. Always check the pocket part—if you rely on the main volume without checking, you may be citing law that has been superseded.

Shepard's Citations (Print)

Before Lexis and Westlaw existed, lawyers validated cases using Shepard's Citations in print—a multi-volume set that lists every subsequent case that has cited a given case. While the electronic version is far more efficient, understanding the print version's structure helps you appreciate what citation validation does and why it matters.

5.5 Introduction to Legal Citation

Legal citation is the system lawyers use to identify and locate legal authorities. The two major citation systems are the Bluebook (used by most courts and law reviews) and the ALWD Guide to Legal Citation (used by many legal writing courses). Both systems follow similar conventions.

Anatomy of a Case Citation

Component	Example	Explanation
Case Name	Garratt v. Dailey	Plaintiff v. Defendant (italicized)
Volume	46	Volume number of the reporter
Reporter	Wash. 2d	Abbreviation of the reporter
Page	197	Starting page of the opinion
Pinpoint	202	Specific page being cited
Court & Year	(1955)	Court (if not obvious) and year of decision

Full citation: Garratt v. Dailey, 46 Wash. 2d 197, 202 (1955).

Common Citation Signals

Signal	Meaning	When to Use
[No signal]	Direct support	The cited authority directly states the proposition
See	Implicit support	The authority supports the point but not with identical language



See also	Additional support	The authority provides further support
Cf.	Analogous support	The cited authority supports by analogy
But see	Contrary authority	The cited authority is contrary to the proposition
See generally	Background	The authority provides helpful background

■ **DEADLINE:** Lexis® Learn Modules 9–10 must be completed this week. CALI Lesson: "Stating Facts" must be completed.



Section 6: Midterm Review & IRAC Timing

WEEK 24 | LWR Session 6 of 12 | CBX Map: Writing Competency

Learning Objectives

Upon completion of this section, you will be able to:

- Demonstrate proficiency in IRAC analysis, case synthesis, factual narrative, and legal research
- Apply timing strategies for timed essay examination
- Review all material from Sections 1–5 (Weeks 4–20)

Assigned Reading

- LALI Legal Writing Study Guide: This Section (Review all prior sections)

Key Terms

Review all terms from Sections 1–5.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Misrepresentation, Duress, Undue Influence (W21)), Torts (Negligence: Damages (W22)), Criminal Law (Excuse Defenses: Insanity, Intoxication (W23)). Look for opportunities to apply this section's writing skills to those topics.

6.1 What the Midterm Tests

The LWR midterm is a 60-minute timed essay administered via Safe Exam Browser. It tests your ability to apply the skills from the first five LWR weeks:

- **IRAC structure** (Section 1): Can you organize analysis using nested IRAC?
- **Case reading** (Section 2): Can you extract rules from cases and apply them?
- **Memo architecture** (Section 3): Can you structure an objective analysis with QP, BA, and Discussion?
- **Statement of Facts** (Section 4): Can you write a neutral factual narrative?
- **Research awareness** (Section 5): Do you understand authority hierarchy?

6.2 Timing Strategy: The 60-Minute IRAC Essay

Timing is one of the biggest challenges on any timed legal writing exam. Here is the LALI recommended breakdown for a 60-minute single-issue essay:

Phase	Time	Activity
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Read & Analyze	10 min	Read the prompt twice. Identify issues. List elements.
Outline	5 min	Create a skeleton outline with fact-to-element mapping.
Draft	35 min	Write the full IRAC essay using your outline.
Review	10 min	Proofread. Check: Did you address every element? Any missing conclusions?

The 35-Minute Draft: How to Allocate

Within your 35-minute drafting window, allocate time roughly proportional to complexity:

- **Issue & Rule:** 5 minutes. These should be mostly pre-written from your outline.
- **Application (all sub-IRACs):** 25 minutes. This is where the grade is. Spend the bulk of your time here.
- **Conclusion:** 2–3 minutes. Brief but definitive.

⚠ WARNING: The most common midterm mistake is spending too much time on the rule statement and not enough on application. The grader already knows the rule—they want to see you APPLY it.

6.3 Common Midterm Pitfalls

1. **Brain dump:** Writing everything you know about a topic without connecting it to the facts. Fix: Every sentence in your application should reference specific facts.
2. **Skipping elements:** Analyzing three out of four elements of battery and hoping the grader does not notice. They will notice. Fix: Use your outline to ensure every element gets a sub-IRAC.
3. **Conclusory analysis:** "Intent is satisfied because Davis intended to commit battery." This is circular. Fix: Explain the facts that establish intent (timing, knowledge, statements).
4. **No counterargument:** Analyzing only one side. Fix: For each element, briefly acknowledge the strongest argument the other side could make, then explain why your conclusion is more persuasive.
5. **Running out of time:** Writing a perfect analysis of the first issue and never reaching the second. Fix: Outline first, allocate time, and move on when time is up.

6.4 Midterm Self-Assessment Checklist

Before submitting your midterm, run through this checklist:



- Did I identify all legal issues in the fact pattern?
- Is each issue organized using IRAC structure?
- Does my rule statement include a citation?
- Did I analyze each element separately?
- Does each sub-application reference specific facts?
- Did I address counterarguments where appropriate?
- Does each sub-IRAC have a clear conclusion?
- Does my parent conclusion directly answer the issue?
- Is my writing free of legal conclusions in the SOF?
- Did I proofread for spelling, grammar, and citation errors?

■ **DEADLINE:** MIDTERM: Complete the 60-Minute LWR Midterm Essay via Safe Exam Browser. Quiz 3 (All Subjects) due this week. Midterm Examinations (All Subjects) administered this week.

Section 7: Professional Syntax and Modals

WEEK 28 | LWR Session 7 of 12 | CBX Map: Professional Writing Clarity

Learning Objectives

Upon completion of this section, you will be able to:

- Use mandatory and permissive modals correctly
- Convert passive voice to active voice
- Eliminate nominalizations
- Write in plain English without sacrificing precision

Assigned Reading

- Norton: Ch. 8
- LALI Legal Writing Study Guide: This Section

Key Terms

Active Voice, Modals, Passive Voice, Nominalization, Legalese, Plain English, Shall, May, Must.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Statute of Frauds (W25)), Torts (Defenses to Negligence (W26)), Criminal Law (Theft Offenses (W27)). Look for opportunities to apply this section's writing skills to those topics.

7.1 Active vs. Passive Voice

In active voice, the subject performs the action. In passive voice, the subject receives the action. Legal writing strongly prefers active voice because it is clearer, more direct, and assigns responsibility.

	Active Voice	Passive Voice
Example 1	Davis pulled the chair.	The chair was pulled by Davis.
Example 2	The court held that intent requires substantial certainty.	It was held by the court that intent requires substantial certainty.
Example 3	The statute requires a writing.	A writing is required by the statute.
Example 4	The plaintiff must prove all four elements.	All four elements must be proven by the plaintiff.



▶ **TIP:** Test for passive voice: If you can add "by zombies" after the verb and the sentence still makes grammatical sense, it is passive. "The chair was pulled [by zombies]" = passive. "Davis pulled [by zombies]" = does not work = active.

When Passive Voice Is Acceptable

There are limited situations where passive voice is appropriate in legal writing:

- **When the actor is unknown or unimportant:** "The evidence was collected at the scene."
- **To emphasize the recipient of the action:** "The plaintiff was injured by the falling debris." (emphasizes the plaintiff's injury)
- **In procedural descriptions:** "The case was remanded to the trial court."

7.2 Mandatory vs. Permissive Modals

Modals are auxiliary verbs that indicate obligation, permission, or ability. In legal writing, choosing the right modal matters enormously—the difference between "shall" and "may" can change the meaning of a statute.

Modal	Type	Meaning	Example
Shall / Must	Mandatory	Required obligation	The defendant shall appear at trial.
May	Permissive	Optional / allowed	The court may grant an extension.
Should	Advisory	Recommended but not required	Counsel should file a motion.
Will	Predictive	Indicating future action	The court will likely find liability.
Can / Could	Ability	Capability or possibility	The plaintiff can establish standing.

⚠ **WARNING:** In modern legal drafting, "must" is preferred over "shall" for mandatory obligations. Bryan Garner and most plain-language authorities recommend "must" because "shall" is frequently misused. In your LALI assignments, use "must" for mandatory and "may" for permissive.

7.3 Eliminating Nominalizations

A nominalization is a verb or adjective turned into a noun. Nominalizations make sentences longer, weaker, and more abstract. Legal writing is full of them—and eliminating them will immediately improve your prose.

Nominalization (Weak)	Direct Verb (Strong)
"made a determination"	"determined"
"gave consideration to"	"considered"
"conducted an investigation"	"investigated"
"had knowledge of"	"knew"
"was in violation of"	"violated"
"reached a conclusion"	"concluded"

7.4 SMALL WRITING PROJECT #2: Fact-to-Element Logic Mapping

Due: Sunday of Week 28, 11:59 PM PST

Format: PDF upload to LMS

What This Assignment Requires

You will be given a fact pattern and a legal rule. Your task is to create a fact-to-element mapping table—a systematic chart showing which facts from the problem correspond to which elements of the rule.

Worked Example

Rule: To establish negligence, the plaintiff must prove (1) duty, (2) breach, (3) causation, and (4) damages.

Fact Pattern: A store owner failed to clean up a spill in Aisle 3 for two hours. A customer slipped on the spill and broke her wrist.

Element	Supporting Facts	Analysis
Duty	Store owner owed duty to customers (business invitee)	Landowners owe duty of reasonable care to invitees
Breach	Failed to clean spill for 2 hours	Unreasonable time to leave known hazard
Causation	Customer slipped on the spill	But-for the spill, no fall; spill was proximate cause
Damages	Broken wrist	Physical injury = compensable damages



■ **DEADLINE:** Small Writing Project #2: Fact-to-Element Logic Mapping due Sunday, 11:59 PM. Forum Post 3 (300+ words) due. Lexis® Learn 75% Completion Gate (11 of 14 modules) by Sunday, 11:59 PM.



Section 8: Revision and Self-Audit: The Editing Process

WEEK 32 | LWR Session 8 of 12 | CBX Map: Writing Polish

Learning Objectives

Upon completion of this section, you will be able to:

- Proofread for mechanical errors
- Verify rule accuracy
- Ensure logical transitions between sections
- Understand macro- vs. micro-editing

Assigned Reading

- Norton: Ch. 10
- LALI Legal Writing Study Guide: This Section

Key Terms

Proofreading, Macro-Editing, Micro-Editing, Transitions, Tone Check, Logical Flow.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Parol Evidence Rule (W29)), Torts (Strict Liability (W30)), Criminal Law (Property Crimes: Burglary, Arson (W31)). Look for opportunities to apply this section's writing skills to those topics.

8.1 Two Levels of Editing

Professional legal writing requires two distinct editing passes. Trying to do both at once leads to mediocre results on both fronts.

Macro-Editing (Structural Review): Is the analysis complete and logically organized? Are all issues addressed? Does each element have a sub-IRAC? Is the rule statement complete? Does the conclusion follow from the analysis?

Micro-Editing (Sentence-Level Polish): Are there grammatical errors? Passive voice? Nominalizations? Typos? Citation format errors? Inconsistent tense?

 **TIP:** Always macro-edit first. There is no point polishing a paragraph to perfection if you later realize the paragraph needs to be moved or deleted.

8.2 The LALI Macro-Editing Checklist

1. Does the QP accurately frame the issue?



2. Does the BA answer the QP and preview the key reasons?
3. Does the SOF include all legally relevant facts without legal conclusions?
4. Is the Discussion organized using nested IRAC?
5. Does the parent rule statement include all elements?
6. Does each element have its own sub-IRAC?
7. Does each sub-application cite specific facts?
8. Are counterarguments addressed where appropriate?
9. Does the conclusion follow logically from the analysis?
10. Are transitions clear between sections?

8.3 The LALI Redline Rule

⚠ WARNING: The LALI Redline Rule: Every sentence in your Application section must contain at least one specific fact from the problem. If a sentence in your Application could appear in any memorandum on any fact pattern, it is not analysis—it is a rule statement that belongs in the Rule section, or it is conclusory filler that should be deleted.

This rule is the single most effective tool for improving your legal writing. It forces you to connect law to facts in every sentence, which is what graders (and supervising attorneys) are looking for.

Example: Applying the Redline Rule

Fails the test: "The defendant's actions show intent because he knew what would happen." (Could apply to any case—no specific facts.)

Passes the test: "Davis's pulling of the chair at the exact moment Peterson was lowering herself to sit demonstrates that Davis knew with substantial certainty that Peterson would fall and contact the ground." (Specific facts: pulling, timing, Peterson's position.)

8.4 PROJECT 2: The Office Memorandum

Due: Sunday of Week 32, 11:59 PM PST

Format: PDF upload to LMS

Grading: Skills component contributing to your LWR Skills grade (20% of final grade).

What You Will Submit



A complete objective office memorandum based on a fact pattern provided by your instructor. This is the central project of the LWR course. Your memo must include all six components in proper order:

1. **Heading Block** — To, From, Date, Re fields
2. **Question Presented** — One sentence framing the legal issue with key facts
3. **Brief Answer** — One paragraph answering the QP
4. **Statement of Facts** — Neutral chronological narrative
5. **Discussion** — Full nested IRAC analysis
6. **Conclusion** — Concise summary prediction

Component-by-Component Guidance

Question Presented: Use the "Under-Did-When" formula: "Under [applicable law], did [party] [legal issue] when [key facts]?" Example: "Under California tort law, did Davis commit battery when he pulled a chair from under Peterson as she was sitting down, causing her to fall and break her hip?"

Brief Answer: Lead with your prediction: "Probably yes." Then summarize the key reasons in 3–5 sentences, touching on each element. Do not provide full analysis here—that is for the Discussion.

Statement of Facts: Apply everything from Section 4. Chronological, neutral, complete. Include adverse facts.

Discussion: This is your nested IRAC from Section 1, fully fleshed out with the QP/BA framing from Section 3, using the syntax and clarity techniques from Section 7. Each element gets a sub-heading and its own IRAC.

Grading Rubric

Criterion	Weight
IRAC structure and completeness	30%
Rule accuracy and citation	20%
Depth of analysis (Redline Rule compliance)	25%
Writing quality (grammar, syntax, transitions)	15%
Format compliance (QP, BA, SOF, Discussion, Conclusion)	10%

■ **DEADLINE:** LWR Project 2: The Office Memorandum due Sunday, 11:59 PM.



Section 9: Rule Synthesis: Combining Authorities

WEEK 36 | LWR Session 9 of 12 | CBX Map: Rule Synthesis

Learning Objectives

Upon completion of this section, you will be able to:

- Create a synthesized rule from three or more cases
- Use parenthetical explanations effectively
- Understand analogical reasoning
- Distinguish binding from persuasive authority in synthesis

Assigned Reading

- Calleros: Ch. 3
- Norton: Ch. 6
- LALI Legal Writing Study Guide: This Section

Key Terms

Synthesis, Global Rule, Parentheticals, Analogical Reasoning, Distinguishing Authority.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (UCC Overview (W33)), Torts (Products Liability (W34)), Criminal Law (Parties to Crime: Accomplice Liability (W35)). Look for opportunities to apply this section's writing skills to those topics.

9.1 What Is Rule Synthesis?

Until now, most of your rule statements have come from a single case or a restatement section. But in practice, legal rules are rarely stated in their complete form in a single source. Instead, you must combine principles from multiple cases to construct a unified rule. This process is called synthesis.

Think of it like assembling a puzzle. Case A establishes the general test. Case B clarifies what counts as "substantial certainty." Case C addresses a factual scenario similar to yours and shows how the test was applied. Your synthesized rule weaves these together into a coherent statement that is more complete than any single source.

9.2 How to Synthesize: A Step-by-Step Process

1. **Identify the common legal principle** that all your cases address.



2. **Determine each case’s contribution:** Does Case A establish the general rule? Does Case B define a key term? Does Case C apply the rule to similar facts?
3. **Write the general rule first**, citing the foundational case.
4. **Layer on specifics**, using subsequent cases to define elements, add factors, or illustrate application.
5. **Use parentheticals** to show how each case contributes to the synthesized rule.

Worked Example: Synthesizing Three Cases on Intent

Synthesized Rule Statement

Intent for battery may be established in two ways: by showing the defendant acted with the purpose of causing a harmful or offensive contact, or by showing the defendant knew with substantial certainty that such contact would result. *Garratt v. Dailey*, 46 Wash. 2d 197, 202 (1955) (holding that intent is satisfied by substantial certainty, even absent desire to harm). The substantial certainty standard is an objective test: the question is not whether the defendant subjectively appreciated the risk, but whether a reasonable person in the defendant’s position would have been substantially certain that contact would occur. [Case B cite]. Even a minor may possess the requisite intent if the evidence shows they understood, at their level of maturity, that the consequence was substantially certain. *Garratt*, 46 Wash. 2d at 202; see also *Vosburg v. Putney*, 80 Wis. 523 (1891) (holding a twelve-year-old liable for battery after an intentional kick that caused unforeseen serious injury).

► **TIP:** Notice how the synthesized rule draws from multiple cases to create a complete picture of the intent standard. No single case contained all of this information—the synthesis adds value by combining them.

9.3 Parenthetical Explanations

A parenthetical is a brief explanatory phrase that follows a citation, enclosed in parentheses. It tells the reader what the cited case did or held, without requiring them to look it up. Good parentheticals begin with a present participle (“holding,” “finding,” “noting”).

Good vs. Bad Parentheticals

Good: *Garratt v. Dailey*, 46 Wash. 2d 197 (1955) (holding that intent for battery is satisfied by substantial certainty of contact).

Bad: *Garratt v. Dailey*, 46 Wash. 2d 197 (1955) (battery case about a boy pulling a chair).

The good parenthetical tells the reader the legal principle. The bad one tells the reader the facts of the case without explaining its legal contribution.



■ **DEADLINE:** Definitions Assignments (Core Classes) due this week. Case Brief Assignments (Core Classes) due this week. Forum Post 4 (300+ words) due. Lexis® Learn Module 14 due.



Section 10: Professional Communication & AI Integration

WEEK 40 | LWR Session 10 of 12 | CBX Map: Professional Correspondence

Learning Objectives

Upon completion of this section, you will be able to:

- Adjust tone for non-lawyer audiences
- Provide actionable legal advice in client letters
- Use Lexis+ AI tools while verifying citations
- Understand ethical obligations in AI-assisted research

Assigned Reading

- Norton: Ch. 11
- LALI Legal Writing Study Guide: This Section

Key Terms

Attorney-Client Privilege, Layperson, Actionable Advice, Generative AI, Citation Verification.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Conditions & Performance (W37)), Torts (Nuisance (W38)), Criminal Law (Other Defenses & Constitutional Limits (W39)). Look for opportunities to apply this section's writing skills to those topics.

10.1 Writing for Clients: A Different Audience

Throughout this course, you have been writing for a legal audience—a supervising attorney who knows the law. A client advice letter has a fundamentally different audience: a person who hired a lawyer because they do not know the law. Your job is to translate your analysis into language they can understand and act upon.

Key Differences: Office Memo vs. Client Letter

Feature	Office Memo	Client Letter
Audience	Supervising attorney	Client (non-lawyer)
Tone	Formal, technical	Professional but accessible
Legal terminology	Used freely	Defined when used, or avoided



Citations	Full Bluebook	Minimal or omitted
IRAC structure	Explicit	Embedded (the client sees the conclusion and reasoning, not labeled I-R-A-C)
Recommendation	Prediction only	Actionable next steps

10.2 Structure of a Client Advice Letter

1. **Opening:** Thank the client for the consultation. Restate the question they asked you ("You asked whether...").
2. **Summary of Facts:** Briefly restate the key facts as you understand them. Ask the client to correct any errors.
3. **Analysis:** Explain the relevant law in plain language. Apply it to the client's situation. Be honest about strengths and weaknesses.
4. **Conclusion & Recommendation:** State your opinion clearly. Provide actionable next steps: "I recommend that you..."
5. **Closing:** Invite follow-up. Remind of confidentiality if appropriate.

10.3 AI in Legal Research: Opportunities and Risks

Generative AI tools (including Lexis+ AI) can accelerate legal research by summarizing cases, suggesting search terms, and drafting initial analysis. However, they carry significant risks that every law student and lawyer must understand.

The Cardinal Rule

⚠ WARNING: AI tools can and do fabricate citations—complete with realistic-looking case names, volumes, and page numbers for cases that do not exist. You **MUST** verify every citation generated by an AI tool before including it in any document. Failure to verify has resulted in sanctions, fines, and professional discipline for practicing attorneys.

Best Practices for AI-Assisted Research

1. Use AI for initial brainstorming and search term generation.
2. Verify every case citation in an authoritative database (Lexis, Westlaw, Google Scholar).
3. Never submit AI-generated text as your own work without substantial revision and verification.
4. Understand that AI tools lack legal judgment—they cannot assess the weight or relevance of authority.



5. Always Shepardize or KeyCite cases to confirm they are still good law.

10.4 PROJECT 3: Client Advice Letter

Due: Sunday of Week 40, 11:59 PM PST

Format: PDF upload to LMS

What You Will Submit

A complete client advice letter based on a fact pattern and client question provided by your instructor. Your letter must translate a legal analysis into language a non-lawyer can understand, with a clear recommendation for action.

Grading Criteria

Criterion	Weight
Accuracy of legal analysis	30%
Clarity for non-lawyer audience	25%
Actionable recommendation	20%
Professional tone and format	15%
Grammar, syntax, and proofreading	10%

■ **DEADLINE:** LWR Project 3: Client Advice Letter due Sunday, 11:59 PM. Quiz 5 (All Subjects) due this week. CALI Lesson: "Citation Form for Briefs and Legal Memoranda" due.



Section 11: Technical Attribution & ICW Mastery: Citation

WEEK 44 | LWR Session 11 of 12 | CBX Map: Citation Accuracy

Learning Objectives

Upon completion of this section, you will be able to:

- Master pinpoint citations for cases and statutes
- Navigate ICW (Interactive Citation Workstation) modules
- Correctly use *Id.*, *Supra*, and string citations
- Format statutory citations

Assigned Reading

- Martin: Comprehensive Review
- LALI Legal Writing Study Guide: This Section

Key Terms

Pinpoint Citation, *Id.*, *Supra*, String Citation, Statutory Format, Bluebook, ALWD.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Excuse of Performance (W41)), Torts (Vicarious Liability (W42)), Criminal Law (Offenses Against the Person (W43)). Look for opportunities to apply this section's writing skills to those topics.

11.1 Why Citation Mastery Matters

Citation is to legal writing what notation is to music. Without proper citation, even brilliant analysis loses credibility. A judge who cannot find the case you cited will question your entire argument. A bar grader who sees incorrect citation format will doubt your preparation.

11.2 Short-Form Citations

Once you have given the full citation for a source, subsequent references use short forms to avoid repetition.

Id.

Id. is used when you cite the same source as the immediately preceding citation. If citing a different page, use *Id. at [page]*.

***Id.* Usage**



First cite: *Garratt v. Dailey*, 46 Wash. 2d 197, 202 (1955).

Next sentence (same case, same page): *Id.*

Next sentence (same case, different page): *Id.* at 204.

Next sentence (different case): [Full or short cite to new case]. *Id.* can no longer be used for *Garratt*.

Supra

Supra refers back to a previously cited authority that is not the immediately preceding citation. For cases, use the short form: *Garratt*, 46 Wash. 2d at 202. *Supra* itself is primarily used for secondary sources (books, articles).

String Citations

A string citation lists multiple authorities supporting the same proposition. Use them sparingly—cite the strongest 2–3 authorities rather than listing every case you found. Order string citations from most to least authoritative: Supreme Court first, then appellate courts, then trial courts.

11.3 Statutory Citations

Statute	Format
Federal statute	42 U.S.C. § 1983 (2018)
California statute	Cal. Civ. Code § 1714 (West 2025)
California Penal Code	Cal. Penal Code § 187(a) (West 2025)
U.S. Constitution	U.S. Const. amend. XIV, § 1
California Constitution	Cal. Const. art. I, § 7

11.4 SMALL WRITING PROJECT #3: Syntax & Clarity Revision Drill

Due: Sunday of Week 44, 11:59 PM PST

Format: PDF upload to LMS

What This Assignment Requires

You will be given a passage of poorly written legal prose (approximately 250 words). Your task is to revise it by:

1. Converting passive voice to active voice
2. Replacing nominalizations with direct verbs
3. Correcting modal usage (shall/may/must)



4. Fixing citation format errors
5. Eliminating unnecessary legalese

Practice Exercise

Revise this sentence: "A determination was made by the court that the defendant's failure to give consideration to the plaintiff's safety was in violation of the duty of care which shall be owed to business invitees."

Revised: "The court determined that the defendant violated the duty of care owed to business invitees by failing to consider the plaintiff's safety."

The revision eliminates three nominalizations ("determination," "consideration," "violation"), converts passive to active voice, and corrects the modal ("shall be owed" → "owed").

■ **DEADLINE:** Small Writing Project #3: Syntax & Clarity Revision Drill due Sunday, 11:59 PM. Forum Post 5: Portfolio Reflection (300+ words) due. ICW Lab exercises due.



Section 12: Final Compliance & Review (Hard Stop)

WEEK 48 | LWR Session 12 of 12 | CBX Map: Writing Competency

Learning Objectives

Upon completion of this section, you will be able to:

- Verify 100% completion of all VAE requirements
- Complete all 14 Lexis® Learn modules
- Prepare for the final essay examination
- Review all LWR material from the year

Assigned Reading

- LALI Legal Writing Study Guide: This Section (Review all sections)

Key Terms

Review all LWR terms from Sections 1–11.

DOCTRINAL CROSS-REFERENCE: This week your other courses covered: Contracts (Breach & Remedies (W45)), Torts (Immunities from Liability (W46)), Criminal Law (Criminal Law Comprehensive Review (W47)). Look for opportunities to apply this section's writing skills to those topics.

⚠ WARNING: Week 48 is the HARD STOP. All VAE submissions must be complete by the end of this week. No extensions. Failure to complete all VAE requirements by Week 48 will result in ineligibility to sit for final examinations.

12.1 VAE Completion Checklist

Before the end of Week 48, verify that ALL of the following are complete:

- All 14 Lexis® Learn modules completed with passing scores
- All 7 Forum Posts submitted (300+ words each)
- LWR Definitions Assignment submitted with Pass grade
- All 7 Case Briefs submitted with Pass grade
- Project 1: Memo Outline submitted
- Project 2: Office Memorandum submitted
- Project 3: Client Advice Letter submitted
- SWP #1: Rule Statement Isolation submitted



- SWP #2: Fact-to-Element Logic Mapping submitted
- SWP #3: Syntax & Clarity Revision Drill submitted
- All 5 Quiz attempts completed
- Midterm completed
- LALI Dashboard shows 100% VAE completion

12.2 Final Exam Preparation

The LWR Final Examination is a written exam administered via Safe Exam Browser during Weeks 49–52. It tests comprehensive mastery of all twelve sections of this guide.

What to Expect

The final will present one or more fact patterns and ask you to produce legal writing under timed conditions. You may be asked to write a complete IRAC essay, a portion of a memorandum, or a client-focused analysis. The format will be announced by your instructor no later than the end of Month 9.

Year-in-Review: Key Skills by Section

Section	Core Skill	Test Yourself
1	IRAC structure	Can you write a nested IRAC from scratch?
2	Case reading	Can you brief a case and extract the holding?
3	Memo architecture	Can you outline all six memo components?
4	Statement of Facts	Can you write a neutral SOF with no legal conclusions?
5	Research	Can you distinguish binding from persuasive authority?
6	Timed writing	Can you produce quality analysis in 60 minutes?
7	Syntax & modals	Can you identify and fix passive voice and nominalizations?
8	Revision	Can you apply the Redline Rule to your own writing?
9	Synthesis	Can you combine multiple cases into one rule statement?
10	Client communication	Can you write for a non-lawyer audience?



11	Citation	Can you produce correct short-form and statutory citations?
12	Compliance	Is your VAE ledger 100% complete?

12.3 Final Self-Assessment

Take this 14-point self-assessment before your final exam. For each item, rate yourself Confident / Needs Review / Not Sure:

1. I can write a complete nested IRAC analysis for a multi-element legal issue.
2. I can brief a case and extract the holding, reasoning, and black letter rule.
3. I can construct a QP using the Under-Did-When formula.
4. I can write a neutral SOF without legal conclusions.
5. I know the difference between primary/secondary and binding/persuasive authority.
6. I can complete an IRAC essay within 60 minutes.
7. I write predominantly in active voice and avoid nominalizations.
8. I can apply the Redline Rule to check my own analysis.
9. I can synthesize a rule from three or more cases with parentheticals.
10. I can write a client advice letter in plain language with actionable recommendations.
11. I can use *Id.*, *supra*, and proper short-form citations.
12. I can format case and statutory citations in Bluebook format.
13. I understand the ethical obligations of AI-assisted legal research.
14. My LALI Dashboard shows 100% VAE completion.

For any item rated "Needs Review" or "Not Sure," go back to that section of this guide and work through the practice exercises again.

DEADLINE: ALL VAE Submissions must be complete. ALL 14 Lexis® Learn modules must be completed. ALL Forum Posts must be submitted. LALI Dashboard must show 100% completion.

Appendix A: IRAC Quick-Reference Card

Component	Question It Answers	What to Include	Length Guide
Issue	What legal question must be resolved?	Legal doctrine + key facts + parties	1–2 sentences
Rule	What law governs this question?	Black letter law + elements/factors + citation	1 paragraph
Application	Do the facts satisfy the rule?	Element-by-element analysis with specific facts	Majority of your analysis
Conclusion	What is the answer?	Direct answer to the issue + brief summary	1–3 sentences

Nested IRAC Checklist

- Parent Issue identifies the overall legal claim or defense
- Parent Rule includes ALL elements with citation
- Each element has its own sub-Issue, sub-Rule, sub-Application, and sub-Conclusion
- Sub-Applications reference specific facts from the problem
- Sub-Conclusions explicitly state whether each element is satisfied
- Parent Conclusion synthesizes all element conclusions into a final answer



Appendix B: Common Legal Writing Terms Glossary

Term	Definition
Analogize	To compare the facts of your case to the facts of a precedent case to argue for a similar outcome
Black Letter Law	Well-established legal principles that are widely accepted and not subject to reasonable dispute
Brief (case)	A condensed summary of a judicial opinion extracting key information for later use
Brief (legal)	A written argument submitted to a court
Conclusory	Stating a conclusion without supporting analysis; the most common critique of student writing
Dicta (obiter dictum)	Statements in a judicial opinion that are not essential to the holding and therefore not binding precedent
Distinguish	To identify factual differences between your case and a precedent case to argue for a different outcome
Holding	The court's answer to the legal question presented; the part of an opinion that becomes binding precedent
IRAC	Issue, Rule, Application, Conclusion—the fundamental structure of legal analysis
Memorandum (office)	An internal legal document providing objective analysis of a legal question
Nominalization	A verb or adjective converted into a noun, making prose weaker and more abstract
On point	Directly relevant to the legal issue being analyzed
Parenthetical	A brief explanatory phrase following a citation that describes the cited authority's relevance
Persuasive authority	Legal sources that a court may consider but is not required to follow
Precedent	A prior court decision that is binding on lower courts in the same jurisdiction
Predictive writing	Objective legal analysis that predicts how a court would likely rule



Rule statement	A declaration of the legal standard that governs a particular issue, derived from authoritative sources
Rule synthesis	The process of combining principles from multiple authorities into a unified legal rule
Shepardize	To verify that a cited case is still good law by checking subsequent treatment
Stare decisis	The doctrine requiring courts to follow established precedent



Appendix C: Self-Assessment Checklist

Use this checklist before submitting any LWR assignment:

Structure

- Is my analysis organized using IRAC (or nested IRAC)?
- Does every issue have a clear rule statement with citation?
- Does every element have its own sub-analysis?
- Does every sub-analysis end with a conclusion on that element?

Analysis

- Does every sentence in my Application reference specific facts? (Redline Rule)
- Have I addressed counterarguments where the element is debatable?
- Have I avoided conclusory statements?

Writing Quality

- Is my writing predominantly in active voice?
- Have I eliminated nominalizations?
- Are my modals correct (must for mandatory, may for permissive)?
- Are transitions clear between sections?

Citations

- Is every rule supported by a citation?
- Are my citations in correct Bluebook format?
- Have I used Id. and short forms correctly?
- Have I Shepardized or KeyCited all cases?

Format

- Is the document formatted per the assignment instructions?
- Have I proofread for spelling and grammar?
- Is the file saved as PDF for submission?



Appendix D: Week-at-a-Glance Reference

Complete LWR rotation schedule with all deadlines:

Wk	Section	Topic	Readings	Deadlines
4	1	IRAC Foundations	Calleros Ch.1; Norton Ch.1–2	Forum 1; Lexis 1–4
8	2	Dissecting Opinions	Norton Ch.3	Quiz 1
12	3	Memo Architecture	Norton Ch.4; Calleros Ch.5	Project 1; Lexis 5–6
16	4	Statement of Facts	Calleros Ch.4; Norton Ch.5	SWP #1; Quiz 2; Forum 2; Lexis 7–8
20	5	Research Strategies	LALI Resource; Calleros Ch.2; Martin	Lexis 9–10
24	6	Midterm	Review Sections 1–5	Midterm; Quiz 3
28	7	Syntax & Modals	Norton Ch.8	SWP #2; Forum 3; Lexis 75% Gate
32	8	Revision & Editing	Norton Ch.10	Project 2
36	9	Rule Synthesis	Calleros Ch.3; Norton Ch.6	Definitions; Case Briefs; Forum 4; Lexis 14
40	10	Client Communication	Norton Ch.11	Project 3; Quiz 5
44	11	Citation Mastery	Martin: Review	SWP #3; Forum 5
48	12	Final Compliance	Review all sections	All VAE; All Lexis

