

**SYLLABUS**  
**LEGAL RESEARCH AND WRITING**  
**Oakland University Legal Assistant Program**

**Class Time and Location:**

Tuesdays, 6:30 p.m. to 9:30 p.m., Cooley Law School Auburn Hills campus.

**Instructor:**

J. Scot Garrison, Esq.

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Professional experience as an attorney at the trial level for criminal defense, civil defense, traffic and domestic relations matters. Extensive experience in facilitating both domestic and civil matters to resolution. Eight years experience as a proctor / grader for the Michigan Board of Law Examiners, including four years of preparing essay questions and model answers for use on the Michigan Bar Exam. Presented numerous seminars for attorneys, law students, childcare employees (both private and public sector) on many topics including introduction to practice, criminal law updates, the use of social media by childcare providers, how custody disputes affect childcare providers, and search and seizure law. Authored several articles for publication in the Oakland County Bar Journal *Laches*. However, please note that nothing presented during the lectures, the syllabus, online, or at any point during the program may be relied upon as legal advice

**Required Text:**

Joanne Banker Hames & Yvonne Ekern, Legal Research, Analysis and Writing, (Prentice Hall, 5<sup>th</sup> Ed. 2015).

**Course Description:**

Introduction to federal and state common law, statutes and resources which will assist paralegals in researching federal issues. Students will learn and improve legal research and writing skills, learn to follow the applicable court rules and will prepare a legal motion and brief for submission to a state level trial court. The brief must be researched, written and supported with persuasive legal authority, properly cited within the brief. Students will be introduced to the proper citation format for Michigan courts, as well as federal courts.

It is expected the student will complete the course with sufficient experience and skill to complete a legal research project and prepare a motion and brief for submission to a court based upon the research project. It is also expected the student will gain sufficient insight into the analysis of various legal materials to be able to engage in arguments and discussions of legal materials in a meaningful manner.

**Attendance:**

Attendance is mandatory. The Oakland University attendance policy will be followed.

### Assignments:

Grades are based on weekly assignments (50%) and a completed brief writing project (50%). Assignments are described on the Weekly Schedule which follows this Syllabus. All assignments must be typewritten. Weekly assignments are due at the beginning of the following class. Reading assignments must be completed prior to class. I expressly reserve the right to amend the assignments at any time based upon the trajectory of the particular class.

### Academic Honesty:

Plagiarism is a serious academic offense which will not be tolerated. Any student caught committing plagiarism may be subject to discipline, which may include a failing grade for the particular assignment up to dismissal from the University. Please see the following link for the Academic Conduct Policy: [www.sba.oakland.edu/ce/paralegal](http://www.sba.oakland.edu/ce/paralegal)  
The program's grading policy is also found on the web site.

### Final Brief Project:

The brief writing assignment is due in Week 14. Students may include a self-addressed envelope with sufficient postage to have their graded briefs returned to them. The brief will be graded based upon conformity to the applicable court rules, citation format, legal content, style, and grammar.

## WEEKLY SCHEDULE

<b>1</b> <b>May 10</b>	Reading: Chapter 1 Appendix J	Introduction to Legal Research, Writing, and Analysis U.S. Court System Discuss in class: Questions for Review Can You Figure It Out?
	Assignments:	Complete Test Yourself Exercises Complete Assignments and Exercises (#1 & #4 only).
<b>2</b> <b>May 17</b>	Reading: Chapter 2  Chapter 3	The Starting Point: Analyzing Facts and Identifying Legal Issues Finding and Analyzing Case Law Discuss in class: Questions for Review (both chapters) Can You Figure It Out? (both chapters)
	Assignments:	Complete Test Yourself Exercises (Chapter 3, #1 only) Complete Assignments and Exercises (Chapter 3, #1, #2 & #3 only). Online Research Exercises #5 & #6.

<b>3</b> <b>May 24</b>	<b>Chapter 4</b> <b>Appendix G</b>	<b>How to Brief a Case</b> <b>Case Briefing Practice</b> <b>Discuss in class:</b> <b>Questions for Review</b>
	<b>Assignments</b>	<b>Can You Figure It Out? (All)</b> <b>Assignments and Exercises (#5 only)</b>
<b>4</b> <b>May 31</b>	<b>Chapter 5</b> <b>Chapter 6</b>	<b>Constitutions, Statutes, and Administrative Regulations</b> <b>Statutory and Constitutional Analysis</b> <b>Discuss in class:</b> <b>Questions for Review (both chapters)</b>
	<b>Assignments</b>	<b>Can You Figure It Out (all questions – both chapters)</b> <b>Assignments and Exercises (Ch 5 - #1 through #5)</b> <b>(Ch 6 - #4 only)</b> <b>Home Invasion exercise distributed in class</b>
<b>5</b> <b>June 7</b>	<b>Chapter 7</b> <b>Chapter 8</b>	<b>Secondary Sources</b> <b>Digests</b> <b>Discuss in class:</b> <b>Questions for Review (both chapters)</b> <b>Answer questions asked in Can You Figure It Out?</b> <b>Complete Test Yourself Exercises</b> <b>Complete Assignments and Exercises</b>
	<b>Assignments</b>	<b>Assignments and Activities</b> <b>(Chapter 7, #16 through #20)</b> <b>(Chapter 8, #4 through #6)</b>
<b>6</b> <b>June 14</b>	<b>Chapter 9</b> <b>Appendix D</b>	<b>Validating Your Research: Using <i>Shepard's</i>, KeyCite, and Other Citators</b> <b>Research Strategies: An Overview</b> <b>Discuss in class:</b> <b>Questions for Review</b>
	<b>Assignments</b>	<b>Assignments and Activities #1, #3, and #5.</b>
<b>7</b> <b>June 21</b>	<b>Chapter 12</b> <b>Chapter 13</b>	<b>Basic Legal Writing Tools</b> <b>Predictive Legal Writing: The Memorandum of Law</b> <b><u>Assignments:</u></b> <b>Answer Questions for Review at end of each chapter</b> <b>Answer questions asked in Can You Figure It Out?</b> <b>Complete Test Yourself Exercises</b> <b>Complete Assignments and Exercises</b>
	<b>Assignments</b>	<b>Assignments and Exercises (Chapter 12, Analysis &amp; Writing Assignment #1 only)</b> <b>Editing exercise distributed in class.</b>
<b>8</b> <b>June 28</b>	<b>Chapter 14</b> <b>Chapter 15</b> <b>Appendix E</b>	<b>Persuasive Writing: Writing to the Court</b> <b>Motion Practice: Research and Writing Issues</b> <b>Defendants’ Joint Memorandum of Points and Authorities in Opposition to Plaintiff’s Motion for</b>

	<b>Appendix F</b>	<b>Preliminary Injunction: Initial Research Memoranda Appellate Brief</b>
	<b>Assignments</b>	<b>None. We will distribute the fact pattern to be used for the final brief writing project and discuss relevant authorities.</b>
<b>9 July 5</b>	<b>Persuasive writing</b>	<b>Class will focus on persuasive writing, as applicable to motions and briefs. Outline for final brief project is due in class.</b>
<b>10 July 12</b>	<b>Persuasive writing</b>	<b>Draft of motion is due in class. We will review and edit the motion jointly in class.</b>
<b>11 July 19</b>	<b>Persuasive writing</b>	<b>Draft of brief is due in class. We will review and edit the brief jointly in class.</b>
<b>12 July 26</b>		<b>FINAL MOTION AND BRIEF DUE IN CLASS!!!!</b>