

CASPER COLLEGE COURSE SYLLABUS

Course Number and Title: LEGL 1700 Legal Analysis (41896)

Semester: Fall 2015

Lecture Hours: 3

Lab Hours: 0

Credit Hours: 3

Class Time: 1:00 - 2:15 p.m.

Day: MW **Bldg./Room:** LH 172

Instructor's Name: Mary Kubichek

Instructor's Office Number: LH 175

Phone: 268-2618

(Home) 577-0720

(Fax) 268-3024

* Please call at home between 7:00 p.m. – 9:00 p.m.

And on weekends between 10:00 a.m. – 7:00 p.m.

Please leave a message

Academic Assistant: Crystal Sosalla – 268-2368

Office Hours: MTWTH 9-11 a.m. and other hours by appointment.

E-Mail: kubichek@caspercollege.edu

Course Description: This course covers briefing, legal analysis, IRACs and synthesizing skills. Students will brief, draft IRACs and synthesize cases on substantive law issues.

Statement of Prerequisites: LEGL 1610, Paralegalism I is a prerequisite for this class or may be taken concurrently with Paralegalism I. I encourage students to take these classes concurrently.

Goals: At the end of the semester, students will be able to brief cases, IRAC and synthesize a series of cases.

Computer Competencies Requirement: Students must complete 3 hours of the current Word program. If students take it through the Flexlab, they must take the first modual during their first semester. Students may also take all three (3) hours online.

Outcomes: Students will be given rubrics and samples for all assignments. Students should have an 80% average on briefs, IRACs, the syntheses project and other assignments.

General Education Outcomes:

1. Demonstrate effective oral and written communication.

Students will:

- Interview graduates in a social setting, a lunch and turn in 10 items that the student learned about the graduate and the profession.

- Brief and present cases orally and in a written format. I will provide a rubric and all briefs will be graded.
 - Orally present key facts from a historical case.
 - Write a compare and contrast paper on Mendez v. Westminster and Brown v. Board of Education.
3. Solve problems using critical thinking and creativity.
 - Students will interview clients in Casper College Legal Services and draft work product under the supervision of an attorney.
 - Students will draft multiple IRACs. This means apply a clients facts to a case or statute and state why the case does or does not apply and state whether their court should or should not follow the case or statute.
 - Students will draft a synthesis paper applying three cases to a client's facts.
 4. Demonstrate knowledge of diverse cultures and historical perspectives.
 - Students will write a compare and contract of Mendez v. Westminster and Brown v. Board of Education. Students include an analysis of academic articles and a speaker from the program who was the only African American student in the 1960s in her southern public school post Brown.
 - After reading The Buffalo Creek Disaster and watching the DVD on the disaster students identify the key facts in the lawsuit.
 - After watching To Kill a Mockingbird students will identify key facts.
 - After reading a historical case students will identify the key facts.
 - After briefing Supreme Court privacy cases and watching If the Walls Could Talk Part I, students draft an IRAC on abortion and sodomy issues.
 6. Use appropriate technology and information to conduct research.
 - Students will complete exercises from the Goldman Technology text and online classroom on the role between ethics and technology.
 7. Describe the value of personal, civic and social responsibilities.
 - Students will interview clients in Casper College Legal Services and draft work product under the supervision of an attorney.

Methodology: Students will meet these outcomes by briefing cases, drafting IRACS, synthesizing a series of cases, completing exercises to master legal analysis and drafting a closed interoffice memo.

Reading Assignments: All assignments on the syllabus are required reading.

Required Texts: Legal Analysis and Writing for Paralegals, Fourth Edition by William H. Putman, assigned Ethics cases, Ethics, Top Ten Rules for Paralegals, Second Edition by Deborah K. Orlick, modified Technology Text and Online Classroom by Thomas F. Goldman.

You will use these books throughout the program. Do not rent books because they time out.

Note: There may be repetitive assignments from Orlick and Goldman. This is because not every student takes these courses in the same order. If you save your work, you may hand it in a second time.

Suggested Resource: Pocket Guide to Legal Writing by William H. Putman

Preparation: You should come to class prepared to discuss the assigned reading material. Everyone in class will have a better experience if you come to class ready to participate in the class discussion. You may not make up participation points

In class: While you are in class, this means from the top of the hour until the break or the end of class, online and similar activities such as texting, Facebook interactions, YouTube viewing, etc. are strictly forbidden. Accessing the internet for any purpose other than one assigned by the instructor will result in a request that you leave the classroom.

Technology: During class, you are not to use laptops to play games, surf the web, email, text or other uses unrelated to class. In addition, please remember that if you use your laptop inappropriately, it may serve as a distraction to everyone around you. You are not to make or take calls unless there is an emergency. Inform the instructor if you have an emergency. Tell your family, friends and employers they are not to call you during class. You will be asked to leave class for disturbing your classmates.

Social Network Policy: You may not use any social network, facebook, twitter, email, etc. to disparage the college, the program, the instructors, your classmates, other legal professionals, etc. Violating this policy will result in a negative job recommendation and other penalties. The program will randomly check whether your email address, your ringtone, your voicemail and facebook page etc. to determine if they are professional. Take off everything that you don't want an employer to hear or see. This policy applies whether you use campus or personal devices.

Taping Policy: You may not video tape the class. If you need to audio tape the class you must receive permission **from the instructor and the class**. You may only use the tape for your personal studying. You may not share it with anyone or online. If you violate this policy you will be removed from class and may face campus discipline.

Class Policies:

- **Plagiarism will be punished with an “F” for the assignment. You are not to “borrow or give” any writing assignment from another student or FORMER**

student or any other source. Other unethical conduct will receive appropriate equitable penalties. Keys must not be shared.

- You may not team write an individual assignment.
- You must NOT visit with other students while the instructor, another student or a guest speaker is talking.
- You may not make inappropriate nonverbal comments.
- You must NOT pack up before the class is dismissed.
- Tests and quizzes with excused absences may only be made up at the time the instructor approves.
- Absences will be excused with prior approval. You must leave a message before class. You may call me at home, at work or you may call our Academic Assistant. You may also email.
- Do not schedule personal discretionary appointments during class time.
- Unless these policies are followed, you will not be able to make up missed work.
- You are responsible for missed work.
- My office hours are posted on my door and inside and outside of LH 172. You are encouraged to come in, ask questions, seek clarification of assignments or other issues. For your convenience, I encourage you to make an appointment so you will have my undivided attention.
- Your performance in the program will be enhanced if your materials are organized. Three ring notebooks, dividers, assorted tabs, highlighters and multicolored pens will assist you.
- All work, unless exempted, must be computer generated. All assignments must be saved on a flash drive.
- All work must be in 12 or 14 font in Times New Roman or Calibri.
- Learning is a cooperative activity. Civility, respect, tolerance and kindness to your classmates, instructor, guest speakers and staff is required in this class, this program and life. **YOU CANNOT VENT ON SOCIAL MEDIA ABOUT THIS PROGRAM.**
- If you come in late, please do so quietly and sit in the back.
- Finding a parking spot is difficult so arrive early.
- If you must leave class early, please sit in the back and notify the instructor of the reason.
- This program is conducted as a job. You must treat it as such.
- You must sign a FERPA release in order to receive a job recommendation.
- If you change from credit to audit status, you must have the written approval of the instructor.
- Extra credit will never be substituted for an assignment.
- Midterm grades do not predict your final grade.
- You must be prepared to work in class. This is not a lecture only program.

- **Assignments will be modified in class, especially internet assignments.**
- **Any excused work, tests, etc. must be made up by November 19th at 11:00 a.m.**

Last Date to Change to Audit Status or Withdraw with a W Grade: November 12, 2015.

Students Rights and Responsibilities: Please refer to the Casper College Student Conduct and Judicial Code for information concerning your rights and responsibilities as a Casper College Student. These are in the Day Timer provided by the College.

Chain of Command: If you have any problems with this class, you must first contact the instructor in order to solve the problem. If you are not satisfied with the solution offered by the instructor, you should then take your problem through the appropriate chain of command, starting with the Department Head, Program Director, the Dean and lastly the Vice President of Academic Affairs.

First Drafts: I will only grade first drafts with your participation. You must set up a meeting with me and bring your first draft.

Academic Dishonesty – Cheating and Plagiarism: Casper College demands intellectual honesty. Proven plagiarism or any form of dishonesty associated with the academic process can result in the offender failing the course in which the offense was committed or expulsion from school. See the Casper College Student Code of Conduct for more information on this topic.

ADA Accommodations Policy: If you need academic accommodations because of a disability, please inform me as soon as possible. See me privately after class, or during my office hours. To request academic accommodations, students must first consult with the college's Disability Services Counselor located in the Gateway Building, Room 334, (307) 268-2557, bheuer@caspercollege.edu. The Disability Services Counselor is responsible for reviewing documentation provided by students requesting accommodations, determining eligibility for accommodations, and helping students request and use appropriate accommodations.

Official Means of Communication: Casper College faculty and staff will use the student's assigned Casper College email account as a primary method of communication. Students are responsible to check their account regularly.

Employment Opportunities: Your employment potential will be enhanced by networking, working or interning. Graduating from the program does not guarantee you a job. If you have a criminal conviction or have engaged in inappropriate social networking you may have a difficult time getting a traditional job.

Professional Memberships: You are encouraged to become a student member of LAW. You will receive applications in class. You should be a member by your second semester in the program. The first year costs is \$30.00, the following years as a student are \$25.00. If you need financial help, see me.

Service Requirement: You must provide paralegal services to Casper College Legal Services and participate in service learning in a mock trial in your Litigation Support class. In Casper College Legal Services, when assisting your first clients, you will shadow an experienced paralegal.

Laptop: If you have a laptop, bring it to classes when required. The classroom is not entirely wireless. The library has laptops that can be checked out.

Flash-drive: You must have your flash-drive with you in each class. You may want a second one for back up. Always put your name on them.

To be an effective paralegal and a successful paralegal student:

- You **MUST** be precise.
- You **MUST** proof your work many times.
- You **MUST** rewrite.
- You **MUST** pay attention to detail.
- You **MUST** maintain client confidentiality.
- You **MUST NOT** give legal advice.

Letter grades will be based on the following percentages of total possible points:

A=90%-100%

B=80%-89%

C=70%-79%

D=60%-69%

F=59% and below

EVALUATION CRITERIA

Legal Analysis

(These assignments are subject to change according to the instructor’s notice.)

*Casper College may collect samples of student work demonstrating achievement of the above outcomes. Any personally identifying information will be removed from student work.

Assignments	Maximum Points	Your Points
<u>Resolution Trust</u> Brief Assignment	_____	_____
<u>In re Malthy</u> , pg 149 holding, reasoning (not issue)	_____	_____
2015 Wyoming Case Brief	_____	_____
I.D. Case Parts	_____	_____
Ethics Worksheet – M&U Chapter 3	_____	_____
Ethics Briefs	_____	_____
<u>Florida State Bar</u> Brief	_____	_____
<u>Ohio State Bar</u> Brief	_____	_____
<u>Buffalo Creek</u> Handouts	_____	_____
Evaluate <u>Moore</u> Brief	_____	_____
Federal Brief	_____	_____
Ethics Video Assignment	_____	_____
Ethics Quiz	_____	_____
Meet a LAW Member and points	_____	_____
Key Facts from Famous Trials	_____	_____
<u>Mendez</u> Brief	_____	_____
<u>Brown</u> Brief	_____	_____
“Separate But Equal” Paper	_____	_____
<u>Webster</u> IRAC	_____	_____
<u>Hardwick, Bowers, Lawrence</u> Compare & Contrast	_____	_____
<u>Sodomy</u> IRAC	_____	_____
Individual Privacy Meeting	_____	_____
Privacy Interoffice Memo	_____	_____
<u>Conrad</u> IRAC	_____	_____
Putman Points:		
Ch.1	_____	_____
Ch. 2	_____	_____
Ch. 4	_____	_____
Ch. 5	_____	_____
Ch. 6	_____	_____
Ch. 7	_____	_____

Ch. 8

Ch. 9

Ch. 10

Ch. 11

Ch. 12

Ch. 13

Orlick Chapter 3 – 10 Points

Goldman Exercises

Participation Points

Casper College Legal Services

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

DATE	CONTENT	CLASS ACTIVITY	ASSIGNMENT	WHAT IS DUE
Monday August 24 th	<ul style="list-style-type: none"> • Syllabus • Sources of Law • Mandatory v. Persuasive Authority • Primary v. Secondary Authority 	<ul style="list-style-type: none"> • “Zen and the Art of Paralegal Education” • How to be a Better Reader • Expert Reading • How to Write an F Paper • Primary/Secondary Activity – HD 	<ul style="list-style-type: none"> • Putman Ch. 1, 2, 4, 10 Points • Read Ch. 3 Orlick – 10 points • Read <u>Resolution Trust</u> by August 26th 	
Wednesday August 26 th	<ul style="list-style-type: none"> • Briefing 	<ul style="list-style-type: none"> • Every Case Has 2 Stories • Brief Requirements & Handouts • <u>Resolution Trust</u> case & brief as sample • I.D. case parts & activity – <u>Meenan</u> • UPL statute 	<ul style="list-style-type: none"> • Read <u>Moore</u> by Sept. 2nd • Ethics cases to brief • <u>In re Maltby</u> is on pg. 149 – holding and reasoning • <u>Buffalo Creek Disaster</u> – book and handouts • Read <u>Ohio State Bar</u> 	<ul style="list-style-type: none"> • <u>Resolution Trust</u> must be read.
Monday August 31 st	<ul style="list-style-type: none"> • Briefing 	<ul style="list-style-type: none"> • In class – Page 25, #4 • Group Brief Practice • <u>Ohio State Bar</u> 	<ul style="list-style-type: none"> • Read and complete worksheet – Ch. 3 M&U 	<ul style="list-style-type: none"> • <u>In re Maltby</u> holding & reasoning • <u>Ohio State Bar</u>
Wednesday Sept. 2 nd	<ul style="list-style-type: none"> • Case Law Review • Ethics Handouts • Ethics Cases 	<ul style="list-style-type: none"> • Evaluate <u>Moore</u> Briefs • <u>Moore</u> Key 	<ul style="list-style-type: none"> • 2015 Internet Brief on a WY Supreme Court Case • Federal Brief • Ethics Video Assignment • <u>Florida State Bar</u> 	<ul style="list-style-type: none"> • Orlick Ch. 3, 10 points • <u>Moore</u> must be read.

DATE	CONTENT	CLASS ACTIVITY	ASSIGNMENT	WHAT IS DUE
Monday Sept. 7 th	NO CLASS – LABOR DAY			
Wednesday Sept. 9 th	<ul style="list-style-type: none"> • Ethics Briefs • Ethics Traditional Issues 	<ul style="list-style-type: none"> • <u>Florida State Bar</u> • Oral Ethics Briefs 	<ul style="list-style-type: none"> • Putnam Ch. 5, 6, 7, 8, & 9 – 20 Points each 	<ul style="list-style-type: none"> • Ethics Briefs • <u>Florida State Bar</u> • Worksheet Ch. 3 – M&U
Monday Sept. 14 th	<ul style="list-style-type: none"> • LAW Lunch 11:30 – 1:30 		<ul style="list-style-type: none"> • Meet a LAW Member 	
Wednesday Sept. 16 th	<ul style="list-style-type: none"> • Ethics Briefs 	<ul style="list-style-type: none"> • Complete Ethics Briefs 		<ul style="list-style-type: none"> • Ethics Briefs • Federal Brief • Putnam Ch. 1, 2, 4 20 Points • Read <u>Shea</u> in Putman Book
Monday Sept. 21 st	<ul style="list-style-type: none"> • Key Facts 	<ul style="list-style-type: none"> • Buffalo Creek DVD • Buffalo Creek Worksheet 		<ul style="list-style-type: none"> • Buffalo Creek Worksheets • 10 Points from LAW Lunch
Wednesday Sept. 23 rd	<ul style="list-style-type: none"> • Key Facts • Facts/Inference • S, D, G 	<ul style="list-style-type: none"> • <u>To Kill a Mockingbird</u> Key Facts • <u>Shea</u> key facts 	<ul style="list-style-type: none"> • Key Facts from Famous Trials 	<ul style="list-style-type: none"> • Buffalo Creek Handout
Monday Sept. 28 th	<ul style="list-style-type: none"> • Key Facts • Privacy Cases for final project 	<ul style="list-style-type: none"> • Key Facts in Buffalo Creek – Procedures do in Class 		
Wednesday Sept. 30 th	<ul style="list-style-type: none"> • IRAC • Issues 	<ul style="list-style-type: none"> • <u>Apex</u> and <u>Quale</u> 	<ul style="list-style-type: none"> • Read <u>Turner</u> 	
Monday Oct. 5 th	<ul style="list-style-type: none"> • IRAC • Practice <u>Turner</u> 	<ul style="list-style-type: none"> • Privacy Options 		<ul style="list-style-type: none"> • Putnam Ch. 5, 6, 7, 8 & 9 – 20 Points
Wednesday Oct. 7 th	<ul style="list-style-type: none"> • Case Evolution • Key Facts from Famous Cases 	<ul style="list-style-type: none"> • Equal Protection Handouts 	<ul style="list-style-type: none"> • <u>Martinez & Brown</u> – Separate But Equal paper 	<ul style="list-style-type: none"> • 2015 Internet WY Brief • Key Facts Famous Trials • Privacy Topic
Monday Oct. 12 th	<ul style="list-style-type: none"> • Separate But Equal Video 	<ul style="list-style-type: none"> • Separate But Equal Video 	<ul style="list-style-type: none"> • Goldman Exercises 	

DATE	CONTENT	CLASS ACTIVITY	ASSIGNMENT	WHAT IS DUE
Wednesday Oct. 14 th	<ul style="list-style-type: none"> • Separate But Equal Video 	<ul style="list-style-type: none"> • Separate But Equal Video 		
Monday Oct. 19 th	No School – FALL Break			
Wednesday Oct. 21 st AAfPE Conference	<ul style="list-style-type: none"> • Separate But Equal • Susan McCloud - Speaker • Peterson IRAC 	<ul style="list-style-type: none"> • Separate But Equal Video • Cases for Privacy 		<ul style="list-style-type: none"> • <u>Mendez & Brown</u> Briefs • Separate But Equal Movie Worksheet (Oct. 20th)
Monday Oct. 26 th and Wednesday Oct. 28 th	<ul style="list-style-type: none"> • Privacy 	<ul style="list-style-type: none"> • Final privacy assignment • <u>Roe</u> Video 	<ul style="list-style-type: none"> • Putman Ch. 10, 11, 12 & 13 • Read <u>Griswold, Roe, & Webster</u> • “If the Walls Could Talk” Assignment • M&U Chapter 8 – 20 points 	
Monday Nov. 2 nd and Wednesday Nov. 4 th	<ul style="list-style-type: none"> • Privacy • Advising 	<ul style="list-style-type: none"> • “If the Walls Could Talk” 	<ul style="list-style-type: none"> • <u>Hardwick, Powell, & Lawrence</u> – read by Nov. 30th 	<ul style="list-style-type: none"> • 10 pts from each segment (include facts & law)
Monday Nov. 9 th & Wednesday Nov. 11 th	<ul style="list-style-type: none"> • Casper College Legal Services. Monday Nov. 9th setup and Wednesday Nov. 11th are interviews. • Advising Week • Due Mon. Nov. 11th: Separate But Equal Paper 			
Monday Nov. 16 th	ABA Site Visit – Student Meetings with ABA			
Wednesday Nov. 18 th	<ul style="list-style-type: none"> • Privacy 	<ul style="list-style-type: none"> • IRAC with <u>Webster</u> 		<ul style="list-style-type: none"> • <u>Webster</u> • Ethics Video Assignment
Monday Nov. 23 rd	<ul style="list-style-type: none"> • Privacy 	<ul style="list-style-type: none"> • Meeting re: Privacy Paper 		<ul style="list-style-type: none"> • Goldman Exercises
Wednesday Nov. 25 th	No School – Thanksgiving Break			

DATE	CONTENT	CLASS ACTIVITY	ASSIGNMENT	WHAT IS DUE
Monday Nov. 30th	<ul style="list-style-type: none"> • Privacy • Compare & Contrast – <u>Hardwick, Powell, & Lawrence</u> • Synthesizing Cases 	<ul style="list-style-type: none"> • <u>Bowers</u> Audio Tape 		<ul style="list-style-type: none"> • Putman Ch. 10, 11, 12 & 13 – 10 points • M&U Chapter 8 – 20 points • Read <u>Hardwick, Powell & Lawrence</u>
Wednesday Dec. 2 nd	<ul style="list-style-type: none"> • IRAC 	<ul style="list-style-type: none"> • <u>Sodomy</u> IRAC 	<ul style="list-style-type: none"> • Visit Nativity Scene • Read <u>Conrad</u> 	<ul style="list-style-type: none"> • <u>Sodomy</u> IRAC
Monday Dec. 7 th	<ul style="list-style-type: none"> • Legal Analysis 	<ul style="list-style-type: none"> • <u>Conrad</u> Video • <u>Conrad</u> Handouts 		<ul style="list-style-type: none"> • <u>Conrad</u> must be read.
Wednesday Dec. 9 th	<ul style="list-style-type: none"> • Legal Analysis 	<ul style="list-style-type: none"> • <u>Conrad</u> IRAC 		
Monday Dec. 14 th FINALS WEEK	<ul style="list-style-type: none"> • Privacy Synthesis Due at 11:00 Monday Dec. 14th 			

****11:00 a.m. November 19th – Deadline for all excused work!**
LAW Conference – September 11th & 12th – Cheyenne, Wyoming