



STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NEW YORK

COURSE OUTLINE

LEST 449 ADVANCED LEGAL WRITING

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LAST REVIEWED BY: Alexander Lesyk

SCHOOL OF BUSINESS
AND LIBERAL ARTS

MARCH 2015

LEST 449 ADVANCED LEGAL WRITING

- A. TITLE: Advanced Legal Writing
- B. COURSE NUMBER/SHORT TITLE: LEST 449/Advanced Legal Writing
- C. CREDIT HOURS: 3
- D. WRITING INTENSIVE COURSE: YES
- E. COURSE LENGTH: 15 weeks
- F. SEMESTER(S) OFFERED: Spring
- G. HOURS OF LECTURE, LABORATORY, RECITATION, TUTORIAL, ACTIVITY:
Lecture 3 hours per week
- H. CATALOG DESCRIPTION: Builds on skills acquired in Legal Writing to prepare students for writing more complex types of legal documents. Students will analyze, cite, and find the sources needed to answer legal questions, including case law statutes, administrative law, and secondary sources.
- I. PRE-REQUISITES/CO-COURSES: LEST 330 Legal Writing, or permission of the instructor
- J. STUDENT LEARNING OUTCOMES: Students will be able to:

<i>Course Objective</i>	<i>Institutional SLO</i>
a. Create legal documents such as responses to pleadings, appellate briefs, and basic contracts, wills, and similar documents.	1. Communication 2. Crit. Thinking 3. Prof. Competence
b. Find the laws that apply in a given area.	2. Crit. Thinking 3. Prof. Competence
c. Apply cases and statutes to a given set of facts.	1. Communication 2. Crit. Thinking 3. Prof. Competence
d. Conduct client interviews and identify salient facts.	1. Communication 2. Crit. Thinking 3. Prof. Competence

	4. Inter-Intra Pers. Skills
e. Cite legal materials in proper legal style.	3. Prof. Competence

K. POSSIBLE TEXTS:

Ray, M and Cox, B, Beyond the Basics: A Text for Advanced Legal Writing, 2nd Ed.
Thomson-Reuters, Eagan, MN (2003)

Ray, M and Cox, B, Legal Writing: Getting It Right and Getting It Written, 5th Ed.
Thomson-Reuters, Eagan, MN (2010)

L. REFERENCES: Articles and other resources placed on online course site

M. EQUIPMENT: Internet access/Technology Enhanced Classroom

N. GRADING METHOD: A-F

O. MEASUREMENT CRITERIA:

Attendance/participation

Written Assignments

Final Exam

P. DETAILED TOPICAL OUTLINE: See attached.

DETAILED OUTLINE

LEST 449 ADVANCED LEGAL WRITING

TOPICS

- I. Citations (review)
 - A. Generally
 - 1. Elements
 - 2. Use
 - B. Primary Authority
 - 1. Cases
 - 2. Statutes
 - C. Secondary Authority
 - 1. Legal journals
 - 2. Restatements
 - 3. Model codes
 - 4. Treatises
 - 5. Books
 - a. Dictionaries
 - b. Legal encyclopedias

- II. Pleadings (review)
 - A. Format
 - B. Purpose
 - C. Elements
 - D. Audience
 - E. Diction

- III. Responses to Complaints
 - A. Generally
 - 1. Definition
 - 2. Purpose
 - 3. Format
 - 4. Audience
 - 5. Contents
 - B. Drafting
 - 1. Legal argument
 - 2. Quotation from complaint
 - 3. Legal authority
 - 4. Language
 - a. Diction
 - b. Tone

- IV. Appellate Briefs

- A. Generally
 - 1. Function
 - a. Raise issues of law
 - b. Rarely cover issues of fact
 - 2. Audience
 - 3. Format
 - 4. Type of writing
 - a. Persuasive
 - b. Authority-based
- B. Drafting
 - 1. Quotation
 - 2. Citation of authorities
 - 3. Table of authorities
 - a. Purpose
 - b. Format
 - c. Diction

V. Contracts

- A. Generally
 - 1. Definition
 - 2. Function
- B. Drafting
 - 1. Language
 - 2. Specific requirements
 - a. Consideration
 - b. Enforceability
 - 3. Common problems

VI. Wills

- A. Generally
 - 1. Definition
 - 2. Function
- B. Drafting
 - 1. Language
 - 2. Validity
 - 3. Specific requirements
 - 4. Common problems

VII. Family Law Documents

- A. Prenuptial agreements
 - 1. Definition
 - 2. Function
- 3. Drafting

- a. Specific requirements
 - b. Common problems
 - c. Validity
- B. Dissolutions
 - 1. Definition
 - 2. Function
 - 3. Drafting
 - a. Specific requirements
 - b. Common problems
 - c. Validity