

Total possible points: 100; 20% of final grade

## **A2 Legal Writing for An Academic Audience**

### **Case Brief, Legal Analysis, and Article Abstract**

**Overview:** Throughout our second unit we covered the basics of legal writing for an academic audience. This assignment will solidify that knowledge. For this assignment you will incorporate your skills case briefing, analyzing legal argument, and evaluating key foundational fundamental case law.

#### **Requirements and Rubric:**

- (1) Case Selection and Brief: (25%)** Select a Supreme Court case covering a fundamental rights issue that we have not covered in class (options listed on page 2 of this prompt). Please print and annotate the case, then brief the case thoroughly covering (1): Case Citation (in Bluebook format); (2) Facts (remember the importance of distinguishing relevant facts here); (3) Procedural History (how did the case reach the Supreme Court); (4) Issue (what legal question was the Court asked to resolve) (5) Identify the rule or legal principle applied by the Court; (6) Holding; (7) Reasoning (connection the Court makes to justify the holding). Use this as a time to formalize the structure you used throughout our unit. Briefs should be as short as possible while accurately presenting the case. **(500 words)**
- (2) Legal Argument and Analysis (40%):** Consider the following: What importance does the case hold in American Jurisprudence? What implications did the Court's decision have on future holdings? What implications does the Court's decision potentially hold on future legal issues? If you are reviewing a case that has been overturned, even partially, please evaluate why the case is still essential. You should also briefly review the case that overturned your original choice (e.g. if you choose *Roe v. Wade*, you should at least briefly consider *Dobbs*). Consider how the Court interpreted key Constitutional provisions. Do you agree with the Court's ruling? Why or why not? Please evaluate key language and concepts. What strikes you as the most important or problematic? Why? Use direct quotations and citations from the case. **(500-750 words)**
- (3) Academic Article Abstract (20%)** We have reviewed multiple law review, academic articles and interpretations. Please write an abstract for an potential academic article on your topic. You may combine your case with future implications and review abstracts of other articles to guide you. If you wish to draft a writing sample for law school, consider this your opportunity to brainstorm an option. You will be able to write this article for your final project in our class, if you choose. Abstracts must be brief and demonstrate your ability to clearly connect and articulate ideas. **(250 words)**

#### **Organization and Clarity; Citations, Style, and Mechanics (15%)**

**Your entire document should be approximately 5-6 pages. Please separate sections by page breaks.**

## OPTIONAL CASES

- **Criminal Law & Procedure** (we will cover *Miranda* in our next unit)
  - *Gideon v. Wainwright* (1963) - right to counsel
  - *Mapp v. Ohio* (1961) - evidence issues
  - *Terry v. Ohio* (1968) - stop and frisk
  - *Katz v. United States* (1967)
- **Equal Protection and Race**
  - *Brown v. Board* (1954)
  - *Plessy v. Ferguson* (1896)
  - *Regents of the University of California v. Bakke* (1978)
- **Free Speech**
  - *Texas v. Johnson* (1989)
  - *Schenck v. United States* (1919)
  - *Citizens United v. FEC* (2010)
- **Privacy and Liberty**
  - *Griswold v. Connecticut* (1965)
  - *Roe v. Wade* (1973)
  - *Obergefell v. Hodges* (2015)
  - *Lawrence v. Texas* (2003)
- **Second Amendment**
  - *McDonald v. Chicago* (2010)
- **Immigration Law**
  - *Chae Chan Ping v. United States* (1889)
  - *Fong Yue Ting v. United States* (1893)
  - *Zadvydas v. Davis* (2001)
  - *Demore v. Kim* (2003)
  - *Arizona v. United States* (2012)
  - *Trump v. Hawaii* (2018)
- **Environmental Law**
  - *Massachusetts v. EPA* (2007)
  - *Chevron U.S.A. Inc. v. Natural Resources Defense Council* (1984)
  - *Tennessee Valley Authority v. Hill* (1978)
  - *EPA v. EME Homer City Generation* (2014)
  - *West Virginia v. EPA* (2022)