

CO301(L) – LESSON PLAN: UNIT 2; WEEK 6

Preparation/Homework (for student & teacher)

Teacher:

1. Unit 2 covers legal writing for an academic audience, specifically for law school and academic journals. This introduction can talk about general expectations for students: <https://library.law.uic.edu/news-stories/an-introduction-to-legal-writing-for-entering-law-students/>
2. Generally, the Bluebook is used to provide the citation rules for legal work. This course and unit will briefly overview the Bluebook rules. This website from Georgetown Law provides a thorough overview: <https://guides.ll.georgetown.edu/bluebook>. Review citation rules for cases, statutes (laws), and academic articles.
3. Briefing is the way law students often take notes on case. To teach case briefing review: www.lexisnexis.com/en-us/lawschool/pre-law/how-to-brief-a-case.page. Encourage students to develop their own code for notetaking/briefing. One option is suggested for students below. Law schools also teach I.R.A.C. style of answering essay questions, a helpful guide for teaching I.R.A.C. <https://www.iracmethod.com/irac-methodology>.
4. Read *Tinker v. Des Moines Independent Community School District*. This is a foundational case in free speech case law and overlaps directly with education (this case covers Vietnam War student protests). This article is helpful to understand the impact of *Tinker* on students as of its 50 year anniversary: <https://www.npr.org/2018/01/03/571647322/students-identify-with-50-year-old-supreme-court-case>. An excellent analysis of the relevance of *Tinker* on college campuses is available in the article “On the 50th Anniversary of *Tinker v. Des Moines*: Toward a Positive View of Free Speech on College Campuses.” by Christina Bohannon. *Tinker* created the underlying principle of students and teachers holding on to their freedom of speech at the schoolhouse gates. Teachers may consider printing the text of the first amendment and key holdings on a slide.

Student:

1. Read on case briefing: www.lexisnexis.com/en-us/lawschool/pre-law/how-to-brief-a-case.page.
2. Read and Brief: *Tinker v. Des Moines*, print notes or bring digital annotations to class (remember active case briefing and notetaking is required). Highlighter colors can be used in the following way: (1) blue - Case citation and procedural history; (2) green – relevant facts; (3) yellow - Issue (*i.e.* what legal question is the Court determining?); (4) pink – holding (ruling); (5): orange – key quotes, rationale, reasoning.
3. Review I.R.A.C. method for answering law school essay questions: <https://www.iracmethod.com/irac-methodology>.

Lesson Objectives

1. Introduce students to legal writing concepts including case briefing, Bluebook citations, and the I.R.A.C. method.
2. Consider fundamental implications of free speech principles and responsibilities in legal writing.

Journal (beginning of class) &/or Discussion Prompt (prior to class)

1. When you think about legal writing for an academic audience what genres come to mind? What expectations do you think your audience will have? What makes you nervous, if anything? What questions do you have?
2. We covered a lot of material last class, and you read and briefed a key case on free speech for homework, what are your thoughts on the *Tinker* holding now over 55 years since its ruling? Are there specific responsibilities that a writer should consider when covering fundamental rights and liberty interests? If so, what are they?

Activity in Class/Discussion

1. **Presentation/Lecture:** Overview calendar and present on variety types of writing in law school audiences: these include case briefing, legal memorandum, academic essays, and academic articles (such as Law Review). Slides: a description of each type of legal writing; Bluebook rules for citing cases, statutes, and articles; I.R.A.C. method.
2. **Small Group Discussion (10-15 minutes) > Class Discussion:** What are the responsibilities when writing about fundamental rights? Does it depend on your audience, why or why not? How are free speech rights exercised on campus? Do these exercises show ethical considerations? End with list on board with contributions from each group.

Connection to Course Objectives

1. Students consider appropriate approaches to legal writing for academic audiences.
2. Students practice identifying issues and patterns in legal language, key case law, and fundamental rights discourse.

Reflections (draft notes below)