

Legal Writing

In this subject, CALI has Lessons and Podcasts. There are also Casebook Correlations and CALI Topic Grids available on the CALI website to aid you in assigning lessons.

CALI Lessons

ALWD Citation Form

This lesson will help you master legal citation using the ALWD Citation Manual: A Professional System of Citation (Fourth Edition).

There are two versions of this lesson available from CALI. Please make sure that you are working through the version assigned to you by your professor. Each version has the same coverage. This is the single-lesson version. The other version takes the original lesson and divides it into four parts, with each part being a separate lesson.

Throughout this lesson, you will be asked to read specific portions of the ALWD Citation Manual. You then will be asked to complete interactive exercises that will test your understanding of and ability to apply the various citation rules. Topics covered include typeface, spacing abbreviations, capitalization, ordinal numbers, pinpoint pages and section numbers, full and short citation formats, cases, statutes, books, legal periodicals, introductory signals, and quotations. You may complete the entire lesson at one time or complete segments as you cover various parts of the Manual in class or on your own.

Lesson Completion Time: between two and five hours.

Authors: Darby Dickerson, Dean and W. Frank Newton Professor of Law, Texas Tech University School of Law and Brooke Bowman, Professor of Legal Skills. Stetson University College of Law

ALWD Citation Form Part 1: Citation Basics

This lesson will help you master legal citation using the ALWD Citation Manual: A Professional System of Citation (Fourth Edition).

There are two versions of this lesson available from CALI. Please make sure that you are working through the version assigned to you by your professor. Each version has the same coverage. The "original" version is a single lesson. This version takes the original lessons and divides it into four parts, with each part being a separate lesson.

You should start your study with this lesson, Part 1.

Throughout the ALWD lesson, you will be asked to read specific portions of the ALWD Citation Manual. You then will be asked to complete interactive exercises that will test your understanding of and ability to apply the various citation rules. Topics covered in this part include typeface, spacing abbreviations, capitalization, ordinal numbers, pinpoint pages and section numbers, and full and short citation formats. Other lessons cover cases, statutes, books, legal periodicals (Part 2), and introductory signals, and quotations (Part 3).

Lesson Completion Time: 25 minutes

Authors: Darby Dickerson, Dean and W. Frank Newton Professor of Law, Texas Tech University School of Law and Brooke Bowman, Professor of Legal Skills. Stetson University College of Law

ALWD Citation Form Part 2: Commonly Cited Sources

This lesson has been revised for Fall 2010 to reflect the 4th edition of the ALWD Citation Manual.

This lesson will help you master legal citation using the ALWD Citation Manual: A Professional System of Citation (Fourth Edition).

There are two versions of this lesson available from CALI. Please make sure that you are working through the version assigned to you by your professor. Each version has the same coverage. The "original" version is a single lesson. This version takes the original lessons and divides it into four parts, with each part being a separate lesson.

You should start your study with Part 1.

Throughout the ALWD lesson, you will be asked to read specific portions of the ALWD Citation Manual. You then will be asked to complete interactive exercises that will test your understanding of and ability to apply the various citation rules. Topics covered in this part include cover cases, statutes, books, and legal periodicals. Other lessons include typeface, spacing abbreviations, capitalization, ordinal numbers, pinpoint pages and section numbers, and full and short citation formats (Part 1), and introductory signals, and quotations (Part 3).

Lesson Completion Time: 45 minutes

Authors: Darby Dickerson, Dean and W. Frank Newton Professor of Law, Texas Tech University School of Law and Brooke Bowman, Professor of Legal Skills. Stetson University College of Law

ALWD Citation Form Part 3: Using Citations in Documents and Quotations

This lesson will help you master legal citation using the ALWD Citation Manual: A Professional System of Citation (Fourth Edition).

There are two versions of this lesson available from CALI. Please make sure that you are working through the version assigned to you by your professor. Each version has the same coverage. The "original" version is a single lesson. This version takes the original lessons and divides it into four parts, with each part being a separate lesson.

You should start your study with Part 1.

Throughout the ALWD lesson, you will be asked to read specific portions of the ALWD Citation Manual. You then will be asked to complete interactive exercises that will test your understanding of and ability to apply the various citation rules. Topics covered in this part include introductory signals, and quotations. Other lessons typeface, spacing abbreviations, capitalization, ordinal numbers, pinpoint pages and section numbers, and full and short citation formats (Part 1) and cover cases, statutes, books, legal periodicals (Part 2).

Lesson Completion Time: 30 minutes

Authors: Darby Dickerson, Dean and W. Frank Newton Professor of Law, Texas Tech University School of Law and Brooke Bowman, Professor of Legal Skills. Stetson University College of Law

ALWD Citation Form Part 4: Final Quiz

This lesson will help you master legal citation using the ALWD Citation Manual: A Professional System of Citation (Fourth Edition).

There are two versions of this lesson available from CALI. Please make sure that you are working through the version assigned to you by your professor. Each version has the same coverage. The "original" version is a single lesson. This version takes the original lessons and divides it into four parts, with each part being a separate lesson.

You should start your study with Part 1.

Throughout the ALWD lesson, you will be asked to read specific portions of the ALWD Citation Manual. You then will be asked to complete interactive exercises that will test your understanding of and ability to apply the various citation rules. This part is a Final Quiz reviewing material covered in the three other lessons. Other lessons cover the topics of typeface, spacing abbreviations, capitalization, ordinal numbers, pinpoint pages and section numbers, and full and short citation formats (Part 1) citation of cases, statutes, books, legal periodicals (Part 2), and introductory signals, and quotations (Part 3).

Lesson Completion Time: 30 - 45 minutes

Authors: Darby Dickerson, Dean and W. Frank Newton Professor of Law, Texas Tech University School of Law and Brooke Bowman, Professor of Legal Skills, Stetson University College of Law

Appellate Briefs: Ethical and Professional Considerations

This CALI lesson will introduce you to the ethical considerations associated with writing appellate briefs. The lesson is intended for a first year law student currently taking a legal writing course. No previous knowledge of ethics is presumed.

A series of explanations and questions will guide you through a basic introduction to the regulation of attorney conduct. You will then examine how ethical considerations influence the lawyering skills associated with the preparation of appellate briefs.

Lesson Completion Time: 45 minutes

Author: Melissa Weresh, Professor of Law and Director of Legal Writing, Drake University Law School

Citation Form for Briefs and Legal Memoranda

This exercise is to help users learn the rules of proper citation form for briefs and legal memoranda. It does not deal with proper citation form for law review footnotes. It is divided into three sections: Section A deals with cases, B with statutory materials and C with secondary authorities.

Three types of questions are included within each section. The first type provides the user with information about a source and requires her to choose the appropriate citation from four possibilities. The second question type presents a citation and requires the student to determine whether the citation is correct and if not to identify the element of the citation that is incorrect. For each incorrect response to the first two types of questions, an explanation is provided, along with reference to the appropriate rule in A Uniform System of Citation. The third and most difficult type of question presents the user with the necessary information and requires him to write the citation. The correct citation is then displayed so that the student may compare his answer with the correct citation.

This lesson is revised to reflect the 19th ed. of The Bluebook.

Lesson Completion Time: 1.0 - 1.5 hours

Authors: Cathleen Wharton, Director, Legal Writing Program, University of Georgia Law School; Daisy Floyd, Dean, Mercer University School of Law; Bertis Downs, IV, Instructor, University of Georgia Law School

Client Letters - Ethical and Professional Considerations

This CALI lesson will introduce you to the ethical considerations associated with writing client advice letters. The lesson is intended for a first year law student currently taking a legal writing course. No previous knowledge of ethics is presumed.

A series of explanations and questions will guide you through a basic introduction to the regulation of attorney conduct. You will then examine how ethical considerations influence the lawyering skills associated with the preparation of advice letters.

Lesson Completion Time: 30 minutes

Author: Melissa Weresh, Professor of Law and Director of Legal Writing, Drake University Law School

Drafting a Contract: The Sale of Goods

This exercise reviews the substance of contract law and demonstrates the application of the substantive law in the process of drafting. The exercise begins with a form contract. The student must rewrite the contract to suit the needs of the client. On completion, the student will have reviewed applicable principles from both the common law and the U.C.C. In addition, the student will have learned principles of drafting that can be applied either to revision of a form or to drafting from scratch.

Lesson Completion Time: 1 - 1.5 hours

Author: Scott Burnham, Curley Professor of Commercial Law, Gonzaga University School of Law

Drafting Contracts Using 'Shall', 'May' and 'Must'

A large percentage of litigation arising out of contracts results from poor drafting. In order to eliminate this litigation, it is imperative that law students master good drafting skills. One of the most important aspects of drafting a contract is the operative language—language that affects legal relationships. This lesson is designed to introduce law students to operative language commonly used in drafting contracts, in particular, language of obligation (shall), language of authorization (may) and language of condition precedent (must). The lesson begins with a segment explaining each of the three categories of operative language followed by exercises which permit the student to apply his or her understanding of proper usage of that category. The lesson concludes with a segment of general exercises that test whether students have mastered the distinctions among the different categories of operative language.

Lesson Completion Time: 45 minutes

Author: Debra Cohen, Professor of Law, University of Massachusetts School of Law - Dartmouth

Drafting with 'And' and 'Or'

Drafters of contracts, wills and statutes are plagued with the ambiguities inherent in the use of these two connectors. This lesson is designed to identify these ambiguities and then help students to draft with conjunctions which eliminate those ambiguities. After completing this lesson students should be able not only to identify ambiguous uses of 'and' and 'or' so that they may better analyze contracts, wills or statutes which they read, but they should also be able to draft documents so that ambiguities are avoided. A variety of real life applications are presented for each drafting problem and students are called upon to draft solutions. Students will interview a client to determine which meaning is appropriate, thus reenforcing the notion that drafting is an iterative process calling upon the lawyer to identify and clarify ambiguities in the client's instructions.

This ambiguity inherent in 'and' and 'or' is discussed at length in Scott Burnham's Drafting and Analyzing Contracts (LexisNexis 3d edition). This lesson uses Burnham's taxonomy as its basis.

Lesson Completion Time: 30 minutes

Author: Marjorie McDiarmid, Steptoe & Johnson Professor of Law and Technology, West Virginia University College of Law

Email Correspondence: Ethical and Professional Considerations

This is one in a series of lessons directed at the ethical and professional considerations associated with the production of particular lawyering documents. This lesson is intended to introduce first year law students to the ethical and professional considerations associated with email correspondence in law practice. No prior instruction in professional responsibility is required.

Lesson Completion Time: 30 minutes

Author: Melissa Weresh, Professor of Law and Director of Legal Writing, Drake University Law School

Ethical Considerations for Legal Memo Writing

This is one in a series of lessons directed at the ethical and professional considerations associated with the production of particular lawyering documents. This lesson is intended to introduce first year law students to the ethical and professional considerations associated with the preparation of predictive, interoffice memoranda. It is assumed that students are familiar with predictive, interoffice memoranda. No prior instruction in professional responsibility is required.

Lesson Completion Time: 45 minutes

Author: Melissa Weresh, Professor of Law and Director of Legal Writing, Drake University Law School

How to Brief a Case

This is an exercise designed to introduce first-semester law students to the basic elements of a typical case "brief" and to teach them general methodology for writing their own briefs. The exercise consists of three parts: (1) an introduction to the purposes and uses of a case brief; (2) a detailed examination of each of the ten components of a typical case brief (with examples); and (3) two actual cases that students are asked to read and then to brief, using the methodology described in this exercise. A sample brief for each of the two cases is also provided, thereby allowing students to correct and modify their briefs by way of comparison.

Lesson Completion Time: 2 hours

Author: Edward Martin, Professor of Law, Samford University Cumberland School of Law

Issue Statements for Memos and Briefs

This lesson introduces a modern approach to writing issue statements for traditional memos and briefs. The lesson steers users away from single-sentence issue statements. It bases much of its approach on the syllogism.

Lesson Completion Time: 45 minutes

Author: Wayne Schiess, Director of Legal Writing, University of Texas School of Law

Learning Legal Analysis Through Its Components: Issue, Rule, Application, Conclusion—IRAC

The purpose of this exercise is to help students—especially first-year students—understand the process of legal analysis and improve their legal writing and legal analysis skills. Specifically, students will work on their ability to apply the law to the facts of a problem.

The program focuses on the four basic components of legal analysis, namely: issue, rule of law, application of the law to the facts, and conclusion (IRAC). In the first part of the exercise, the students will work with each of these components individually. In the second part, students will work with a small closed universe situation. They will be given the facts of a problem and the law appropriate to the problem and will be asked to work through the full legal analysis process.

The skills taught in this program can be used in drafting all kinds of legal documents such as memoranda of law, memoranda of points and authorities, client letters, demand/negotiation letters, and briefs. The IRAC approach is also very useful in exam taking.

The program is designed to be simple in its approach so that students can take full advantage of it at a very early stage of their law school career.

Lesson Completion Time: 1 hour

Author: Peter Honigsberg, Professor of Law and Director of the Legal Research, Writing and Analysis Program, University of San Francisco School of Law

Plagiarism - Keeping Out of Trouble

Plagiarism is serious, especially for law students. This lesson will explain what constitutes plagiarism, how to avoid plagiarizing, and will offer opportunities for students to test their understanding of plagiarism.

Lesson Completion Time: 45 minutes

Author: Rebecca Trammell, Director of the Law Library, Stetson University College of Law

Punctuation and Grammar Basics for Students

Punctuation and grammar mistakes can hurt your grades and cost you a job. This lesson reviews the most common writing errors students make and explains the basic rules that will help you avoid mistakes.

Lesson Completion Time: 50 minutes

Author: Wayne Schiess, Director of Legal Writing, University of Texas School of Law

Punctuation and Grammar: Advanced

Most students do all right with commas, periods, sentence fragments, and verb agreement. But what about colons, dashes, passive voice, and parallelism? This lesson covers several advanced topics in grammar and punctuation for the legal writer who is ready to move beyond the basics.

Lesson Completion Time: 1 hour

Author: Wayne Schiess, Director of Legal Writing, University of Texas School of Law

Stating Facts: Objective and Persuasive Approaches

This lesson is designed to cover how to distinguish legally relevant facts, contextually relevant facts, and nonrelevant facts; plus, how to use each of those types of facts. It is also designed to cover beginning and organizing a statement of facts, writing facts briefly and readably, stating facts objectively, and stating facts persuasively.

Lesson Completion Time: 60 minutes

Author: Wayne Schiess, Director of Legal Writing, University of Texas School of Law

Statutory Interpretation

This lesson introduces the student to the doctrine and processes involved in interpreting state and federal statutes. Statutes are a critical part of every substantive area of the law, so this is important background for every law student, lawyer and judge.

Lesson Completion Time: 30 minutes

Author: Ron Brown, Professor of Law, Nova Southeastern University Shepard Broad Law Center

Where Does Law Come From?

This is an overview of the branches of the U.S. government and how they make law.

Lesson Completion Time: 30 minutes

Author: Diane Murley, Professor of Law, Sandra Day O'Connor College of Law at Arizona State University

Writing Better Law School Exams: The Importance of Structure

This program is designed to be useful to students interested in improving their exam-writing techniques. In much of the written work done by lawyers (including writing exams as students), a special form of writing is used. The program begins with an explicit discussion of that form, and the structural implications it has. Within that specific context, the program goes on to discuss the tasks to be performed, the tools used in performing those tasks, and methods of sharpening those tools. The program concludes with some interactive opportunities to try the techniques described.

Please note that this lesson uses flash and is unable to be viewed on a non-windows device. Scoring for this lesson is also unavailable at this time.

Lesson Completion Time: 1.5 hours

Author: William Anderson, Judson Falknor Professor of Law Emeritus, University of Washington School of Law

Podcasts:

Top 10 Tips for Successfully Writing a Law School Essay

In this podcast, Prof. Jennifer Martin discusses the top ten mistakes law students make in law school examinations. These are poor issue spotting, poor issue spotting, poor knowledge and understanding of the law, poor application of the law to the facts, giving only conclusory answers, lack of organization, errors in the facts, failure to understand the role you are given in the examination, padding, fact inventing, and question begging. Included in this discussion is guidance on spotting the issues, avoiding being bottom line oriented, how to use the facts, how to approach a question, and using words efficiently. Prof. Martin also discusses the hallmarks of a good essay answer. These answers are lawyerlike, responsive to the question asked, logical, thought out, well organized, fact and issue centered, and use cogent reasoning and good rule application.

Run Time: 11:20 minutes

Author: Jennifer Martin, Associate Professor of Law, Saint Thomas University School of Law

How to select case law when writing a legal memo on a state law issue

Writing a memo on a state law issue involves understanding the nature of jurisdiction and judicial hierarchy. In case selection, the researcher is confronted with selecting the best cases that explain the law as well as selecting supplemental cases that provide for the best factual analogies.

In this Lawdible, Professor Karin Mika of Cleveland-Marshall College of Law gives advice on how to make the best case law selection when writing a memo covering a state law issue.

CALI Lesson Pairing: Decision Point: State or Federal?

Run Time: 11:17 Minutes

Author: Karin Mika, Legal Writing Professor, Cleveland-Marshall College of Law, Cleveland State University