

LEGAL ANALYSIS, RESEARCH, AND COMMUNICATION
STUDENT MANUAL
2023-24

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ADMINISTRATIVE MATTERS

Administration

Co-Directors of Legal Analysis, Research, and Communication:

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All students are assigned to a LARC professor who will usually teach them throughout the First Year; students will usually switch professors for their third semester. Students should work closely with their professors to take advantage of the opportunity for individualized feedback. Each professor holds weekly office hours, either in-person or over Zoom, and can also be reached through voicemail and email. Students should also ask questions of their teaching assistant. Students who have questions concerning class schedules or administrative matters should see Professor Cue or Professor Marcucci.

Textbooks

Three textbooks are required for all students in Legal Analysis, Research, and Communication (LARC) 1 and 2: Coughlin, et al., *A Lawyer Writes: A Practical Guide to Legal Analysis* (3d ed.); *The Bluebook: A Uniform System of Citation* (21st ed. 2020); and Linda J. Barris, *Mastering the Bluebook, Interactive Exercises* (2022-23 ed.). In addition, the *DePaul University College of Law Legal Analysis, Research, and Communication Manual 2022-23, (LARC Manual)*, which describes the courses and objectives is available on your LARC 1 section D2L site. Finally, all LARC 1 students must enroll in an online grammar tool.

The textbooks required for students enrolled in LARC 3 are Rocklin, et al, *An Advocate Persuades* (2d ed. 2022) and *The Bluebook: A Uniform System of Citation* (21st ed. 2020).

In addition, each LARC professor may recommend other books or readings. This information appears in each professor's course syllabus. When possible, these books are on reserve in the Rinn Law Library.

Course Requirements

Completion of Assignments

To receive credit for LARC 1, 2, and 3, students must satisfactorily complete all writing and citation assignments, research assignments, Bluebook Quizzes, grammar modules, and oral arguments. Any student who fails to complete any semester's course requirements will fail the course for that semester. Please also refer to the information on late papers under the section titled Grading, *infra*.

Attendance

Class attendance is mandatory. The penalty for a student with two unexcused class absences in any semester is a reduction of the final grade by a step. The penalty for a student with three or more unexcused absences in any semester is a failing grade. In addition, LARC professors may raise or lower a student's grade by a half-step based on exemplary or deficient participation in and out of class.

Covid and Other Illness Policy

DePaul University and the College of Law have published and shared various Covid-19 policies and procedures: <https://resources.depaul.edu/coronavirus/resources/covid-19-reporting-protocol/Pages/default.aspx>. This document does not address all of these policies or serve as a substitute for them. Please refer to the official policies and procedures if you have questions.

This document outlines the procedures for student remote-access to class (via Zoom or other similar technology) and student access to class recordings. This policy applies to any student who is feeling ill, experiencing Covid-19 symptoms, or undergoing required quarantine.

Please be aware of the following:

- Students should not attend class when feeling ill or when experiencing Covid-19 symptoms.
- Any student who is missing more than one week of classes must contact Assistant Dean of Students Maria Vertuno (mvertuno@depaul.edu) so that she can meet with the student regarding his or her individual situation and needs.

Remote Access to Class

“On-campus” or face-to-face classes will not be simulcast remotely as a default. However, remote access to class (such as via Zoom or similar technology) may be possible in the circumstances described below if the class is scheduled in a Zoom-enabled classroom.

If any student is feeling ill, experiencing Covid-19 symptoms, or under quarantine, a student may, at the discretion of the instructor, attend class remotely (via Zoom or other similar

technology) in the short term. To attend class remotely, students must adhere to the following guidelines:

- Students must receive permission from the instructor before attending a class remotely.
- Students shall not attend more than four LARC class sessions remotely.
- If permitted, remote access (such as a Zoom link) will be made available to the applicable student(s) either via email or through the class D2L page.

Class Recording

The instructor has discretion to record the class. Thus, please be aware that your LARC class may be recorded. If a class is recorded, that recording may be shared with student(s) in the class at the discretion of the instructor. You may not share the recording in any form with any person outside of the class. Participating by class recordings, if permitted, is not a substitute for class attendance. Students shall not record any portion of class without the express consent of the instructor or through an accommodation arranged through the Center for Students with Disabilities.

Other Arrangements

If either remote access to class or participation through class recording is not feasible, please discuss possible solutions with your instructor.

Course Description

Legal Analysis, Research, and Communication presents a series of courses that each student takes both semesters in their First Year and in the Fall semester in their Second Year. Each LARC assignment introduces different facets of the legal reasoning process. The skills that the LARC course teaches are inter-related. No single skill functions alone or can compensate for the lack of others. As an integrated whole, they comprise a unique method of thought and expression, one that is necessary to the ability to work successfully as a lawyer in any environment.

LARC class will meet most weeks to discuss the legal research and writing process. Each LARC assignment serves a particular function. The LARC professor will discuss the kind of analysis each new assignment requires, how it differs in analytic scope or structure from earlier assignments, and what pitfalls to avoid in the analytic and writing process.

The focus of the first semester–LARC 1–is the acquisition and development of legal reasoning and writing skills. Students will complete a series of writing assignments that are sequenced carefully and, when appropriate, broken down into their component parts. Each assignment incorporates prior skills and adds challenging new elements. The majority of assignments in the Fall semester focus on one area of law, which may be familiar to students from their other First Year courses.

Research, predictive writing, and trial-level persuasive writing are the focus of the second semester—LARC 2. Through a series of research exercises and written assignments, students will become familiar with the research resources available and will develop a sense of the strategy that is integral to the research process. Using these skills, students will write two predictive office memos in different formats, a short argument, and a trial brief. They also present an oral report to a mock supervising attorney on the results of research and analysis and present a trial-level oral argument.

In the third semester—LARC 3—students develop the skills they learned in the First Year by working on more complex legal issues. Advanced research techniques and persuasion form the majority of the curriculum. Students write a motion, a trial brief, and an appellate brief. They will also present an oral argument to a mock appellate court. They will also learn about the basic principles of contract drafting and organization.

Because LARC classes are smaller than most other classes, students will enjoy more individualized contact with their professors and the opportunity to turn that contact into productive dialogue during class, office hours, and conferences. If you do not understand a new assignment, ask your professor or teaching assistant for clarification. A single question may spare an entire class untold hours of frustration. LARC professors will replace some regularly scheduled classes with conferences. The conferences are designed to help students work through analytic difficulties while they are in the process of writing an assignment; conferences require students critically to evaluate their progress.

Teaching Assistants (TA's)

Students may also receive guidance from their teaching assistant. The teaching assistant is a Second Year or Third Year law student who serves four primary functions:

- to help students identify and correct writing problems;
- to help explain the technical aspects of legal writing, including citation form and the correct format for each assignment;
- to offer guidance in research strategy; and
- to provide individual consultation on outlines and research or writing assignments.

As a recent “graduate” of the first-year LARC program, the teaching assistant is an invaluable resource.

ASSIGNMENTS

Assignment Format

For each written assignment, students must

- ___ Upload the assignment to the proper D2L submission folder*
- ___ Identify themselves only by student identification number (not by name)
- ___ Upload a completed Academic Integrity Pledge, and
- ___ Retain a copy of the document for themselves.

* *Students are responsible for ensuring that any electronic version of an assignment that they submit is the correct version and is uncorrupted. The submission of an incorrect or corrupted file means that the student's assignment was untimely and subject to the late penalty.*

The format of assignments, unless specifically excepted, must

- ___ be on white 8 1/2 x 11 paper
- ___ have one-inch margins on the top and both sides of each page
- ___ be double-spaced
- ___ have a page number centered at the bottom of the page, beginning with the second page

LARC professors may establish other requirements for assignment format, such as a particular font. Students who are unsure as to whether an assignment complies with format requirements should check with their LARC teaching assistants or professors before turning in the assignment. The word limit and point value for each assignment appear next to the assignment date in the course syllabi. Each document must have attached to it the Academic Integrity Pledge, signed by the student; a copy of the pledge appears *infra*. LARC professors may reject papers that fail to comply with the format requirements or that exceed the word limit, and students lose 10% or 20% (depending on the semester, check your syllabus) of the available points for that assignment until they submit a compliant paper.

Late Papers

Students must turn in all assignments at the beginning of the class in which they are due. In the first semester, late papers will incur a penalty of 10% of the available points for that assignment

each day, until no points remain. In LARC 2 and 3, late papers will incur a penalty of 20% of the available points for that assignment each day, until no points remain. Even if no points remain available to earn on an assignment, students must complete and submit the assignment prior to 6:00 p.m. Central on December 1, 2023, for Fall semester assignments and by 6:00 p.m. Central on May 1, 2024, for Spring semester assignments, or they will fail LARC for that semester.

ACADEMIC INTEGRITY

All College of Law students are governed by the University's Academic Integrity Policy, available on the University website at www.depaul.edu. The policy prohibits plagiarism and requires students to be honest in their academic endeavors. **Violations of this policy may bring disciplinary action from DePaul that could include a grade reduction, suspension, or expulsion. In addition, if an Academic Integrity investigation takes place, the Office of the Dean for Student Affairs notifies the Board of Law examiners in all jurisdictions to which the student applies to take the bar.**

Two academic honesty issues tend to arise in connection with LARC classes. The first is plagiarism: representing the words or ideas of another as the student's own. Many incidents of plagiarism are the result of improper documentation during the research process or failure to understand the rules of proper attribution. Whether accidental or intentional, plagiarism is a violation of the Honor Code. Each student bears the responsibility to understand the scope of plagiarism and to avoid committing it.

When preparing LARC assignments, students may not consult unpublished materials prepared by any person other than their LARC professor or their teaching assistants. In researching and writing LARC assignments, students are likely to encounter published sources upon which they will rely heavily, and if they are good researchers, they will find many helpful sources. The fact that these sources are available either in books or on the computer, though, does not entitle any student to cut and paste phrases or sentences or to borrow without giving proper attribution. Students must always give appropriate citations to source materials that they have quoted, paraphrased, or borrowed, including the specific page numbers on which they have relied. Students should keep quotations to a minimum. When they do quote, they must comply with the Bluebook rules about quotations. For further guidance, consult the sections regarding plagiarism in *A Writer's Reference* by Diana Hacker and regarding quotations and citations more generally in *The Bluebook*.

DePaul University College of Law Legal Analysis, Research, and Communication Collaboration Policy

The second and perhaps more difficult issue that arises is impermissible collaboration. Students do benefit from sharing ideas, and LARC professors encourage this sharing within the bounds of the classroom. Some assignments are designed to be worked on in teams; however, in the interest of proper learning, some limits upon permissible collaboration are in place.

Research Methods and Computer Use

When preparing LARC assignments, students may not consult anyone, including a spouse, significant other, roommate, family member, attorney, judge, law faculty member, or other law students—other than their LARC professor or their teaching assistant—about research methods or sources. Students may consult library staff members for help locating or using library resources but may not ask for assistance in interpreting research materials.

For any LARC assignment for which computerized research is permissible, students may contact the reference attorneys on the Lexis or Westlaw help lines. LARC professors will inform students which assignments they must complete without access to outside resources.

Impermissible use of computerized research, including Lexis, Westlaw, FindLaw, Loislaw, google, yahoo, or any other search engine, constitutes a violation of the Academic Integrity Policy.

Artificial Intelligence

Students are welcome to use Artificial Intelligence (AI) tools that are embedded in commonly used computer applications, such as Microsoft Word’s “editor” tool. However, the use of freestanding AI tools that create text from a prompt, such as ChatGPT, is prohibited unless expressly permitted by your LARC Professor.

Collaboration on Assignments

Citation Assignments: First Year students may collaborate on any citation exercise with other First Year students, if permitted by individual LARC professors. Students may not use any service or product that creates, constructs, corrects, or checks a legal citation on any exercise or writing assignment.

Writing Assignments: First Year students may discuss legal theories and analytic approaches with other First Year students during any stage of any writing assignment. Second Year students may discuss legal theories and analytic approaches with other Second Year students who are then taking LARC 3 during any stage of any writing assignment. For individual assignments, as opposed to team-based assignments, students must conduct their own research, but they may refer to specific legal authorities while they are discussing theories and analysis with other First or Second Year students, as permissible. Students may not consult anyone, including a spouse, significant other, roommate, family member, attorney, judge, law faculty member, or student in another year of law school—other than their LARC professor or their teaching assistant—about research methods, sources, the workings of legal rules, or the application of law to fact. Unless a specific assignment is a group assignment, students may continue to discuss theories and analysis with other students while they are writing, but students must perform all actual writing independently, without assistance from any person. Here is a good way to think about this requirement: once a student has written or typed something on a page or computer screen, no one else may look at it or listen to someone reading it, other than the student’s LARC professor or teaching assistant; in other words, students must do their own work. Students may not use any

service or product that creates, constructs, corrects, or checks a legal citation on any writing assignment.

Academic Integrity Pledge

Students must complete, sign, and include the following Pledge of Academic Integrity with all LARC assignments:

On my honor, I submit this work in good faith and pledge that I have neither given nor received improper aid in its completion.

On my honor, I pledge that this document complies with the word limitation and consists of _____ words.

Signature of Student – Student ID No.

Permissible Acts:

When preparing any LARC assignment, students may

- Discuss any assignment with their LARC professor or their teaching assistant at any time.
- Discuss cases, legal concepts, problems, and potential arguments related to each assignment with another student in the course.

Impermissible Acts:

When preparing any individual LARC assignment, students may not

- Divide research tasks.
- Consult anyone outside of the LARC program, including a spouse, significant other, roommate, family member, attorney, judge, law faculty member, or student in another year of law school about research methods, sources, the workings of legal rules, or the application of law to fact.
- Share case names, citations to cases, statutes, or secondary sources or duplicate those source materials for others. Incidental references to a case name or other authority, not offered for the purpose of sharing research but for the honest purpose of discussing a legal issue, are permissible.
- Share notes, outlines, or computer memory devices relating to LARC assignments.

- Show any portion of their writing, whether that writing is printed out on paper or is on a computer screen or is stored electronically, or read any portion of their writing to any person—whether that person is a student, family member, or otherwise—for any reason, including the receipt of assistance on any task, including organization, analysis, editing, or proofreading, with the exception of their LARC professor and their LARC teaching assistant.
- Review, whether visually or aurally, any portion of another student’s writing—whether that writing is printed out on paper or is on a computer screen or is stored electronically—for any reason, including the assistance on any task, including organization, analysis, editing, or proofreading.
- A student who is, at any time, uncertain as to whether an act is permissible should consult his or her LARC professor, Professor Cue, Professor Marcucci, or Associate Dean Vertuno.

GRADING

Participation, Civility, and Professionalism

In LARC courses, students will learn not just writing but also civility and professionalism. This instruction is grounded in the duties imposed on practicing lawyers. Discourteous or uncivil conduct by attorneys is governed to some extent by the attorney’s duty of candor and fairness to opposing counsel and the tribunal¹ and by rules of practice and procedure.² In addition, many courts and state bars mandate professionalism through lawyer civility and courtesy codes.³

Merely telling students what civility and professionalism are would be insufficient to help them learn; students must also have a chance to practice those skills. Civil, professional behavior leads to a smoothly functioning law school classroom experience for everyone. To that end, professors have the right to raise or lower a student’s final grade by a half a step (for example, from C to C+ or from A to A-) based on class participation, civility, and professionalism.

Proper class participation and professional conduct include, but are not limited to,

- (1) sufficient preparation for each class to enable a positive contribution toward class discussion and exercises; and

¹ See, e.g., ABA Guidelines for Litigation Conduct (Aug. 1998); ABA Creed and Pledge of Professionalism; A Lawyer’s Creed of Professionalism of the ABA Tort and Insurance Practice Section (1999); American College of Trial Lawyers’ Code of Trial Conduct (rev. 1987).

² See ABA Model Rules of Professional Conduct (5th ed.) R. 3.1, 3.3, 3.4; ABA Model Code of Professional Responsibility DR 7-102.

³ See Fed. R. Civ. P. R.11; 29 U.S.C. § 1927.

(2) courteous, civil, and respectful behavior toward other students and the professor, both in and out of class.

Insufficient class participation and unprofessional or uncivil conduct include, but are not limited to,

- (1) lack of preparation for, or participation in, class or oral argument;
- (2) discourteous, uncivil, or rude behavior toward other students or the professor, whether in or out of class; and
- (3) disruptive conduct or other improper actions during class.

Anonymous Grading

LARC professors grade written assignments anonymously. To facilitate this system of anonymity, students must identify their papers with their student identification number only. This system is not intended to prevent students from having discussions with their professors concerning specific questions about their work.

FORMAT FOR POINT HEADINGS

- I. Use a Roman Numeral to Identify Major Headings, Which Should be Single-Spaced and Should Capitalize the First Letter of the Main Text.
 - A. Use capital letters to identify minor headings, capitalize and punctuate minor headings like a regular sentence, single space and underline.
 - B. Indent minor headings uniformly.
 1. Use Arabic numbers to identify subheadings, capitalize and punctuate subheadings like a regular sentence, do not underline subheadings, indent subheadings further than minor headings, single space subheadings.
 - a. *If necessary to use sub-subheadings, begin them with a lower case letter, capitalize and punctuate sub-subheadings like a regular sentence, italicize them but do not underline, indent sub-subheadings further than subheadings, single space sub-subheadings.*
 - b. *If you use a sub-subheading, you should have more than one, if you only have one sub-subheading, you do not need that sub-subheading.*
 2. Likewise, if you use a subheading, you should have more than one, if you only have one subheading, you do not need that subsubheading.
 3. No matter where the subheading is in the document, the indentations should be the same, this is true for all of the categories of headings.
- II. All of the Major Headings Signal an Issue that can Stand Alone. In a Brief the Major Headings are Sometimes Written in a Larger Font than the Text and Other Sub-Headings. This is a Style Decision.