

## Logic Skills for Legal Reasoning: Syllabus, Fall 2014 - PART I

Professor Vern R. Walker

**Course Description:** This course is designed to teach skills useful in analyzing the reasoning structures found in judicial decisions, and in constructing new arguments using elements of those structures. Students will learn to analyze judicial decisions as natural language documents that we search in order to retrieve the elements of legal reasoning and argument. The logic skills taught in the course include: analyzing the linguistic structure of judicial decisions, to interpret the meaning of the text (a skill applicable to all types of legal documents); searching documents and retrieving information critical to legal argumentation (a skill also applicable to search software, e-discovery, and artificial intelligence applications in law); and constructing new legal arguments using rules, findings, evidence and policies extracted from judicial decisions (a skill applicable to all types of legal reasoning and argumentation). No prior knowledge of linguistics or logic is required.

Students will work through a series of modules that are focused on particular logic skills. Each module will consist of the following online elements: background text, videos, interactive examples; exercises to be performed; and feedback on those exercises. After students have completed certain sets of modules, the class will meet to discuss problems that students might be having, and to discuss the topic more broadly. Thus, although working through the online materials will be a substantial part of the learning experience, the course will be taught primarily in a synchronous manner (the instructor meeting with all students at the same time). Examples and judicial decisions will be drawn primarily from Torts cases, of the kind familiar from first-year Torts courses. There will be a final examination. While a student's performance in the course will be graded, the mandatory grading curve will not apply because the grade will be primarily determined by an evaluation mechanism involving significant individualized interaction between the student and teacher.

**Credit Hours:** 2 Credits, No Writing or Skills Credit [**Note:** Although the course teaches a certain class of skills, is taught primarily through exercises with evaluation and feedback, and is graded on performance proficiency, I do not believe that it would qualify for Hofstra Law's "Skills Requirement." The reason is that our Skills Requirement (tracking the ABA definition of "other professional skills" in Standard 302(b)(3)) is meant to *exclude* courses focused on such professional skills as "legal analysis and reasoning."]

### LEARNING OUTCOMES

By the end of this course, students should have demonstrated proficiency in:

- Using the basic concepts of linguistics and logic, to the extent needed for analyzing legal reasoning from these perspectives;
- Extracting rules and policies from cases;
- Extracting findings of fact from cases, and the supporting reasoning based on the rules, policies and evidence;
- Identifying arguments in cases, including policy-based reasoning and evidence-based reasoning, and reasoning about the legal sufficiency of admitted evidence; and

- Using basic linguistic technology in legal practice.

**CLASS TIME AND LOCATION**

Wednesdays, 4:10 p.m. – 6:00 p.m.; Koppelman Hall 113 (LLT Lab)

**CONTACT INFORMATION:**

Office: Room 106, in the southwest corner of the main floor of the library

Email: [Vern.R.Walker@Hofstra.edu](mailto:Vern.R.Walker@Hofstra.edu)

Telephone (but email is preferred): (516) 463-5165

Regular office hours: Mondays and Wednesdays, 10:30-11:30 a.m., and other days and times by appointment. In order to avoid conflicts, please make appointments with my executive secretary, even for meetings during office hours.

Executive Secretary: Joyce A. Cox, Room 216C

Email: [Joyce.A.Cox@Hofstra.edu](mailto:Joyce.A.Cox@Hofstra.edu)

Telephone (but email is preferred): (516) 463-6339

**GRADING AND ATTENDANCE POLICY:**

This is an examination course, and there will be a mid-term exam as well as weekly exercises. Your grades in these examinations and on these exercises will be the basis for your final grade in the course. Participation in class discussion is required, and the quality of your participation may raise or lower your final grade in the course.

The basis for the final grade for the course will be the following formula:

- Final exam: 50%
- Mid-term exam: 20%
- Exercises (grade scale: honors / pass / no pass, taking into account exercise answers both prior to peer review and after peer review): 30%

This basic final grade may be raised or lowered depending upon the quality of your participation in class discussion, and may be lowered due to lack of regular attendance in class (see details below).

Attendance at class is required. **You must notify me about and explain all absences from class, using email.** Unexcused absences may result in a lowering of your grade. Moreover, being absent for more than 3 class-hours in this 2-credit course, even if explained, may result in a lowering of your grade (see detailed reasoning in the next paragraph).

In addition, the law school, the New York State Court of Appeals and the American Bar Association require law students to be in good and regular attendance during the academic year for the courses in which they are registered. To comply with these rules, you must attend at least 85% of the regularly scheduled classes in this course. I anticipate that we might meet in person for only 8 of the 14 weeks of this course, for a total of 16 class hours. Thus, you may miss no more than 3 of these regularly scheduled class hours in this 2-credit course.

I will provide sign-in sheets for each regularly-scheduled class, which shall be the dispositive evidence regarding your absence from a given class. Each student is responsible for signing in. Falsification of sign-in sheets is a violation of the Code of Academic Conduct.

If you exceed the permitted absences by failing to sign in, you may be administratively withdrawn from the course. No prior notice may be given, and you will receive notification from the Office of Academic Records indicating the withdrawal. Any such withdrawal may have serious ramifications for your financial aid, academic standing, and date of graduation. If you are excessively absent from several classes, you may face additional sanctions, including but not limited to denial of certification of good and regular attendance to the New York State Board of Law Examiners, or other state bar examiners.

If you believe you must be absent from class for more than the permitted number of hours, you should contact the Office of Student Affairs as soon as possible. Accommodations may be made for students who must be absent for religious reasons and in cases of truly compelling hardship. Any request for an exception must be accompanied with appropriate documentation.

**NOTICE:**

In order to ensure equal access and knowledge for all students, and to reduce anxiety during the exam period, I will answer absolutely no questions about the material for the course or about the exam after the last class has concluded, regardless of how the question is posed to me (e.g., orally or by email). Make sure you have asked me all of your questions prior to the last class.

**TWEN**

I will administer this course through TWEN (The West Education Network). Important course materials and announcements will be made available / communicated via TWEN. Please sign up for TWEN as soon as possible. This course can be accessed as “Logic Skills for Legal Reasoning.” If you have TWEN-related questions, please ask one of our librarians at the reference desk for assistance.

**COURSE OUTLINE:**

**Required Text:** All reading materials will be provided via the TWEN site or by other electronic means.

**Required Software:** Whenever we work with PDF files, in order to preserve formatting and have consistent color schemes, please open them in Adobe Reader (Version 11.0 or later, available free from <http://get.adobe.com/reader/>).

**Course Content:** The topics (logic skills) fall into five sections. The first section is introductory, with instruction occurring primarily in the classroom, and it provides background information and terminology. Each of the remaining sections will consist of online exercises, followed by and integrated with classroom discussion. I will have the benefit of reviewing the online exercises before the in-class discussion, in order to determine what skills you are having trouble with. After you have completed the sets of modules within each section, the class will meet to discuss problems that you might be having, and to discuss the topic more broadly.

## **I. Introduction to the Basics: Linguistics, Logic, and Legal Discourse Models**

### **Aug 27, Week 1: Introduction to the Course – A Linguistic, Logical Approach to Analysis of Legal Texts (Judicial Decisions)**

Discuss the reason for the course and the pedagogical methods of the course.

First-class assignments:

- 1A - Introduction to Linguistics: Syntax, Semantics and Pragmatics (Without Exercises)
- 1B - Introduction to Logic: Deductive and Probabilistic Reasoning (Without Exercises)

### **Sep 3, Week 2: Introduction to Linguistics and Logic**

Second-class reading assignments (you should download these PDF files from the TWEN course page, and in order to preserve formatting open them in Adobe Reader (Version 11.0 or later, available free from <http://get.adobe.com/reader/>):

- 1C – Linguistics Background Document
- 1D – *Snyder v. Turk*: Highlighted Examples of Linguistic Concepts
- 1E – Logic Background Document
- **EXERCISES:** syntax, propositional content, co-reference, argument

Please note that these two background documents contain quite a bit of information. I do not expect you to learn all of that information for the second class! As you will see, these background documents will provide reference materials for you throughout the course, and the weekly exercises will focus you on what information is important to know at what stage of the course.