Professor’s Contact Information:
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Learning Objectives
The following objectives reflect the standards you should satisfy at the end of this course. Bracketed citations are to the law school’s Learning Outcomes for Graduating Law Students.

1. Be able to write analytically using Plain English. [4(a)]
2. Construct arguments and identify flaws in arguments. [5(e)]
3. Identify legal issues in facts and apply rules to facts [5(c)]
4. Present written communications in a professional setting in a manner that meets the standards of the legal profession. [7(a)]
5. Write your final exams clearly in a way that meets law school expectations.

Course Description and Guidelines

1. What this course is all about.

The Legal Methods course exists to help law students read and write as lawyers must. The law is a profession based on careful reading and clear writing. In the practice of their profession, lawyers do not read and write the way lay people do. This does not make us more or less intelligent than the average person. “Intelligence” is not the central issue when reading and writing law. Focus and organization are the key traits lawyers must develop. Other fundamental characteristics of successful legal practice (and successful exam performance) include clear, coherent writing that is responsive to the question being asked.

One of the most important things to remember is that legal writing does not focus on the subject (the writer). Instead, legal writing focuses on the reader. Your reader needs to understand something or get something done as a result of what you write to him or her. Thus, when you write, you write to your reader. Your reader has a very definite expectation of how your work will be organized. This includes strict expectations on the content of your writing, the organization of your writing, and the appearance of your writing.
The number of possible readers of a legal document is not infinite. Lawyers ordinarily write to three possible readers:

- A judge
- Another lawyer
- A client

While you will spend years writing to clients, we will not practice doing so in this class. Most of our focus will be on writing to other lawyers. The term “lawyer” includes law professors. One of the key aims of this course, as stated on the prior page, is to help you improve your exam writing and with it, your performance in law school. In addition, these skills will prepare you for the writing portion of your bar exam.

2. Types of assignments you can expect

Like the legal writing class, you will write frequently in this class.
Like the legal writing class, you will receive individual feedback from me.
Unlike the legal writing class, you will not have to research at all nor will you have to read many cases.
Most of your assignments will consist of facts and rules. For each set of facts and rules, you will eventually write an essay in the IRAC format. Before producing a full-blown IRAC analysis, you will have worksheets and study aides for each one of the essay problems. We will outline the essays in class and outside of class (homework) before writing them.

Professionalism:

You are expected to conduct yourself in a professional manner during class and in your dealings with me and with your classmates. Attendance is critical. As this course is a workshop format, the work inside class, attendance and participation play a crucial role in the class. Your attendance, preparation and participation are required and may contribute to your final grade. Unless I instruct you otherwise, you should not work on any in-class or homework exercises with another student or share your work with others.

The rules of the New York State Court of Appeals, the American Bar Association, and the Law School all require law students to be in good and regular attendance in the courses for which they are registered. To comply with these rules, you must attend at least 85% of our regularly-scheduled classes. Thus, you may miss no more than 4 hours and 12 minutes of class time this semester.

If you must be absent for more than the permitted number of hours of class, 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 made to the Office of Student Affairs (not to me) and must be accompanied by appropriate documentation. You must make
any request for an exception to Student Affairs. You must bring all supporting documentation when requesting your exception.

I will provide sign-in sheets for each regularly-scheduled class, which shall be the dispositive evidence regarding your presence at or absence from a given class. Each student is responsible for signing in during the class time; you may not sign in after the class has ended. Falsification of sign-in sheets is a violation of the Code of Academic Conduct and can lead to failing the course. Signing in after the class has ended, even where you attended the class, is within the meaning of falsification under the Code of Academic Conduct.

If you exceed the permitted absences, meaning that you have failed to sign in for more than 4 hours and 12 minutes of class time, your name will be sent to the Office of Student Affairs and you will be subject to administrative withdrawal from the class. Any such withdrawal may have serious ramifications for your financial aid, academic standing, and date of graduation.

As noted in the Student Handbook, because this is a required course, administrative withdrawal will result in a grade of “Administrative Failure” (AF) for the course.

**You may not receive prior notice, so you need to keep track of your absences.**

With respect to class preparation and participation, you are expected to read the assigned reading materials and complete all homework assignments so that you may engage in an informed discussion of those materials and assignments. **Those who are late to class or unprepared may be treated as absent.** I reserve the right, in my discretion, to raise or lower your grade by a +/- to reflect your attendance, preparation and participation.

**Required Text:**

We will not use a textbook. On certain weeks, I will hand out the materials. Students are required to join the TWEN page as that is where all resources, homework assignments, and communication will be found. It is imperative that you join the TWEN page in order to receive all communications pertaining to the class.

It is your duty to keep track of assignments and prepare for class.

In addition, students are required to join STUDY AIDS. Go to subscription.westacademic.com and create an account. The subscription is free and we will use these materials in lieu of a textbook.

**Hours of Work per Week:** The American Bar Association requires that you spend at least four hours per week, on average, outside of class studying for this 2-credit course. This is in addition to the two hours a week we spend in class.
**Class Participation:** Again, the workshop model of this class makes participation particularly important. Thus, students are expected to participate in class discussion and group work/problem solving.

**Scoring and Examinations:**

This class will follow Hofstra Law’s grading policies. There will be a midterm and a final exam. Completing assignments; submitting them on time; and participating in class discussions are critical. Please be sure to follow the syllabus instructions.

There will be both in-class and homework writing assignments. This is a skills course, thus, the assignments will be graded based on your application of the skills and principals that we cover in our classes.

The course is based on 600 total points. The overall grade will be derived from the following:

- Mid-term Exam - 160 Points:
- Final Exam - 230 Points:
- Diagnostic (participation only): 10 Points
- Class Participation & Class Exercises: 100 Points
- Homework: 100 Points

**SCHEDULE**

WE RESERVE THE RIGHT TO ALTER THE SYLLABUS IN THE BEST INTEREST OF THE CLASS.

**Class 1: Introduction and Diagnostic**

**Date:** January 17, 2017

**Coverage:** In this class, you will take a short diagnostic. By “diagnostic.” I mean that you will produce an in-class writing sample. We then will review each student’s writing sample to see the strengths and weaknesses of the student’s writing at the start of the semester. That is why we use the term “diagnostic.” This writing sample will allow us to “diagnose” your skills on Day 1. We will then use this sample, or “diagnostic,” to measure your growth throughout the semester. There is nothing to prepare for the first day of class as a result. We will also hand out course materials.

**Homework for next class:** Set up your West’s Study Aids subscription; and set up your TWEN account.

**Class 2: Skills – Multi-State Performance Test (MPT) (Part 1)**

**Date:** January 24, 2017
The Multistate Performance Test (MPT) is a skills-based exam. You do not need any specific substantive legal knowledge to take it. Instead, you need to be able to read closely, and write to your reader. In this class, we will break down a question and cover the skills that are needed to navigate the file and draft strong answers to MPT questions. We will apply many of the skills and formulas that we have covered in this class thus far. In addition, we will work together to draft an answer to an MPT question.

Homework for next class: MPT rewrite exercise

Class 3: Skills – MPT (Part 2) & Use of Plain English in Law School
Date: January 31, 2017

Coverage: In this class we will start with a brief review of Class 2 and continue to develop the skills needed to successfully complete an MPT. We will also discuss the importance of Plain English in law school writing. We will go through a series of exercises, together, in class, practicing Plain English.

Homework for next class: MPT rewrite exercise

Class 4: Skill – Essay Organization (IRAC/CRAC) and Reading Comprehension (Part 1)
Date: February 7, 2017

Coverage: In this class, we will begin to work on essay writing skills. We will explain the components of a well organized and comprehensive law school essay or paper (CRAC or IRAC). We will also focus on reading comprehension skills. You will learn how to pick out what facts are relevant to certain causes of action and legal questions. You will also learn how to examine question stems and shape a response and analysis. Comprehending fact patterns and question stems is essential to writing / drafting a successful essay answer.

Homework for next class: Reading comprehension exercise

Class 5: Skill – Essay Organization (IRAC/CRAC) and Reading Comprehension (Part 2)
Date: February 14, 2017

Coverage: In this class, we will continue with our work on IRAC/CRAC and reading comprehension strategies.

Homework for next class: IRAC exercise

Class 6: Skills – Rule Statements & Analysis
Date: February 21, 2017
Coverage: In this class, you will learn how to define, model, and practice identifying and articulating rule statements. This will provide you with the roadmap and framework for your analysis. We will also work on the application of relevant facts to the rule through a comprehensive and well-organized analysis.

**Homework for next class:** Rule statement, application and analysis exercises

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**Class 7: Analysis & Putting It All Together**
Date: February 28, 2018

Coverage: In this class, we will work on combining all the strategies we have covered so far to create a well-drafted essay answer.

**Homework for next class:** Study for midterm

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**Class 8: Test: Mid-Term Exam**
Date: March 7, 2017

Coverage: You will be tested on what you have learned thus far.

**Homework for next class:** No assignment

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**Class 9: Test: Review of Mid-Term Exam**
Date: March 14, 2017

Coverage: We will review the questions on the mid-term exam.

**Homework for next class:** Mid-term self-assessment assignment

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**Class 10: Skill: Answering Multiple-Choice Questions**
Date: March 21, 2017

In this class, we will review how to efficiently and effectively read a multiple-choice question.

**Homework for next class:** Multiple-choice question exercise.

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**Class 11: Skill: Advanced Legal Analysis – Incorporation of Defenses and Exceptions**
Date: March 28, 2017
Coverage: In this class we will continue to develop the skills needed for legal analysis. For example, you will learn how to incorporate defenses, and exceptions to rules of law into your analysis.

Homework for next class: Analysis exercise.

Class 12: Skill: Advanced Legal Analysis - Answering Complex Essay Questions (Part 1)
Date: April 4, 2017
Coverage: You will apply skills and strategies learned thus far on more complex essay questions.
Homework for next class: Essay writing exercise.

SPRING BREAK: NO CLASS ON APRIL 11TH.

Class 13: Skill: Advanced Legal Analysis - Answering Complex Essay Questions (Part 2)
Date: April 18, 2017
Coverage: In this class, we will continue working on the application of the skills covered thus far on more complex essays.
Homework for next class: Essay exercises.

Class 14: Review for Final Exam
Date: April 25, 2017
Coverage: In this class, we will cover skills you need for the final exam. We will review the skills and formulas that we covered in classes 1-13.
Homework for next class: Study for final exam

IRAC (Issue / Rule / Analysis or Application / Conclusion) is the standard format (a/k/a "paradigm") lawyers use to talk to each other. This means that it is the standard structure we use on exams – both law school exams and bar exams. Variations on IRAC include C-RAC and CREAC. Don't get hung up on these small variations. Our goal is to understood and produce the standard legal analysis. The theme behind all three (IRAC/C-RAC/CREAC) and the core structure are the same.