

RWA LEARNING OUTCOMES

Learning Outcomes for RWA	
By the end of the first semester, students will	
Skill Category	Specific Skills
Legal analysis	Understand basic concepts of jurisdiction, hierarchy, and weight of authority, including the difference between primary (or binding) and secondary (or non-binding or persuasive) authority. Understand basic concepts of conjunctive, disjunctive, and balancing tests. Identify and formulate legal rules, including how to synthesize authorities into legal rules. Understand the concepts of umbrella rules and sub-rules. Apply legal rules in a specific jurisdiction to the client's factual scenario, analogizing and distinguishing legal sources to the client's facts as appropriate. Identify, select, and effectively use text-based (rule-based or plain language), analogical, and policy-based reasoning.
Writing: audience	Understand that organization, style, and tone depend on the characteristics of the anticipated reader and how the anticipated reader will use the document.
Writing: IRAC/CREAC paradigm	Use the IRAC/CREAC paradigm correctly and effectively: Write rule statements that: • summarize the rule of law on the particular issue under discussion. • synthesize multiple sources of law if necessary.

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	Write rule explanations that: • Use topic or thesis sentences that state or refer to rules. • Are organized by rule, not by case. • Provide relevant facts and necessary contextual facts of cases; omit irrelevant facts; state the relevant holding; describe the relevant reasoning. • Describe the facts, holding, and reasoning of case in a logical order. • Include policy when appropriate. • Explicitly identify assumptions the writer is making regarding the facts or the court's reasoning. • Use correct verbs to identify the court's actions (such as held, found, stated, or reasoned). • Never mention the client's facts. Write rule applications that: • Use topic or thesis sentences that refer to the rule or the part of the rule at issue. • Help guide the reader through the logical progression of the application section. • Support arguments by comparing facts of client's case to those of prior cases; comparisons should use parallel sentence structures and should make clear the legal significance of the comparison. • When appropriate, support arguments by using rule-based (also called text-based or plain language) reasoning. • When appropriate, support arguments by using rationales from prior cases. • When appropriate, support arguments by using policy. • When appropriate, support argument by explaining alternative interpretations of rules. • Include fully-developed counter-argument supported with the same techniques. • Explain (here or elsewhere) why the counter-argument would likely not prevail. Write conclusions that: • Include a prediction about the argument that will likely prevail. Write headings for IRACs/CREACs that:
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	• Can be used to separate multiple IRACs/CREACs or can be used within very long IRACs/CREACs. • Must either identify topics or state predictions.
Writing: predictive memos	Write effective fact sections of memos that: • Include both legally relevant and contextual facts, including all facts mentioned in the rule application. • Are objective. • Do not omit unfavorable facts. • Alert the reader to relevant unknown facts. • Can include emotional facts. • Must be understandable to a reader unfamiliar with the case. Write effective questions (or issues) presented and brief (or short) answers: • Write QP/BA sections that: ○ Include a QP/BA pair for each major legal issue in the discussion section. ○ Are understandable to a reader unfamiliar with the case. • Write QPs that: ○ Include at least the legal issue and the key facts, stated objectively. ○ Are phrased as a single sentence using one of the common formats: “legal issue-when-key facts,” “whether-when,” or “under-does-when.” Alternatively, use the deep-issue format, which is written in multiple sentences that state the governing law; then the facts; then the legal issue, each phrased as a complete sentence. • Write BAs that: ○ Begin with a one- or two-word answer. ○ State the governing law.

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	- o Summarize the reasoning behind the conclusion. - o Are usually no more than a paragraph. Write effective umbrella paragraphs that: • Introduce the discussion of multiple related issues. • At a minimum, summarize the law that governs all the related issues and clarify the organization of the rest of the discussion section (including identifying issues being omitted). • When appropriate, include cursory explanation of non-disputed issues. Write a predictive memo of 12-20 pages.
Bluebook	Use citations where required. Use correct Bluebook citation format. Identify the pages on which the cited material appears (the pinpoint citation). Follow Bluebook rules on capitalization, italics, and underlining. Follow Bluebook rules on format and alteration of quotations.
Ethics and Professionalism	Recognize that attorneys have a professional obligation to clients. Recognize the importance of objectively evaluating the merits of claims, presenting adverse authority, and ensuring accurate information. Recognize the impact that a written document has on a client and on a lawyer's professional reputation. Recognize the importance of timeliness and following instructions.

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	Adhere to law school policies on plagiarism.
Writing style and conventions	Write in good legal style: • Avoid slang. • Avoid legalese. • Keep sentences and paragraphs a reasonable length. • Use effective transitions. • Avoid passive voice unless its use is appropriate. • Prefer the third person. Use quotations correctly and effectively: • Use quotations when necessary to draw attention to a court's exact language or to avoid plagiarism. • Prefer brief quotations to long ones. • Choose language that minimizes the use of ellipses and brackets when possible. • Use correct grammar when integrating quotations into the text.
Writing mechanics (taught primarily in optional writing seminars and reinforced by legal writing faculty)	Use correct sentence construction: • Avoid sentence fragments. • Avoid fused sentences, comma splices, and run-on sentences. • Use commas according to conventions with subordinate clauses, participial phrases, and non-restrictive material. • Use semicolons to combine independent clauses according to conventions. Use apostrophes correctly: • Use apostrophes according to conventions to form possessives.

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	• Avoid contractions. Use tense correctly: • Use appropriate tenses when discussing different aspects of cases and facts. Recognize passive voice. Use agreement correctly: • Ensure subjects and verbs agree. • Combine singular and plural nouns and pronouns according to writing conventions. Write correct lists and use parallel constructions: • Use serial commas in lists of three or more items. • Use semicolons according to conventions with lists that are long, complicated, or contain internal punctuation. • Use correct parallel structure.
Legal research (taught primarily by librarians and reinforced by legal writing faculty)	Understand the general nature and purpose of legal research. Develop basic legal research strategies. Understand the difference between primary and secondary authority: • Recognize sources and generation of primary authority (constitutions, statutes, regulations, and cases). • Locate and use basic secondary authority (including Black's Law Dictionary; AmJur, CJS, and state encyclopedias; ALR; treatises; and law reviews) using index and keyword searches. Research case law: • Understand the nature of common law.

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	• Understand the basic structure of federal and state courts. • Understand reporter structure (reporter organization; official and unofficial reporters; and annotated and unannotated reporters). • Recognize the basic reporters (U.S., S. Ct., L. Ed., F., F. Supp., and state reporters). • Understand the caption of a case (such as the parties and the docket number). • Locate cases using citations; headnotes; and natural language and terms-and-connector searches. • Generate search terms. • Recognize unpublished cases. Use citators effectively: • Understand the purpose of case citators. • Shepardize or KeyCite a case. • Understand direct and indirect history. • Recognize citator uses beyond case updating, including case finder and citators for statutes. Research statutes: • Understand the statutory process from slip law to codification. • Recognize code formats (official and unofficial; annotated and unannotated; and state variations). • Understand the parts of an annotated code section, such as the statutory section, history, and references. • Effectively search codes using index searches and keyword searches. • Synthesize common law and statutory law.
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