

**UNIVERSITY OF ROME TOR VERGATA
SUMMER PROGRAM IN AMERICAN LAW
SUMMER 2018**

FROM: Professors Shannon Gardner and Richard Risman
TO: Students
DATE: July 16-27, 2018
RE: Course Syllabus -- Introduction to American Law and Legal Writing in American Law

Welcome to Introduction to American Law and Legal Writing in American Law. This syllabus sets forth important information about the course, including expectations and goals for the course, topics to be covered, and information about the writing assignments.

Please let us know if you have any questions about this syllabus. We look forward to working with you.

1. Overview – Course Goals

We have goals for what we hope students will achieve by completing this program. By the end of the Introduction to American Law course, students should understand the structure of the United States government and legal system, including the three branches of the federal government and the role of each branch in making law. Students also should understand key provisions of the United States Constitution, and know the sources of law in the United States and the hierarchy of those sources. Students should know the basic structure of the federal court system in the United States, including the different functions of appellate and trial courts, and the role of juries in the legal system. Students also should have assessed and considered strengths and weaknesses of the legal system in the United States, and reflected on the differences between the legal system in the United States and their home country.

By the end of the Legal Writing in American Law course, students will understand the writing styles and methods of research utilized in the United States. This course is designed to simulate an environment that a typical American practitioner would likely encounter in early law firm practice within the American system, but also to prove instructional and valuable to any student, regardless of career goals. Students will work on a series of research and writing assignments that closely simulate those typically given to associates or law clerks by law firms or judges within United States jurisdictions. The course also focuses on reinforcing

skills proficiency through research instruction in general, as well as intensive assignment-specific writing instruction, guidance, feedback, and individual mentoring. Ultimately, the course is designed to give students as much practical training as possible to confidently master the ability to independently research, analyze, organize, and write legal memoranda and briefs on a variety of topics in both objective and persuasive writing.

2. Class Times

We will meet for Introduction to American Law from 10 a.m. to 1 p.m., and for Legal Writing in American Law from 2 p.m. to 5 p.m. As we have only ten class sessions, please do your best to attend every class and to arrive on time. We value the input and participation of students in each class and our discussions.

3. Required Readings

In preparation for classes, you may be asked to complete some reading assignments, including some cases decided by United States courts and some short articles. We will provide these short reading assignments to you in class.

4. Course Grades

Successful completion of the course will be based on completion of all assignments and participation in class.

5. Office Hours

We are available to meet with students for questions or further discussion. Professor Gardner may be reached at spryan03@law.syr.edu. Professor Risman may be reached at rsrisman@law.syr.edu.

THE PROGRAM CLASS-BY-CLASS

WEEK ONE

MONDAY, JULY 16

Morning: Welcoming remarks and overview of the program

Afternoon: Introduction to the Sources of Law in the United States; Survey of American Hybrid System of Law; Hierarchy and Weight of Authority; Case Briefing

Reading: United States Constitution; sample case (court decision) to be briefed

TUESDAY, JULY 17

Morning: The United States Constitution and History of the Constitution

Afternoon: Introduction to Sources of Law and Research; Introduction to CALR, Secondary Sources of Law and Research; Developing a Research Plan

Reading: Short article on the history of the Constitution

WEDNESDAY, JULY 18

Morning: The Structure of the United States Government (the Branches of Government, Separation of Powers and Checks and Balances, and Judicial Review)

Afternoon: Assessing Rules and Principles of Law from Secondary Sources and Primary Sources, including Cases

Reading: Marbury v. Madison

THURSDAY, JULY 19

Morning: How Law is Made – the Legislative Process; the Structure of the Court Systems; Common Law and Stare Decisis

Afternoon: The Interoffice Memorandum – Introduction to Objective/Predictive Legal Writing; the Bluebook – Legal Citation in the United States

Reading: Plessy v. Ferguson; Brown v. Board of Education; sample annotated office memorandum

FRIDAY, JULY 20

Morning: The Adversary System; the Right to Jury Trial; Roles of Judges and Juries in the United States Legal System

Afternoon: In-class Outlining and Composition of Objective Memorandum (Issue Statement, Statement of Facts, Discussion of Law, and Conclusion)

Reading: Short article on the right to jury trial

WEEK TWO

MONDAY, JULY 23

Morning: Introduction to Evidence Law and the Federal Rules of Evidence

Afternoon: Persuasive Writing Principles; the Trial Court Memorandum; In-class Discussion and Drafting of Trial Memorandum

Reading: Crawford v. Washington; sample annotated trial court memorandum

TUESDAY, JULY 24

Morning: Constitutional Law I (Commerce Clause and Standing Requirement)

Afternoon: Appellate Practice; Tenets of Appellate Practice and the Appellate Brief

Reading: Gonzales v. Raich; sample annotated appellate brief

WEDNESDAY, JULY 25

Morning: Constitutional Law II (Equal Protection and Due Process Clauses)

Afternoon: In-class Discussion and Drafting of Appellate Brief

Reading: Obergefell v. Hodges

THURSDAY, JULY 26

Morning: Introduction to Civil Procedure; Timeline of a Civil Lawsuit

Afternoon: Introduction to Oral Argument

FRIDAY, JULY 27

Morning: Introduction to Contract Law

Afternoon: Oral Arguments