Introduction to Law and Legal Writing

Week 1 Readings and Activities

**Week 1: Introduction to Law, The Legal System, Case Briefing and Legal Writing**

**Objectives**

Upon completion of this module, students will be able to:

1. Identify the sources of law in the American legal system.
2. Explain the structure of the state and federal judicial systems.
3. State the role of precedent and *stare decisis* in deciding legal cases.
4. Categorize resources as primary or secondary legal authorities.
5. Describe the steps in the IRAC method of legal analysis.
6. Define the elements and purposes of a case brief.
7. Identify the holding or decision in a judicial opinion.
8. Identify plagiarized material.
9. Define the steps for avoiding plagiarism.

**Requirements**

Readings:

- Dernbach:
  1. Introduction (pg xxiii-xxv)
  2. Chapter 1 Rules and Policies (pg 3-7)
  3. Chapter 2 Sources of Law (pg 11-19)
  4. Chapter 4 Precedent and *Stare Decisis* (pg 43-48)
  5. Preventing Plagiarism: Turnitin Student Resources
  6. **Purdue OWL: Avoiding Plagiarism**
  7. **Understanding Plagiarism**
  8. **New York Times Article: Allegations of Plagiarism Against Senator Walsh**
  9. **Senator Walsh Withdraws from Race**
  10. **Buzzfeed Article**
  11. **Lexis: Introduction to American Legal System**
  12. **Overview of the U.S. Legal System/FindLaw**
  13. **LII: Federal Courts – An Overview**

Video Presentation:

1. View the video presentation by Monday of this week.

Activities:

- Activity # 1: Tutorial Questions
- Activity # 2: Discussion Questions
- Activity # 3: Class Plagiarism Examples
Tutorial Questions for Week 1

The Tutorial Questions are designed to ensure that you have an accurate understanding of the key points in the readings. Answers to these questions can be any length. Your goal should be to accurately state the relevant points of law as concisely as possible. Your professor will provide feedback and guidance on your responses. Answers are due by 11:59PM on Wednesday.

TQ 1.1: Complete Exercise 2-A on page 20 of the Dernbach text.

TQ 1.2: Define “precedent” and “stare decisis.” Explain whether the U.S. Supreme Court can ever decide not to follow a prior U.S. Supreme Court decision.

TQ 1.3: For the following case citations, identify (1) whether the deciding court was a federal or state court; and (2) whether the court was a trial court, an intermediate appellate court, or the highest court in the jurisdiction:

- *United States v. Greber*, 760 F.2d 68 (3d Cir. 1985)
Discussion Questions for Week 1

A "threaded discussion" is a discussion forum that allows students to respond to questions posted by the professor (original responses), which can then be read by other users who add their own comments in response (secondary postings). Unlike chat rooms and other "real-time" interaction forums, threaded discussions do not require different users to be logged on at the same time.

Discussion questions are assigned each week. Original responses to these questions must be posted by Thursday at 11:59PM. Original responses must be at least 250 words and must incorporate concepts from the lectures and assigned readings.

Secondary Responses/Postings: Each student must post two or more secondary responses to other students’ postings for each discussion question. Secondary responses are due by 11:59PM on the Monday following the week in which the questions were assigned. They must be a minimum of 150 words and, like original responses, should incorporate concepts from the lectures and assigned readings. Students are encouraged to embark on interactive discussions that go beyond the minimum number of secondary postings.

Although the discussion board is expected to be student-driven, professors will be participating in the discussions as well.

DQ 1.1: Review the New York Times articles on Senator John Walsh and Buzz Feed's staff writer, Benny Johnson, in your assigned readings for week #1. Identify and summarize the key allegations of plagiarism against Senator Walsh and Mr. Johnson. In addition, discuss why the 96 footnotes Senator Walsh included in this thesis are allegedly insufficient to avoid plagiarism. Moreover, if the plagiarism allegations are proven, explain what you believe would be an appropriate sanction for Senator Walsh and whether you believe dismissal was appropriate for Mr. Johnson. On your follow-up posts, respond to at least two of your classmates’ initial or secondary posts, indicating if you agree or disagree with their conclusions and why.
Activity #3: Plagiarism Examples

Due by 11:59PM on Saturday of Week 1.

For this assignment, please post a main submission containing the following:

1. A 1-2 paragraph verbatim excerpt from any source of your choosing

2. A plagiarized version of the text that contains at least one example of each of the following:
   a. A direct quote without proper attribution
   b. Paraphrased language without proper attribution
   c. Substantial reliance on the author’s ideas without proper attribution

3. An explanation of why each example amounts to plagiarism and your suggestions as to how the examples should be revised to avoid plagiarism.

Please also post at least two follow-up comments to your peers’ posts sharing your thoughts regarding their examples and revisions.