

中国社会科学院大学英文法律检索与写作 1 课程大纲

课程基本信息 (Course Information)					
课程编号 (Course ID)		*学时 (Credit Hours)	48	*学分 (Credits)	3
*课程名称 (Course Name)	<div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; margin-bottom: 5px;"> (中文) 英文法律检索与写作 1 </div> <div style="display: flex; justify-content: space-between;"> (英文) Legal Research and Writing 1 </div>				
先修课程 (Prerequisite Courses)	基础英语写作能力 (考过四六级英语或者英语专四优先)				
*课程简介 (Description)	<p>全英授课，主要培养涉外法律实务资源检索与策略性思维与写作能力基本功。教学方法综合课堂授课，课堂讨论与课外教师手把手辅导。</p> <p>本课程着重提升学生涉外法律实务专业素养以外，还着重提醒学生谨记以法律实务体现爱国情怀，法律人责任任重道远，必须时刻谨记对外提升与保护国家声誉，民族利益，说好中国故事。课程旨在培养学生涉外法律实务问题解决以及专业交流能力，以复杂案例等材料作为教材，学习如何有机融合洞察问题能力，聚焦问题症结能力，进一步结合检索相应法律和非法律资源能力，以谨慎且创新解决问题的策略思考方法，精确法律应用，锤炼法律原则，通过缜密的叙述方式作官方书面表达。课程设计是综合普通法教学特性与在华多年教学所知学生特性，特别为中国学子设计具备高阶性创新型并具有高难度挑战度，目标强而专，只为提升学生涉外法律实务专业度，为国家说好中国故事。</p>				
*课程简介 (Description)	<p>This course is especially designed for teaching Chinese law students the basics of American legal research, strategic thinking, and legal writing skills. The first half of this course focuses on fact reading, issue spotting, legal research and legal reasoning. Through statutory interpretation, critical case reading, case briefings, and class discussions, students will learn legal reasoning, legal analysis, rule synthesis, and legal argument/communication skills. The second half of this course aims to familiarize students with formal writing and strategic thinking, the IRAC method and other fundamental legal writing techniques. Additionally, students will learn and appreciate legal citation methods, legal ethics, and the role of attorneys in today's ever-challenging global legal and business environment.</p>				
*教材 (Textbooks)	教材是教师提供的案例，英文法律法规材料，PPT 材料以及一些关于法律写作外文书的材料。				
参考资料 (Other References)	任何美国出版的 U.S. legal research 教科书与 U.S. legal writing 教科书。				
*课程类别 (Course Category)	<input type="checkbox"/> 公共基础课/全校公共必修课 <input type="checkbox"/> 通识教育课 <input type="checkbox"/> 专业基础课 <input type="checkbox"/> 专业核心课/专业必修课 <input checked="" type="checkbox"/> 专业拓展课/专业选修课 <input type="checkbox"/> 其他_____				
*授课对象 (Target Students)	法学专业	*授课模式 (Mode of Instruction)	<input type="checkbox"/> 线上，教学平台_腾讯会议/微信_____ <input type="checkbox"/> 线下 <input checked="" type="checkbox"/> 混合式 <input type="checkbox"/> 其他 <input checked="" type="checkbox"/> 实践类 (70%以上学时深入基层) _		
*开课院系 (School)	法学院	*授课语言 (Language of Instruction)	<input type="checkbox"/> 中文 <input checked="" type="checkbox"/> 全外语_英文_____ <input type="checkbox"/> 双语：中文+_____ (外语讲授不低于 50%)		

*授课教师信息 (Teacher Information)	课程负责人 姓名及简介		Theone Luong (梁翠寧)				
	团队成员 姓名及简介						
学习目标 (Learning Outcomes)							
*考核方式 (Grading)		期中与期末考核为写作法律分析备忘录，平时考勤和课堂参与成绩占总评成绩的 30%。					
*课程教学计划 (Teaching Plan) 填写规范化要求见附件							
周次	周学时	其中					教学内容摘要 (必含章节名称、讲述的内容提要、实验的名称、教学方法、课堂讨论的题目、 阅读文献参考书目及作业等)
		讲授	实验课	习题课	课程讨论	其他环节	
第一周	3	3					
第二周	3	3					<ul style="list-style-type: none"> • Course Introduction. • Introduction to the American Legal System. • Introduction to Legal Research. <ul style="list-style-type: none"> ○ Primary Authority v. Secondary Authority <p>Binding Authority v. Persuasive Authority</p>
第三周	3	3					<ul style="list-style-type: none"> • Legal Research Tools. • Training on Lexis or Westlaw. • First Legal Problem Assigned. <p>First Legal Problem Discussed.</p>
第四周	3	3					
第五周	3	3					<ul style="list-style-type: none"> • Writing Statement of Facts. • Generating Search Terms (First Problem). <p>Case Research and Shepardization (“Shepard” versus “KeyCite”).</p>
第六周	3	3					

第七周	3	3					<ul style="list-style-type: none"> • Review of Assignment #2 (Statements of Facts). • Critical Case Reading.
第八周	3	3					<ul style="list-style-type: none"> • Case Discussion and Analysis (First Problem). • Legal Analysis v. Rule Synthesis.
第九周	3	3					<ul style="list-style-type: none"> • Case Discussion and Analysis (First Problem) (Continued). • Legal Analysis v. Rule Synthesis (Continued).
第十周	3	3					Introduction to Professional and Legal Writings.
第十一周	3	3					<ul style="list-style-type: none"> • Review of Midterm Exam. <p>Second Legal Problem Assigned and Discussed.</p>
第十二周	3	3					<ul style="list-style-type: none"> • Research Planning. • Statutory Research. • Generating Search Terms (Second Problem). • Case Reading and Analysis (Second Problem). <ul style="list-style-type: none"> ○ Case Names to be Announced Prior to Class Meeting. • Rule Synthesis (Second Problem).
第十三周	3	3					Review of Team Statements of Facts (Second Problem).
第十四周	3	3					<ul style="list-style-type: none"> • Introduction to Legal Ethics. <ul style="list-style-type: none"> ○ ABA Model Rules of Professional Conduct. <p>Student Memorandum Review.</p>
第十五周	3	3					Introduction to Legal Citation.

第十六周	3	3					<ul style="list-style-type: none"> Continued Review of Statements of Facts (Second Problem). Questions and Answers on the Second Legal Memorandum. <p>Course Review</p>
总计							
备注 (Notes)							

Fall 2023 Legal Research and Writing 1
Course Syllabus
(48 Course Hours, 3 Credits)

About this course:

The objective of this course is to introduce Chinese students to legal research and legal writing in English. Through legal research, students will learn legal primary and secondary materials, and other legal research tools in English. Students will be given hands-on assignments in research, critical thinking, and legal writing. They are required to conduct research and write analysis reports (legal memorandum). In addition, the instructor will use pairs or groups of cases to help students learn about legal reasoning, legal citation, critical case reading and critical analysis skills, approaches to statutory interpretation, and rule synthesis to further appreciate the roles of legal research and legal (strategic) communication know-how in the practice of law. Overall, students taking this course will experience enhancement in critical reading, legal reasoning, strategic thinking, legal research, legal citation, rule application, and legal communication skills.

Class Dates and Time:

TBA.

Instructor: Theone Luong (梁翠寧老师)

Office Hours: By appointment only.

Email: 491362241@qq.com

Virtual Classroom: 腾讯会议: 482-4172-6020
会议密码: 777777

Recommended Reading: Any U.S. legal research textbooks and U.S. legal writing textbooks.

Homework submission:

- All homework assignments must be submitted by **email**.
- All homework assignments must be page-numbered.
- All homework assignments must be submitted in **both** WORD and PDF formats.
- All email files must include student's full name (pinyin). For example:
"Zhang_Xiaoming_Assignment_1.docx"

Note: Additional homework requirements and rules will be given in class.

Grading:

Your total grade is based primarily on your overall performance which includes the following:

- **Class attendance,**
- **Class participation,**
- **Timely submission of homework assignments,**
- Quality of homework assignments, **and**
- Compliance with homework formatting requirements and rules (to be given in class).

The Do's in this course:

- Always
 - ask if you do NOT understand what the instructor says.
 - come to each class **on time** and prepared.
 - actively participate in class discussions and class exercises.
- Be sure to submit each homework assignment before the due time on the respective due date. Assignments must be **received** by the due time on the due date. **Lateness in assignment submission will automatically result in NO POINTS (a ZERO score) for that assignment. Two latenesses in assignment submission will result in an "F" or failing grade.**

The Don'ts in this course:

Please note that the following will **adversely** affect your final grade or even result in a failing grade if you:

- take any screenshots/photographs in class without the instructor's prior consent,
- record any part or all of the class lecture(s) without the instructor's prior

- consent,
- fail to submit required assignment on time,
- fail to follow instructions on formatting requirements for any written assignments,
- come to class late or leave class early (**note that three latenesses, early leaves or any combination of latenesses and early leaves equal to one absence**),
- are absent from class more than twice (**note that three absences automatically result in an “F” or a failing grade**),
- submit inferior work,
- circulate any materials given in this course without instructor’s prior consent, or
- violate any policies, procedures, code of conduct, or any other rules set forth in this course.

Course Schedule:

Week	Topics	Assignments
1 and 2	<ul style="list-style-type: none"> • Course Introduction. • Introduction to the American Legal System. • Introduction to Legal Research. <ul style="list-style-type: none"> ○ Primary Authority v. Secondary Authority ○ Binding Authority v. Persuasive Authority 	
3 and 4	<ul style="list-style-type: none"> • Legal Research Tools. • Training on Lexis or Westlaw. • First Legal Problem Assigned. • First Legal Problem Discussed. 	<ul style="list-style-type: none"> • Assignment #1: Watch before class: Training Video on Lexis.
5 and 6	<ul style="list-style-type: none"> • Writing Statement of Facts. • Generating Search Terms (First Problem). • Case Research and Shepardization (“Shepard” versus “KeyCite”). 	
7	<ul style="list-style-type: none"> • Review of Assignment #2 (Statements of Facts). • Critical Case Reading. 	<ul style="list-style-type: none"> • Assignment #2: Submit Translated Statement of Facts for the First Problem, including search terms at the end of report (Due date TBA).

		<ul style="list-style-type: none"> •
8	<ul style="list-style-type: none"> • Case Discussion and Analysis (First Problem). • Legal Analysis v. Rule Synthesis. 	<ul style="list-style-type: none"> • Assignment #3: Submit First Case List (Due date TBA). •
9	<ul style="list-style-type: none"> • Case Discussion and Analysis (First Problem) (Continued). • Legal Analysis v. Rule Synthesis (Continued). 	<ul style="list-style-type: none"> • Assignment #4: Read before class the assigned cases.
10	<ul style="list-style-type: none"> • Introduction to Professional and Legal Writings. 	<ul style="list-style-type: none"> • Midterm Exam: Submit Issue, Short Answer, and Discussion (First Problem) (Due date TBA).
11	<ul style="list-style-type: none"> • Review of Midterm Exam. • Second Legal Problem Assigned and Discussed. 	<ul style="list-style-type: none"> •
12	<ul style="list-style-type: none"> • Research Planning. • Statutory Research. • Generating Search Terms (Second Problem). • Case Reading and Analysis (Second Problem). <ul style="list-style-type: none"> ○ Case Names to be Announced Prior to Class Meeting. • Rule Synthesis (Second Problem). 	<ul style="list-style-type: none"> • Assignment #5: Submit Second Case List (Due date TBA). • Assignment #6: Read before class meeting: Second Problem and search terms.
13	<ul style="list-style-type: none"> • Review of Team Statements of Facts (Second Problem). 	<ul style="list-style-type: none"> • Assignment #7: Statement of Facts for Second Problem (Due date TBA).
14	<ul style="list-style-type: none"> • Introduction to Legal Ethics. <ul style="list-style-type: none"> ○ ABA Model Rules of Professional Conduct. • Student Memorandum Review. 	<ul style="list-style-type: none"> • Assignment #8: Read before class the assigned ABA Model Rules of Professional Conduct.
15	<ul style="list-style-type: none"> • Introduction to Legal Citation. 	<ul style="list-style-type: none"> • Assignment #9: Read before class PowerPoint materials on legal citation.
16	<ul style="list-style-type: none"> • Continued Review of Statements of Facts (Second Problem). • Questions and Answers on the Second Legal Memorandum. 	<ul style="list-style-type: none"> • Final Exam: Second Legal Memorandum (Due date TBA).

	• Course Review	
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