

Introduction to Law & Legal Research 21:790:304:62 FALL SEMESTER 2021

Professor Todd M. Galante, Esq.

Index No.: 10802

Wednesday. Evenings 6:00 p.m. to 9:00 p.m.

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and by appointment

Required Textbook and Additional Materials

CHECK CANVAS FOR UPDATES/CHANGES

BEFORE THE LAW: AN INTRODUCTION TO THE LEGAL PROCESS

(8TH EDITION, JOHN J. BONSIGNORE, ET AL, Copyright 2006)

ISBN-10: 0-618-50345-5 or ISBN-13: 978-0-618-50345-2; and

One L (By: Scott Turow – Penguin Publishing); and

GILBERT LAW SUMMARIES - LEGAL RESEARCH, WRITING & ANALYSIS

ISBN - 13: 978-1642426724 or ISBN – 10: 1642426725

THE BOOKS ABOVE CAN BE PURCHASED AT THE UNIVERSITY BOOKSTORE

Before the Law: An Introduction to the Legal Process is the course text, which includes diverse readings about law, excerpted judicial opinions in major cases, and the editors' commentary. "It is a book about law. It is designed to encourage a variety of approaches to the study of law: political, sociological, anthropological, historical, literary, and philosophical. Whatever their sources, the readings are always arranged to provoke thinking and discussion of law in the broad contexts of culture and history. Each issue is presented as part of a process of law operating in society. (*Before the Law*, at Introduction, p. xi.) ***One L*** – recounts the author's first year as a "One L" student at Harvard Law School. It is regarded as a classic description of the rigors of legal education and first year law school experience. ***Gilbert Law Summaries, Legal Research, Writing & Analysis*** provides information and instruction focused on finding the law, legal writing and more. It is an excellent learning tool for this course. **YOU ARE REQUIRED TO HAVE A HARD COPY OF *BEFORE THE LAW*. NO EXCEPTIONS. PENDING TIME FOR DELIVERY/PURCHASE, THERE WILL BE A COPY ON RESERVE AT DANA LIBRARY. I PREFER AND URGE YOU TO PURCHASE A PERSONAL COPY – CONSIDER EXAMS, ETC.**

MASKS

In order to protect the health and wellbeing of all members of the Rutgers-Newark community, masks must be worn by all persons inside campus buildings when in the presence of others, and in buildings in non-private enclosed settings (e.g., common workspaces, workstations, meeting rooms, classrooms, etc.). Masks should securely cover the nose and mouth. Masks must be worn during class meetings. Each day before you arrive on campus or leave your residence hall, you must complete the brief survey on the My Campus Pass symptom checker self-screening app found at: [myRutgers Portal](#).

Course Description

This course is intended to provide students with the foundation necessary to begin “thinking like lawyers”. Through this course students will explore, understand, and develop necessary legal skills focusing on the nature of law, basis and role of our American legal institutions and legal process, functions of various levels of the judiciary, fundamentals of legal reasoning, advocacy, debate, decision-making and introduction to attorney ethics. Students will also learn basic legal research methods. While we will also review and discuss the Code of Professional Conduct for lawyers, students will not learn substantive areas of American Law such as contracts, torts, property law, criminal law, etc. The foregoing is offered in a separate class next semester – “Introduction to American Substantive Law.”

Additional Readings/News/Community

- The Declaration of Independence, US Constitution, and All Amendments
- NJ Code of Professional Responsibility – Handout/Link
- ABA Model Rules of Professional Conduct – Handout/Link
- The Wall Street Journal, The New York Times, The Star Ledger, Pew Research Center website and other “News” outlets.

Attendance Policy

Experience has demonstrated that students who miss more than 1 class generally do not perform well in my class, be it on exams, class discussion/participation or final grade. **Thus, attendance is mandatory. If a student has more than one absence their final grade will automatically be reduced by ½ grade for each absence after the first. This rule is to emphasize the need for you to attend class. If the student knows in advance that he/she will miss more than one class the student should take a different course. Students are permitted one excusable absence. An “excusable absence” generally consists of a doctor documented personal illness, doctor documented illness of a student's minor child who resides with the student, a doctor documented illness of student's parent where the student is the primary caregiver of the parent, or death in the immediate family. Let’s hope everyone stays healthy!**

If you have an excusable absence you must notify me of same via email before class and provide proper supporting documentation. Failure to timely comply will result in recordation of an unexcused absence. Doctor’s notes are required for medically excused absences. **I will generally take attendance during the first 10 minutes of each class and you must be present in person for the entire class to be marked and remain marked as “in attendance”. If you happen to be 5 minutes late once or twice, that will not be a problem. Please note, however, that 3 late arrivals will equal 1 unexcused absence. Punctuality is a must for all professionals! Let’s get started on the right foot.**

Participation Requirement

(I Use a Combination of “Case Method” and the “Socratic Method” – Not Straight Lecture)

Class participation is required as part of my class. Students must be prepared for each class, having read in advance the required materials, outlining, briefing and understanding same, as well as being apprised and familiar with current legal issues/events. Students must meaningfully respond to questions about the readings and issues at hand and contribute to our class discussions/debates. FAILURE TO BE PREPARED WILL NEGATIVELY AFFECT YOUR FINAL GRADE.

Students should follow current news about interesting contemporary legal issues and/or cases. Students will be required to present papers and/or arguments/debate on compelling legal items, issues and/or topics.

BEING CALLED ON, QUESTIONED BY ME AND SPEAKING IN FRONT OF THE CLASS (VIRTUALLY OR OTHERWISE) IS REQUIRED. DON'T BE AFRAID – BE PREPARED -- EMBRACE IT!)

General Rules/Interaction/Respect

I will call on students during each class to, among other things, recite assigned cases, discuss required readings and other materials, engage in relevant Q&A with me, debate with me and/or students, and otherwise engage. We will also discuss/debate current political issues, constitutional issues and other events in class. Thus, students are expected to know what is going on in the world. Students are to be respectful of other students, the professor, and all guests. Students should comport themselves in a mature and professional manner. Failure to do so will result in a reduction of your final grade. To date, this has never been an issue in any of my classes.

Students are required to adhere to the University's policies regarding Academic Integrity. Evidence of cheating on assignments, exams or otherwise will result in issuance of a failing grade and report to the proper University authority. Plagiarism is not allowed and will not be tolerated.

Special Consideration

Any student requiring special consideration or accommodation for a disability shall notify me of it on the first day of class. Additionally, proper documentation from the University should be obtained, completed and submitted to me on the first day of class or no later than the second class.

Exams

Students are responsible for all assigned materials/content presented in the textbook, lectures, other assigned reading, exhibited or assigned film(s), handouts, class debates, and any other materials disseminated by me during the semester. Everything is fair game on quizzes, tests, exams and discussions.

DO NOT MISS EXAMS. Also, do not ask to reschedule exams because of travel plans. The exam schedule has been selected to avoid holidays and conflicts.

The Midterm Exam will be given on Monday, October 12, 2021.

The Final Exam will be given on Monday December 21, 2021

Grading/Negative Discretion

Grades are based on the following:

In-class quizzes, oral presentations, written legal research assignments and other written assignments (20% total); Written Assignment regarding One L (20%), Midterm Exam (25%); and Final Exam (35%). Certain assignments will be graded or treated as either accepted, rejected, late or missing. Corresponding point/credit value will attach to each...full credit, zero credit, half credit

and zero credit respectively. **KEEP IN MIND THAT I EXPECT AND WILL REQUIRE THOROUGH OR COMPREHENSIVE WORK...NO SHORT ANSWERS OR CONCLUSORY ANSWERS. CLEAR., COMPLETE, WELL DEVELOPED, THOUGHTOUT AND REASONED SUBMISSIONS (CONSIDERING/ADDRESSING, AMONG OTHER THINGS, ALL POINTS/POSITIONS) WILL BE WELL RECEIVED.**

WARNING: Negative Discretion – Your overall grade will be reduced ½ grade for each of the following: You: (a) fail to abide by my stated attendance policy; (b) fail to be prepared more than 1 time; (c) fail to meaningfully participate in class discussions/debate; (d) fail to timely submit or complete homework assignments; (e) are disrespectful of others; or (f) are disruptive or not paying attention during class – for example, using social media, shopping online, watching sports, etc. **YOU'RE PAYING FOR THIS CLASS AND MATERIALS -- YOU SHOULD DO EVERYTHING APPROPRIATE IN YOUR POWER TO USE THE MATERIALS, LECTURES, ET CETERA, TO DO WELL. LET'S HAVE A GREAT SEMESTER AND MEMORABLE EXPERIENCE!!!**

Order of Readings and Lectures

YOU SHALL READ THE ASSIGNED MATERIALS BELOW IN ADVANCE OF EACH CLASS. YOU SHALL ALSO VIEW ASSIGNED VIDEOS/MOVIES/OTHER MATERIALS AHEAD OF EACH CLASS. YOU SHOULD ALSO READ AND CONSIDER ANSWERS TO THE QUESTIONS FOLLOWING READINGS AND AT THE END OF EACH SECTION/CHAPTER OF THE TEXTBOOK. ALSO, BE AWARE AND INFORMED ABOUT CURRENT EVENTS.

DATE	READINGS You should have read, viewed and be prepared to discuss the following by dates shown:
9/01/2021	<p>Gilbert – Chapters 9 & 11. Also read Textbook (Before the Law): The Introduction, Forward and Chapters 12 & 13 – The Education of Lawyers (Textbook pp. 343 – 367 & Lawyers and the Adversary Process (Textbook pp. 367 to 402)</p> <p>(Review of Syllabus, University Academic Integrity Policy, Introduction, Forward, Chapters 12 & 13. Introduce parts of NJ Code of Professional Responsibility (Ethics) (Lecture and Discussion)</p>
9/15/2021	<p>Gilbert – Chapters 1, 2 and 3. Textbook: Chapter 11 – Lawyers and The Profession of Law (Textbook pp. 315 – 343) and Review of select provisions of NJ Code of Ethics (Lecture and Discussion)</p> <p>Possible Quiz today</p>
9/22/2021	<p>Gilbert - Chapters 4 & 5. Textbook, Chapters 1 & 2 – Law in Theory and Practice, Lawmaking and Precedent, How Judges and Lawyers Reason from Prior Cases, and Law and Official Discretion (Textbook pp. 1 - 43) (Lecture and Discussion)</p>
9/29/2021	<p>Gilbert - Chapter 8. Textbook, Chapter 3 – Law and Values (Lecture and Discussion)</p> <p>Possible Quiz today</p>
10/06/2021	<p>Gilbert – Chapter 8. Textbook, Chapter 4 – Law and Conflicting Interests (Lecture and Discussion)</p>

10/13/2021	Midterm Exam and possible lecture
10/20/2021	Textbook, Chapter 5 – Law, Status Textbook, Chapter 4 – Law and Conflicting Interests (Lecture and Discussion)
10/27/2021	Textbook, Chapters 6 and 7 – Law and Popular Will (Textbook pp. 151 – 185) and Feminist and Racial Perspectives on Law and Legal Order (Textbook pp. 185 – 217) (Discuss Midterm Exam Results -- Warning Grades Posted After Grading of Midterm Exam, Lecture and Discussion) Possible Quiz today
11/03/2021	Students hand in ONE L Written Assignment at beginning of class. (Continue Discussion and Assignment review). Textbook, Chapter 8 - Law Enforcement (Textbook pp. 219 – 245) and (245 - 263) (Lecture and Discussion)
11/10/2021	Textbook, Chapters 8 and 9 – Law Enforcement, etc. (Textbook pp. 219 – 245) and (245 – 263) (Lecture and Discussion)
11/17/2021	Textbook, Chapter 10 - Law Techniques and ... (Textbook pp. 264 - 312) (Lecture and Discussion) Possible Quiz today
11/24/2021	Thanksgiving Recess
12/01/2021	Textbook, Chapters 14 & 15 – The Jury and ... (Textbook pp. 404 – 433) (Lecture and Discussion)
12/08/2021	Textbook, Chapters 16 & 17 – Jury Selection and ... (Textbook pp. 434 – 494) (Lecture and Discussion) Possibly: Chapters 18, 19 & 20 – ADR (Textbook pp. 497 – 550) (Lecture and Discussion) LAST CLASS

READINGS ON YOUR OWN:

Chapters 21 thru 24 – Cyberspace and the Future of Law (Textbook pp. 553 to 604) (Lecture and Discussion)

**FINAL EXAM: Take Home v. In-Class – Professor to Advise Which
If In-Class -- December 22, 2021 (6:00 p.m. to 9:00 p.m.)**

SYLLABUS AND GRADING CRITERIA SUBJECT TO MODIFICATION AT PROFESSOR'S DISCRETION

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