Course Description: This is the first in a two-course sequence that introduces lawyers who did not receive their legal education in the United States to distinctive aspects of U.S. legal methodology critical to a thorough understanding of U.S. law: how law is distinctively made, found and enforced in the U.S.

Ms. Greenhaw and Mr. Koby teach methods largely through problems. Their materials and classes are based on the premise that law is a rhetorical activity, understood as the ongoing process of giving written authorities meaning in the context of disputes over their effect in and for particular situations. Therefore, in addition to studying and discussing cases and materials that illustrate distinctive U.S. legal methods, students assume the role of a U.S. lawyer “making” the law through resolution of problems related to case precedent, but significantly distinct from it. To resolve the problems, students predict probable judicial rulings through case analysis, synthesis of cases and use of facts and policy in analogical reasoning; these skills are stressed in class, written critique of papers and individual conferences.

The materials and problems are designed to demonstrate that: 1) although U.S. law today is largely statutory and regulatory, a large amount remains in the hands of common law (state) courts; 2) enacted law is often interpreted with reference to the common law and using common law reasoning; 3) legislatures and courts interact in the legal process, so thorough research for the “last in time” source of law is essential to accurate legal analysis; and 4) enacted and judicial sources of law “blend,” and with the operation of stare decisis, this in effect alters the formal hierarchy of sources, so that cases have nearly the authority of the statutes they interpret.

Mr. Wei Luo teaches U.S. legal research with power point presentations and practice exercises, covering both paper and electronic sources and tools. Students prepare to do research required for the final problem, the spring Introduction to U.S. Law & Methods II course, seminars and other writing courses, and individual research projects or dissertations.

Class Meeting Times & Places: Kindly remember to regularly check the syllabi (paper and online) and email updates, as the nature and stage of the problems assigned may mean classes do not meet in certain weeks or days, or meet in addition to the times listed on the syllabus. Methods and writing classes meet on Monday from 3:00 to 4:30 p.m. and on Friday from 11:00 to 12:30 p.m., in room 306. Research classes meet in room 203 on Thursday mornings, Lab A from 10:00 to 11:00 a.m. and Lab B from 11:00 to 12:00 a.m.


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The Nutshell and Dworsky books can be easily transported and retained as helpful reference books after graduation. A paperback copy of BLACK’S LAW DICTIONARY might also prove useful for this as well as other courses. Copies of all texts are on reserve at the Circulation Desk in the Library under the course name, and can be used in the Library for periods of two hours.

Readings should be completed in advance of the class session for which they are indicated on the syllabi.

Making Contact:

Announcements regarding class meetings, assignments and conferences will be posted via email. You are responsible for checking your Washington University email regularly—another email address will not suffice.

Ms. Greenhaw’s office is on the 4th floor of the Library, room 471. Do not hesitate to “drop in” without an appointment; you may also arrange an appointment by email, greenhaw@wulaw.wustl.edu, or telephone, 935-4017. Mr. Koby’s office is on the 5th floor, room 535. Please feel free to stop by without an appointment, but you may also arrange an appointment by email, koby@wulaw.wustl.edu, or telephone, 935-7557. Mr. Wei Luo’s office is in room 257A, on the 2nd floor of the Library. His office hours are 1:00 to 4:00 p.m. His email is luo@wulaw.wustl.edu and his phone number is 935-8045.

Course Grades: The only grades recorded on the transcript for international LL.M. students are High Pass (HP), Pass (P) and No Credit (NCr). The Registrar will also email to you numerical (shadow) grades based on a curve and with an average of 87.5; these are considered for those who apply to the J.D. program, but are not recorded on the transcript.

Required for a grade of P are completion of all written assignments, a mid-term exam, a plagiarism quiz, research exercises & quiz, and attendance at all conferences are. Grading is not anonymous because of conferences and consultation during the writing process. Grades are based on a combination of factors, including class attendance and participation; research, including exercises, quiz and final memo research; a mid-term exam; and writing assignments. Research and writing in the final open research writing assignment carries the most weight.

Attendance & Class Participation: This class is designed for learning largely through actively resolving legal problems with research, analysis and discussion; therefore, regular attendance and participation in class is essential and may positively influence the grade. For more than two absences, please see Professor Greenhaw.