

Table of Contents

	<i>Preface</i>	xv
	<i>Acknowledgments</i>	xxv
chapter 1	Unpacking the Hierarchy of U.S. Law	1
	Holdings and Dicta	5
chapter 2	Close Reading a Statute	9
	Introduction to Statutes	9
	Statutory Construction	11
chapter 3	Applying Law to Facts	13
	Issues of Fact	14
	Assignment 1: Bullying Policy Advice	15
chapter 4	Reading and Briefing a Case	19
	Reading the Case	19
	Understanding Citations	20
	Crafting the Brief	21
	Case Name and Citation	21
	Facts	22
	Procedural History	22
	Issues or Questions Presented	23
	Holdings or Answers	24
	Reasoning	24
	Concurrence(s)	25
	Dissent(s)	25
	Sample Brief for <i>J.S. v. Blue Mountain School District</i>	26

	Assignment 2: <i>DeShaney v. Winnebago County Department of Social Services</i> Case Brief	29
	<i>DeShaney v. Winnebago County Department of Social Services</i>	29
	Sample Brief for <i>DeShaney v. Winnebago County Department of Social Services</i>	44
chapter 5	Anticipating How a Court Will Rule	49
	Interpreting Law	49
	Predicting Future Court Decisions Based on Prior Precedent	50
	Assignment 3: <i>Doe v. Covington County School District</i> Case Brief	51
	<i>Doe v. Covington County School District</i>	51
	Assignment 4: <i>Estate of Brown v. Cypress Fairbanks Independent School District</i> Case Brief	87
	<i>Estate of Brown v. Cypress Fairbanks Independent School District</i>	87
	The Power of Stare Decisis	95
chapter 6	Legal Writing Fundamentals	97
	Efficiency, Focus and Formality	97
	Writing Effectively	98
	Build Your Argument	99
	Craft Your Sentences	99
	Be Concise	100
	Be Concrete	100
	Cite Everything	101
	Adhere to Accepted Formats	102
	Stay Close to the Law	103
	Avoid Repetition	103
	Write. Rewrite. Repeat.	103
chapter 7	Introduction to Legal Memoranda	105
	Getting the Assignment	105
	Knowing Your Audience	106
	Formatting the Memorandum	106
	Crafting the Heading	107
	Crafting the Issue(s) Presented	108
	Crafting the Brief Answer(s)	108
	Crafting the Statement of Facts	109

	Crafting the Discussion	110
	Issue	110
	Rule	110
	Application	111
	Conclusion	112
	Crafting the Memo's Conclusion	112
	Sample Memorandum: First Amendment Rights at Kinnear High	114
chapter 8	One-Case Memorandum Assignments	121
	Assignment 5: Religious Liberty Memorandum	121
	<i>In re Garcia</i>	124
	Assignment 6: Copyright Infringement Advice Memorandum	133
	<i>Henley v. DeVore</i>	136
chapter 9	Three-Case Memorandum Assignment	161
	Assignment 7: Substantive Due Process Memorandum	161
chapter 10	Five-Case Memorandum Assignments	167
	Assignment 8: First Amendment Rights at Zabaneh High	167
	<i>Tinker v. Des Moines Independent Community School District</i>	170
	<i>Bethel School District No. 403 v. Fraser</i>	184
	<i>Wisniewski ex rel. Wisniewski v. Board of Education of the Weedsport Central School District</i>	197
	<i>Mahanoy Area School District v. B. L.</i>	204
	<i>B.H. ex rel. Hawk v. Easton Area School District</i>	211
	Assignment 9: First Amendment Rights at Kinnear High	242
chapter 11	Workshopping Legal Writing	247
	Assignment 10: Peer Critique	248
	Sample Student Peer Critique	250
chapter 12	Basic Legal Research	253
	Familiarizing Oneself with an Area of Law	253
	Confirming the Currency and Validity of Particular Laws	254
	Searching for Specific Law in Targeted Jurisdictions	256
	Some Final Advice on the Research Process	257

chapter 13	Introduction to Appellate Briefs	259
	Getting Started	260
	Conducting Research	260
	Outlining Your Argument	261
	Formatting Your Brief	262
	Crafting the Statement of the Case	265
	Crafting the Summary of the Argument	266
	Crafting the Argument	269
	Concluding the Brief	270
	Attaching Appendices	270
	Sample Appellant Brief: <i>Jeremiah Smith v. LoanMe, Inc.</i>	271
	Appellate-Style Oral Argument	283
	Assignment 11: <i>In re Gallagher</i> Appellate Brief	288
	Applicable Law	288
	Assignment	288
	<i>In re Taylor</i>	288
	<i>In re Gallagher</i>	307
chapter 14	Getting into Law School	313
	Assignment 12: Personal Statement	313
	Letters of Recommendation	317
	Diversity Statements	318
	Resumes/CVs	318
	Addenda	318
chapter 15	Practical Advice for Law School and Beyond, or What I Wish I'd Known When I Started Law School	319
	Choosing Law as a Field	319
	Choosing a Law School	320
	Preparing for Law School	320
	Starting Law School	321
	Working During Law School	322
	Working After Law School	322
	Closing Statement	323
	<i>Glossary</i>	325
	<i>Index</i>	329