

The Legal Memo: 50 Exercises for Mastery

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Practice for the New Legal Writer

Cassandra L. Hill

DEAN AND PROFESSOR OF LAW
NORTHERN ILLINOIS UNIVERSITY
COLLEGE OF LAW

D'Andra Millsap Shu

CO-DIRECTOR OF LAWYERING PROCESS AND
VISITING INSTRUCTOR OF LAW
TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL OF LAW

Katherine T. Vukadin

PROFESSOR OF LAW
SOUTH TEXAS COLLEGE OF LAW HOUSTON



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*Each year, we are honored to teach students who come from all backgrounds,
who yearn to be attorneys, and who put in the work despite every obstacle.
We dedicate this book to you.*

About the Authors

Cassandra L. Hill is the dean and a professor of law at the Northern Illinois University College of Law. She was previously the associate dean for academic affairs at the Thurgood Marshall School of Law at Texas Southern University and served on a three-member leadership team with the law school's acting dean. She also served as associate dean for research and faculty development and director of legal writing.

Dean Hill received her J.D. from Howard University School of Law, where she graduated as valedictorian. She then clerked for the Honorable Vanessa D. Gilmore, United States District Court for the Southern District of Texas. She practiced with the law firm of Baker Botts L.L.P. in the tax/employee benefits section. Dean Hill then began her teaching career at UCLA School of Law. Her scholarship focuses on pedagogy, learning theory, and assessment in legal education. She has presented and written extensively in these areas. She is the co-author of *Legal Analysis: 100 Exercises for Mastery* (with Professor Katherine Vukadin), which is now in its second edition and has been adopted at more than twenty-five law schools nationwide. She is chair of the American Bar Association (ABA) Section of Legal Education and Admissions to the Bar Conferences and Programming Committee and has experience as a site-team evaluator with the ABA. Dean Hill was the first elected African American member of the Board of Directors for the Legal Writing Institute (LWI), and she was a managing editor of the LWI Monograph Series.

D'Andra Millsap Shu is co-director of the legal writing program and a visiting instructor of law at the Thurgood Marshall School of Law at Texas Southern University. She teaches legal writing and appellate litigation. She received her J.D. from the University of Houston Law Center, where she was class valedictorian and editor in chief of the *Houston Law Review*.

Before teaching, Professor Shu spent about half of her twenty-plus years of practice working at two large national law firms, Baker Botts L.L.P. and Morgan, Lewis & Bockius. For the other half, she worked at three appellate courts—the Fifth Circuit Court of Appeals, the Texas Supreme Court, and Texas's Four-

teenth Court of Appeals. She brings this wealth of practical experience to her teaching, guiding students to connect the importance of their classroom learning with the demands of law practice. She knows first hand what judges, partners, and clients value in legal writing, and she helps her students perfect the skills necessary to write to these standards.

Professor Shu's research interests include legal education, legal writing pedagogy, disability law, and food allergy law. She has co-authored short pieces on legal writing and written two full-length law review articles on food allergy bullying, which appear in the *Marquette Law Review* and the *University of Colorado Law Review*.

Katherine T. Vukadin is a professor of law at the South Texas College of Law Houston, where she teaches legal research and writing. She received her J.D. from the University of Texas School of Law and began her legal career as an associate in the trial department at Baker Botts L.L.P.

Professor Vukadin first taught legal writing at the University of Houston Law Center, then at the Thurgood Marshall School of Law at Texas Southern University, and now at the South Texas College of Law Houston. Her research and teaching interests include legal education, legal writing pedagogy, ERISA, and healthcare policy and regulation.

She is the co-author (with Dean Cassandra Hill) of *Legal Analysis: 100 Exercises for Mastery*, now in its second edition. Her articles have appeared in publications including *The Second Draft*; the *Richmond Law Review*; the *Yale Journal of Health Policy, Law, and Ethics*; the *Buffalo Law Review*; and the *Tulsa Law Review*. She presents regularly at regional and national legal writing conferences.

Professor Vukadin specializes in using innovative teaching techniques to make legal writing compelling and accessible to all students. She has taught legal writing to foreign law students seeking an American LL.M. degree and designed a class for law students needing further writing practice. Professor Vukadin has learned that with commitment, practice, and patience, students can master the essentials of legal writing.

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Master Skills Tested Chart

CHAPTER	SKILL	SUBSKILL (IF ANY)	EXERCISE TESTED
2: HEADING AND INTRODUCTION	Content	client information date specific issue	1, 2 1, 2 1, 2
	Format	alignment keep it short	1, 2 1, 2
3: QUESTION PRESENTED AND BRIEF ANSWER	Consistency	language same format same order number of questions and answers	5, 8 8 8 8
	Stands Alone		3, 4, 5, 7, 8
	Accepted Format	under/does/when whether multi-sentence	3, 4, 5, 6, 7, 8 3, 4, 5, 7 3, 4, 5, 7, 8
	Legal Context		4, 5, 6, 7, 8
	Precise Question		4, 5, 6, 7, 8
	Facts	specific determinative objective	3, 4, 5, 6, 7, 8 3, 4, 5, 6, 7, 8 4, 6, 7
	Conclusion Not Assumed		5

CHAPTER	SKILL	SUBSKILL (IF ANY)	EXERCISE TESTED
3: QUESTION PRESENTED AND BRIEF ANSWER <i>(continued)</i>	Readability	subject/verb placement punctuation conciseness	5, 7, 8 5, 6, 7, 8 6, 7, 8
	Answer	short answer first echo question language	3, 4, 5, 6, 7, 8 3, 4, 5, 6, 7, 8
	Conclusion- Rule- Application- Conclusion Format		3, 4, 5, 6, 7, 8
4: STATEMENT OF FACTS	Fact Selection	relevant details	9, 10, 13, 14, 15, 16
		negative facts	13, 15
		conflicting evidence	15
		specificity	13, 14, 15, 16
		dates and time indicators	12
	Structure	logical order paragraphing topic sentences bridging words good flow	11, 12, 15, 16 11, 15, 16 11, 16 11, 16 12, 15, 16
Tone and Language	objective not dramatic no stereotypes	9, 10 10, 14, 16 10	
Facts Only	no opinions no legal conclusions	10, 14 14	
Party Descriptions		14	

CHAPTER	SKILL	SUBSKILL (IF ANY)	EXERCISE TESTED
5: DISCUSSION			
A: ROADMAP	Conclusion	comprehensive reasoning explained	17, 18 17, 18
	Legal Background	overall rule legal context	17, 18 17, 18
	Memo Contents	excluded items included items relationship between items	18 17, 18 17, 18
	Nuts and Bolts	no issue-specific material order follows memo structure	17, 18 17, 18
B: DISCUSSION CONCLUSIONS	Answer the Question		19, 20
	Give a Reason When Possible		19, 20
	Keep It Short		20
	Consistency	vary wording but not substance consistent prediction language	19, 20 19, 20
C: RULE AND EXPLANATION	Rule Contours	choice of authority broad to narrow rule tailoring	22, 28 21, 24, 25, 28, 29, 32 22, 24, 25, 27, 28, 29, 30, 32
	Treatment Depth	parenthetical short explanation case illustration	26, 29, 30 26, 29, 30 29, 30

CHAPTER	SKILL	SUBSKILL (IF ANY)	EXERCISE TESTED
C: RULE AND EXPLANATION (<i>continued</i>)	Case Illustration	introductory sentence	23, 24, 27, 30, 31, 32
		fact selection	23, 24, 27, 30, 31, 32
		reasoning and holding	23, 24, 27, 30, 31
	Multiple Case Illustrations		31
	Nuts and Bolts	citations	21, 23, 24, 25, 30, 31, 32
		no client facts	27, 32
		quotations	24, 25, 30, 32
		past tense	24, 27, 30, 31, 32
D: APPLICATION	Structure	thesis statement	36, 37, 43, 44
		arguments rather than cases	36, 43, 44
		base arguments on rules	39, 40, 42, 43, 44
		analysis parallels case illustration	37, 38, 43, 44
	Effective Analogies	how to analogize	33, 34, 43, 44
	relevant comparisons	33, 34, 35, 41, 43, 44	
	proximity or pattern	35, 38, 41	
	Show Your Work	be specific	35, 39, 40, 43, 44
		weave client facts and case information	37, 38, 41, 42, 43, 44
		tie back to the rule	37, 39, 40, 44
	Nuts and Bolts	citation	38, 39, 42, 43, 44
		objective tone	35, 40, 43

CHAPTER	SKILL	SUBSKILL (IF ANY)	EXERCISE TESTED
E: COUNTER-ARGUMENT AND REBUTTAL	Structure	detail the counterarguments separate multiple counterarguments explicitly rebut	46, 47, 48 47 46, 47, 48
	Substance	only viable counterarguments no new law rebut with new analysis	45, 47 45 46, 47, 48
	Clear Transitions		46, 47, 48
6: MEMO CONCLUSION	Keep It Short		49, 50
	Give the Reasons		49, 50
	Consistency		49, 50
	Give Any Advice		49, 50
	Nuts and Bolts	answer immediately no citations	49, 50 50
7: EMAIL MEMOS	Format	short sentences and paragraphs headings and labels white space	51, 52, 53, 54 52, 54 51, 52, 54
	Language	less formal professional grammatical	53, 54 51, 53, 54 51, 54
	Content	specific subject line concise efficient rule-based analysis few cites	51, 53, 54 51, 53, 54 51, 53, 54 53, 54 53, 54

