

**MIAMI-DADE COMMUNITY COLLEGE
LEGAL ASSISTANT PROGRAM**

COMPETENCY STATEMENT

PLA-2114 Legal Writing

Course Description:

This course provides an understanding of how to present legal research and analysis in proper written format. It covers basic writing skills, the process of legal analysis, the methodology involved in drafting a Memorandum of Law, practice in drafting pleadings, and various types of specific law office correspondence.

Credits: 3

Prerequisites: The student must have completed PLA 2003, Fundamentals of Law; PLA 2104, Legal Research; ENC 1101, English Composition I.

Course Competencies:

Competency 1: The student will understand the nature, scope and rationale of basic legal writing.

The student will be able to:

- A. Create a persuasive thesis paragraph.
- B. Write a topic sentence.
- C. Identify correct transitions.
- D. Organize the subject matter.
- D. Provide details for paragraph development.
- E. Develop the material in a coherent form.
- F. Utilize grammatically correct sentence structure.
- G. Design a tone appropriate for the audience.

Competency 2: The student will understand the procedure for interviewing a client.

The student will be able to:

- A. Identify the background information needed prior to the interview.
- B. Develop a checklist for the interview.
- C. Discuss what questions to ask.
- D. Explain how to ask the questions.
- E. Exercise proficiency in conducting the interview.

Competency 3: The student will understand how to draft pleadings.

The student will be able to:

- A. Draft a Complaint
- B. Draft a Request for Production
- C. Draft a Request for Physical Examination
- D. Draft a Notice of Hearing
- E. Draft a Certificate of Service

Competency 4: The student will understand how to draft samples of law office correspondence.

The student will be able to:

- A. Prepare a letter to an insurer requesting information
- B. Prepare a letter to an insured concerning plaintiff's interrogatories to defendant
- C. Prepare a letter to an insured regarding defendant's interrogatories and Request to Produce
- D. Prepare a letter to a potential client declining representation.

Competency 5: The student will understand how to analyze a case.

The student will be able to:

- A. Explain methodology such as IRAC, FIRAC, and ILAC
- B. Distinguish between facts and legal facts
- C. Identify and phrase the legal issues in a case
- D. State the holding in a legal conclusion
- E. Explain the legal reasoning established in a case
- F. Discuss any dissenting opinions and the importance of such a decision in establishing precedent.
- G. Write a brief using the foregoing techniques.

Competency 6: The student will understand how to write a Memorandum of Law.

The student will be able to:

- A. Explain the purpose of a Memorandum of Law

- B. Select a tone that is appropriate for the audience.
- C. State the facts and identify the relevant legal facts
- D. Identify and correctly phrase the issues
- E. Conduct legal research using primary and secondary sources to find the law that applies to the facts and the issues
- F. Shepardize
- G. Correctly cite the applicable law
- H. Cite the general propositions of law determined from the research
- I. Discuss the elements
- J. Use precedent and specify the controlling cases including the citation, facts and holding
- K. Argue the facts explaining why the controlling cases cited are good
- L. Present an argument in rebuttal of the cases that are not “on point”
- M. Present a summary and conclusion.

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