

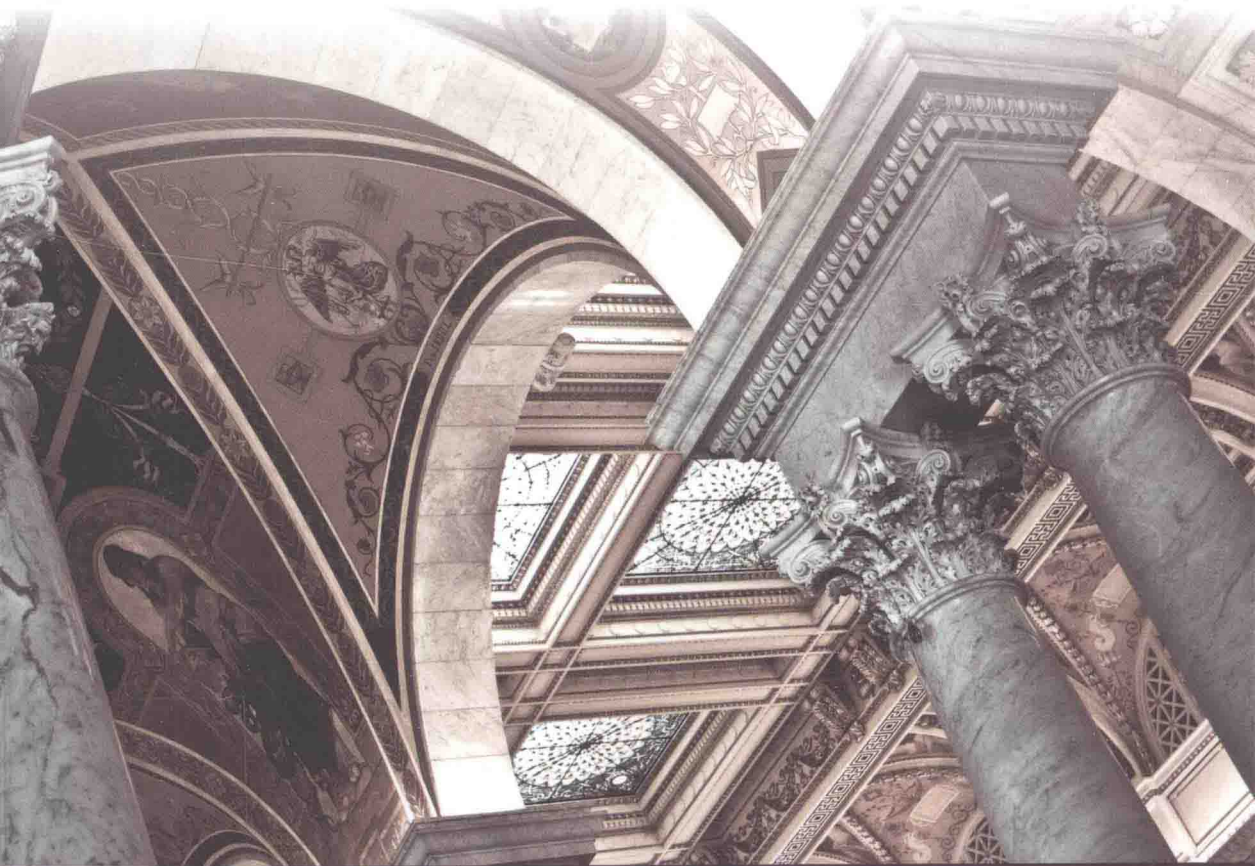
ASPEN COLLEGE SERIES

■ Andrea B. Yelin ■ Hope Viner Samborn

THE LEGAL RESEARCH AND WRITING HANDBOOK

A Basic Approach for Paralegals

SEVENTH EDITION



Wolters Kluwer

Law & Business

ASPEN COLLEGE SERIES

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THE LEGAL RESEARCH AND WRITING HANDBOOK

A BASIC APPROACH FOR PARALEGALS

ANDREA B. YELIN

HOPE VINER SAMBORN



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TO MY YOUNGEST STUDENTS AND TEACHERS, EVE, SARAH,
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PREFACE

As paralegals, you can be invaluable to attorneys and clients when you have adequately mastered legal research and writing skills. This book is a step-by-step guide that explores the twists and turns of legal research and writing, teaching you how to avoid the dead ends and conquer obstacles along the way. Examples, exercises, and checklists help make it a smooth and enjoyable road.

Part 1 features an introduction to the legal system and legal authorities: the state and federal legislatures, the courts, and administrative agencies. It explains the relationship between state and federal governments and between other governing bodies.

The research component of Part 1 begins with print resources. Proficiency in hard-copy research will bring you greater success when performing research using a computer. You will also learn how to use online resources. All significant resources will be explored, and you will learn how they are interrelated and how to find the best sources for your particular project. Legal writing pointers are integrated throughout the research chapters where relevant.

Part 2 focuses on basic legal writing, with an emphasis on legal memoranda and letters—the most common documents that paralegals draft. Objective memos inform the attorney of all of the relevant law, both for and against the client's position. Having paralegals brief cases expedites the research process. Delegating research and writing tasks to the paralegal is cost-effective for the client and saves the client money.

Part 2 also guides you step-by-step through the legal writing process. You will be introduced to the case brief, the legal memorandum, the questions presented statement, the brief answer, and the facts statement. You will learn how to identify the legal issues and relevant facts of a case and how to

organize and present them in a written brief or memorandum. As the culmination of your legal writing skills, you will learn to synthesize—to distill a general legal concept that applies to a case and then state it in writing (citing more than one case or statute). Synthesis is essential to writing most case-related documents. A clear methodology—IRAC—will introduce you to the important components of synthesis: Issue, Rule, Application, and Conclusion. Using IRAC, you will learn to synthesize effectively and consistently.

A valuable reference tool, *The Legal Research and Writing Handbook* reviews letter writing, grammar, and editing—all essential skills you will use every day as a paralegal. Also, the examples and citation appendix will help you draft documents.

The Legal Research and Writing Workbook gives you hands-on exercises that reinforce the concepts in this textbook and provide you with practical applications for future work experiences. Practice pointers and ethics alerts included in this text are designed to guide you in your day-to-day work as a paralegal. This edition provides Net Notes to help you navigate the Internet to review points raised in the text. Computer resources, both paid and free, are integrated throughout the book.

You should view *The Legal Research and Writing Handbook* as a launching point from which to begin developing your research and writing skills. You will want to refer to the guidelines and concepts in this book throughout your career as you continue to expand in knowledge and experience.

July 2014

*Andrea B. Yelin
Hope Viner Samborn*

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