

Introduction to Legal Skills: Legal Writing

First Writing Assignment: Due Sunday, August 25, 5:00 p.m.

Welcome to Introduction to Legal Skills: Legal Writing. The course syllabus and other materials for the Legal Writing portion of the course are posted on the Introduction to Legal Skills webpage -- http://faculty.cwsl.edu/ils/ils_fall.asp. Please read the syllabus carefully. You have one assignment to complete for the Legal Writing portion of Introduction to Legal Skills before you begin class on August 27. The assignment is due by 5:00 p.m., Sunday, August 25.

Read the directions carefully for the first writing assignment. Limit yourself to one hour, which includes time to think and write.

Your first writing assignment is based on the following law and facts.¹ The police have arrested Francis Fuego for arson. The police have sent the case to the district attorney's office. The district attorney (DA) must now decide what, if any, charges to file against Ms. Fuego.

The police investigation showed that Ms. Fuego threw a match into a wastepaper basket. The basket smoldered. Smoke blackened the walls, but the walls were not charred. The heat from the fire activated the fire sprinklers, which doused the fire.

The leading case in your jurisdiction is *People v. Blaze*. In *Blaze*, the court identified a four element test for arson: 1) intentional or reckless disregard of an apparent risk, 2) burning, 3) of a dwelling, 4) of another. The only element at issue in *Blaze* was the burning element. There, the defendant started a fire that caused the charring of two walls in a building. The court held that charring was sufficient to satisfy the burning element. The court reasoned that some damage to the structure caused by fire is required; substantial damage or destruction of the structure is not required to commit arson.

Using the *Blaze* case, the DA has asked you to analyze whether the facts of Ms. Fuego's case meet the burning element, and thus whether the DA should charge Ms. Fuego with arson. Analyze the burning element only; assume the DA can prove the remaining three elements.

Directions for submitting your answer:

Double-space your answer and use at least a Times New Roman 12 point font.

Remember to think and write for no more than one hour.

Place your name and your Intro to Legal Skills section number on your paper.

Email your answer to your Introduction to Legal Skills: Legal Writing Professor, by 5:00 p.m., Sunday, August 25.

When you email the assignment, remember you are writing a professional email, not a text message. Use a proper salutation and proper grammar.

In the email subject line write Intro to Legal Skills First Assignment.

¹ This fact pattern is adapted from a practice exercise found in David S. Romantz & Kathleen Elliott Vinson, *Legal Analysis: The Fundamental Skill* 61 (2d ed. 2009).

Please note the section numbers next to the professors' names denote the section numbers assigned to the Introduction to Legal Skills course, not the Legal Skills I course.

Introduction to Legal Skills: Legal Writing Professors:

Intro Sections 1A & 1B: Professor Thyfault - rthyfault@cwsf.edu

Intro Sections 2A & 2B: Professor Cato - acato@cwsf.edu

Intro Sections 3A & 3B: Professor Todd – mtodd@cwsf.edu

Remember to send the document to your Introduction to Legal Skills: Legal Writing professor only. Do **not** send the document to your Legal Skills I professor or to your Introduction to Legal Skills: Legal Analysis professor.

Bring a paper copy of the assignment to class on Tuesday, August 27.