

INSTRUCTIONS

The 1L Skills Check was designed to be completed in 90 minutes. You will have 3 hours to complete the assessment by writing a memorandum. These instructions include Memorandum Guidelines, which you must follow.

Once you begin the 1L Skills Check, you can annotate your booklet. Your booklet has multiple pages and contains the following:

1. A **Client File** that includes an assigning memorandum from a fictional supervising attorney as well as factual documents such as client intake notes, letters, emails, and newspaper articles. The assigning memorandum will describe a fictional client, that client's situation, and what the client is seeking from your fictional law firm. Your supervisor will ask you to assess your client's situation and write a memorandum analyzing your client's legal issue.
2. A **Legal Authorities** file that includes statutes, judicial opinions, or both from a fictional jurisdiction.

The 1L Skills Check is set in the fictional state of Newcombe. The Legal Authorities file will contain statutes and judicial opinions from the state of Newcombe only. It will not contain legal authorities from any other jurisdiction. Newcombe has an intermediate appellate court, the Newcombe Court of Appeals. The court of last resort is the Newcombe Supreme Court.

When spotting legal issues, describing the law, and applying the law to your facts, use only the information in your booklet. And when writing your memorandum, follow the Memorandum Guidelines carefully.

Do your best to write a memorandum that demonstrates that you can critically read instructions, organize your writing, and meet professional writing standards. Such standards include a sensible organization of the legal analysis; paragraphs



that address only one topic, begin with effective topic sentences, and present information in a logical order; and clear sentences that follow Standard English grammar, punctuation, and spelling conventions and are free from typographical errors.

Memorandum Guidelines

Your memorandum does not have a length requirement. Your memorandum must include the following parts, in the following order: (1) Summary, (2) Factual Background, (3) Legal Analysis, and (4) Conclusion. Do not add other parts to your memorandum. Each part must begin with an obvious heading to show the reader where the part begins. Word your headings exactly as shown below; these headings might not be the same as the ones you may have used in your legal writing course(s).

Here are descriptions of the four parts of your memorandum, including the information that should go in each part.

SUMMARY

This part of the memorandum briefly describes the client’s legal issue and your analysis of that issue. Write only two sentences. In the first sentence, describe the client’s issue, phrasing the issue as a question that ends with a question mark. In the second sentence, state your answer to the client’s issue and summarize your reasoning. In both sentences, include relevant legal terms and facts from the Client File and Legal Authorities. Do not include citations. After reading the summary, your reader should be prepared to understand the scope of your memorandum’s legal analysis.

FACTUAL BACKGROUND

This part of the memorandum summarizes the client’s factual situation. Concisely describe the relevant factual background that has given rise to your client’s legal issue. Your description should include all facts that will be important to the legal analysis and conclusion. Specifically, include any facts you will use in your legal analysis and any facts that give the reader context. The factual background should also be accurate. Do not include citations. After reading the factual background, your reader should be prepared to understand the legal analysis.

LEGAL ANALYSIS

This part of the memorandum presents your legal analysis of the client’s issue. For each legal issue or sub-issue, describe your analysis using this structure: First, state the conclusion you reached about that issue or sub-issue. Second, describe the law that is relevant to that issue or sub-issue. Third, describe how that law applies to the relevant facts of your client’s case. And finally, wrap up the analysis of that issue or sub-issue as necessary. Here is specific guidance about describing and applying the relevant law:

- For each issue or sub-issue, describe the relevant law. Your description of the law should be thorough enough for the reader to understand how courts apply it. Descriptions of law can include generally applicable legal rules as well as specific examples that describe how courts applied those rules in precedent cases. Your professors might have called these examples “case illustrations” or “rule illustrations,” and each example should include the relevant outcome, facts, and reasoning. Specific examples of generally applicable rules are not always necessary, but you should expect to write one or more in your memorandum. Support every statement of law with a citation to an appropriate legal authority. Only cite authorities that are in your Legal Authorities file and that you have personally read. To format your citations, follow the Citation Formatting Guidelines in these Instructions.

- For each issue or sub-issue, apply the relevant law to the key facts of your client’s case by describing how the law and facts together lead to a legal conclusion. If doing so would further the reader’s understanding, include comparisons of your client’s facts and the facts of cases that you used as examples. Your professors might have called this analogical reasoning. Effective comparisons expressly compare key client facts to specific facts from precedent cases and use words of comparison such as “like,” “unlike,” and “similar to.” In addition, effective comparisons apply the reasoning from precedent cases to your client’s facts to resolve the issue.

CONCLUSION

This part of the memorandum wraps up your document by describing the conclusion you reached in your legal analysis and briefly summarizing the reasoning that led to that conclusion. This part of the memorandum should address all requests that your supervisor made in the assigning memorandum, and it should be no longer than one paragraph.

Citation Formatting Guidelines

Use these guidelines to format the citations to legal authorities in your memorandum. Do not include citations to the factual materials.

STATUTES

Cite the Newcombe Revised Code like this: N.R.C. § xxxx.xx.

- For example: N.R.C. § 1234.56.

If referring to a sub-section of a statutory provision, include that sub-section in the citation.

- For example: N.R.C. § 1234.56(a).



JUDICIAL OPINIONS

Include the case name and, in parentheses, the abbreviation for the court that decided the case along with the year of the decision. There are no reporters or page numbers for the judicial opinions. Italicize case names.

The abbreviation for the state of Newcombe is “Newc.”

The abbreviation for the Newcombe Court of Appeals is “Newc. Ct. App.”

- For example: *Dao v. Peahen Paint Co.* (Newc. Ct. App. 1990).

SHORT-FORM CITATIONS

Once you have cited a legal authority once, use short-form citations for subsequent citations to the same legal authority. A short-form citation for a judicial opinion includes only the case name, in italics.

- For example: *Dao*.

Additionally, you may use “*id.*” to refer to the same legal authority as the immediately preceding citation. Italicize “*id.*” Only capitalize “*id.*” when it begins a sentence.

For example:

- *Id.*
- *See id.*

SIGNALS

You may use signals to introduce your citations. No signal is needed if the statement is a quotation or a paraphrase of the cited authority. A “see” signal indicates that your statement is the result of an inference that you drew from the cited authority.

