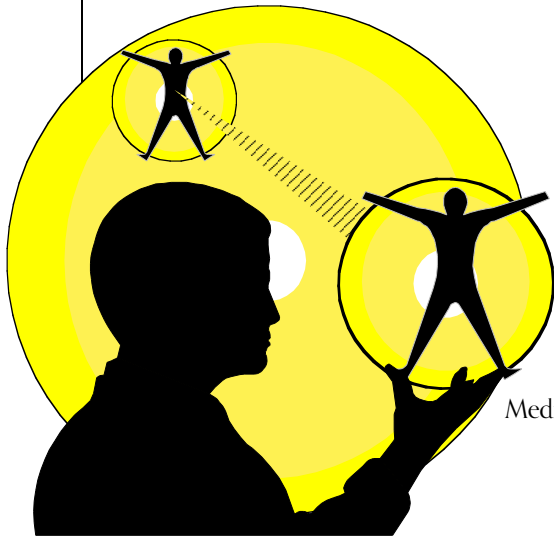


# *LEGAL COMMUNICATION*

*COMM 421*



Media Interface & Network Design (M.I.N.D.) Labs™ in Alliance with





## Legal Communication: Course Description and Objectives

### Course Description

In this course, we will examine law through the process of legal communication. Through legal communication we formulate the societal standards we recognize as our guiding norms. We will focus not merely on our traditional system of Anglo American law and the legal communication that describes its construction, but we will also briefly introduce the emerging consideration of metalaw. We will therefore consider what it means to engage in metalegal communication.

*Meta*, in Latin, means above or beyond, a bound, a goal, a turning point. Legal scholars describe *Meta* as being perhaps one of the few words available to describe the structural interconnections and irreversible processes of nature and of society. We use the word *Meta* here to describe the underlying weave of principle upon which our societal structure forms and which holds it together. To engage in effective legal communication, we must first articulate these underlying principles as fundamental issues, principles like justice, fairness, and liberty, then communicate them as we advocate, mediate, negotiate, litigate, and judge. The question is, are there underlying principles common to all societies?

In this class we will examine several roles those working in the field of law play and the skill sets necessary to perform these roles. We will look at the skills of argumentation, persuasion, and rhetoric legal professionals use in advocacy, mediation/arbitration, and negotiation. We will explore the role of the judiciary in this process and will also examine the form of communication the legal press uses to communicate to the general public. It could be argued that all legal communication is metalegal communication at its core because all effective legal communication involves a principle at stake. Every controversy, every question that comes before the law involves a principle at issue. The most successful advocate, mediator, negotiator, educator, or other practitioner of the law is that individual who can tie the facts and the circumstances to the principle(s) at stake and effectively



communicate these.

This semester, we will host several guest lecturers. These distinguished professionals will come into our small class to share their experience as it relates to the roles they daily assume in the process of constructing and communicating the law. These guests include members of the judiciary from the California Superior Court and from the Second District Court of Appeal, the Editor-in-Chief of the Daily Journal of Los Angeles and San Francisco, and several prominent attorneys who will share their expertise with us as we explore the various forms of legal communication.

This course focuses on communication about the law. Through this focus we aim to come to an understanding of the law. Law is omnipresent in our lives. The constraints of law often guide our behavior by regulating our choices. But what is law and what fundamental principles, if any, serve to bind as norms that guide us as we strive to survive and to prosper?

### **Course Objectives**

1. To apply argumentation, persuasion, and rhetorical skills in a legal framework;
2. To explore what it means to “read like a lawyer,” to “write like a lawyer,” and to “argue like a lawyer;”
3. To explore how audience and context change the form of legal communication;
4. To explore how the law and the making of the law is communicated to the lay public;
5. To explore the role of the judiciary in communicating the process of law; and
6. To explore the metalegal principles that guide us as we legally communicate

### **Areas examined include but are not limited to:**

- **Using Technology to Effectively Communicate in Legal Fora, such as, the Courtroom**
- **Communicating as “Counselor at Law”**
- **Advocacy: Trial and Appellate**
- **Communicating as Mediator, Arbitrator, & Negotiator**
- **Legal Communication in the Press**
- **Applying Metalegal Principles to Conflict Contexts**



## Instructor Information

Instructor: Dr. Rita M. Lauria

### Bio

Rita M. Lauria, JD, PhD founded **Metalaw®.US** as a legal and consulting practice to build upon her years of experience in media, communications, and the law. Dr. Lauria is licensed to practice law in both California and in North Carolina. Headquartered in Los Angeles, her focus converges in space and cyberspace law, and in a specialized area of criminal law. Her **Metalaw®.Me Mediation** practice assists in solving disputes, both before and during litigation. Her mediation specialties include, among others, intellectual property, negligence, and catastrophic natural disasters. Incorporating her experience living and working with indigenous peoples, Rita brings years of training in multicultural communications to her law and mediation practices. She served Micronesia as Advisor for Communications to the Secretary (Minister) of Transportation, Communications, and Infrastructure of the Federated States of Micronesia (FSM). (<http://www.fsmgov.org/>). From the perspective of a practitioner who has had direct experience with the diffusive and transformative nature of technological change, her research and work continues to look at the how changes in technology drive social and cultural change by driving changes in the nature of commerce, and therefore in social needs and expectations. Her early foundational, reference work *The Law and Regulation of International Space Communication* looked specifically at changes in communications among transitional societies as they came into the information age and the impact such change had upon international policy and regulatory regimes. Rita now brings her experience in space and cyberspace law to the area of metalaw, where she combines her work building a conceptual framework for the understanding of **Virtuality** with her interests in this emerging area of law.



## Office Location & Office Hours

**Office Hours:** I advise students to email me to set a firm appointment to meet I will make every effort to accommodate students. Also, immediately following class, I will be available to discuss any issues that present themselves, or even just to talk. Please feel free to email requesting a time to meet.

**Phone:** To be given in class. For emergencies or any other matter of great importance, I am available by cell. Please respect the use of this number.

**Email:** [lauria@usc.edu](mailto:lauria@usc.edu); [rlauria@att.net](mailto:rlauria@att.net)

## Format

We will meet each week for 1 hours and 20 minutes 2 times a week. During this time we will discuss the assigned readings for the day, enjoy and participate in the presentations of any guest lecturers, and attend to other business as dictated by the natural flow of the class. My style is to complete coverage of all assigned material. However, I realize flexibility is necessary as unanticipated issues may come up. Therefore, while the pace of our class will be driven by the goal of completing each component topic as listed in the syllabus, I reserve the right to make changes when necessary to the class calendar.

Students are also expected to read and to be prepared to discuss the material contained in the required text assignments as set forth in the Course Schedule below. Preparation is important.

You must put your cell phones and other electronic devices away. Computers are for note-taking only.

**Please note:** If an emergency or other relevant life event occurs to interfere with a student's ability to keep up, please notify me as soon as possible.



## Time

Time: M/W 5-6:20 pm

## Requirements:

Students should come prepared to discuss the readings assigned for the day and be familiar with the key principles, laws, regulations, theories, and concepts presented in those readings.

**Attendance: Mandatory.** *I will start each class on time. Students must be on time and prepared to participate. The University of Southern California prohibits the awarding of points solely on a student's physical presence in a class. However, the University allows the use of unexcused absences and excessive tardiness to count against a grade. This includes leaving class early. Unexcused absences will lower your grade. Arriving late or leaving early counts as **1/3 unexcused absence per incident.** Your final grade will be reduced by **one-half grade** after 2 unexcused absences. The amount of any further reduction will be calculated on the total number of unexcused absences.*

Your participation in class activities will earn you points toward your final course grade. If you are not in class during these activities, you will receive no points – **and these activities and points cannot be made up.**

**A student must complete all assignments to pass the course.**

**Student Information Sheet:** *All students must complete a student information sheet by the first day of class. This info sheet can be found on Blackboard under "Content." Please download the sheet, fill it in, either scan and email it me prior to the start of class or bring it with you on the first day of class. The phone number and email address must be accurate and current.*

**Academic Integrity:** *Enrollment in this class means that you agree to abide by the expectations of the Annenberg School for Communication and the University of Southern California about academic integrity. Consult the University's Academic Integrity code as set forth in the Scampus guide. The School of Communication follows the policy of reporting all violations of the code. Avoid cheating, plagiarism, and improper or illegal use of technology. Any questions you have please consult Dr. Lauria. Any such impropriety will result in a failing grade for the class.*



***Equity Policy:*** All persons regardless of age, race, religion, gender, physical disability, or sexual orientation shall have equal opportunity without harassment in this class. Any harassment should be reported immediately to either the classroom instructor or to the Department Head.

**ADA Compliance Statement**

“Any student requesting academic accommodations based on a disability is required to register with Disability Services and Programs (DSP) each semester. A letter of verification for approved accommodations can be obtained from DSP. Please be sure the letter is delivered to me as early in the semester as possible. DSP is located in STU 301 and is open 8:30 a.m. – 5:00 p.m., Monday through Friday. The phone number for DSP is (213) 740-0776.”

**Counsel:** please feel free to meet with me to discuss any problems you may encounter with the course or with your assignments, or simply just to talk. Make an appointment to set a time.

## ***Readings & Resources***

**Required texts:**

All required readings are found on Blackboard (BB) or will be handed out during class.

**Some Websites:**

**Model Code of Judicial Conduct (ABA):**

[http://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_code\\_of\\_judicial\\_conduct.html](http://www.americanbar.org/groups/professional_responsibility/publications/model_code_of_judicial_conduct.html)

**California Code of Judicial Ethics:** [http://www.courts.ca.gov/documents/ca\\_code\\_judicial\\_ethics.pdf](http://www.courts.ca.gov/documents/ca_code_judicial_ethics.pdf)

**Commission on Judicial Performance:** <http://cjp.ca.gov/>



Official California Legislative Information: <http://www.leginfo.ca.gov/>

California Rules of Court: <http://www.courts.ca.gov/rules.htm>

The Robing Room: <http://www.therobingroom.com/california/Default.aspx?state=CA>

The Daily Journal: [www.dailyjournal.com](http://www.dailyjournal.com)

Metropolitan News Enterprise: <http://www.metnews.com/metnews.htm>

Library Research Guides – Access many electronic research resources here:  
<http://libguides.usc.edu/communication>

How to brief a case – See: <http://lawnerds.com/guide/briefing.html#HowtoBriefaCase>

Second District Court of Appeal: <http://www.courts.ca.gov/2dca.htm>

## Grading & Assignments

Students will be graded on their performance in the following areas, with 100 points maximum.

Participation/Courtroom Observation/ Write Up	20%
Midterm: Opening Statement (Trial Advocacy)	40%
Final Paper/Project /Presentation	40%
Guest Presenters Dates TBD	

**Note:** Depending on the class constituency and size, I reserve the right to modify these assignments as necessary.





**Final Presentations will take place and on the scheduled Final Exam Date & Time and if enrollment numbers necessitate, a portion of the last week of scheduled class may also be set aside for student presentations.**

Final Exam schedule - [http://www.usc.edu/academics/classes/term\\_20133/finals.html](http://www.usc.edu/academics/classes/term_20133/finals.html)

*Reading Period and Final Exam*

Reading Period – December 7-10

Final Exam Period – December 11, 2013 5 -7 pm.