

## 2010 Essay Contest Tutorial

**You are writing a legal essay. Legal essays are “persuasive” in nature, therefore, your job is to present the facts clearly, and persuade the reader of your point of view.**

### **STEP 1** Read through all information

The first step is to read the information you’ve been given from beginning to end. The purpose of this is to get a general idea of:

1. What happened? (What are the facts?)
2. What does the law say about it? (Legal Authority: the rules, regulations, and case law that govern this issue.)
3. How does the law apply to the facts?

### **STEP 2** Brainstorm/Outline...just get something down on paper!

Attorneys follow proper rules of written form to make their documents easier to read. The generally- accepted form of a legal argument is an outline. For now, start with 5 sections and brainstorm. **Write down everything that seems important under each section numbered below; in no particular format...just write down ideas** (you may need more room than is provided here).

- I. Introduction *In your own words, summarize the facts. You will later develop this section into an introductory paragraph that will let the reader know what is going on. Think about it this way...if I was going to relay this information to someone else (verbally)...what information is necessary to get my point across? On average, this section should be a page or less.*



NOTE: Don’t just re-write the “facts” of the question...put it in your own words! (This is one of the things the judges keep an eye out for!)

- II. Essay Question 1 *Again, you are **just brainstorming** here in Step 2. Read Essay Question 1 (more than once, if necessary). Write down your thoughts (regarding law, events, fairness and responsibility) based on what you’ve read as it pertains to Question 1. No particular format. (A list or “bullet points” is an acceptable format).*

III. Essay Question 2 *Follow the steps above, but this time base your thoughts (regarding law, events, fairness and responsibility) based on what you've read as it pertains to Question 2.*

IV. Essay Question 3 **Question 3 has an initial question and two sub-sections ("a" and "b").** *First, write down your thoughts (regarding law, events, fairness and responsibility) based on what you've read as it pertains to Question 3. Then, repeat the same steps separately for sections "a" and "b".*

a.

b.

V. Conclusion *Although currently you are still brainstorming, this section will eventually become the "Conclusion" to your whole essay-the section where you get to "wrap it up." Your conclusion should contain the facts and law that convinced YOU of your opinion, and this is where you will be as persuasive as possible.*

*You may not be able to write anything in this section yet...and that's ok. As you become convinced of the position you plan to take...you can write down your thoughts (including the facts and law that convinced you of your opinion) in this section.*

## **STEP 3** Apply the Law to the Facts!

*You are still in the brainstorming phase. This is the part that makes this essay unique. This is not just an essay, it's a **persuasive** essay. What better way to get your point across than provide the LAW as backup for your position?*

Read the section titled "Legal and Other Authority." This section includes the law and school policy relevant to the matter. You will use this information to show which laws and/or policies support your opinion about the facts. Within the "Legal and Other Authorities" section, you will find:

- ✓ Two school policies
- ✓ U.S. Constitution: First Amendment
- ✓ Supreme Court rulings (also known as "case law"). There is one case in favor of student's rights, and two cases in favor of the school's right to censor.
- ✓ New Mexico's Administrative Code (paraphrased)

1. Create a quick chart (as follows) and indicate which laws/policies support the student, and which laws/policies support the school district.

## SUPPORTS STUDENT

1.

2.

(and so forth...)

## SUPPORTS SCHOOL DISTRICT

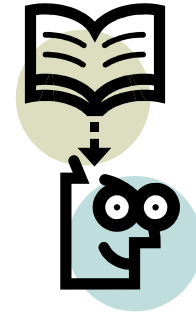
1.

2.

(and so forth...)

2. Add this information to your brainstorming notes.

**REMEMBER:** The law and policies will be used to support your position and help you to formulate and support your argument.



### **HINT:**

Re-read the essay questions, the facts, and the legal authority. If you've missed something...add it to the appropriate section. If you misunderstood something, make adjustments.

### **HINT:**

Use case law in support of your argument (i.e. your point of view). If the case supports your argument, you want to make comparisons that show how *your* facts are similar to the facts provided in the case law. If your facts are blatantly different, then make arguments stating why the differences are unimportant and thus the case should still apply to your facts.

*If the case law hurts your argument* you want to show the contrasts between the facts of your case and those in the case law (i.e. emphasize how your facts are different from the facts in the case law), or minimize the similarities between your facts and those in the precedent case.

## **STEP 4** Structure Your Essay

**It's time to start typing!** In this step, you will enter the information you've already written down on paper into the computer to start your rough draft.

### ***Be aware of contest rules!***

*Rule 4 states that entries must be 1000-1500 words (word count does NOT include information in a title page).*

**Below is a format you may use to structure your essay. Please note, this format is NOT required; it is simply an example of an acceptable legal writing format. Feel free to modify this format or to use your own version of a legal writing format.**

In the example that follows, Part I should be your introduction, Parts II-IV are the “heart” of your essay (where you answer the three essay questions), and Part V is your conclusion.

I. Introduction

Your introduction (about 1/2 - 1 page) goes here.

**REMEMBER:** *Keep the re-statement of the facts to a minimum. This should be a brief summary of the facts that introduces the reader to the event in question.*

**HINT:** *This is a good time to view some of our past “winning” essays, posted on our website. Here, you will see some variations on format.*

II. Heading - For the “heading”, you can simply re-state **Question 1** given in the materials.

- In your first sentence of this paragraph, state your conclusion in one complete sentence
- Present a statement of the applicable legal rule(s)/policies
- Discuss your application of the facts given to the legal rule(s)/policies
- Conclusion sentence for this paragraph (summarizing the key points leading to your conclusion)

III. Heading (**Question 2**)

- Follow above steps

IV. Heading (**Question 3**)

- In your first sentence of this paragraph, state your conclusion in one complete sentence (This is a short introduction for subpart’s “a” and “b”, to follow)
- **This question has subparts.** Separate each section within your paragraph with a separate heading for each subpart, as follows:

A. Heading

- State your conclusion in one complete sentence
- Present a statement of the applicable legal rule(s)/policies
- Discuss your application of the facts given to the legal rule(s)/policies
- Conclusion sentence for this paragraph (summarizing the key points leading to your conclusion)

B. Heading

- Follow above steps

V. Conclusion

State your general conclusion. Use the information you wrote down in the brainstorming section above to write your conclusion. This is your “final word” on the subject, so to speak.

Because this is YOUR final word on the subject, the information you choose to put here is up to you. Past successfully entrants have included one or more of the following approaches:

- state your actual position with rationale
- state what you anticipate to be the result (what do you think would happen if this “case” went to court?)
- state your own opinion
- state a point of view as to fairness
- a combination of the above

**HINT:** Ask your teacher or a parent to review your paper and give you their opinion. More than one opinion is even better! Pay attention to the questions they ask you, especially if they are looking for clarification on something.

**NOTE:** Remember that the actual writing has to be done by you, not someone else.

## STEP 5 Edit Your Paper

1. Is your paper well organized and well focused?
2. Does your paper begin and end effectively?
3. Do your thoughts and arguments have strong development?
4. Do your writing style and structure reinforce tone and content?
5. Is your paper authoritative, using proper vocabulary and tone?
6. Look for grammatical errors and make appropriate corrections. (Spell-check your document, but remember, spell-checking doesn't catch all errors)
7. Get an unbiased opinion and make corrections as necessary.

## STEP 6 SUBMIT YOUR PAPER!

Please review Essay Contest rules for deadlines, submission guidelines and requirements. **A SIGNED ENTRY FORM IS REQUIRED FOR EACH SUBMISSION.**

**All documents can be found on our website!**  
**Go to the “Essay Contest Information” link on our home page!**  
[www.nmbar.org](http://www.nmbar.org)