

Legal Research and Writing — Sections 7 and 8

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Welcome to Legal Research and Writing. For our first class, which is on Tuesday, August 14, 2018, please:

(1) Read pages xix-xx and Chapter 2 (pages 15-31) in *A Lawyer Writes* (Second Edition) by Coughlin, Rocklin, and Patrick. Please skim Chapter 1 (pages 3-13).

(2) Sign up for my TWEN page. The course name is “Legal Research and Writing – Fogle.” The password is “THELAW.” When signing up for TWEN, please use an email address that you check regularly. I frequently convey important information to the class through group emails and use TWEN to send those emails.

(3) Post on the TWEN Forum that I have created called “Introductions.” In years past, first year students spent a significant portion of orientation with their legal writing professors. This allowed us to get to know each other well before classes started. Under the new schedule, I do not have as much class time to devote to introductions, but they are still important. More so than many of your law school classes, legal writing requires interaction and class participation. These activities are less intimidating when we are not strangers. To that end, the “Introduction” posts should address two topics, “odd facts” (a fact that most people would not know about you), and “legal dream job” (what you think you might want to do with your law degree). The forum already includes a post from me that you can use as a guide. The key is to not overthink it. Please post your comments by 5:00 on Monday, August 13, 2018.

(4) Review your classmates’ posts on the “Introductions” Forum. The process only works if we all read what others have written. This is not an *actual* requirement for Tuesday’s class, but it is a worthwhile endeavor.

(5) Skim the attached statute governing texting while driving. The statute will be the basis for an in-class exercise on Tuesday.

Section 8 will meet on Tuesday at 9:45 in room A-255. Section 7 will meet at 1:00 in room 273. I will distribute the course syllabus and policies in class. I look forward to meeting you.

Ala.Code 1975 § 32-5A-350

§ 32-5A-350. Definitions; prohibited activities; fines; exceptions.

- (a) For purposes of this article, the following words have the following meanings:
- (1) WIRELESS TELECOMMUNICATION DEVICE. A handheld cellular telephone, a text-messaging device, a personal digital assistant, a standalone computer, or any other similar wireless device that is readily removable from a vehicle and is used to write, send, or read text or data through manual input. The term “wireless telecommunication device” does not include a device which is voice-operated and which allows the user to send or receive a text-based communication without the use of either hand except to activate or deactivate a feature or function.
 - (2) WRITE, SEND, OR READ A TEXT-BASED COMMUNICATION. Using a wireless telecommunication device to manually communicate with any person using text-based communication, including, but not limited to, communications referred to as a text message, instant message, or electronic mail. The term does not include reading, selecting, or entering a telephone number or name in a cell or wireless telephone or communication device for the purpose of making a telephone call.
- (b) A person may not operate a motor vehicle on a public road, street, or highway in Alabama while using a wireless telecommunication device to write, send, or read a text-based communication.
- (c) A person who violates subsection (b) is subject to fines as follows:
- (1) Twenty-five dollars (\$25) for a first violation.
 - (2) Fifty dollars (\$50) for a second violation.
 - (3) Seventy-five dollars (\$75) for a third or subsequent violation.
- (d) Law enforcement officers enforcing this section may treat a violation of this section as the primary or sole reason for issuing a citation to a driver.
- (e) The following uses of wireless communication devices shall not be subject to the restrictions in this section:
- (1) An individual using a wireless communication device to obtain emergency services including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity.
 - (2) An individual using a wireless communication device while the motor vehicle is parked on the shoulder of the highway, road, or street.
 - (3) An individual using a wireless communication device as a global positioning or navigation system to receive driving directions which has been pre-programmed with the desired coordinates. The programming of coordinates while operating a vehicle remains a violation of this section.