

SCHOLARLY WRITING RUBRIC

Evaluating the Thesis

The student's thesis is evaluated on the basis of the following elements:

- **Issue Statement**
 - The student identifies a problem and provides a constructive analysis of it.
 - If the proposal is procedural, the student provides recommended substantive standards.
- **Legal Significance**
 - The student presents a thesis that is novel, not obvious, and useful to the audience.
- **Persuasive Argument**
 - The argument in support of the thesis is clear, logical, and sustained throughout the document.
 - The student makes connections to broader related issues, without tangents or distractions.
- **Balance**
 - The student offers a proposition and gives sufficient weight to opposing views and countervailing considerations, primarily in footnotes, by:
 - taking problems and turning them to his/her advantage.
 - addressing implications such as resources and policy matters.
 - acknowledging tradeoffs as necessary.

Evaluating the Overall Organization of Paper

- **Introduction**

The student:

- identifies the thesis and includes a hook that captures the reader's interest and articulates the scope of the thesis.
- describes the overall argument.
- clarifies fundamental concepts to the extent necessary.
- summarizes the paper's structure in a roadmap.

- **Clearly Presented Structure**

The student:

- includes all necessary sections in logical order.
- prepares the reader for the in-depth analysis by providing sufficient factual and legal background.
- coherently connects sections and uses transitions to effect good flow throughout the paper.
- provides informative road maps and headings/sub-headings to guide the reader.

- **Legal Analysis**

The student proves his or her proposition by:

- analyzing relevant facts, statutes, regulations, case law, and policies and using these sources effectively to support arguments and distinguish counterarguments.

- synthesizing cases and issues rather than simply presenting a descriptive summary.
- discussing precedent with an implicit emphasis on binding precedent.
- testing the thesis' viability using actual facts to avoid unanticipated results.

- **Conclusion**

The student:

- re-states the thesis.
- provides insightful observations and conclusions (for example, by discussing the future implications of the thesis or by providing forward-looking recommendations).
- avoids introducing confusing information or propositions.

- **Overall Writing Style**

The student achieves a polished product by employing:

- correct spelling, grammar, and punctuation.
- appropriate vocabulary and usage.
- clear and concise sentence structure, avoiding the passive voice where it would detract from persuasiveness or clarity.
- a professional tone, avoiding idioms and colloquialisms.
- an artful writing style that makes the paper pleasurable (not cumbersome) to read.

Evaluating the Overall Supporting Research

The student:

- understands how the thesis fits in the context of the existing literature.
- relies, where possible, on primary rather than secondary source authority.
- discusses the hierarchy of law and provides sufficient coverage of various sources.
- discusses relevant sources of law (constitutions, statutes, treaties, regulations, cases, administrative materials, and the like) with an appreciation of their authority relative to one another.
- discusses relevant case law.
- discusses relevant policy-related developments and issues.

Compliance with Citation and Academic Integrity

The student:

- cites to all outside sources.
- places citations appropriately using the formatting guide directed by Bluebook (19th ed.).
- provides footnote content that is relevant and provides more than simple citations.