

GONZAGA SCHOOL OF LAW

EXTRACT FROM PROPOSED FOUNDATIONS OF APPELLATE LAW SYLLABUS

(Spring Semester, 2018)

Adjunct Professor: Bryan Harnetiaux

Credit Hours: 2 Hours

Time: Tuesday, 8:30 a.m. – 10:20 a.m., Room 314

Prerequisites: Legal Writing or Extracurricular Moot Court Experience

Required Text: Washington Court Rules (West ed. 2018) – you do not need to buy this text, as it is only used in a limited fashion. Otherwise, written materials largely consist of cases and law review articles. Cases assigned in class for reading assignment should be copied from the *Washington Reports* books, if possible; otherwise, cases and law review articles may be accessed electronically.

Course Description:

This course is primarily a theory course which examines the underpinnings of appellate law and principled appellate decision-making. The class will review the doctrine of judicial restraint, and the concepts of *stare decisis*, *dicta*, justiciable controversy, mootness, and general principles governing preservation of error (Round I). It will also explore *res judicata*, collateral estoppel, law of the case, judicial estoppel, and the doctrine of separation of powers (Round II).

The course will include an orientation regarding the state and federal appellate systems. The particular focus is on the Washington appellate system, including review of select rules of appellate procedure (RAPs) in Washington.

Student Requirements:

Students will prepare two short writing assignments, with accompanying class presentation (Rounds I & II), and complete a moderate writing assignment that serves in lieu of a final examination.

For further information, call Bryan Harnetiaux (624-3890).