

APPENDIX D – UPPER-LEVEL WRITING REQUIREMENT RUBRIC

I. Analysis and Reasoning						
	Flawed		Marginal		Satisfactory	
	1	2	3	4	5	6
1. Analyzes the relevant legal, policy, or theory issues	Fails to employ basic techniques of legal analysis		Analyzes the relevant issues but is sometimes unpersuasive or fails to consider alternatives		Clearly and thoroughly analyzes the relevant issues and considers alternatives and counterarguments	
	Flawed		Marginal		Satisfactory	
	1	2	3	4	5	6
2. Employs reasoning techniques to reach a logical conclusion	Fails to reason from facts, law, concepts, and data to a reasonable conclusion		Uses available facts, law, concepts, and data to reason to a conclusion		Clearly explains how the facts, law, concepts, and data support the conclusion while also considering alternative conclusions that might be drawn	
II. Research						
	Flawed		Marginal		Satisfactory	
	1	2	3	4	5	6
1. Appropriately researched	Insufficiently researched		Presents much of the relevant law and scholarly literature		Clearly explores most or all relevant bodies of law and scholarly literature	
	Flawed		Marginal		Satisfactory	
	1	2	3	4	5	6
2. Uses authorities correctly	Gives incorrect weight to authorities or misrepresents the content of authorities		Gives appropriate weight to most authorities discussed and accurately represents the contents of authorities relied upon		Authorities are given appropriate weight and are discussed accurately	
III. Problem Solving						
	Flawed		Marginal		Satisfactory	
	1	2	3	4	5	6

Advances a consistent thesis	Does not advance any thesis	Advances a thesis but sometimes includes irrelevant discussion or does not address all aspects of the argument	All portions of the paper serve to further the thesis or to present opposing evidence or arguments			
IV. Written Communication						
	Flawed		Marginal	Satisfactory		
	1	2	3	4	5	6
1. Organizes material logically	Fails to present the information in a logical fashion		Provides a mostly logical organization		Clearly organizes the argument around legal rules or theories or in some other logical fashion	
	Flawed		Marginal	Satisfactory		
	1	2	3	4	5	6
2. Readability (e.g., grammar, punctuation)	Fails to present the information in a readable fashion		Is generally readable but contains scattered grammatical and punctuation errors		Is easy to read and contains few if any grammatical or punctuation errors	
	Flawed		Marginal	Satisfactory		
	1	2	3	4	5	6
3. Cites material appropriately	Fails to cite authority according to legal citation system proscribed		Cites to authorities, but citations have multiple errors		Adequately and accurately cites authorities with few errors	
	Flawed		Marginal	Satisfactory		
	1	2	3	4	5	6
4. Complies with Technical Requirements of Assignment	Fails to meet the 20-page requirement or a shorter length approved by the faculty member for the topic, fails to properly format document, or contains multiple typographical errors		Fails either to meet the page-length or formatting requirements or contains scattered typographical errors, but otherwise complies with assignment requirements		Meets page-length requirement, meets format requirements, and contains few if any typographical errors	