

Introductory Argument Diagramming Exercises

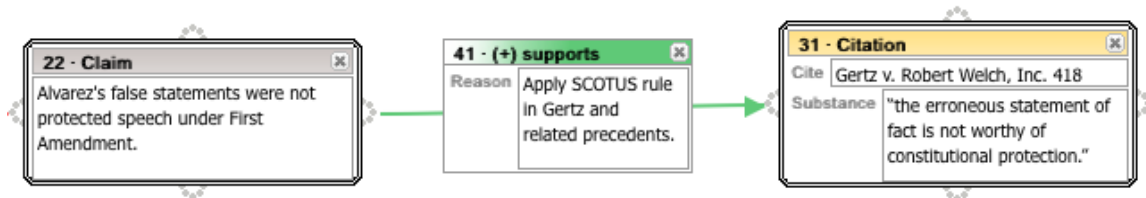
Legal Analysis and Writing—Part II: Spring
Prof. Ann Sinsheimer

The instructor will soon distribute and discuss, and you will soon read, the “Introduction to Argument Diagramming with the LASAD System” (LASAD Introduction). In order to gain practice using LASAD to diagram legal arguments, here are some instructive exercises. We will discuss some of the questions in class. The remainder are assigned as homework. Question 2 directs you to use LASAD to make certain argument diagrams. This should be completed by 11:59 pm, Monday, Feb. 6, 2012.

For most legal arguments, there usually are a number of reasonable ways to represent the argument diagrammatically in LASAD. Nevertheless, here are some errors to avoid.

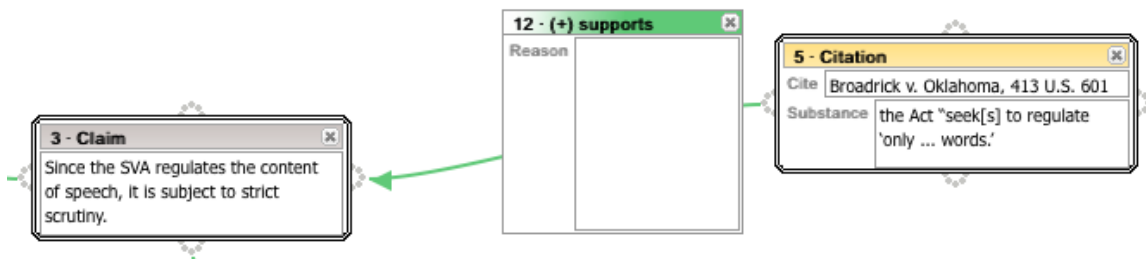
1. Briefly explain what errors there are in the following simple diagrams.

a)



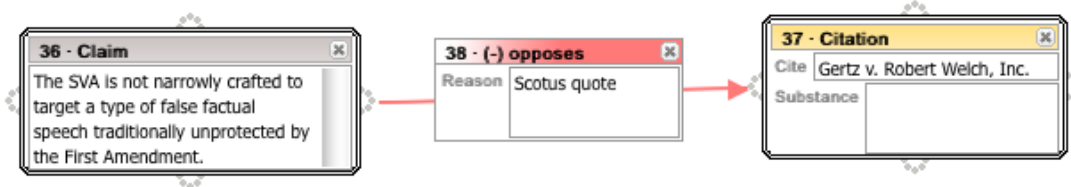
Answer: _____

b)



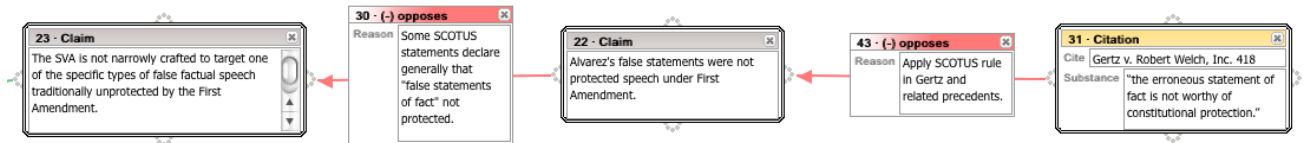
Answer: _____

c)



Answer: _____

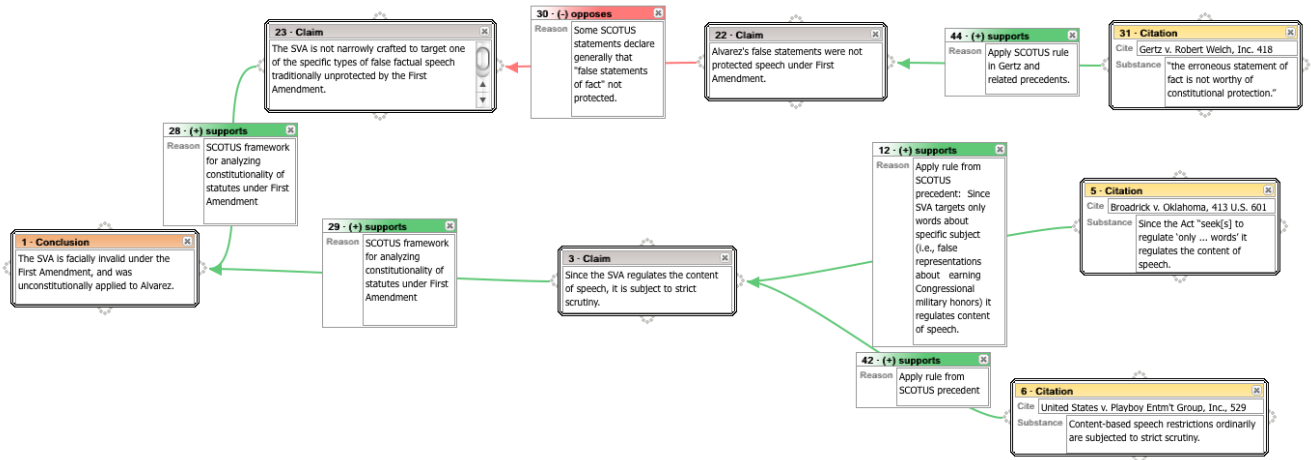
d) Consider the following argument diagram:



Assume that the above branch is meant to represent a counterargument to the majority's claim in *Alvarez* that the SVA is not narrowly crafted to target a type of false factual speech traditionally unprotected by the First Amendment. Does the Opposes arc, number 43 make sense? Explain briefly.

Answer: _____

2. Here is the sample diagram from the LASAD Introduction. It represents a small portion of the majority’s argument in the 9th Circuit opinion of *U.S. v. Alvarez*.



a) Use LASAD to reconstruct this diagram in your session entitled *01-Intro-Sample-Diagram*.

b) The sample diagram is not a complete diagrammatic representation of the majority argument. Briefly describe three (3) additional branches that would be needed.

Answer: _____

c) Select one (or more) of the three additional branches above and add it (them) to your diagram in *01-Intro-Sample-Diagram*

d) In the sample diagram above, the branch with diagram elements 23, 30, 22, 44, 31 is meant to represent a counterargument to the majority’s claim in *Alvarez* that the SVA is not narrowly crafted to target a type of false factual speech traditionally unprotected by the First Amendment. How should the majority’s counter to this counterargument be represented in the argument diagram? Add nodes and arcs to your *01-Intro-Sample-Diagram* to represent the majority’s counter to this counterargument. (See suggestions in last paragraph of section entitled, “*Planning Your Argument for the Alvarez Assignment*”, LASAD Introduction, pp. 8-9.)