CHARLOTTE SCHOOL of LAW

Integrating Analytical Writing Skills into Doctrinal Courses:
An Idea for 1L Courses

by Hillary Burgess
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Advanced Organizer:

If you are an experienced teacher, check any of the following common law teaching experiences that you have endured:

- ☐ You asked a student to brief the case and the student's response included many irrelevant details.
- ☐ You developed a lesson that you or your colleagues thought would be a remarkable improvement on how to teach this material only to have the lesson fall flat in class.
- ☐ Your students don't seem to take from the cases what you think they should be able to take from the cases, even when it is clear they have "read" the material and spent time preparing for class.
- ☐ You reviewed material multiple times, very explicitly, only to have too many students still get even the language of the rule incorrect.
- ☐ You provided explicit instructions about what you were looking for on your exam, only to have students write conclusory exam answers.

If you are new to teaching law school, this workshop will help you design your courses and lessons in a way that meets some of the calls for legal education reform, avoids some of the common pitfalls of new law professors, and provides pedagogically sound instructional design.

Summary:

This session will begin with an introduction to the Taxonomy of Legal Learning Objectives. This taxonomy posits that there is a natural hierarchy to the way novices approach learning law. When students learn in order, they can learn faster and deeper, allowing them to learn more. When students learn out of this order, they often struggle with all of the material, failing to pick up even the basic material, which delays any learning and creates barriers to learning the depth of the material.

This workshop will then demonstrate how to identify exercises students need to learn more efficiently at deeper levels. These exercises are ideal for novices learning law. The same exercises can be used for low performing students to diagnose their difficulties. For upper level skills courses, this exercise helps professors jump over the hierarchical steps students have already mastered.

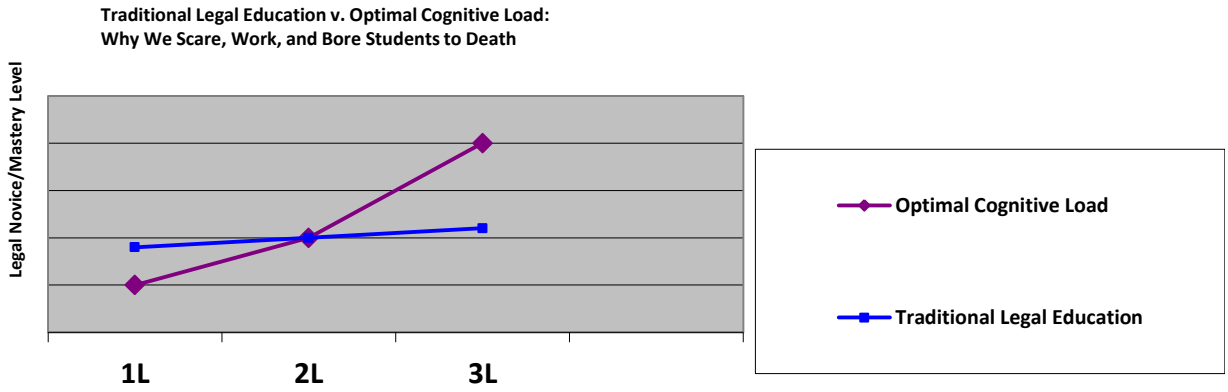
Objectives:

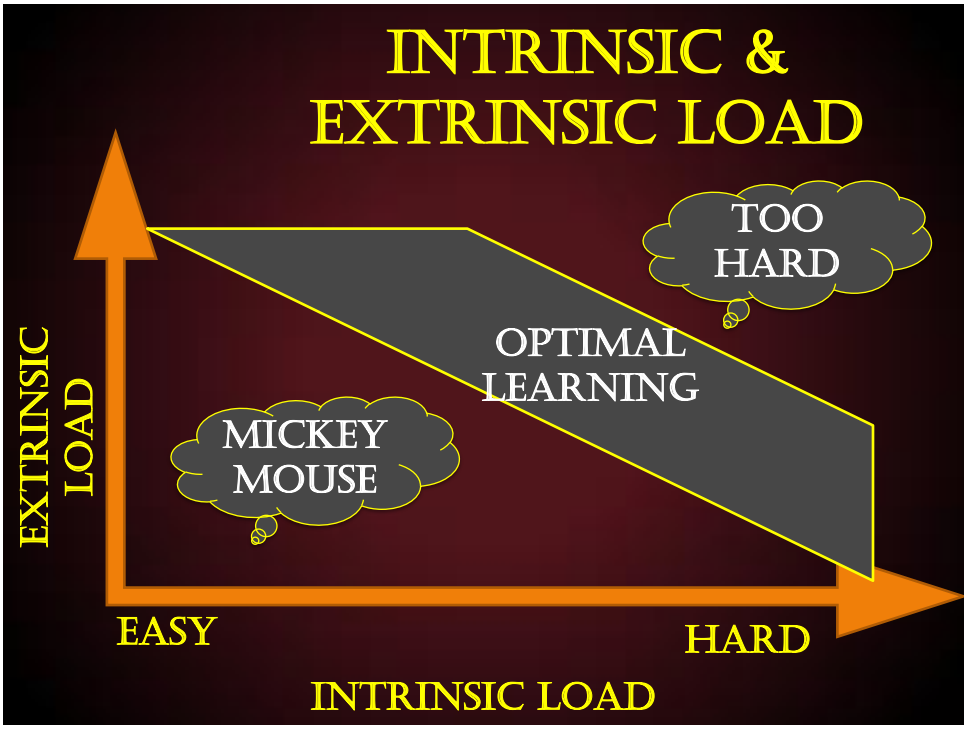
By the end of this workshop, you should be able to:

- Differentiate between different levels of learning.
- Map your learning objectives onto the Taxonomy of Legal Learning Objectives.
- Identify prerequisite skills that law students need to achieve your learning objectives.
- Evaluate your instructional design to determine whether you provide the guidance and learning opportunities that students need to come prepared to class and succeed on exams.

Optimizing Student Learning By Understanding Cognitive Load:

Legal education maintains fairly consistent learning objectives from the first semester through the sixth semester. This consistency over-taxes 1L students, is optimal for 2L students, and tends to under-tax 3L students. For struggling students, this consistency simply repeats teaching methods that have not worked for the student in prior attempts.





Grounding Activity

- List two topics you teach in the first few weeks of class.

- Which is harder? Why?

- How hard is it relative to other legal concepts? (1-10)

- How hard is it relative to what students already know. (1-10)

Why are Learning Objectives Important?

- All Students
- At Risk Students
- Curriculum Mapping
- Outcome Measurements
- Accreditation

Good learning objectives will fail to produce consistent measurable outcomes without pedagogically sound instructional design which includes hierarchical stages of learning, tailored teaching methods, and clear criteria for success.

Investing Activity:

- Pick one topic or skill students struggle within your class.

- How hard is it for your students to master this concept? (1-10)

- What makes this concept so hard?

- Would you want to teach this concept at a greater or deeper level if students were ready for the challenge?

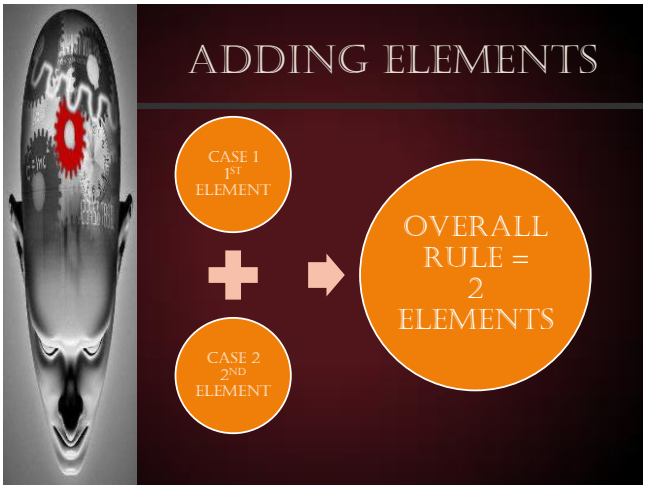
The Taxonomy of Cognitive Legal Learning Objectives and Outcome Measurements

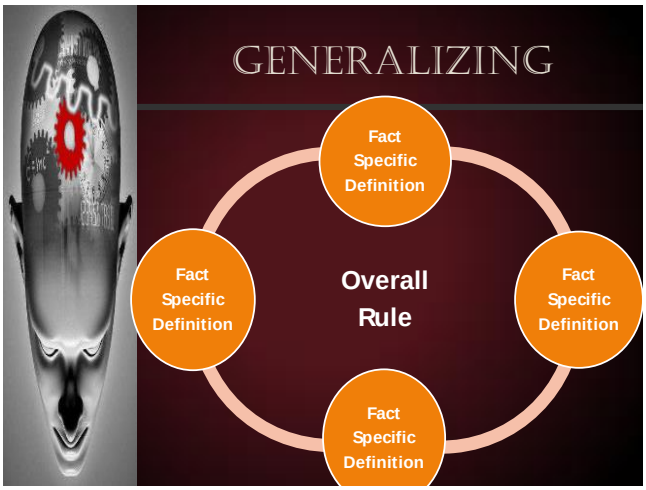
		Knowledge: What Students Learn			
		Facts	Concepts (Doctrine & Theory)	Skills & Procedures	Cognitive Strategies
Cognitive Tasks: What Students Do with Knowledge	Remember Recognize Recall				
	Grasp Paraphrase Summarize Compare Explain				
	Integrate Differentiate Organize Attribute				
	Synthesize Adding Elements Generalizing Expanding or Contracting Reconciling Contradictory Overruled Exceptions Reconciliation				
	Analyze Spot Issues Apply rules & Policies to Facts Evaluate Strengths & Weaknesses Redefine the Problem				
	Produce Guided with Criteria Unguided with Criteria				
	Transfer				

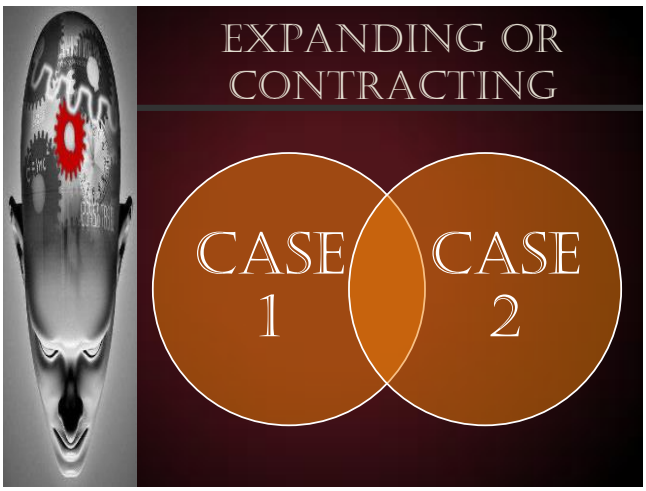
Order is Important

Novices learn optimally when they learn in the order of hierarchical objectives. Experts can approach new learning within a discipline in any order. In fact, experts often prefer to work backward.

Levels of Synthesis







And…Reconciling Contradictory Opinions

Teaching Low Levels + Assessing High Levels = Failed Outcome Measurements

Most law school instruction is fairly consistent across 1L, 2L, 3L.

	Facts	Doctrine	Skills	Cognitive Strategies
Remember				
Grasp				
Integrate				
Synthesize				
Spot Issues				
Analyze & Evaluate				
Produce		Exam	Curric. Goal	
Transfer 11-12			Curric. Goal	

If 1L professors provide activities that develop the skills and cognitive strategies that students need to perform higher level learning, upper level professors can expect students to come to class having taken more from the reading:

	Facts	Doctrine	Skills	Cognitive Strategies
Remember				
Grasp				
Integrate				
Synthesize				
Spot Issues				
Analyze & Evaluate				
Produce		Exam	Exam	
Transfer			Curric Goal	

How to Use the Taxonomy

		Knowledge: What Students Learn			
		Facts	Concepts (Doctrine & Theory)	Skills & Procedures	Cognitive Strategies
Cognitive Tasks: What Students Do with Knowledge	Remember Recognize Recall	Record facts of the case.	Pre-reading Mastery: Recall that even owned land can be taken legally by another**.**		
	Grasp Paraphrase Summarize Compare Explain		Reading Objective: Summarize the facts of the case and paraphrase the holding.		
	Integrate Differentiate Organize Attribute		Pre-class Activity: Differentiate relevant and irrelevant facts of the case. Attribute the judge's underlying policy bias. Class Activity: Differentiate what if scenarios from the case.	Class Activity: Identify facts that could impact two elements.	Pre-class Activity: Generate a list of questions Professor Burgess is likely to ask about the first case of the reading.
	Synthesize Adding Elements Expanding or Contracting Reconciling Contradictory		Pre-class Activity: Write the holding of the first case as if this holding represents the complete rule of Adverse Possession. Class Activity: Add elements to the adverse possession rule and reconcile subsequent cases.		Pre-class Activity: Identify the type of modification subsequent AP cases have upon the holding of the first AP case.
	Analyze Spot Issues Apply rules & Policies to Facts Evaluate Strengths & Weaknesses Redefine the Problem		Class Objective: Students will be able to apply relevant facts to the appropriate element of Adverse possession, explain inferences and logic, and evaluate the strengths and weaknesses of the argument.	Post-class Activity: Describe how you used subsequent cases to alter the rule of law as you understood it after reading the first case.	
	Produce Guided with Criteria Unguided with Criteria Unguided with Professional Resp.		Post-Class Activity. Students will answer a series of questions that guide analysis on an Adverse Possession hypothetical, the answers to which form a model law school exam answer. Course Objective: Students will be able to write objective analyses on Adverse Possession, Future Interests, and Gifts legal problems to the same standard as competent lawyers entering the profession, as illustrated in the grading criteria. Curriculum Objective: Students will be able to professionally solve legal problems in all core legal topics.		Post-Class Activity: Students will generate a list of questions to a second hypothetical on Adverse Possession.
	Transfer				

Acquisition by Capture: Objectives & Measurements

Advanced Organizer:

You are in a parking lot. You've been driving around for 20 minutes trying to find a spot. Finally, you see someone heading to their car. You drive beside them, put on your blinker, and wait for them to leave the spot. As they leave, they block you from turning in immediately. Another driver saw that you had your blinker on, but starts to turn into the spot anyway.

Who should get the right to park in that spot under the law? What policy rationales support this holding? What policy rationales work against this holding?

Reading Learning Objectives

- Understand how to read a case.
- Apply various note-taking and brief writing strategies.
- Explain the individual rules from each case.
- Compare and contrast the individual rules from each case.

By the end of your reading, you should be able to answer these questions:

- ☐ Who are the plaintiffs and defendants in each of the cases?
- ☐ What is the story that led to the lawsuit?
- ☐ What happened once the lawsuit reached the courts?
- ☐ How would the majority resolve the parking situation?
- ☐ How would the dissent rule resolve the parking situation?

Class Learning Objectives

- Compare the rules of capture and possession expressed in individual cases and multiple cases.
- Integrate the rules from the various cases about the rule of capture using policy rationales underlying the cases.
- Apply the implicit policy rationales underlying rule of capture cases to modern day natural resource policies.
- Explain how the traditional rule of capture might contradict modern goals.
- Explain the difference between fair use and reasonable use.
- Compare the use of court-determined solutions verses negotiated solutions for legal situations.
- Brainstorm ethical obligations in counseling clients about law suits.
- Develop rapport with your team by generating legal arguments and client counseling statements.
- Implement various briefing strategies. Reflect upon how to improve the efficiency of your briefing strategies and the usefulness of your briefs.

By the end of class, you should be able to answer these questions:

- ☐ How are Pierson and Ghen and Keeble different on the surface? How are they similar?
- ☐ What are the policy rationales that align the surface differences between the rules in these three cases?
- ☐ Why might the court's reliance on reasonable use change to a reliance on fair use if water became a scarce resource?
- ☐ How might traditional rules and policies about the rule of capture change as resources move from plentiful and overwhelming to scarce or endangered? Name three examples and describe how the old laws and policies would undermine current popular agendas.
- ☐ What are some of the non-legal counseling issues that lawyers can address with their clients? How does your moral compass impact how obligated you feel to address (or not address) these non-legal issues?

Long Term Learning Objectives

- Appreciate how ancient cases have modern-day applications to current events.
- Synthesize the rule of capture.
- Generate and critique legal arguments about how a completely novel fact pattern applies to the rule of capture.
- Generate a novel hypothetical situation that illustrates the difference between fair use and reasonable use.

By the end of the semester, you should be able to answer these questions:

- ☐ Suppose that you had parked very far away from a building, but on your way into the building, you found a closer parking spot. You asked your companion to "hold the spot" while you went to get the car because you figured it would be less hassle to move the car now than later. Your companion is standing in the parking spot waiting for you to return with the car when another car pulls up and signals that they want to park in the spot. Identify the rules and policies that would find that you and your companion should keep the spot and explain why. Identify the rules and policies that would find that the other car should get the spot and explain why. Given what you learned about the rule of finders, who is likely to win in this capture case and why?
- ☐ A used his skimming boat to collect oil from BP's Gulf of Mexico oil spill. A separated the seawater from the oil and sold it for $1,000,000. A estimates that his total cost in collecting, separating, and selling the oil was $250,000. Local businessmen believe that their businesses benefitted by approximately $3,000,000 from the oil A removed from the Gulf. BP claims that the oil was theirs and sues for the sale value. What result under the rule of capture and why? What policy theories support this finding and why? What rules or policies contradict your result and why?
- ☐ Write a novel fact pattern that illustrates the difference between fair use and reasonable use.

Sample Exercises

IRAC with FULLER Analysis:[1]

What does Analysis mean?

I
R
A – (Facts, Understanding, Link to the Language of the Element or the Rule)
C

Identify the purpose of each sentence:

Identify the purpose of each sentence. If you identify the purpose as Analysis, indicate whether the analysis is a fact, an understanding, or explains a logical leap, or links the evidence back to the rule.

The defect must manifest itself within a reasonable time (purpose: _____). The crack manifested itself three months after J bought the property, which was only 9 months after the house was built (purpose: _____). However, it was not until the second appearance of the crack (one year after the house was built) that J realized the crack might be indicative of a larger problem (purpose: _____). The foundation of the house is something that few people expect to repair or replace, so the expectation is that it will last longer than even the roof, which is expected to last 15-20 years (purpose: _____). Hence, a foundation problem that manifested itself within 9 months and became known one year after the house was built would fall within a reasonable time period to apply the IWQ (purpose: _____).

Complete the Partial Analysis:

This analysis is almost complete. It is missing a link. Write a link by using the party names and situational facts in the language of the rule.

Implied Warranty of Habitability requires that landlord provide premises that are free from material health and safety problems. Here, the facts indicate that there was a crack in the wall of the bedroom (fact). The contractor indicated that the crack did not create a rental housing code violation, much less a substantial violation (fact). Additionally, the facts do not indicate that the crack was causing anything to fall off of the wall or let elements in or out of the house (assumed fact). Without such evidence, a crack is a mere blemish (inference). Thus, (write a link here)_____.

[1] Modified from Michael Hunter Schwartz' FIL Analysis, discussed in Expert Learning for Law Students.

Other Strategies:

All of these exercises can be done as Multiple Choice or Fill-In the Blank exercises. Most online quizzes provide the option to provide feedback on right and wrong answers.

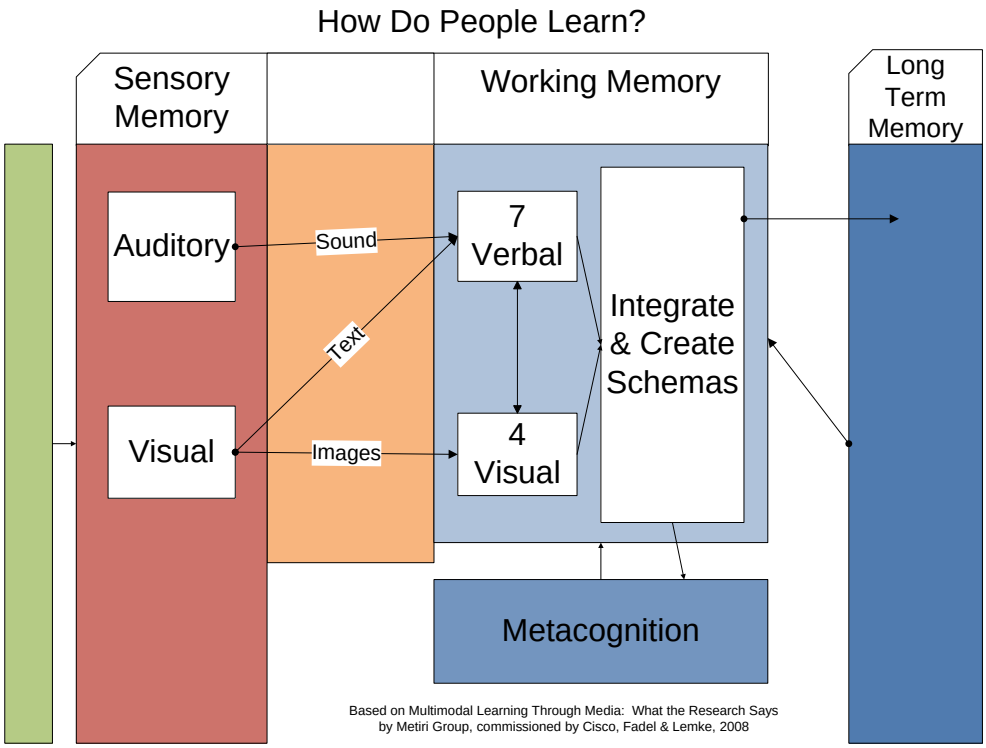
- Identify the Purpose of Each Sentence (IRAC, If A, Identify which part of FULLER?)
- Choose/Write the Missing Purpose
- Identify & Generate the Missing Purpose
- Identify the assumption or logical leap.
- Identify the issue.
- Put sentences in order in a paragraph.
- Put paragraphs in order in an essay.

- Issue Statement:
  - Does-under-where approach.
  - Does a woman pounding her fists against a man's chest constitute a reasonable threat under _____ (legal concept) where a man who weighed 200 pounds, was 6 feet tall, and was trained by the army killed a woman who weighed 120 pounds, was 5 feet tall, and was untrained in any defensive art?
  - Use additional sample sentences and remove different parts of the template.

- Rule: Identify the missing elements of the rule.
  - Battery is offensive touching.
  - Burglary is the breaking and entering of a dwelling house with the intent to commit a felony within.

- Analysis:
  - A shot and killed a fox. As A rode over to the fox, B picked up the fox. A sues B for the fox. Analyze.
    - The rule of capture dictates that the first person to exercise dominion over an unowned resource becomes the true owner. (Rule) Mortally wounding the fox (fact) could constitute constructive dominion over the fox (link) _____ (inference).
    - Choose the inference that adds value to this analysis:
      - because killing an animal deprives it of its liberty.
      - because A killed the fox before B picked up the fox.
    - This example asks students to recognize which sentence fits the purpose identified to complete the analysis.

How Adult Humans Learn



Resources:

- The Taxonomy of Cognitive Legal Learning Objectives and Outcome Measurements, Hillary Burgess, *manuscript in process*.
- How People Learn: Brain, Mind, Experience, and School 32–33 (John D. Bransford, Ann L. Brown & Rodney R. Cocking eds., 2000).
- Teaching Law by Design: Engaging Students from the Syllabus to the Final Exam, Michael Hunter Schwartz, Sophie Sparrow, Gerry Hess, Carolina Academic Press (2009)
- Deepening the Discourse Using the Legal Mind's Eye, Hillary Burgess, 21 Quinnipiac Law Review 1 (2011).
- Techniques for Teaching Law (1 & 2), Gerald Hess, Steven Friedland, Michael Hunter Schwartz (2 only), Sophie Sparrow (2 only), Carolina Academic Press (
- Strategies and Techniques of Law School Teaching, Howard Katz and Kevin Francis O'Neill, Aspen Publishers (2009).
- Context and Practice Casebook Series, Carolina Academic Press.
- Property Problems: Differential Diagnostics that Take Any Student from Good to Great, Hillary Burgess, Carolina Academic Press, forthcoming 2012.

Professor Burgess conducts hour long, half day, and full day workshops on how students learn, creating learning objectives that map from class to course to curriculum, teaching techniques, and creating assessments that measure student outcomes. Professor Burgess can be reached at hburgess@charlottelaw.edu or 704.971.8530

FACT SCENARIO

Martha Dale wants to sue Nick Marino in Federal District Court. She is citizen of the State of Indiana and Nick is a citizen in the State of Illinois (Cook County). Martha and Nick were involved in a car accident in Chicago, Illinois on January 1, 2010. Martha claims that she had a green light to proceed into an intersection while Nick claims that he had the green light. The accident occurred at 2:53 a.m. at the corner of Jackson and Dearborn. The City of Chicago operated cameras in the intersection on the date of the accident that recorded the incident. However, the camera was inoperable on the night of the accident.

The only witness to the accident was Donald VerHaalen, a 62-year-old homeless man. Officer Sam Litneal of the Chicago Police, in his incident report, stated that VerHaalen "appeared intoxicated." Donald listed his home as the Dearborn Street Homeless Shelter on the police report. He told the police that he saw Nick go through a red light and come in contact with Martha's vehicle.

Officer Litneal's report indicated that he could not determine, with certainty, fault of the accident. Accordingly, he did not issue any citations to either driver.

Both Nick and Martha needed to be transported to a hospital after the accident. An ambulance transported Martha to Rush-Presbyterian Hospital while another ambulance transported Nick to Illinois Masonic Hospital.

Martha

While in the emergency room, Martha was semi-conscious. The script nurse, i.e., the nurse who prepares the medical records in the emergency room, was Nancy Tyler. She wrote down Martha's vital signs recordings and noted "MVA," a motor vehicle accident. She further wrote "ETOH on breath" which indicated that someone in the emergency room noted the odor of alcohol on Martha's breath; however, no one at the hospital took any tests to determine blood alcohol level. The diagnosis was a broken collar bone, bruises, abrasions, and possible head trauma. Martha received a battery of medical testing before the doctor's ultimate determination refuting any head trauma. The hospital admitted her for an overnight stay but released her later in the day. The other people in the emergency room were Dr. Barbara Reynolds (emergency room doctor), Dr. Stephen Daly (orthopedic surgeon), and two emergency room nurses, Jane Weismann and Jay Sorenson.

Before her hospital release, Officer Tracy Carton of the Chicago Police interviewed Martha. As relayed in Officer Carton's supplemental report, Martha told her that from approximately 8:30 p.m. on December 31, 2009 until 2:00 a.m. on January 1, 2010, she was a guest at a New Year's Eve party which Molly and John Neil threw at their condominium at 315 S. Plymouth Court in Chicago. She claims to have consumed a "sip" of champagne at a midnight toast. The remainder of her statement corroborates her claim.

On December 25, 2010, Martha required an emergency appendectomy. She was still recovering from the surgery on the evening of the Neils' party. Before she left the hospital on De-

cember 27, 2010, her surgeon, Dr. Joseph Legan, prescribed Vicodin®, a pain reliever.[1] On December 27, she began taking one pill every four hours (six pills per day). By the evening of the party, she had decreased the number of pills to two per day. She informed Officer Carton that she had taken a pill at approximately 7:00 p.m. on the evening of December 31, 2009.

After her release, Martha recouped at home. She made five additional visits to her family physician, Dr. Sarah Frier, throughout the month of January, 2010. She has not seen a medical professional since January 31, 2010.

Martha, a community college English teacher at the College of DuPage, did not return to teach in the Spring semester of 2010. She claims that her injuries prevented her from effectively teaching and that she needed the time to recuperate. She claims that she suffered daily pain, which she attributes to the accident, until June of 2010. She further claims that she continues to suffer stiffness whenever it is cold or damp outside.

Martha's medical bills from her hospital stay are as follows: 1) emergency room - $2000; 2) tests - $3,500; and 4) overnight stay at hospital - $2,200. Her annual salary is $65,000 (of which she missed one-half of her school year). Further, as a result of the accident, Martha's 2002 Honda Accord DX Sedan® (four-door) was totaled. It had a suggested retail value of $5,900.

Nick

Nick was fully conscious upon entering the emergency room. His injuries were mainly bruising but he did have a pain in his neck and lower back. The tests performed, i.e., x-rays, did not show any permanent damage. His emergency room doctor was Dr. Tess Chang and the nurse was Steve Jackson. The scribe nurse was Susan Twindler. Nick was released after his visit to the emergency room.

Nick was sore and achy for several days. He never missed a day of work as a trader at the Board of Trade, even with his pain. He managed his pain with Motrin®, about six pills per day for one week after the accident. As the days progressed, the pain in his neck and back became sharper and more frequent.

For the next several months, Nick sought care from Dr. Peter Tome, a neurologist. After a series of treatments such as physical therapy and cortisone injections, Dr. Tome referred Nick to a neurosurgeon, Dr. David DeCaro. Nick received a laminectomy which required a three-day hospital stay. Although he immediately felt better, Dr. DeCaro did inform him that the surgery will help for 10-15 years but might require additional surgeries in the future.

Officer Jack Styler of the Chicago Police interviewed Nick at his home on January 2, 2010. Officer Styler's report stated that Nick told him that he was at a New Year's Eve party at 1060 West Addison in Chicago, at the home of Bill Chrysler and Gill Schampf. Although there

[1] Patients are warned, on the prescription label, to avoid using Vicodin® with alcohol. Also, patients are cautioned against operating heavy machinery when taking the drug.

was alcohol at the party, Nick did not partake as he had earlier taken an anti-histamine for a cold he was suffering. He knew he would be driving and did not want to mix the drug with alcohol.

Nick's medical bill included the following: 1) emergency room - $1500; 2) x-ray - $500; appointments with Dr. Tome (along with treatments) - $5,600; 3) Dr. DeCaro - $15,000; and 4) hospital stay for surgery - $3000. Nick missed three days of work after the surgery. As a trader, Nick earns a different amount each day. There are some days he does not earn any money; other days, he earns $50,000. Nick's last four "W-2s" indicate that his gross annual income was the following: 1) 2005 - $250,000; 2) 2006 - $534,000; 3) 2007 - $125,000; 4) 2008 - $425,000; and 5) 2009 - $210,000. He has not filed his 2008 income taxes as of the date of filing the complaint but anticipates receiving a gross salary of $101,000. Finally, as was the case with Martha's vehicle, Nick's 2009 Lexus RX 350® was also totaled. It has a suggested retail value of $31,235.

(Below is the caption to be used for all "filings" on this case.)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARTHA DALE,		)	
		)	
	Plaintiff,	)	
		)	
	v.	)	Civil Action No. 10-C-1000
		)	
NICHOLAS MARINO,		)	Judge Mary T. Nagel
		)	Magistrate Anthonie Moll
	Defendant.	)	

ILLINOIS TRAFFIC CRASH REPORT

Sheet 1 of 2 Sheets

ADDITIONAL UNITS

DRAC U | U | PEDV | TRFD | TRFC | WEAT | DRVA U | U | VIS U | U | VEHD U | U | LGHT | COLL | MANV U | U | PPA | PPL

IDOT (BARCODE) CONTROL NUMBER

INVESTIGATING AGENCY: CPD

DAMAGE TO ANY ONE PERSON'S VEHICLE / PROPERTY: ☐ $500 OR LESS ☐ $501 - $1,500 ☒ OVER $1,500

TYPE OF REPORT: ☒ ON SCENE ☐ NOT ON SCENE (DESK REPORT) ☐ AMENDED

☐ A No Injury / Drive Away ☒ B Injury and / or Tow Due To Crash

AGENCY CRASH REPORT NO.: 2010 (YR) 00009

TRFW

ADDRESS NO.:

HIGHWAY or STREET NAME: S. Dearborn St.

☒ City ☐ Township: Chicago

INTERSECTION RELATED ☒ Yes ☐ No

DATE OF CRASH: 1/1/2010 (mo/day/yr)

TIME: 2:53 ☒ AM ☐ PM

LARS CODE

VEHT U

(CIRCLE) ..... FT / MI N E S W ☒ AT INTERSECTION WITH Jackson Blvd. (NAME OF INTERSECTION OR ROAD FEATURE)

COUNTY: Cook

PRIVATE PROPERTY ☐ Yes ☒ No

HIT & RUN ☐ Yes ☒ No

CIRCLE DAY OF WEEK: SU MO TU WE TH FR SA

NUMBER MOTOR VEHICLES INVLD: 2

LARS CODE

U

NO. LANES

ALGN

RSUR

UNIT

NAME ☒ DRIVER ☐ PARKED - NO DRIVER ☐ PED ☐ PEDAL ☐ EQUES ☐ NMV ☐ NCV
(LAST, FIRST, MI): Dale Martha

DATE OF BIRTH: 2/11/68 (mo/day/yr)

MAKE: Honda MODEL: Accord DX YEAR: 2aZ

STREET ADDRESS: 1234 Hoosier Lane

SEX: F SAFT: AIR:

PLATE NO.: TEACH1 STATE: IN YEAR: 2010

CITY: Cornfield STATE: IN ZIP: 47800

INJURY: Y EJECT: N

VIN: H1234567890

CIRCLE NUMBER(S) FOR DAMAGED AREA(S): 00 - NONE; 10 - UNDER CARRIAGE; 11 - TOTAL (ALL AREAS); 12 - OTHER; 99 - UNKNOWN

POINT OF FIRST CONTACT: 8, 1

FRONT / REAR

TOWED DUE TO CRASH: Y ☒ N ☐

FIRE: Y ☐ N ☒

HAZMAT SPILL: Y ☐* N ☒

COM VEH: Y ☐* N ☒

*IF YES SEE SIDEBAR

TELEPHONE: (812) 555-1212

DRIVER LICENSE NO.: D428752A-IN

STATE: IN CLASS: CLASS: Pass.

VEHICLE OWNER (LAST, FIRST, M.I.): same as before

INSURANCE CO.:

VEHU U

TAKEN TO: Rush-Pres.

EMS AGENCY: Urgent 1

OWNER ADDRESS (STREET, CITY, STATE, ZIP):

TELEPHONE:

POLICY NO.:

UNIT

NAME ☒ DRIVER ☐ PARKED - NO DRIVER ☐ PED ☐ PEDAL ☐ EQUES ☐ NMV
(LAST, FIRST, MI): Martin, Nicholas

DATE OF BIRTH: 6/15/72 (mo/day/yr)

MAKE: Lexus MODEL: RX 350 YEAR: 2007

STREET ADDRESS: 233 S. Wacker Dr.

SEX: M SAFT: AIR:

PLATE NO.: SellBig STATE: IL YEAR: 2010

CITY: Chicago STATE: IL ZIP: 60601

INJURY: Y EJECT: N

VIN: 9876543210

CIRCLE NUMBER(S) FOR DAMAGED AREA(S): 00 - NONE; 10 - UNDER CARRIAGE; 11 - TOTAL (ALL AREAS); 12 - OTHER; 99 - UNKNOWN

POINT OF FIRST CONTACT:

FRONT / REAR

TOWED DUE TO CRASH: Y ☐ N ☐

FIRE: Y ☐ N ☐

HAZMAT SPILL: Y ☐* N ☐

COM VEH: Y ☐* N ☐

*IF YES SEE SIDEBAR

TELEPHONE: 312-555-1212

DRIVER LICENSE NO.: M000-01-0020

STATE: IL CLASS: D

VEHICLE OWNER (LAST, FIRST M.I.): same

INSURANCE CO.:

U

RDEF

BAC

TAKEN TO: Ill. Masonic Hosp.

EMS AGENCY: Urgent 2

OWNER ADDRESS (STREET, CITY, STATE, ZIP):

TELEPHONE:

POLICY NO.:

U

OCCS

U

(UNIT)	(SEAT)	(DOB)	(SEX)	(SAFT)	(AIR)	(INJ)	(EJCT)	PASSENGERS & WITNESSES ONLY (NAME) / (ADDR) / (TEL)	(HOSP)	(EMS)
		5/1/47	M					Donald Hertlaken - Dearborn St. Homeless Shelter		
		/ /								
		/ /								
		/ /								
		/ /								

U

DIRP

U

UNIT

	(EVNO)	(MOST)	(EVNT)	(LOC)
	1	☐		
	2	☐		
	3	☐		

UNIT

	1	☐		
	2	☐		
	3	☐		

DAMAGED PROPERTY OWNER NAME: n/a

DAMAGED PROPERTY:

PROPERTY OWNER ADDRESS: CITY: STATE: ZIP:

ARREST NAME: SECTION: CITATION NO.:

ARREST NAME: SECTION: CITATION NO.:

OFFICER ID.: 001

SIGNATURE:

BEAT / DIST.: Lap

SUPERVISOR ID.: 5491

CONTRIBUTORY CAUSE(S)

PRIMARY:

SECONDARY:

POSTED SPEED LIMIT

P0109

DATE POLICE NOTIFIED: 1/1/10 (mo/day/yr)

TIME NOTIFIED: 2:50 ☒ AM ☐ PM

COURT DATE: mo/day/yr

COURT TIME: ☐ AM ☐ PM

REMEMBER TO USE BLACK INK, PRESS HARD, PRINT LEGIBLY AND COMPLETE ALL REQUIRED FIELDS!

Printed by authority of the State of Illinois

SR 1050A JANUARY 2009

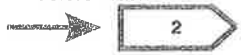
*IF YES TO HAZMAT SPILL OR COM VEH, COMPLETE COMMERCIAL MOTOR VEHICLE AREA ON BACK.

DIAGRAM WHAT HAPPENED INSTRUCTIONS

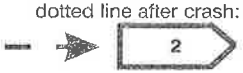
INDICATE NORTH BY ARROW

1. Follow dotted lines to draw outline of roadway at place of crash.
2. Number each vehicle and show direction of travel by arrow.

3. Use solid line to show path before crash:



dotted line after crash:



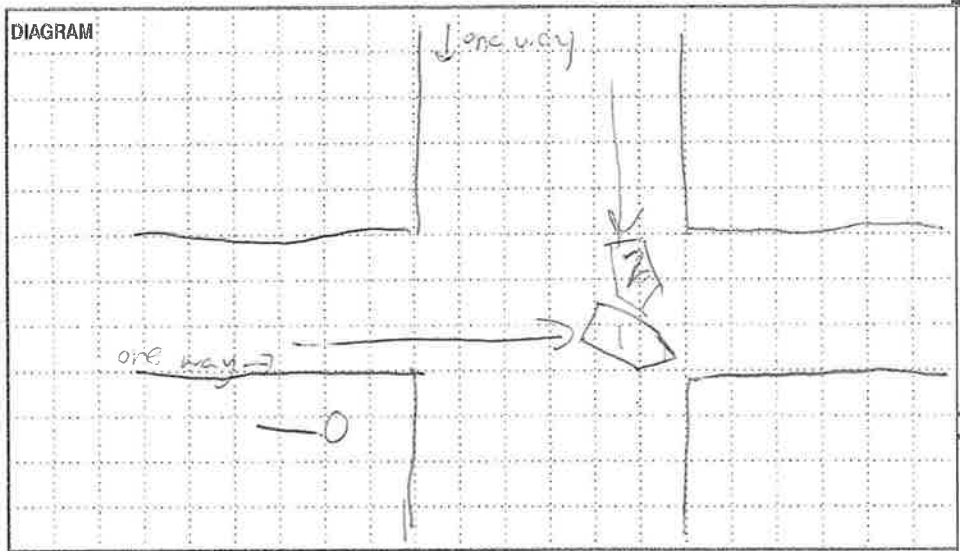
4. Show pedestrian by:
5. Show railroad by:
6. Show utility poles by:
7. Show motorcycle by:

PRINT OR TYPE ALL INFORMATION ON THIS FORM.

THIS REPORT IS CONFIDENTIAL AND CANNOT BE USED AS EVIDENCE IN ANY TRIAL.

THE PROVIDING OF FALSE INFORMATION IS A CLASS C MISDEMEANOR AND CAN RESULT IN A $500 FINE AND A 30-DAY SENTENCE.

DIAGRAM



NARRATIVE (Refer to vehicle by Unit No.)

Vehicle #1 claims she had a green light in entering the intersection. Vehicle #2 also claims he had the green light when entering the intersection. There was one witness, Donald VerHeecke, who appeared intoxicated. He states that it was Vehicle #1 that had the green light, and He stated that Vehicle #2 had the red light.

LEGAL REQUIREMENTS

As the driver of a motor vehicle involved in a traffic crash causing death, injury, or damage to any one person's vehicle or property exceeding **$1,500**, you must complete and submit this report.

However, if you or any other driver in the same crash **does not have insurance**, you must complete and submit this report if damage to any one person's vehicle or property is over **$500**.

In either case, your report must be completed and submitted within 10 days after the crash.

If a driver is physically incapable of completing this report, the owner or another occupant of the vehicle should do so.

INSTRUCTIONS

OBSERVE THE FOLLOWING RULES:

1. PRINT ALL NAMES AND ADDRESSES.
2. Answer all questions to the best of your knowledge. If unable to answer any questions, mark "NK" for "not known."
3. The nature and extent of all damages and injuries must be clearly and completely stated. Whenever a doctor's statement of injuries or a garage estimate of the cost of repairs is immediately available, give this information; otherwise, give your own careful estimate.
4. Use a second report form or a sheet of paper the same size to report additional vehicles, injured persons, witnesses, or any other information for which there is not sufficient space.
5. SIGN THE REPORT in the space at the bottom of the front side of this report form.

Important - This crash should also be reported to your insurance representative. Failure to report may jeopardize your automobile liability insurance.

The Safety Responsibility Law

For general information only

(See Sections 625 ILCS 5/7-100 through 5/7-216 of the Illinois Vehicle Code for complete statute.)

In certain cases drivers and owners may be required to prove financial responsibility. usually by presenting evidence of automobile liability insurance.

When any person sustains property damage in excess of $1,500 (or, $500 if any driver is not insured) or personal injuries, the names of uninsured motorists are sent to the Secretary of State with a legal notice of possible security deposit. The notice names all potential property damage and bodily injury claimants, and lists the evaluated amounts of the potential claims. The evaluations are based on information shown in the reports filed by drivers or owners. It is important that reports be filed promptly and that complete and accurate descriptions of property damage and bodily injuries be shown in the spaces provided on the report form.

The accident file, which usually contains a police report and a report from each driver, will be sent to the Secretary of State. That office will review the reports to ascertain if the uninsured driver was legally at fault. If the driver was clearly not at fault, the file will be closed; otherwise a Notice of Suspension will be mailed. The notice of Suspension outlines the Methods of Compliance with the Illinois Safety Responsibility Law; it also advises the uninsured motorist of the right within 15 days of the Notice of Suspension to request a hearing. If a request for hearing is not received, the suspension becomes effective 45 days from the date of the Notice of Suspension. If a hearing is held and the Hearing Officer concludes, after considering all written and oral evidence, that there is a reasonable possibility of legal fault, the uninsured motorist has the following options: 1. Deposit security; 2. Present evidence of releases from liability (or signed agreements to pay for damages in installments) from all potential claimants named on the security deposit notice; 3. Show evidence of a final adjudication of nonliability. If the uninsured motorist fails to comply with any of the above options, his/her drivers license (if driver) and vehicle registration privileges (if owner) would be suspended.

(None of the above affects any person's right to sue to recover damages.)

(Security deposits, releases, or installment agreements are to be submitted to the Secretary of State.)

THIS SPACE FOR FLEET OPERATORS ONLY

If your vehicle is subject to the Federal Motor Carrier Safety Regulations, provide your **USDOT** number below:

55329

USDOT number

Has the Department of Insurance issued a certificate of self-insurance covering your vehicle?

☐ YES ☒ NO

STATE FARMER INSURANCE COMPANY
INSURED STATEMENT

Claim No.: 10-000-0001
Insured: Martha Dale
Date of Accident: January 1, 2010
Claims Adjuster: Robert Spooner

Narrative

On January 31, 2010, I spoke with the insured regarding the above accident. She claimed that Nick Marino struck her vehicle as she lawfully entered the intersection of Dearborn and Jackson in Chicago, Illinois. She indicated that the accident took place at approximately 2:30 a.m.

The insured stated that she spoke with the police and she knew there was a police report. However, she didn't remember the officer's name. (NOTE: get a copy of the police report). She stated that neither she nor Mr. Marino received a citation for the accident.

The insured indicated that she told the officer at the scene about the fact that she had consumed one Vicadin® at approximately 6:00 p.m. on the evening of December 31, 2009. She also told the officer that she only had a "sip" of champagne to toast the New Year at midnight. She told me that upon further reflection, she may have had one, but no more than two, glasses of champagne around midnight.

The insured indicated that an ambulance transported her to Rush-Presbyterian Hospital. She was treated in the emergency room and released the next day. We're in the process of getting medical records and bills. Also getting wage verification.

The vehicle was totaled (photos in file). The Bluebook value is $5900.

EMERGENCY DEPARTMENT NURSING DOCUMENTATION

CLASS: ☐ I ☐ II ☑ III ☐ FT ☐ EHS

MODE OF ARRIVAL: ☐ WALKED ☑ CARRIED ☐ WHEELCHA

☐ OTHER _____ ☑ EMS _____

ARRIVAL TIME 3:23 a.m.

CONDITION: ☑ GOOD ☐ FAIR ☐ SERIOUS ☐ CRITICAL ☐ DOA

TRAUMATIC: ☒ YES ☐ NO

CHIEF COMPLAINT: pain from car accident

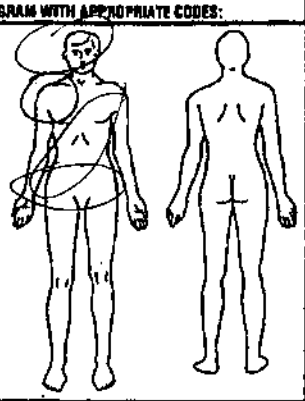
[illegible]	11/06/1954 07/29/2013
[illegible]	11/06/1954 07/29/2013
[illegible]	11/06/1954 07/29/2013
[illegible]	11/06/1954 07/29/2013
[illegible]	11/06/1954 07/29/2013

GLASGOW COMA SCALE

Eye Opening	
Spontaneous	4
To Speech	3
To Pain	2
None	1
Best Verbal Response	
Oriented	5
Confused	4
Inappropriate Words	3
Incomprehensive Sounds	2
None	1
Best Motor Response	
Obeys Command	6
Localizes Pain	5
Withdraws From Pain	4
Flexion to Pain	3
Extension From Pain	2
None	1

MARK INJURIES ON DIAGRAM WITH APPROPRIATE CODES:

A.....Abrasion
AM...Amputation
AV...Avulsion
B.....Burns
C.....Contusion
D.....Deformity
E.....Ecchymosis
ED...Edema
G.....GSW
L.....Laceration
OFX..Open Fracture
P.....Pain
R.....Rash
S.....Stab
T.....Tenderness



Airway: Clear Obstructed Assisted ET _____

Breathing: O2 L/m _____ Cannula Mask Ambu

C-Spine: C Collar Backboard Tape / Straps Sandbag

Monitor Rhydvm _____ Mast: In Place Inflated

IV _____ Site _____ Infused _____

Splint _____ Dressing / Site _____

VITAL SIGNS: SaO2 100%

Temp 97.8 Oral Rectal Tymp

Pulse 121 Rad Apical Brach Reg Irreg

Resp 16 Norm Shallow Labored

B/P 155/113 R L Sit Stand Lying

ALLERGIES NKDA

TRAUMA SCORE

Glasgow (GCS) (Total Points)	
13-15	4
9-12	3
6-8	2
4-5	1
3	0
RESPIRATORY RATE	
10-29 min	4
29 min	3
6-9 min	2
1-5 min	1
None	0
SYSTOLIC BLOOD PRESSURE	
90 mmHg or	4
76-89 mmHg	3
50-75 mmHg	2
1-49 mmHg	1
0	0
TOTAL TRAUMA SCORE	

MECHANISM:

Auto: Driver Passenger
Restrained: Yes No
Safety Seat
Ejected
Motorcycle / Bicycle:
Helmet: Yes No
Pedestrian
Fall
Other _____

PUPILS / VISUAL ACUITY NA

OD: _____ / _____

OS: _____ / _____

PUPIL SIZE

OD _____

OS _____

MEDS: _____ NURSING ASSESSMENT: Taylor

ETOH on breath

PUPIL REACTION:
Brisk Equal / Round
Sluggish Non-Reactive

2mm 3mm 4mm 5mm 6mm 7mm 8mm 9mm

OBSERVATIONS

Cooperative Uncooperative
Anxious Hysterical
Combative Tearful
Other _____

Warm Hot Cool Cold
Pink Flushed Pale Mottled
Dry Diaphoretic Cyanotic
Capillary Refill: (< 2.0 sec or > 2.0 sec)

HISTORY _____

Cardiac ✓ Pulmonary _____
Hypertension ✓ Diabetes ✓
Seizure _____ Neuro _____
Surgery ✓

Ht _____ Wt _____ Tet Tox _____

Sexually Active Yes No LNMP _____ EDC ___ G ___ P ___

DATE: 11/1/08

Martha Dale

#348 5/98

*** This report is fictional and is to be used only for educational purposes. ***

TIME	SPECIAL NOTE	PROGRESS NOTES	INIT.
		etoh on breath	
3:25		p arrived semi-coscious c claims of pain lapper chest, abdomen, and back	NT
		treated for broken collar bone	
		abrasions treated	
12:42		discharged w instructions to see family MD	NT

	0000-0700		0700-1500		1500-0000	
Initials and Signatures						

PLATE STAMP

Date 1/1/08

Form No.: 454 8/98

*** This report is fictional and is to be used only for educational purposes. ***

I have received a copy of instructions marked (x):

( ) Back Pain

( ) Burns

( ) Crutch Training

( ) Fever

( ) Fractures

(/) Head Injury (Adult)

( ) Head Injury (Pediatrics)

(/) Laceration/Wound Care

( ) Nose Bleed

(/) Sprains

( ) Urinary Tract Infection

( ) Vomiting & Diarrhea (Adult)

( ) Vomiting & Diarrhea (Pediatrics)

Culture:

A _____culture has been taken.
Contact your physician for the test results in 3 days.

( ) Take medications as prescribed.

Immunization you received:

_____½cc Tetanus Toxoid
_____½cc Tetanus/Diphtheria
_____½cc Diphtheria/Pertussis/Tetanus Toxoid
_____250 Units Hypertet

Your x-rays and/or EKG results may be preliminary readings. If the final results require further treatment, you and your doctor will be notified.

Other Instructions:

I understand that I (or my child) received emergency treatment. I will follow-up with my physician. I will call my physician's office for an appointment.

1/1/04	12:45 p.m.	Martha Dale	
Date	Time	Signature of Responsible Person	Relationship

Addressograph

Original-Medical Records
Yellow Copy - Pt. Copy

Form 1435
Rev. 12/91

*** This report is fictional and is to be used only for educational purposes. ***

PATIENT NOTES DATE ACCOUNT NO.

PHYSICIAN Frier BIRTHDATE AGE

PATIENT ADDRESS

DATE OF SERVICE PATIENT'S NAME Martha Dale

1/3/08 p involved in accident on 1/1
confirmed hospital diagnosis
suggested Tylenol for aches

1/9/08 p complains of aches and pains but said Tylenol does ease it

1/17/08 p still complain - although less frequent pain
suggested she continue staying off work

1/24/08 p's complaints far less frequent - allowed back to work

1/30/08 bruising healed
collar bone almost fully healed
released for work
do not lift >25 lbs.

Physician Frier

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EMERGENCY DEPARTMENT NURSING DOCUMENTATION

CLASS: ☐ I ☐ II ☒ III ☐ FT ☐ EHS

MODE OF ARRIVAL: ☐ WALKED ☒ CARRIED ☐ WHEELCH

☐ OTHER _____ ☐ EMS _____

ARRIVAL TIME _____

CONDITION: ☒ GOOD ☐ FAIR ☐ SERIOUS ☐ CRITICAL ☐ DOA

TRAUMATIC: ☐ YES ☐ NO

CHIEF COMPLAINT: aches & pains

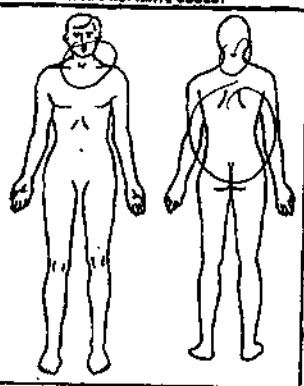
BELTZ, BARRY G	11/06/1954	07/29/2003 25
BELTZ, BARRY G	11/06/1954	07/29/2003 25
BELTZ, BARRY G	11/06/1954	07/29/2003 25
BELTZ, BARRY G	11/06/1954	07/29/2003 25
BELTZ, BARRY G	11/06/1954	07/29/2003 25

GLASGOW COMA SCALE

Eye Opening	
Spontaneous	4
To Speech	3
To Pain	2
None	1
Best Verbal Response	
Oriented	5
Confused	4
Inappropriate Words	3
Incomprehensive Sounds	2
None	1
Best Motor Response	
Obeys Command	6
Localizes Pain	5
Withdraws From Pain	4
Flexion to Pain	3
Extension From Pain	2
None	1

MARK INJURIES ON DIAGRAM WITH APPROPRIATE CODES:

A . . . Abrasion
AM . . . Amputation
AV . . . Avulsion
B . . . . Burns
C . . . . Contusion
D . . . . Deformity
E . . . . Ecchymosis
ED . . Edema
G . . . . GSW
L . . . . Laceration
OFX . . Open Fracture
P . . . . Pain
R . . . . Rash
S . . . . Stab
T . . . . Tenderness



Airway: Clear Obstructed Assisted ET _____

Breathing: O2 L/m _____ Cannula Mask Ambu

C-Spine: C Collar Backboard Tape / Straps Sandbag

Monitor Rhythm _____ Mast: In Place Inflated

IV _____ Site _____ Infused _____

Splint _____ Dressing / Site _____

VITAL SIGNS: SaO2 100%

Temp 97.8 Oral Rectal Tymp

Pulse 121 Rad Apical Brach Reg Irreg

Resp 16 Norm Shallow Labored

B/P 155/113 R L Sit Stand Lying

ALLERGIES NKDA

TRAUMA SCORE

Glasgow Coma Scale (GCS) (Total Points)	13-15	4
	9-12	3
	6-8	2
	4-5	1
	3	0

RESPIRATORY RATE

10-29 min	4
29 min	3
6-9 min	2
1-5 min	1
None	0

SYSTOLIC BLOOD PRESSURE

90 mmHg or	4
76-89 mmHg	3
50-76 mmHg	2
1-49 mmHg	1
0	0

TOTAL TRAUMA SCORE

MECHANISM:

Auto: Driver Passenger
Restrained: Yes No
Safety Seat
Ejected
Motorcycle / Bicycle:
Helmet: Yes No
Pedestrian
Fall
Other _____

PUPILS / VISUAL ACUITY NA

OD: _____ / _____
OS: _____ / _____

PUPIL SIZE
OD _____
OS _____

PUPIL REACTION:
Brisk Equal / Round
Sluggish Non-Reactive

OBSERVATIONS

Cooperative Uncooperative
Anxious Hysterical
Combative Tearful
Other _____

Warm Hot Cool Cold
Pink Flushed Pale Mottled
Dry Diaphoretic Cyanotic
Capillary Refill: (< 2.0 sec or > 2.0 sec)

MEDS: _____

NURSING ASSESSMENT:

soft tissue injury

anti-histamine taken earlier in evening

HISTORY _____

Cardiac ✓ Pulmonary _____
Hypertension ✓ Diabetes ✓
Seizure _____ Neuro _____
Surgery ✓

Ht _____ Wt _____ Tet Tox _____

Sexually Active Yes No LNMP 7/1 EDC ___ G ___ P ___

DATE: 7/1/08

Nick Marino

#348 5/98

*** This report is fictional and is to be used only for educational purposes. ***

TIME	SPECIAL NOTE	PROGRESS NOTES	INIT.
3:31		pt came to ER complaining of aches + pains after MVA	ST
		X-rays taken - negative	
4:56		released from ER	ST
		Cherry - ER MD	
		Jackson - NURSE	

	0000-0700		0700-1500		1500-0000	
Initials and Signatures						

PLATE STAMP

Date 1/1/08

Form No.: 454 8/98

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I have received a copy of instructions marked (x):

(X) Back Pain

( ) Burns

( ) Crutch Training

( ) Fever

( ) Fractures

( ) Head Injury (Adult)

( ) Head Injury (Pediatrics)

( ) Laceration/Wound Care

( ) Nose Bleed

(X) Sprains

( ) Urinary Tract Infection

( ) Vomiting & Diarrhea (Adult)

( ) Vomiting & Diarrhea (Pediatrics)

Culture:

A _____culture has been taken.
Contact your physician for the test results in 3 days.

( ) Take medications as prescribed.

Immunization you received:

_____½cc Tetanus Toxoid
_____½cc Tetanus/Diphtheria
_____½cc Diphtheria/Pertussis/Tetanus Toxoid
_____250 Units Hypertet

Your x-rays and/or EKG results may be preliminary readings. If the final results require further treatment, you and your doctor will be notified.

Other Instructions:

take anti-inflammatory meds as needed

I understand that I (or my child) received emergency treatment. I will follow-up with my physician. I will call my physician's office for an appointment.

11/1/08 _____ [redacted]

Date Time Signature of Responsible Person Relationship

Addressograph

Original-Medical Records
Yellow Copy - Pt. Copy

Form #435
Rev. 12/91

*** This report is fictional and is to be used only for educational purposes. ***