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## Articles

### DESIGNING AND TEACHING ADVANCED LEGAL RESEARCH AND WRITING COURSES

*Lucia Ann Silecchia*

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As more and more law schools have realized the importance of basic research and writing skills, they have devoted significant resources to improving first-year training in these areas — and rightfully so. However, developments in recent years have caused an explosion in the number of legal research resources with which attorneys must become familiar. At the same time, the bench and bar have expressed consistent dissatisfaction with the research and writing abilities of law school graduates. Taken together, these two trends indicate that providing advanced legal research and writing training is becoming increasingly important. This article explores the issue of whether advanced legal research and writing courses should be taught at American law schools. It begins by addressing the need for such courses, followed by a discussion as to why an advanced offering should be an integrated course, providing training in *both* research and writing at the same time. The article then addresses some of the practical considerations in establishing such a course. The article then provides a model for such an integrated advanced legal research and writing course offered at Catholic University's Columbus School of Law in the summers of 1992 and 1993.

### RETURN TO THE ETHICS RULES AS A STANDARD FOR ATTORNEY DISQUALIFICATION: ATTEMPTING CONSISTENCY IN MOTIONS FOR DISQUALIFICATION BY THE USE OF CHINESE WALLS

*Randall B. Bateman*

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For years, courts relied heavily on the ethics rules promulgated by the American Bar Association in determining whether to grant motions for disqualification due to attorney conflicts of interest. Recently, however, courts have begun to acknowledge that the significant changes in the legal profession, in addition to the use of motions for disqualification as a tactical device, have rendered strict application of the Model Code of Professional Responsibility and Model Rules of Professional Conduct impractical and unfair in many cases. This article suggests that rather than fighting the trend towards the sanction of screening defenses by law firms, the American Bar Association should guide the use of screening to ensure that the interests of current and former clients are properly protected. The article suggests amending Rule 1.10 of the Model Rules of Professional Conduct to ensure a fair balance of interests between the parties, and to decrease the use of motions for disqualification as merely a litigation tactic.

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*United States v. Good*, 114 S. Ct. 492 (1993). 327

INTELLECTUAL PROPERTY—COPYRIGHT ACT—COPYRIGHT INFRINGEMENT—ATTORNEY'S FEES—The United States Supreme Court held that attorney's fees are to be awarded to the prevailing party only at the discretion of the court, and that prevailing plaintiffs and prevailing defendants should be treated the same.  
*Fogerty v. Fantasy, Inc.*, 114 S. Ct. 1023 (1994). 345

CONSTITUTIONAL LAW—CRIMINAL PROCEDURE—CHILD TESTIMONY VIA VIDEOTAPE OR CLOSED CIRCUIT TELEVISION—DEFENDANT'S RIGHT TO CONFRONT WITNESSES—The Supreme Court of Pennsylvania held that a statute allowing children to testify outside the physical presence of a defendant by means of videotape or closed circuit television violates the defendant's constitutional right to confront witnesses face-to-face. The court further held that Article I, section 9 of the Pennsylvania Constitution requires a face-to-face confrontation between a defendant and a witness, and allows exceptions only when the defendant has previously had the opportunity to physically confront and cross-examine the witness.  
*Commonwealth v. Loudon*, 638 A.2d 953 (Pa. 1994). 361