APPELLATE ADVOCACY

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SYLLABUS - SPRING 2017

REQUIRED TEXTS:

- Legal Writing By Design, Rambo, Pflaum (2d ed.) (Design)
- The Bluebook - A Uniform System of Citation, (20th ed.)
- Course Materials for Appellate Advocacy/Tomlinson
  (Yellow Book) Available at the Law School Bookstore

GENERAL INFORMATION: ASSIGNMENTS AND CLASS MEETINGS

We will meet on Mondays and Thursdays at 3:00 in Room 270. Class attendance is mandatory. Please contact me if you must be excused from a class. All written assignments must be handed in by the dates indicated on the syllabus. Please remember to keep a copy of all of your completed and "graded" assignments. Be prepared to discuss the assigned readings and exercises in class. Some of the assignments are lengthy so be careful to allow yourself enough time to prepare. Refer to the course calendar for the dates of all regular class meetings and other mandatory lectures, small group meetings, and events.

In addition to the assignments listed on the calendar, we will perform grammar and citation exercises. I will let you know at least a week in advance when these exercises will be due.

Our class time together is short and intensive before the first draft of your Brief is due. I will not spend too much time in class discussing administrative policies, so, be sure to read and follow all requirements listed in these course materials. Please mark your calendars to anticipate due dates for written assignments and oral arguments. Dates are subject to change but I will give you fair warning of any changes.

Reasonable accommodations will be made for students with disabilities. Requests for such accommodation should be directed
Electronic devices are prohibited unless I suggest otherwise. If you have an emergency that requires your availability, let me know and I will make exceptions in advance.

Written instructions for assignments and other handouts will be distributed in class, and explained during lecture. Thus, your careful attention is required.

As always, I look forward to meeting with you individually and I encourage you to visit me in my office during the semester. Also, I will give you other contact numbers for support and Q & A sessions. Office hours will be announced in class. Otherwise, I have an open door policy – come see me!

STUDENT NOTES:

CONTACT INFORMATION

TEACHING ASSISTANT:

PROFESSOR TOMLINSON:
WEEK ONE

1/09  Introduction to the Appellate Process
READ:    Design - Chapters 13 & 14

1/12  THE FACTS OF OUR CASE: Statement of Facts and Citation to Record

BRING BLUEBOOK TO CLASS

READ: Yellow Book - Record on Appeal

Be prepared to present the Facts of our CASE by reviewing the Record on Appeal

WEEK TWO

1/16  NO CLASSES.  Martin Luther King Day

1/19  Parts of a Brief; Writing a Persuasive Statement of Facts
READ: Design - Chapter 15

WEEK THREE


READ: Yellow book/statutory and case law as listed in Table of Authorities (particularly, Acuff-Rose).

TO DO: Begin Outlining the Issues and cases you think may be on point to support your argument, and cases to be distinguished

1/26  THE ARGUMENTS: Persuasive Legal Analysis: Rule Explanation, Rule Application and the BaRAC Paradigm
READ: Design - Chapter 20
Yellow Book - BaRAC Paradigm Examples

TO DO: Become thoroughly familiar with the case law listed in your Table of Authorities (Yellow book). Decide which cases you will use in your Brief.
WEEK FOUR

HAND IN: Writing Assignment #1, Statement of the Case and Facts, in Class on Thursday, February 2

1/30 Rule Explanation - Umbrellas (BAs), TFIHRR and SYNTHESIZED RULES

READ: Chapter 16, Standards of Review, Design

TO DO: Prepare for Class Discussion: The Rule as it applies to Our Case

2/02 Rule Application, Organizing your Brief by Argument and Table of Authorities

WEEK FIVE

2/06 Writing Argument Headings and Questions Presented, Table of Contents

READ: Design - Chapters 17, 18, 21

2/09 Format, Questions Presented; Summary of Argument

READ: Design - Chapter 19.

WEEK SIX

2/13 Outline Plus: Discussion of Assignment and Argument Presentation

2/16 SETTLEMENT CONFERENCE

TO DO: Be prepared to meet with your team and opposing counsel to present arguments and analysis of the case law supporting your arguments

2/17 ATTEND MOOT COURT FINAL FOUR/FLORIDA SUPREME COURT FRIDAY, a.m. Times to be announced. MANDATORY
WEEK SEVEN

******  HAND IN: Writing Assignment #2, Outline Plus in class on Monday, 2/20

2/20  Discussion of Topic, Finalizing Initial Brief

2/23  Introduction to Oral Argument
      READ: Design - Chapter 22

WEEK EIGHT

2/27  Oral Argument Presentation

3/02  Preparing for mini-orals and practice orals

WEEK NINE

3/06 - 3/10  SPRING BREAK

WEEK TEN

ATTEND: Mini Oral Arguments. Prepare and present mini-oral arguments. Time and Place TBA. MANDATORY.

HAND IN: ******First draft of Final Brief, in class by 3:00 on Thursday, 3/16

3/13  Q&A/Preparing Final Brief.

3/16  No Lecture. Present Mini-Orals this Week.

WEEK ELEVEN

PREPARE AND PRESENT: Practice Oral Argument/time and place TBA.

3/20  Lexis Citation Presentation
3/23  No Lecture: Prepare and present Practice Orals

WEEK TWELVE

PREPARE AND PRESENT: Practice Oral Argument/time and place TBA.

3/27  No Lecture: Prepare and present Practice Orals.

3/30  Feedback/Q&A/Final Brief

WEEK THIRTEEN

PREPARE AND PRESENT: Final Oral Argument/time and place TBA.

Meetings with Tas and Lecturer.

4/03  NOTICE!!! Meet at 12:00 Noon in Room 355B
       Guest Lecturer, Daniel Vasquez, Oral Argument

4/06  No Lecture: Prepare and present Final Orals.

WEEK FOURTEEN

PREPARE AND PRESENT: Final Oral Argument/time and place TBA.

Meetings with Tas and Lecturer.


4/13  No Lecture: Prepare and present Final Orals.

WEEK FIFTEEN

**** HAND IN: Assignment, Final BRIEF at LW Office, by 1:00
       on Thursday, 4/20, to Marlena Wesh, Administrative Asst.

4/17  Final Brief Q&A.

4/20  No Class.

4/24  CLASSES END
       GOOD LUCK ON EXAMS!