LEGAL WRITING

LAW 5792

2 CREDIT HOURS

FALL, 2017

MARTIN LEVIN ADVOCACY CENTER (MLAC) 210

WEDNESDAYS AND FRIDAYS, 10 AM – 10:50 AM

INSTRUCTOR: Stacey Steinberg HOL 370A

STUDENT HOURS:

Wednesdays 11 am – 12 pm, Fridays: 11 am - 12 pm, and by appointment. I will hold extended office hours during the weeks before assignments are due. This will ensure that all students wanting to meet can do so. Lastly, I am happy to meet with you at other times.

Please keep in touch with me! I try to respond to emails quickly. Please contact me if you have any questions regarding the course or a specific assignment.

COURSE WEBSITE: http://elearning.ufl.edu/ Please join our class page prior to the first class. You are responsible for reviewing the page for course updates.

REQUIRED TEXT:

Rambo and Pflaum, Legal Writing by Design (2013)
The Bluebook: A Uniform System of Citation (19th ed. 2010)
Note: These textbooks will also be used in Appellate Advocacy.

COURSE DESCRIPTION:

First half of a two-part course, both required for graduation. Includes emphasis on written legal analysis and preparation of predictive legal memoranda.

PURPOSE OF COURSE:

COURSE OBJECTIVE AND GOALS:

The primary objective of this course is to teach you how to analyze a legal issue rigorously and to express that analysis effectively in writing.
Upon completion of the course you should be able to:

· Demonstrate an understanding of the U.S. legal system and how lawyers use law to advise clients and resolve legal problems;
· Apply ethical and professional standards in crafting your written work;
· Identify legal issues affecting a client’s situation;
· Review facts and evaluate their relevance to a client’s legal situation;
· Analyze, interpret, and use statutes and case law to construct legal arguments;
· Apply legal rules to relevant client facts, analogizing and distinguishing precedent;
· Write an analysis of a legal issue predicting its outcome;
· Use effective organizational techniques;
· Write effective topic sentences, transitions, and paragraphs;
· Write precisely, clearly, and concisely;
· Use good grammar, syntax, punctuation, and document format;
· Use legal citation correctly; and
· Revise, edit, and proofread your legal writing.

It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class.

TEACHING PHILOSOPHY:

In my classroom, learning occurs through a fluid process of obtaining, understanding, questioning, and analyzing legal issues. My goal is to creatively instruct students on both the complexities of legal reasoning, advocacy, and writing. Students will demonstrate their understanding of legal reasoning writing by submitting legal memos and obtaining written and oral feedback. I strive to create a supportive and inclusive writing environment that allows students, no matter what background, to succeed not only in my classroom but throughout their legal career.

COURSE POLICIES:

ATTENDANCE POLICY:

Teaching Assistants will take roll during each class period. You are permitted to miss four class periods without penalty. Missing more than six classes will result in a failing grade in the course.

Excessive tardiness will also result in a grade penalty.

QUIZ/EXAM POLICY:

There may be “pop quizzes” over the course of the semester. These scores will be considered as part of your participation grade.
GROUP WORK AND ASSIGNMENT POLICIES:

During the semester, our class will be divided into small groups of approximately eight students working with one teaching assistant. We will utilize these groups for in-class activities including writing labs, case discussions, and other teambuilding activities. Your teaching assistant will also assist out of class with assignments.

TAs are available to help you understand the materials and will guide you through the writing process. I encourage you to get to know your TA and speak with him or her regularly.

Class Participation

Participation grades are based on class preparation, class participation, successful completion of all assignments, and active participation in small group discussions.

Late Policy

Late assignments will result in your grade will be lowered by one grade increment per day. An assignment will not be accepted if it is more than three days late.

Professionalism

I will run our classroom like a law office. Students are the new “associate;” TAs are the senior associate; and I am the law partner. I expect professionalism at all times. Each assignment is important and I expect you to write, revise, proofread, and then proofread again.

Class sessions may not be recorded without my express permission.

Plagiarism

All work in this class must be your own. You may discuss cases and ideas; however you may only show your written work product to me and you’re TA.

Plagiarism is a very serious offense. There are detailed policies regarding what constitutes plagiarism in your student handbook. Ignorance of the policies is not a defense to a charge of plagiarism.

COMPUTER POLICY:
Electronic devices (laptops, tablets, cell phones) must remain stowed away during class time. Please plan to take notes with paper and pen/pencil.

**UF POLICIES:**

**UNIVERSITY POLICY ON ACCOMMODATING STUDENTS WITH DISABILITIES:** Students requesting accommodation for disabilities must first register with the Dean of Students Office (http://www.dso.ufl.edu/drc/). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

**UNIVERSITY POLICY ON ACADEMIC MISCONDUCT:** Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at http://www.dso.ufl.edu/students.php.

**NETIQUETTE: COMMUNICATION COURTESY:** All members of the class are expected to follow rules of common courtesy in all email messages, threaded discussions and chats. [Describe what is expected and what will occur as a result of improper behavior] http://teach.ufl.edu/docs/NetiquetteGuideforOnlineCourses.pdf

**GETTING HELP:**

For issues with technical difficulties for E-learning in Sakai, please contact the UF Help Desk at:

- Learning-support@ufl.edu
- (352) 392-HELP - select option 2
- https://lss.at.ufl.edu/help.shtml

** Any requests for make-ups due to technical issues MUST be accompanied by the ticket number received from LSS when the problem was reported to them. The ticket number will document the time and date of the problem. You MUST e-mail your instructor within 24 hours of the technical difficulty if you wish to request a make-up.

Other resources are available at http://www.distance.ufl.edu/getting-help for:
• Counseling and Wellness resources
• Disability resources
• Resources for handling student concerns and complaints
• Library Help Desk support

Should you have any complaints with your experience in this course please visit http://www.distance.ufl.edu/student-complaints to submit a complaint.

GRADING / COURSE POLICIES:

25% Participation (includes successful and timely completion of all assignments, in-class exercises, and ICW activities)
75% Final Memorandum

GRADING SCALE:

Grades are recorded permanently by the Office of the University Registrar. The grade point average (GPA) is determined by computing the ratio of grade points of semester hours of work attempted in courses in which letter grades are assigned. Students receive grade points according to the following scale:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Points</th>
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<tbody>
<tr>
<td>A (Excellent)</td>
<td>4.0</td>
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<tr>
<td>A-</td>
<td>3.67</td>
</tr>
<tr>
<td>B+</td>
<td>3.33</td>
</tr>
<tr>
<td>B (Good)</td>
<td>3.0</td>
</tr>
<tr>
<td>B-</td>
<td>2.67</td>
</tr>
<tr>
<td>C+</td>
<td>2.33</td>
</tr>
<tr>
<td>C (Satisfactory)</td>
<td>2.0</td>
</tr>
<tr>
<td>C-</td>
<td>1.67</td>
</tr>
<tr>
<td>D+</td>
<td>1.33</td>
</tr>
<tr>
<td>D (Poor)</td>
<td>1.0</td>
</tr>
<tr>
<td>D-</td>
<td>0.67</td>
</tr>
<tr>
<td>E (Failure)</td>
<td>0.0</td>
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No conferences will be held within the 24 hours prior to an assignment due date.
COURSE SCHEDULE:

Assignments and Course Schedule (subject to change)

August 16  Introduction to Reasoning; Briefing a Case
   Read:  *Legal Writing by Design*, Introduction and chapter 1.

August 18  Reasoning; From Reasoning to Writing
   Read:  *Legal Writing by Design*, chapters 2 & 4.

August 23  Sources of Law; Reading and Interpreting Cases; Using Cases Effectively; Introduction to Memorandum #1
   Read:  *Legal Writing by Design*, chapters 5 & 6, Memo #1 hypothetical, statute, and cases.

August 25  Case Discussion

August 30  Using Cases in Written Analysis; Introduction to Citations
   Read:  *Legal Writing by Design*, chapters 7 and *Florida Rule of Civil Procedure* 9.800

September 1  Preliminary Matters in Designing the Memorandum; the Discussion Section
   Read:  *Legal Writing by Design*, chapters 8 and 11

September 6  Guest Speaker: Leif Stringer

September 8  Case Discussion and Rule Application

September 13  Sample Memo; Writing Lab
   Read:  Sample Memo on Canvas

September 15  Final Four Competition
   Assignment:  Submit a 150-300 word overview of the Moot Court Competition through Canvas.

September 20  Citation, Quotation & Style; The Bluebook
Read: *Legal Writing by Design*, chapter 25; *The Bluebook*, pages 1-27 (some will be review – please read it again, tabbing, highlighting, and annotating as needed.)

September 22  Self-Guided Review of Memo #1

**Assignment:** Memorandum #1 Due. Please email me a copy at steinberg@law.ufl.edu and bring a printed copy to class.

September 27  Guest Speaker: TBA

Read: TBD

**Group Meetings: 9/30 -10/5 (More information TBA)**

*Prior to your group meetings, please read and print the fact pattern relevant to Memorandum #2 and all of the cases you found potentially relevant to Memorandum #2. You will meet once during this time period with Professor Steinberg, once with your Teaching Assistant, and review the asynchronous case discussion lecture on Canvas.*

September 29  Asynchronous Learning Activity -- ICW exercise #3 and #4. You do not need to complete this in class (and you can complete it ahead of schedule), but it must be completed by 11 a.m. on September 30.

October 4  Asynchronous Learning Activity -- ICW exercise #5 and #6. You do not need to complete this in class (and you can complete it ahead of schedule), but it must be completed by 11 a.m. on October 3.

October 6  HOMECOMING

October 11  Guest Speaker – Lori Little, Career Services

October 13  Asynchronous Learning Activity -- ICW exercise #7 and #8. You do not need to complete this in class (and you can complete it ahead of schedule), but it must be completed by 11 a.m. on October 3.

October 18  Question Presented & Brief Answer

Read: *Legal Writing by Design*, chapters 9, 30-33.

October 20: Case Discussion with Teaching Assistants (schedule with TA)

October 25  Quiz; In Class Case Discussion
<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
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<tbody>
<tr>
<td>October 27</td>
<td>TBA</td>
</tr>
<tr>
<td>November 1</td>
<td>Facts, Conclusion, and Authorities Cited</td>
</tr>
<tr>
<td>Read:</td>
<td><em>Legal Writing by Design</em>, chapters 10 and 12.</td>
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<tr>
<td>Submit:</td>
<td>Draft of the Final Memo Discussion Section Due</td>
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<tr>
<td>November 3</td>
<td>Case Discussion</td>
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<td>November 8</td>
<td>Citation Game</td>
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<td>November 10</td>
<td>Veteran’s Day</td>
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<tr>
<td>November 15</td>
<td>Q &amp; A/Finalizing Memorandum #2</td>
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<tr>
<td>November 17</td>
<td><strong>Final Memorandum Due by 10 a.m. Please email me a copy at <a href="mailto:steinberg@law.ufl.edu">steinberg@law.ufl.edu</a> and bring a printed copy to class.</strong></td>
</tr>
<tr>
<td>November 22</td>
<td>Preparing for Exams</td>
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</tbody>
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**Disclaimer:**

This syllabus represents my current plans and objectives. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Such changes, communicated clearly, are not unusual and should be expected.