

Appellate Advocacy
Law 5793 § 1587 Spring 2018
Course Policies, Expectations, & Syllabus

Instructor

Professor Betsy Ruff

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352.273.0883

Office: 374 Holland Hall

Office hours: Thursdays 2:00 to 4:00 p.m.

Texts

The following texts are required:

- Rambo & Pflaum, *Legal Writing by Design: A Guide to Great Briefs and Memos* (Carolina Academic Press 2013, 2d ed.) (“Design”).
- *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass’n et al. eds., 20th ed.) (“Bluebook”).
- Course Packet for my section available for purchase at the Law School Bookstore during the week before classes begin (“Course Packet”).

The following text is recommended: Cupples & Temple-Smith, *Grammar, Punctuation, & Style: A Quick Guide for Lawyers and Other Writers* (West 2013) (“Cupples Guide”).

Additionally, you will need to download, print, and organize in a three ring binder (with the Course Packet) the materials from the course website accessible through TWEN. New documents will be posted at the website throughout the semester. Watch for email notices or announcements in class that something new has been posted on the course website. The course website materials and the Course Packet are collectively referred to as the “Course Materials.”

- Bring the Course Materials and the Design text to each class.
- Bring the Bluebook to each class or other meeting for which reading from the Bluebook is assigned.
- Refer to the Cupples Guide as needed to check the grammar, punctuation, and writing style in each writing assignment you turn in.

Classes, Out-of-Class Small Group Meetings, and Oral Argument Presentations

Our classes will meet in room 270 Holland Hall on Mondays and Wednesdays at 3:00 p.m., unless otherwise announced. You will also attend group and individual meetings with your teaching assistant, conferences with me, and oral argument presentations. The Course Calendar (found on the course website) shows the weeks during which the group meetings with your teaching assistant and oral argument presentations will be conducted. Your teaching assistant will notify you of the specific day of the week and time you will meet for any group meetings and oral argument presentations.

Getting in Touch with Me

Please contact me if you have any questions regarding this course or an assignment. In corresponding with me by email, please use an appropriate degree of formality and proper grammar, punctuation, and spelling. I am available to meet with you at times other than my stated office hours. If my office hours are not convenient for you, please contact me to schedule an appointment.

If I am not available and you wish to speak with a Legal Writing faculty assistant, please contact Bridget “Bri” Lamb. Her phone number is 352.273.0662 and her office is in suite 323 Holland Hall.

Course Description

From the law school website:

Credits: 2

As a continuation of Legal Writing, you are presented a factual situation by means of a hypothetical appellate record. The record is the basis for your preparation of a persuasive appellate brief and an oral argument.

Course Objectives and Learning Outcomes

The primary objective of this course is for you to learn how to construct a thorough legal argument and express it effectively and persuasively in writing. An additional objective is for you to learn how to perform effectively in presenting an oral argument in support of your legal position.

Upon completion of this course, you should be able to

- Apply a lawyer’s ethical and professional standards in the context of written and oral advocacy.
- Demonstrate an understanding of the basic appellate process and fundamental appellate concepts, including the decision to appeal.
- Demonstrate an understanding of appellate standards of review of trial court decisions.
- Use effective techniques of persuasion.
- Develop a theme and integrate that theme into your argument.
- Frame a legal issue to persuade a court to rule in your favor.
- Present a compelling account of all relevant facts.
- Write a persuasive argument, supported by credibility, logic, the law, and a commanding narrative.
- Use effective organizational techniques.
- Demonstrate an understanding of the importance of adhering to appellate procedural rules and formatting requirements for submitting appellate briefs to a court.
- Edit and proofread a persuasive legal document.
- Prepare and effectively present an oral argument in support of your legal position.

The Appellate Brief and Our Modified Appellate Process

An appellate brief is the main document that you will be writing this semester to practice the skills listed above. A brief has a different purpose from an office memorandum because a brief is not a confidential document written for a senior attorney in the same law firm. A brief is filed with the court and becomes part of the public record of the case. The purpose of a brief is to persuade a judge to rule for your client or to persuade your opposing attorney to settle the case on terms favorable to your client. Unlike an objective memorandum, a brief presents a "one-sided" view of the case.

Appellate Advocacy should not seem foreign to you. The cases you read in your substantive law courses are typically appellate opinions. The overview of the appellate process and the appellate brief in chapters 13 and 14 of the *Design* text should help place what you will be learning in this course in perspective.

This course omits certain aspects of appellate practice mentioned in chapter 13 of the *Design* text, such as the filing of a notice of appeal to commence the appeal, the compilation and certification of the record on appeal, and the sequential filing of appellant's and appellee's briefs. Instead, you will work from a simplified record on appeal containing the facts and the lower court's rulings and possibly some pleadings and evidence or transcripts. Finally, because in this course the appellant and appellee work simultaneously, you will prepare your argument with reference to the facts and the law as disclosed by the record and your analysis of the legal authorities; you will not have the opportunity to respond directly to your opponent's brief. Thus, your task in writing your brief will be to make the most persuasive argument available for your side, taking into account the strongest possible counter-arguments.

In practice, an attorney bringing a federal appeal must comply with the Federal Rules of Appellate Procedure, and a state appeal must comply with state appellate rules. Unless the attorney complies with these rules, the court will not consider the appeal. In addition, many courts have their own particular rules. For purposes of this course, the policies, format requirements, and other requirements in the course materials are "rules and procedures." These rules should be given the same weight and respect as you would give federal or state rules of appellate procedure.

Course Components; Course Workload

This course has seven major components: (1) writing assignments leading up to and including your final appellate brief, (2) group meetings with your teaching assistant regarding your brief, (3) oral argument presentations, (4) individual conferences with your teaching assistant to review specific assignments, (5) individual conferences with me to review written work, (6) reading assignments and other assignments to prepare for class, and (7) in-class discussions, exercises, and quizzes. All of these components are designed to immerse you in the logic, practice, form, and art of legal reasoning, persuasive legal writing, and oral advocacy. You should expect to spend 85 hours this semester attending class and special events, meeting with me, meeting with your teaching assistant, preparing for class,

completing writing assignments, and preparing for and presenting your final oral argument,

Summary of Major Writing Assignments

Assignment	Due Date
WA #1 - Statement of Case and Facts	January 24
WA #2 - First Sections of Brief: Caption Page, Table of Contents (including argument headings), Statutory and Regulatory Provisions Involved, and Question Presented	February 7
WA #3 - Argument & Revised WA # 2 Argument Headings	February 28
WA #4 - Summary of Argument	March 28
WA #5 - Final Brief	April 18

Grading Policies and Course Expectations

This course is subject to all Levin College of Law and University of Florida grade policies.

Your Grade

Appellate Advocacy is graded by letter and is subject to the mandatory grade curve and grade distribution established by the College of Law. For the law school’s grading policy, please see <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>. The law school assigns the following values to each grade:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

Your final grade in the course will be determined by the following:

1. Your Appellate Brief grade.
2. Outstanding preparedness for your oral argument presentations. This will raise your grade one increment (e.g., B to B+) if you are on the borderline between one grade level and the next.
3. Satisfactory work on all ungraded assignments, including your oral argument presentations (see Course Expectations below). You may be required to revise and resubmit any ungraded assignments deemed to be unsatisfactory.
4. Compliance with course policies and all other course expectations.

Course Expectations

As explained in more detail below, I expect you to

- Satisfactorily and timely complete all writing assignments, graded and ungraded;
- Attend and demonstrate preparedness in class, in your group meetings with your teaching assistant, in oral argument presentations, and in writing conferences; and
- Demonstrate professionalism.

Satisfactorily complete assignments. In this course, you will be learning new skills. For that reason the early writing assignments are leaning tools, not tests. Each assignment will have clearly described requirements. You must meet those requirements. I expect to see in your completed assignments evidence that you have made an effort to do your best. As the semester continues, I expect to see improvement in your work based on the feedback that your teaching assistant and I provide.

Timely complete assignments. “Timely” means completed and turned in by the required date and time. When you turn in a late paper unexcused, you lower your final grade by one increment (e.g., B to B-).

Timely submission of work product is essential in law practice. Lawyers who disregard deadlines risk damaging their reputation and their clients’ interests. For an attorney, this is unacceptable. Therefore, no assignment will be accepted after the deadline without an acceptable excuse. This means emergencies involving serious illness or injury to you or someone very close to you, the death of someone very close to you, or certain other serious and unforeseeable problems, which I will consider on a case-by-case basis. Here are some **examples of unacceptable excuses**: a job interview, a reasonably foreseeable transportation problem, a reasonably foreseeable computer or Internet problem. Plan ahead. Don’t wait until the last minute to complete an assignment.

If you believe that you won’t be able to complete an assignment on time, contact me as soon as you become aware of the problem. I am more likely to make an exception before the deadline than after you’ve missed it.

I will also permit any student, who upon prior notice to me is excused from class to observe a holy day of the student's faith, a reasonable amount of time to make up material, activities, or assignments covered or due during the student's absence. Requirements for make-up assignments and other work in this course are consistent with university policies that can be found in the online catalog at <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

Attend class. You are required to attend all scheduled class meetings, group and individual meetings with your teaching assistant, your oral argument presentations, writing conferences, and mandatory special events. Your final grade in the course may be lowered one increment (e.g. B to B-) for each unexcused absence. Requirements for class attendance in this course are consistent with university policies that can be found at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx> and the law school attendance policy at: <http://www.law.ufl.edu/studentaffairs/current-students/academic-policies>.

Demonstrate preparedness in class. You are responsible for the information contained in all TWEN postings, handouts, and assigned reading. When you arrive in class, I expect that you will have completed the assigned reading and that you will be ready to participate in class, including participation during in-class group exercises. We will use class time to practice using the skills and apply the principles covered in the assigned reading. Our class meetings will have much greater value if you come prepared to participate.

Demonstrate preparedness for group meetings with your teaching assistant. I expect that you will have completed all assigned reading and exercises for group meetings with your teaching assistant. I expect that you will participate fully with your colleagues and teaching assistants during the group meetings.

Demonstrate preparedness in oral argument presentations. Representing your client (either the appellant or the appellee), you will present a ten-minute oral argument before a panel of judges toward the end of the semester. To better prepare you for your final oral argument, you will have a short practice round (mini orals) and a full-length practice round (practice orals) earlier in the semester. I expect that you will have completed all assigned reading for your oral argument presentations. I expect that you will participate fully with your colleagues and teaching assistants during the oral argument presentations.

Demonstrate preparedness in individual writing conferences. On several occasions as noted on the course calendar, you will be required to meet with your teaching assistant and me to confer about your work in the course. These conferences give you the opportunity to discuss your work in detail. Come to the conferences having reviewed all comments that your teaching assistant and I have added to your writing assignments. I expect that you will have reviewed all portions of our texts and other course materials relevant to the revisions you'll need to make. You should come to the conferences with specific questions for your teaching assistant and me regarding your work and how to improve it.

Demonstrate professionalism in work product and demeanor.

1. Produce professional quality work. For practical purposes, for this course, I am your senior partner, your client, and your judge. Check to ensure that your work exhibits a professional quality in that it conforms to all format and citation requirements and is carefully proofread. When preparing an assignment for this course, pay attention to detail as you would if you were a law clerk or practicing attorney preparing a document for review by a senior partner, a client, or a judge. Work that contains grammatical, typographical, punctuation, or spelling errors is unprofessional and therefore unacceptable. This goes even for “drafts.” Before you submit an assignment, please proofread.

2. In the classroom, act with courtesy. What goes on in the classroom is critical to your education. You cannot afford to miss classes or fail to participate in them. You know what it is like when others disrupt your learning in the classroom. You know how disturbing it can be when another student carries on a conversation with a neighbor, surfs the Net, strolls in late, leaves early, or wanders in and out. Be considerate. If you need to leave early, notify me and sit by the door.

3. Follow my rules on using electronic communication devices in class. Any electronic communication devices (computers, tablets, cell phones, and so forth) brought to class, must be turned off and stowed away unless I authorize your use of such devices for specific class purposes. You should bring a pen or pencil and paper to class to take notes. If you need paperwork from your computer for class, please print it and bring it with you to class. Audio recording during any class or other meeting is prohibited unless you receive prior permission from me. If you have a disability that requires using an electronic communication device, please immediately contact the Disability Resource Center (see below).

4. During class, do not wear a baseball cap or similar apparel that obscures your face.

Teaching Assistants; Review of Written Work

A teaching assistant will be assigned to each group of approximately six students to provide you with greater individual attention on your writing assignments and exercises in this course. The teaching assistant (and I) will be available outside of class to answer specific questions you have regarding the course and course assignments. Keep in mind, however, that teaching assistants are not private tutors and you should avoid making excessive demands on their time. Your teaching assistant will provide you with a phone number and an e-mail address or other means of communication. Please limit phone calls to normal business hours unless the teaching assistant gives you permission to call in the evening.

If you fail to attend a required conference and notify your teaching assistant in advance, your teaching assistant will reschedule the conference once. However, if

you fail to attend the conference and notify your teaching assistant in advance a second time, your teaching assistant is not required to reschedule the conference.

Your teaching assistant may not do any of the following: assign a grade to a student; tell or indicate to a student what grade he or she will receive in the course; assure the students that he or she will pass the course; grant an extension of time; excuse an absence.

Your teaching assistant or I or both will give you written feedback on your writing assignments. Students occasionally misunderstand the function of comments on your paper. Your teaching assistant (or I) will not point out every error or omission in your paper. Nor is it your teaching assistant's responsibility to edit your paper sufficiently to ensure you any particular grade. The primary reason why teaching assistants cannot and should not have such responsibilities is that I wish to evaluate your work, not the teaching assistant's. If the teaching assistant were responsible for fully editing your work I would only see what he or she can do, not what you can do. Giving the assistant the responsibility for putting your paper into perfect (or passable) form would permit you to take a passive role, doing only what you are copying. Therefore, do not view the comments on your paper as a complete checklist.

Allowing your teaching assistant to review my comments on your paper will enhance your educational experience; however, if you are not willing to have your teaching assistant review my comments, please let me know in my office.

Academic Honesty

In every aspect of this course you are bound by the Honor Code, that is, all rules, codes, regulations, policies of the University (<http://www.dos.ufl.edu/sccr/process/student-conduct-honor-code/>) and of the College of Law (please consult the law school website) regarding student conduct. You are also bound by the policies set forth below.

All work in this course must be your own. This means, for example, that you must do your own analysis, writing, and proofreading. I want to help you develop your skills; I can't do this if the work I review isn't your own. Only you, your teaching assistant, and I may review your work for purposes of planning revisions. Unless I specifically instruct you otherwise, you may not read another student's work (either a present student's or a past student's), and you may not allow another student to read your work. Giving your work to another student violates the Honor Code's "anti-collaboration" policy as much as does taking work from another student. If you share a computer with another person, please take special care to ensure that your work remains confidential. As in the practice of law, you alone are responsible for protecting the privacy of your work.

Be especially careful not to plagiarize. Use of any ideas, borrowed from anyone else without acknowledgment and presented as your own in your writing, constitutes plagiarism. Paraphrasing or quoting from, for example, a case or a law review article without properly acknowledging the source or without including quotation marks where such marks are appropriate constitutes plagiarism for the

purpose of this course. You do not need to intend to plagiarize in order to plagiarize. Thus, it is no defense for the plagiarizer to plead either ignorance of what constitutes plagiarism or lack of intent to plagiarize. So be careful — if plagiarism becomes an issue for any student, it will likely be the result of inadvertence or ignorance, rather than intent to misrepresent.

Accommodation for Students with Disabilities

Students with disabilities requesting accommodation should first register with the Disability Resource Center (352-392-8565, www.dso.ufl.edu/drc/) by providing appropriate documentation. Once registered, students will receive an accommodation letter, which must be presented to Dean Rachel Inman in the law school's Student Affairs Office when requesting accommodation. Students should follow this procedure as early as possible in the semester.

Campus Resources: Health and Wellness

U Matter, We Care: If you or a friend is in distress, please contact umatter@ufl.edu or 352 392-1575 so that a team member can reach out to the student.

Counseling and Wellness Center:
<http://www.counseling.ufl.edu/cwc/Default.aspx>, 392-1575; and the University Police Department: 392-1111 or 9-1-1 for emergencies.

Sexual Assault Recovery Services (SARS), Student Health Care Center, 392-1161.

University Police Department, 392-1111 (or 9-1-1 for emergencies).
<http://www.police.ufl.edu/>

Student Evaluation of Instruction

Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>.

Acknowledgment of Course Policies & Student Information Form

After you have read these Course Policies & Expectations, fill out the Student Information Form on the next page and turn in this completed form to me.

Course Schedule

The schedule below represents my current plans and objectives. As the semester progresses, those plans may need to change to enhance class learning opportunities. Please check the course calendar on TWEN regularly for any changes to the schedule.

Ruff

STUDENT INFORMATION FORM

Ap. Ad.

Semester:

Student's Name:

Teaching Assistant's Name:

Telephone Number:

Email address:

Address where any correspondence concerning your grade should be sent:

Prof. Ruff – Appellate Advocacy § 1587 – Spring 2018

Sunday, January 7, 2018	
	WEEK 1
Monday, January 8, 2018	
	Spring Classes Begin
3:00 PM to 3:50 PM	<p>Class 1 - Intro. to App Ad & Your Client's Case; Anatomy of an Appellate Brief</p> <p>READ: (1) COURSE PACKET - "Course Policies, Expectations, & Syllabus" at first tab; "Theories of Employer Liability Flow Chart" at Flow Chart tab; "Authorities" list at Authorities tab; and "Case Questions" for Meritor & Parkins at Case Questions tab. (2) COURSE PACKET - 42 U.S.C. s 2000e-2(a); Meritor, 106 S.Ct. 2399 (omit concurring opinions); and Parkins, 163 F.3d 1027 (skip retaliation analysis on pp. 1038-39). (3) DESIGN - Chs. 13, 36 (skim), 37 (skim).</p> <p>DISCUSS: Be prepared to discuss the Case Questions pertaining to Meritor and Parkins.</p> <p>HAND IN: To me, the completed Student Information form (at the end of Course Policies & Expectations).</p>
Wednesday, January 10, 2018	
3:00 PM to 3:50 PM	<p>Class 2 - The Record on Appeal; Determining Issues on Appeal</p> <p>READ: (1) COURSE PACKET- "Record on Appeal" at Record tab; 29 C.F.R. § 1604.11; Guess; Young; Bernier; and Wilson. (2) DESIGN, Chs. 14 & 16.</p> <p>COMPLETE & BE PREPARED TO DISCUSS: COURSE PACKET - "Developing a Plan for Your Appellate Brief" at Brief Plan tab.</p>
Sunday, January 14, 2018	
	WEEK 2
Monday, January 15, 2018	
	Holiday - No Classes
Wednesday, January 17, 2018	
3:00 PM to 3:50 PM	<p>Class 3 - Developing Your Theme; Persuasive Writing & the Statement of Facts</p> <p>READ: (1) COURSE PACKET - Faragher; Burlington; Zimmerman; & Baskerville (in reading Faragher and Burlington, focus on identifying the purposes behind Title VII). (2) DESIGN, Chs. 15, 29, & 31. (3) TWEN - Writing Assignments document page, WA #1 Instructions.</p>

Sunday, January 21, 2018	
	WEEK 3
Monday, January 22, 2018	
3:00 PM to 3:50 PM	<p>Class 4 - More on Persuasive Writing</p> <p>READ: TWEN - Class Discussion Materials document page "Conventions for Drafting the Statement of the Case and Facts," "How to State Facts Persuasively," and "Stating Facts Persuasively."</p> <p>REVIEW: DESIGN - Chapters 29 & 31.</p>
Wednesday, January 24, 2018	
3:00 PM to 3:01 PM	<p>Due - WA #1 - Statement of Case and Facts</p> <p>Hand in writing assignment #1 at the beginning of class.</p>
3:00 PM to 3:50 PM	<p>Class 5 - Organizing Issues & Arguments; Writing Arg. Headings</p> <p>READ: (1) TWEN- Class Discussion Materials document page, "Structure of the Argument Section" and "Writing Argument Headings Persuasively." (2) COURSE PACKET - Rouse, Carr, & Saxton. (3) DESIGN - Chs. 17, 18 & §§ 21.1-21.6. (4) TWEN - Writing Assignments document page, WA #2 Instructions.</p>
Sunday, January 28, 2018	
	<p>WEEK 4 - Meet with your TA this week to work on your Question Presented.</p> <p>Time, Date, and Place TBA.</p>
Monday, January 29, 2018	
3:00 PM to 3:50 PM	<p>Class 6 - Effective Argument Structure</p> <p>READ: (1) TWEN - Class Discussion Materials document page, "Argument Organization Exercise." (2) DESIGN - § 7.3, BaRAC example, & Ch. 20.</p>
Wednesday, January 31, 2018	
3:00 PM to 3:50 PM	<p>Class 7 - Working with Rules</p> <p>Be prepared to work in class with your TA/Student group to identify and state actual notice and remedial measures rules from the cases.</p>
Friday, February 2, 2018	
10:00 AM to 11:30 AM	<p>Class 8 - Florida Moot Court Competition</p> <p>Florida Moot Court Maguire Appellate Advocacy Competition in the Advocacy Center Courtroom. The Competition Starts at 10:00 a.m.; doors open at 9:00. Arrive early to get a seat. The competition should end at approximately 11:30. Overflow room TBA.</p> <p>During the competition, complete the Moot Court Competition Oral Argument Critique Sheet (form posted at TWEN Oral Argument document page) and turn in at the beginning of Class 9.</p>

Sunday, February 4, 2018	
	WEEK 5
Monday, February 5, 2018	
3:00 PM to 3:50 PM	<p>Class 9 - Formulating Favorable Rules</p> <p>READ: (1) DESIGN - § 5.5; (2) TWEN - Class Discussion Materials document page, "Rule Analysis Exercise."</p> <p>TURN IN: At the beginning of class, turn in to me your completed Moot Court Competition Oral Argument Critique Sheet (form posted at TWEN Oral Argument document page).</p>
Wednesday, February 7, 2018	
3:00 PM to 3:50 PM	<p>Class 10 - Constructing Your Argument Section</p> <p>READ: (1) TWEN - Class Discussion Materials document page, "Outlining and Writing the Argument Section." (2) TWEN - Writing Assignments document page, WA # 3 Instructions. (3) DESIGN, Ch. 23.</p> <p>REVIEW: DESIGN, Ch. 20.</p>
3:00 PM to 3:01 PM	<p>Due - WA #2 - First Sections of Brief</p> <p>Hand in first sections of brief (Caption Page; Table of Contents, including argument headings; Statutory and Regulatory Provisions Involved; and Question Presented) at the beginning of class.</p>
Sunday, February 11, 2018	
	<p>WEEK 6 - Meet with your TA this week or next to review WA# 1 & 2 & your theme.</p> <p>Your teaching assistant will schedule a conference with you to take place sometime this week or next.</p>
Monday, February 12, 2018	
3:00 PM to 3:50 PM	<p>Class 11 - TA Oral Argument Demo. Room 355C</p> <p>READ: (1) TWEN - Oral Argument document page, "Steps for Preparing for Oral Argument" and "Florida Supreme Court's Description of Oral Argument." (2) DESIGN - Ch. 22, Oral Argument.</p> <p>Meet in room 355C (Prof. Steinberg's classroom) for teaching assistants' demonstration of the mini oral argument.</p>
Wednesday, February 14, 2018	
3:00 PM to 3:50 PM	<p>Class 12 - Oral Argument</p> <p>REVIEW: (1) TWEN - Oral Argument document page, "Steps for Preparing for Oral Argument," and "Florida Supreme Court's Description of Oral Argument." (2) DESIGN - Ch. 22, Oral Argument.</p>
Sunday, February 18, 2018	
	WEEK 7 - Meet with your TA this week to review WA # 1 & 2 and your theme.

Your teaching assistant will schedule a conference with you to take place sometime this week if you did not meet last week.

Monday, February 19, 2018

3:00 PM to 3:50 PM

Class 13 - Arguing Facts, Precedent, & Policy; Opponent's Arguments

READ: (1) TWEN - Class Discussion Materials document page, "Types of Reasoning Exercise" and "Applying Law to Instant Case Facts Persuasively." (2) DESIGN - Ch. 6.

Wednesday, February 21, 2018

3:00 PM to 3:50 PM

Class 14 - Settlement Conferences

READ: TWEN - "Settlement Conference Instructions" at Class Discussion Materials document page. REVIEW: COURSE PACKET, all cases. BRING TO CLASS: Your cases, case chart(s) and case briefs.

Sunday, February 25, 2018

WEEK 8

Monday, February 26, 2018

3:00 PM to 3:50 PM

Class 15 - Settlement Conferences

BRING TO CLASS: Your cases, case chart(s), case briefs, and notes from last class's settlement conferences.

Wednesday, February 28, 2018

3:00 PM to 3:50 PM

Class 16 - Preparing for Your Mini Oral Argument

READ: TWEN - Oral Argument document page, "Preparing for Mini Oral Argument." REVIEW: DESIGN - Ch. 22, Oral Argument.

3:00 PM to 3:50 PM

Due - WA #3 - Argument & Revised WA #2 Argument Headings

Hand in writing assignment #3, Argument section, & revised WA #2 Argument Headings, at the beginning of class today. Attach marked up WA #2.

Sunday, March 4, 2018

WEEK 9 - Spring Break

Monday, March 5, 2018

No Class - Spring Break

Thursday, March 8, 2018

No Class - Spring Break

Sunday, March 11, 2018

WEEK 10 - This week, prepare and present a MINI ORAL ARGUMENT.

Your mini oral argument is a 5 minute argument on one sub issue. Time, date, and room to be announced.

Monday, March 12, 2018	
3:00 PM to 3:50 PM	No Class - Prepare & Present a Mini Oral Argument this Week
Wednesday, March 14, 2018	
3:00 PM to 3:50 PM	No Class - Prepare & Present Mini Oral Argument this Week
Sunday, March 18, 2018	
	WEEK 11 - Practice Oral Arguments Your practice oral argument is a 10-minute argument against your opponent with your TA asking questions. It is a dress rehearsal for your final oral argument. Time, date, place, TBA.
Monday, March 19, 2018	
3:00 PM to 3:50 PM	Class 17 - Summary of Argument & Conclusion; Refining Your Brief READ: (1) TWEN - Writing Assignments document page, WA #4 Instructions. (2) DESIGN - Ch. 19, Summary of Argument, and §§ 21.7 Conclusion, 21.8 Certificate of Service, & 21.9 Appendix; Ch. 24, Making it Shine: Tips for the Memo and Brief. (3) TWEN - Writing Assignments document page, WA #5 Instructions.
Wednesday, March 21, 2018	
3:00 PM to 3:50 PM	Class 18 - Guest Speaker Judge Keim, Room 355C Judge Keim will visit our class together with Prof. Steinberg's in Room 355C Holland Hall.
Sunday, March 25, 2018	
	WEEK 12 - Attend conference on your brief with your TA this week WEEK 12 - This week present your PRACTICE ORAL ARGUMENT. A dress rehearsal for final orals. A 10 minute argument against your opponent with your TA asking questions. Time, date, and place of your oral argument TBA.
Monday, March 26, 2018	
3:00 PM to 3:50 PM	Class 19 - Student Oral Argument Demo READ: TWEN - Oral Argument document page, "Preparing for Practice Oral Argument," "Preparing for Final Oral Argument," and "Oral Argument Critique Sheet."
Wednesday, March 28, 2018	
3:00 PM to 3:50 PM	Class 20 - Peer Review of Summary of Argument Section During class, exchange a copy of your Summary of Argument section with your oral argument opponent and evaluate opposing counsel's Summary of Argument according to the instructions given in class.
3:00 PM to 3:50 PM	Due - WA #4 - Summary of Argument Hand in this assignment at the beginning of class today.

Sunday, April 1, 2018	
	<p>WEEK 13 - Conference on brief (required) with Prof. Ruff this week or next.</p> <p>Schedule an appointment using the TWEN sign-up sheets.</p> <p>WEEK 13 - This week or next, present your FINAL ORAL ARGUMENT.</p> <p>A 10 minute argument against your opponent before a panel of three "judges." Time, place, date TBA.</p>
Tuesday, April 3, 2018	
3:00 PM to 3:50 PM	No Class - Prepare for Your Final Oral Argument.
Thursday, April 5, 2018	
3:00 PM to 3:50 PM	No Class - Prepare for Your Final Oral Argument.
Sunday, April 8, 2018	
	<p>WEEK 14 - Conference on brief (required) with Prof. Ruff this week or previous.</p> <p>Schedule an appointment using the TWEN sign-up sheets.</p> <p>WEEK 14 - Present FINAL ORAL ARGUMENT this week.</p> <p>Time, date, and place of your oral argument TBA.</p>
Monday, April 9, 2018	
3:00 PM to 3:50 PM	No Class - Prepare for Your Final Oral Argument.
Wednesday, April 11, 2018	
3:00 PM to 3:50 PM	No Class - Prepare for Your Final Oral Argument this Week.
Sunday, April 15, 2018	
	WEEK 15
Monday, April 16, 2018	
3:00 PM to 3:50 PM	No Class
Wednesday, April 18, 2018	
3:00 PM to 3:50 PM	<p>DUE – WA #5 - Final Brief</p> <p>Hand in at the beginning of class today. Attach your marked up WA# 1, WA# 3, & WA# 4.</p>
3:00 PM to 3:50 PM	<p>Class 21 - Farewell</p> <p>Time will be allotted for completing the online instructor evaluation form. Please bring your laptops to class.</p>
Sunday, April 22, 2018	
	WEEK 16
Monday, April 23, 2018	
3:00 PM to 3:50 PM	<p>Spring Classes End</p> <p>No Class</p>

