

LEGAL WRITING

LAW 5792, SECTION R

2 CREDIT HOURS

FALL 2018

CLASS LOCATION: MARTIN H. LEVIN ADVOCACY CENTER 210

MONDAYS AND WEDNESDAYS, 3 P.M. – 3:50 P.M.

PROFESSOR: *Mary E. Adkins*

OFFICE HOURS:

Mondays 11:15 a.m. – 1:00 p.m., Tuesdays: 2:45 – 4:45 p.m., 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. My office is located in Holland 318.

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: *TWEN, Legal Writing – Adkins.*

REQUIRED TEXT:

Coughlin, Rocklin, and Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis* (3rd ed.)

The Bluebook: *A Uniform System of Citation* (20th ed.)

McKinney and Rose, *Core Grammar for Lawyers* (Online)

COURSE DESCRIPTION:

This is the first half of a two-part course, both required for graduation. Includes emphasis on written legal analysis and preparation of predictive legal writing for fellow attorneys and clients.

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 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 preparing for in class assignments for every 1 hour in class.

COURSE POLICIES:

ATTENDANCE POLICY:

I will circulate a class roll during each class. Your signature indicates your presence in class that day. **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.

CORE GRAMMAR FOR LAWYERS AND INTERACTIVE CITATION WORKSTATION:

We will use numerous asynchronous learning tools during the semester, including but not limited to Core Grammar for Lawyers and the Lexis/Nexis Interactive Citation Workstations (ICWs).

GROUP WORK AND ASSIGNMENT POLICIES:

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

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 *final* grade being lowered by one grade increment each 48 hours it is late. An assignment will not be accepted if it is more than three days late. If you know in advance that you cannot turn in a paper on time, please contact me ahead of time, as any professional would do. I will decide whether the reason is sufficient to waive the penalty.

Professionalism

I will run our classroom like a law office. Students are the new “associates”; TAs are the senior associates; 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.

Plagiarism

All work in this class must be your own. You may discuss cases and ideas; however, you may show your written work product only to me and your 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 or pencil; studies have shown

consistently that the physical work of writing down notes increases your retention of the material. However, we will be using computers in class frequently, so do plan to have it available.

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. <http://teach.ufl.edu/docs/NetiquetteGuideforOnlineCourses.pdf>

GETTING HELP:

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:

- 20% Timely and successful completion of Core Grammar for lawyers, assigned ICW activities, “quick e-mail assignments,” and participation
10-point *advisory “grade” only*: First Memorandum (Second Writing Assignment)
10-point *advisory “grade” only*: Client Letter
10-point *advisory “grade” only*: E-mail assignment
80% Final Memorandum (Final Writing Assignment)

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:

Grade	Points
A (Excellent)	4.0
A-	3.67
B+	3.33
B (Good)	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

No conferences will be held within the 24 hours prior to an assignment due date. This rule applies to conferences with me and with your TA.

COURSE SCHEDULE:

Assignments and Course Schedule (subject to change)

August 13	How Attorneys Communicate
Read:	Introduction and Chapter 1 (<i>all chapters included on this schedule are contained within your assigned textbook</i>)
August 15	Sources and the Systems of Law
Read:	Chapter 2 and “Pedicab” problem on TWEN
Assignment Due:	Complete the Core Grammar for Lawyers Pre-Test by August 19th at 10 PM.
August 20	Reading for Comprehension; Introduction to Memorandum #1; Introduction to WA #1 (written assignment #1)
Read:	Chapter 3, Memo #1 hypothetical
August 22	Case Discussion
Read:	Statute and cases for Memo #1; Bluebook: the “Bluepages” in the front.
August 25, 10 pm	Assignment Due: WA#1 – Case Illustration. Please turn in a copy (in Word format) on TWEN. (This instruction applies to all writing assignments.)
August 27	Legal Memorandum Structure; Finding Your Argument; Organizing Your Legal Authority
Read:	Text – Chapters 4 and 5
August 29	Question Presented and Brief Answer; in-class exercise
Read:	Text – Chapter 13
August 31	Deadline to complete ICW Exercises 1 and 2

September 3	Labor Day - Holiday
September 5	One Legal Argument; Explaining the Law
Read:	Chapters 6 and 7
September 10	Quick e-mail assignment
Read:	Material will be provided in class; in-class group exercise
September 12	Discussion and critique of quick e-mail assignment; citation overview
Read:	Bring your group's e-mail assignment to class; also, bring Bluebook
September 17	Applying the Law; Conclusions to One Legal Argument;
Read:	Chapters 8 and 9; bring Bluebook
September 19	Wrap-up of applying the law; WA#2 common issues; preview of WA#3
September 21	Moot Court Final Four Competition (<i>special class time – attendance in person or viewing competition remotely is required</i>)
Sept. 23, 10 pm	Assignment Due: WA#2: Memo heading, Question Presented, Brief Answer, and Full Legal Discussion including Rule Explanation and Rule Application
September 24	Asynchronous learning day – Complete at least one Core Grammar for Lawyers Lesson and ICW #3 and 4 by 4 p.m. You are free to work on this classwork in our regular classroom or at home. You are free to complete this class period before September 24.
September 26	Shifting your Analysis to a Client Letter
Read:	Chapter 17
September 30	Deadline to complete all Core Grammar for Lawyers modules satisfactorily and complete the Post- Test with a minimum score of 85%.
October 1	Quick e-mail project day 1

- October 3 Quick e-mail project day 2
- October 8 Recap of client letter; review chapter 13; bring commented-on WA#3 to class.
- October 10 Asynchronous learning day
- October 14, 10 p.m. Assignment due: WA#3, client letter**
- October 15 Closing the Open Memo: bring your research results from Legal Research
- Read: Review the cases you found in your Legal Research class.
- October 17 Professional E-mails
- Read: Chapter 18
- October 22 Statement of the Facts and Conclusion of the Memorandum
- Read: Chapters 14 and 15
- October 24 No Class: instead, see next entry
- October 25, noon
Room TBA** **Special combined class; a judge from the First District Court of Appeal will address us, as they will be holding court in MLAC 100 this morning.**
- October 29 Discussion of How to Organize and Write the Question Presented, Brief Answer, and Discussion Section, using lessons learned from Memo 1 and previous reading
- Read: Review chapters 4 through 9 and chapter 13
- October 30 Assignment Due: WA#4 – E-mail Assignment. Please email your assignment to me at adkinsm@law.ufl.edu by 10 P.M.**
- October 31 Asynchronous learning day – Complete ICW #7 and 8 by 11 a.m. You are free to work on this classwork in our regular classroom or at home. You are free to complete this class period before October 31st.

November 5	Case Discussion: Writing the Discussion of Memo 2
November 7	Editing and Polishing
Read:	Chapter 16
November 12	Veteran's Day Observed - Holiday
November 14	Finalizing Memorandum #2; Case Discussion
November 17	Q & A
November 19:	TA Roundtable; evaluations
Assignment Due:	WA#5: Final Memorandum Due by 10 p.m.
November 26	No Class

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.