

Clausen Course Policies

Legal Writing

Judy Clausen, Visiting Associate Professor of Law

Course Number: 5792, Section 17734W

Credit Hours: 2 credits

Office Location: Holland Hall 370D

Office Phone: (352) 273-0631

Cellular Phone: (904) 412-5999

Email: jclausen@law.ufl.edu

Class Schedule: Mondays and Wednesdays 3:00 p.m. to 3:50 p.m.

Class Location: Holland Hall 270

Course TAs: Ava Sigman
Jacob Greenfield
Courtney Handy
Allison Mangan
Brett Lashley
Alexandra Milliard

Office Hours:

Mondays, 10:00 a.m. – 12:00 p.m., 12:30 p.m. – 2:00 p.m.

Tuesdays, 10:00 a.m. – 12:00 p.m., 1:00 p.m. – 2:00 p.m.

Wednesdays, 10:00 a.m. – 12:00 p.m., 12:30 p.m. – 2:00 p.m.

Telephonic Office Hours (by cell phone (904) 412-5999):

Thursdays, 9:00 a.m. – 11:30 a.m., 12:30 p.m. – 2:30 p.m.

You may also make an appointment for another time.

Course Communications:

If you have questions, please feel free to email, call my cell phone, or visit my office.

Required Course Materials:

1. Christine Coughlin, Joan M. Rocklin, Sandy Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis*, 3rd Edition (Carolina Academic Press 2018).
2. *The Bluebook: A Uniform System of Citation*, 20th Edition (Harvard Law Review Association 2015).

3. Deborah E. Bouchoux, *Aspen Handbook for Legal Writers: A Practical Reference*, 4th Edition (Wolters Kluwer 2017) (Green Book).
4. Linda J. Barris, *Understanding and Mastering The Bluebook: A Guide for Students and Practitioners*, 3rd Edition (Carolina Academic Press 2015).
5. *Core Grammar for Lawyers* (Carolina Academic Press). To purchase, review the email posted on TWEN instructing students on purchasing the program.

Course Description:

This course is the first half of a two-part course designed to mimic real law practice. Students learn analytical and organizational skills needed to produce predictive legal memoranda, letters, and emails. The course satisfies the ABA's requirement for a rigorous writing experience in the first year. Classroom instruction combines lecture with workshop.

Course Purpose:

The primary objective of this course is to teach you how to analyze a legal issue 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.

Grading:

Your grade will be determined as follows:

- Class Exercises (10 points)
- Online Bluebook Exercises (10 points)
- Core Grammar for Lawyers (20 points)

- Client Letter on Memo #1 (20 points)
- Memo #1 (20 points)
- Partner Email on Memo #2 (20 points)
- Memo #2 (400 points)

Grading Scale:

<u>Grade</u>	<u>Points</u>	<u>Grade</u>	<u>Points</u>	<u>Grade</u>	<u>Points</u>
A (Excellent)	4.0	C+	2.33	D-	0.67
A-	3.67	C (Satisfactory)	2.00	E (Failure)	0.0
B+	3.33	C-	1.67		
B (Good)	3.00	D+	1.33		
B-	2.67	D (Poor)	1.00		

I adhere to the law school grading policy.

Student Course Evaluations:

Students can 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. Students will receive notice of the specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>.

Class Attendance:

Attendance is mandatory. It is impossible to pass the class with more than six (6) unexcused absences. If you must be absent, please notify me ahead of time. Excused absences are consistent with University policies (<https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>) and require appropriate documentation. Although this class does not have a final exam, the University policy is that I provide the following exam-delay policy: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#12>.

Late Submission and Making Up Class Exercises:

Law practice requires attorneys to observe deadlines for filing legal documents. Because part of my responsibility includes teaching you professionalism, late submissions in this course will be penalized. You will receive a penalty equal to ten percent (10%) of that assignment’s point value

for each day or portion of a day a graded assignment is late, absent exceptional circumstances. If you have a true emergency, contact me at your earliest opportunity to obtain a special arrangement. Extensions are only granted in true emergencies. If you have a religious holiday that falls on a class date or assignment due date, please contact me BEFORE that holiday to make arrangements. It is the University's policy to accommodate religious holidays. I honor that policy. It is your responsibility to keep copies of all of your work, including all graded assignments that are returned to you.

I assess your good faith participation in class exercises when I calculate your final grade. If absence from class prevents you from participating in a class exercise, you may make up the class exercise. It is your responsibility to contact me to arrange to make up the class exercise.

Class Demeanor:

Please act professionally during class and during your interactions with your TA, your fellow students, and me. Please refrain from eating in class.

Method of Taking Attendance and Tardiness Policy:

Please sign the attendance roster in class, and please arrive to class on time.

Core Grammar for Lawyers and Interactive Citation Workstation:

We will use asynchronous learning tools this semester, including Core Grammar for Lawyers and the Lexis/Nexis Interactive Citation Workstations (ICWs).

University Honesty Policy:

UF students are bound by The Honor Pledge which states, "We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: "On my honor, I have neither given nor received unauthorized aid in doing this assignment." The Honor Code (<https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with me or the TAs.

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>, 352-392-1575, and the University Police Department: 352-392-1111, or 911 for emergencies.

Sexual Assault Recovery Services (SARS)

Sexual Health Care Center, 352-392-1161.

University Police Department

352-392-1111, or 911 for emergencies.

<http://www.police.ufl.edu/>

Use of Electronic Devices:

I begin most classes with lecture and related discussion. After I complete the lecture, students break into TA groups to tackle exercises. Students may use laptops during these exercises, but students handwrite lecture notes. During the lecture, students store laptops under desks until it is time to tackle exercises. Each TA group nominates a “Reporter.” The Reporter transcribes and emails to me the group’s exercise response; the Reporter copies the TA and each group member.

Please turn off and refrain from using cell phones during class.

Preparation and Participation:

Please come to class having already read and carefully analyzed the assigned material for the day and ready to actively participate in discussions and exercises.

Workload Expectations:

You should plan to devote at least two hours of work outside of class for every hour you spend in class.

Accommodations for Students with Disabilities:

Students requesting accommodation for disabilities must first register with the Office of the Dean of Students (<http://www.dso.ufl.edu/drc/>). The Office of the Dean of Students will provide documentation to the student who must then provide this documentation to the law school’s Office of the Dean of Student Affairs. Students must submit this documentation prior to submitting assignments. Accommodations are not retroactive. Therefore, students should make arrangements as soon as possible in the term for which they seek accommodations.

Course Website and Email Communication:

The course website will be posted on TWEN. Please regularly sign on to TWEN to receive posted course materials. You are responsible for obtaining information posted. I will also email important information. For example, you may learn through an email that I have changed the reading for a particular class, posted materials on TWEN, or responded to commonly asked questions. Please check your email at least twice a day.

Student Conferences:

The Class Calendar designates certain time periods for student conferences. I will provide you with detailed instructions regarding the purpose and scope of each conference, as well as procedures for choosing conference times. Please come to each conference prepared.

Read:	Chapter 8.3 and 8.4
September 12	Conclusions to One Legal Argument and class exercise
Read:	Chapter 9
September 17	The Discussion Section: Introducing and Connecting Legal Arguments and class exercise
Read:	Chapter 12
September 19	Citation and Avoiding Plagiarism and class exercise
Read:	Chapter 7.3 and Bluebook: the “Bluepages” in the front
September 21	<i>Moot Court Final Four Competition (special class time – attendance in person or viewing competition remotely is required); serves as rescheduled class for November 26.</i>
September 24	Intro to Memo #2
Assignment Due:	Turn in paper copy of Memo #1 in class with name and TA name and email to TA September 24
September 26	Client Letters and class exercise
Read:	Chapter 17
Assignment Due:	September 30 by midnight, complete all Core Grammar for Lawyers modules satisfactorily and complete the Post- Test with a minimum score of 85%.
Conferences week of October 1-5 on Memo #1. On October 1 asynchronous learning day – complete ICW #1 and #2 by 4:00 PM. On October 3 asynchronous learning day – complete ICW #3 and #4 by 4 p.m. You are free to work on the classwork in our regular classroom or at home. You are free to complete the classwork before October 1 & 3.	
October 8	Question Presented, Brief Answer and class exercise
Read:	Chapter 13
October 10	Statement of Facts and class exercise

Read:	Chapter 14
October 15	Closing the Open Memo: bring your research results from Legal Research
Read:	Review the cases you found in your Legal Research class.
Assignment Due:	Client Letter on Memo #1 topic due in class October 15 with name and TA name; email to TA
October 17	Professional E-mails and class exercise
Read:	Chapter 18
October 22	Conclusion to Memo and class exercise
Read:	Chapter 15
October 24	Discussion of How to Organize and Write 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 29	Citation Review, Memo #2 Q&A
Assignment Due:	Turn in Partner Email paper copy in class with name and TA name and email to TA.
October 31	Editing and Polishing
Read:	Chapter 16
Conferences week of November 5-9. Asynchronous learning day November 5; complete ICW #7 by 4:00 PM. Complete ICW #8 by 4 pm. You are free to work on this classwork in our regular classroom or at home. You are free to complete this classwork before November 5 and 7.	
November 12	Veteran's Day Observed - Holiday
November 14	TA Panel

November 19: The Transition from Objective to Persuasive Writing

Read: Chapter 19

Assignment Due: Memo #2 due at noon on TWEN; use grading number only

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.