

LEGAL WRITING

LAW 5792

2 CREDIT HOURS

FALL, 2018

CLASS LOCATION: HOLLAND HALL 355C

MONDAYS AND WEDNESDAYS 3 PM – 3:50 PM

INSTRUCTOR: *Stacey Steinberg*

STUDENT HOURS:

Tuesdays from 1-3 PM. 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 in Holland 370A.

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:

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) To purchase this program at a discounted rate, go to <http://coregrammar.com/getcgl> in your browser. Complete the form and be sure to select "FL" for your state and "University of Florida - F. G. Levin College of Law" for your school. On the payment page, enter "UFL2018" in to the Access Code field. Your discounted price will appear immediately. Enter your credit card information, verify the purchase, and continue to create your Core Grammar for Lawyers account. You will be able to start using CGL immediately.

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.

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

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.

CORE GRAMMAR FOR LAWYERS AND INTERACTIVE CITATION WORKSTATION:

We will utilize numerous asynchronous learning tools during the semester, including but not limited to Core Grammar for Lawyers and the Lexis Nexis Interactive Citation Workstation.

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 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.

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 always. 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 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/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:

30% Timely and successful completion of WA # 1-4, Core Grammar for lawyers, assigned ICW activities, and participation
 70% 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:

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.

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
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 23	Case Discussion
Read:	Statute and cases for Memo #1
August 27	Finding Your Argument; Organizing Your Legal Authority
Read:	Text – Chapter 4 and 5

August 29	One Legal Argument; Explaining the Law; Discussion of Asynchronous Learning Days – bring your laptop and Bluebook
Read:	Text – Chapters 6 and 7; Florida Rule of Appellate Procedure 9.800 (available on Canvas – let me know if you can't find it.)
Assignment Due:	WA #1 - Case Brief. Please turn in a copy (in Word format) on Canvas, and bring a copy to class.
September 3	No Class – Labor Day
September 5	Applying the Law; Conclusion to One Legal Argument
Read:	Chapter 8 and 9
September 10	TBD
September 12	Citations
Read:	The Bluebook, pages 1-27; Florida Rule of Appellate Procedure 9.800
September 17	Statutory Analysis; the Discussion Section
Read:	Text Chapters 11 and 12
September 19	Asynchronous learning day – Complete at least one Core Grammar for Lawyers Lesson and ICW #1 and 2 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 September 10 th .
September 21	Maguire Moot Court Competition (<i>special class time – attendance in person or viewing competition remotely is required</i>)
September 24	Asynchronous learning day – Complete at least one Core Grammar for Lawyers Lesson and ICW #3 and 4 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 1 st .
Assignment Due:	WA #2 - Memo #1. Please turn in a copy (in Word format) on Canvas, and bring a copy to class tomorrow.
September 26	Guest Speaker – Nick Zissimopoulos, Esq.

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	Question Presented and Brief Answer
Read:	Chapter 13
October 3	Professional Emails
Read:	Chapter 18
October 8	The Client Letter
Read:	Chapter 17
October 10	Closing the Open Memo: bring your research results from Legal Research
Read:	Review the cases you found in your Legal Research class.
October 14, 10 p.m.	Assignment due: WA#3, client letter
October 15	Asynchronous learning day – Complete ICW #5 and 6 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 10 th .
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	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 29	Writing Lab: be prepared to write, edit, or seek my help on WA#4
October 30	Assignment Due: WA#4 – E-mail Assignment. Please email your assignment to me at steinberg@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 31 st .
November 5	Case Discussion
Assignment Due:	Complete at ICW #9 and 10 by 10 p.m.
November 7	Editing and Polishing
Read:	Chapter 16
November 12	Veteran’s Day
November 14	Finalizing Memorandum #2; Case Discussion
November 17	Q & A
November 19:	TA Roundtable
Assignment Due:	WA # 5- Final Memorandum Due by 10 a.m. Please turn in a copy (in Word format) on Canvas, and bring a copy to class.
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.