

LEGAL WRITING II (PERSUASIVE WRITING) SPRING 2024
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
SEMESTER SYLLABUS
LAW 5793, CLASS 27563, SECTION T, 3 CREDIT HOURS

PROFESSOR: Donna L. Eng
Email: eng@law.ufl.edu
Office: Holland Hall 370B
Phone: (352) 273-0756

CLASS MEETING TIME: Tuesdays and Thursdays, 3:30 p.m. to 4:55 p.m.

CLASS LOCATION: Holland Hall 355D

Note: Our first class will be a joint class on Tuesday, 1/16/2024, from 3:30-4:55 p.m. in HOL 285B (Brock Hall at HOL).

OFFICE HOURS:

I will hold office hours on **Tuesdays and Thursdays from 5:15 p.m. to 6:15 p.m.** and by appointment. While I prefer in-office visits, I am flexible and can also meet by Zoom if necessary. I am thrilled to be on this academic and professional journey with you, so please use my office hours liberally. TAs will be available to assist you as well, and information about their availability will be forthcoming.

If you have questions regarding the course or a specific assignment, please feel free to email me. I try to respond to emails quickly.

Note: “24 hour rule:” Office hours and other conferences will not be held (with me or with your TA) within the 24 hours prior to graded-assignment due dates. In addition, once you receive your final project materials, you will not be able to meet with me, or with your TA, until you have submitted your final project.

NAMES AND EMAIL ADDRESSES OF TEACHING ASSISTANTS (TAS) FOR THIS CLASS:

Dominic Vogt: vogtd1@ufl.edu

Cassidy Francies: cassidyfrancies@ufl.edu

Montserrat (Montse) Arguello: m.arguello@ufl.edu

Jack Wagner: jack.wagner@ufl.edu

COURSE WEBSITE:

You will be able to access the course Canvas site, <https://elearning.ufl.edu/>, beginning a few days before our first class. I will use Canvas to send announcements, to provide detailed instructions for your assignments, and to post slides and supplemental materials. Please check Canvas frequently. While you may customize your notifications as you wish, you are responsible for frequently reviewing this course page for updates and for accessing course content. You will use Canvas for turning in written work, for receiving feedback (from your TAs and from me) and for signing up for office hours.

REQUIRED TEXTS/PLATFORMS:

1. Rocklin, Rocklin, Coughlin, and Patrick, *An Advocate Persuades* (2d ed. 2022)

2. *The Bluebook: A Uniform System of Citation* (21st ed. 2020)
3. Any additional material posted to our Canvas course page or disseminated during class.

COURSE DESCRIPTION:

Persuasive Writing continues the first-year legal writing curriculum by focusing on various forms of persuasive writing, including trial briefs, motions, and appellate briefs. Students will also prepare and deliver an oral argument.

COURSE OBJECTIVE AND GOALS:

Welcome to Legal Writing II! I am excited to partner with you early in your law school career. You may notice that learning legal writing is like learning a new writing *language* with its own rules, structures, customs, and expectations. Now that you have acquired a foundation in objective legal writing, your primary objective in Legal Writing II will be to learn to construct thorough legal arguments that you express persuasively in writing. An additional objective will be for you to learn to perform effectively in presenting oral argument in support of your legal position. Your final objective will be to refine further your research strategies.

If you devote yourself to doing your best work, upon completion of this course you should be able to:

- Apply ethical and professional standards in crafting your written and oral advocacy;
- Find and use the fundamental sources of U.S. legal research, including constitutions and statutes, cases and digests, secondary sources, administrative law, and legislative history;
- Develop research strategies that maximize your efficiency and accuracy;
- Continue to improve your research, analysis, and legal writing under time constraints;
- Demonstrate increasing levels of citation literacy, including reading, writing, and placement;
- Frame legal issues to persuade a court to rule in your favor;
- Present compelling accounts of relevant facts;
- Analyze and advocate effectively, using compelling narratives, persuasive rule structures, analogical reasoning, relevant policy, strategic application of law to fact, and logical and persuasive organization;
- Communicate legal analyses in impactful, concise, and polished written products, including motion memoranda and appellate briefs;
- Understand the fundamentals of the trial process, including the filing of trial motions;
- Understand the fundamentals of the appellate process and appellate concepts, including the decision to appeal;
- Understand the importance of adhering to procedural rules and formatting requirements when submitting documents to a court;
- Effectively and critically edit, revise, and proofread your own persuasive legal writing as well as the writing of colleagues;
- Present legal arguments and answer questions effectively in meetings and simulated hearings;
- Prepare and effectively present an oral argument in support of your legal position in a simulated appellate oral argument;
- Continue to use and improve your writing generally, including effective topic sentences, transitions, paragraphs, as well as proper grammar, syntax, punctuation, and document format.

PROFESSIONALISM:

I will run our classroom like a law office. Students are the new associates, TAs are the senior associates, and I am the managing partner of the office. I expect professionalism at all times, both in class discussions and in your written submissions. Regarding class discussions, professionalism requires you to speak civilly and treat those with different viewpoints with respect. With respect to written assignments, professionalism requires you to write, revise, and proofread multiple times before turning in any assignment. Please be advised that spelling, grammar, and typographical errors reflect a lack of professionalism in the practice of law. Your path to professionalism starts now.

Punctuality is part of professionalism. Please be on time to class and do not leave early absent extenuating circumstances. As a law student and future lawyer, you are expected to conduct yourself with professionalism in the classroom and in all course-related activities. This includes common courtesy in the classroom as well as in all email messages, threaded discussions, and chats. Please silence cell phones and computer notifications and minimize any other class disruption.

Professionalism also requires that if you ever have a question about this class or anything I have said, please come to me first to discuss. I am happy to discuss any questions or concerns you may have.

COURSE, LAW SCHOOL, AND UNIVERSITY POLICIES:

ATTENDANCE POLICY:

This is a skills-based course, which means that your attendance is essential to achieving the course objectives. Your active and consistent participation in class discussions and exercises is expected and required. ABA standards and the law school policy require regular and punctual class attendance. Requirements for class attendance, assignments, and other work in this course are consistent with UF policies posted at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

Teaching assistants will take roll during each class period. While you should plan to attend all class periods, you are permitted two unexcused absences without penalty.

- More than six unexcused absences will result in a failing grade in the course.
- More than two unexcused absences will likely result in a reduction of your final grade.
- Excessive tardiness will likely result in a grade penalty.

If you have a religious holiday that falls on a class date or assignment due date, please contact me well in advance of that holiday to arrange an accommodation and to obtain an excused absence.

If you are ill or have other critical extenuating circumstances that prevent you from being in class, you must contact me by email prior to the start of class to request an excused absence. In the case of an emergency that prevents you from contacting me prior to class, you must contact me as soon as possible thereafter to

request an excused absence. If I grant your request, you will need to complete the following steps before I will convert your unexcused absence to an excused absence:

1. Watch the class recording—available on our Canvas Page.
2. Email me no more than ten days after the missed class and include the following:
 - a. A statement that you watched the video in full
 - b. Any in-class exercise that you can complete independently (modify as needed)
 - c. If there is no in-class exercise that you can complete independently, note three things you learned by watching the video.

COMPLIANCE WITH UF HONOR CODE:

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honor-code-and-committee/honor-code>. The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

QUIZ/EXAM POLICY:

There may be pop quizzes during the semester. These scores will be considered part of your participation grade. The law school's policy on exam delays and exam accommodations can be found here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form#:~:text=Students%20are%20responsible%20for%20submitting,sound%20discretion%20of%20the%20administration>.

ASSIGNMENT PREPARATION/SUBMISSION AND GROUP WORK POLICIES:

Students will be divided into groups for some activities including case discussions, peer reviews, research assignments, and oral arguments. Each group will have an assigned TA who will assist students with in-class exercises and out-of-class assignments. TAs are 2Ls who did particularly well in their first-year legal writing courses. They are a tremendous resource to you. I encourage you to speak with your assigned TA regularly. Groups will be announced soon, and TAs will communicate regarding their availability. The class TAs are named on pages 1 and 2 of this syllabus.

Feedback

We will give and receive a tremendous amount of feedback in this course. Please provide feedback with both care and candor. Please accept feedback as a sign of respect—as evidence of the commentor's confidence in your ability to strengthen your skill set and to improve your work product.

Class Preparation and Participation

Consistent with the American Bar Association Standard 310, you should spend at least 6 hours per week preparing for this 3-credit course. Participation grades are based on class attendance and preparation, the quality of class participation (both online and in person), timely and successful completion of all assignments, including oral advocacy, active participation in small group discussions, and your professionalism.

Assignment Submission and Late Policy

Lawyers must be organized: failing to meet a deadline can create disastrous results for your client. If you are not yet in the habit of keeping a personal calendar, please start now.

Unless otherwise stated in Canvas or on the syllabus, your assignments must be turned in on Canvas. Assignments may be due on class days or non-class days and on weekends or weekdays. Most assignments are due by 11:59 p.m.; however, there may be assignments due at other times of day. **Please read the syllabus carefully and mark your calendars accordingly.**

If you turn in an assignment late, your grade *for that assignment* will be lowered by 10% per day (24-hour period from the time the assignment is due). Assignments will not be accepted if they are more than three days late. If you turn in your final project late (according to the timestamp by the exam software or Student Affairs), your grade for the final project will be lowered by 20% per day (24-hour period from the time the final project is due). The final project will not be accepted if it is submitted more than three days late.

For writing assignments other than the final project, if you have an extraordinary circumstance outside of your control, please contact me in advance of the deadline or, if the emergency prevents you from doing so, as soon as possible thereafter. Contacting me does not guarantee a particular result. Computer and electronic platform problems, internet connectivity issues, car trouble, traffic, and the like should be foreseen by you. Please plan your time accordingly. To maintain anonymity in the grading process, any such requests related to the final project should be made to **Student Affairs**, not to me.

Punctuality and Professionalism

Punctuality is part of professionalism. Please be on time to class and do not leave early absent extenuating circumstances. As a law student and future lawyer, you are expected to conduct yourself with professionalism in the classroom and in all course-related activities. This includes common courtesy in the classroom as well as in all email messages, threaded discussions, and chats. Please silence cell phones and computer notifications and minimize any other class disruptions.

In addition to completing each written assignment, you will need to revise and proofread your documents numerous times before submitting them, just as you would in the practice of law.

In all course activities, students are expected to participate in good faith. If you have questions about professionalism, do not hesitate to ask.

Academic Honesty and Plagiarism

All work you submit in this class must be your own. For the written assignments up to the final project, you may discuss cases and ideas with your classmates; doing so is often helpful in refining and testing your interpretation and analysis. However, the UF Law Honor Code requires that your assignments represent your own work. Written work must be done independently. Your written work product may be shown only to me and to your TA, unless I expressly authorized otherwise; for example, I may authorize you to share your work product with a particular student for purposes of completing a peer review. Unauthorized collaboration on writing assignments (with anyone—UF Law affiliated or not) is a UF Law Honor Code

violation. In addition, giving your work to another student violates the collaboration policy as much as taking work from another student does.

Additional restriction regarding the final project: Once the final project is released, you may not discuss any aspect of the project with anyone except Dean Inman, Dean Mitchell, or other Student Affairs personnel responsible for the scheduling and integrity of the law school's final projects. If a problem arises during the final project period, to maintain anonymity in the grading process, please reach out to Student Affairs, not to me. If you violate these instructions, you may fail this course and may be prohibited from sitting for the bar.

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honor-code-and-committee/honor-code>. The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments (unless the Professor indicates otherwise).

STATEMENT RELATED TO ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES:

Students with long- or short-term disabilities who experience learning barriers and would like to request academic accommodations must first register with the Disability Resource Center (DRC). Click [here](#) to get started with the DRC. Accommodations are not retroactive and obtaining your letter may take time; therefore, if you would like to learn more about accommodations or are interested in applying for them, please follow this procedure as early as possible in the semester. If you are approved for accommodations, you will receive an accommodation letter, which you must present to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). You should also present your letter to me and should schedule a meeting with me, as early as possible in the semester, to review your accommodations and to discuss your needs. Please understand that I cannot grant accommodations retroactively, nor can I grant accommodations that are not approved through this process. The law school's policy on exam delays and accommodations can be found [here](#). Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

EXAM DELAYS AND ACCOMMODATIONS:

The law school policy on exam delays and accommodations can be found here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form#:~:text=Students%20are%20responsible%20for%20submitting,sound%20discretion%20of%20the%20administration>.

OBSERVANCE OF RELIGIOUS HOLIDAYS:

UF Law respects students' observance of religious holidays. The University policy can be found here: <https://catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/#religiousholidaystext>

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.

- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

DISCOURSE AND THE CLASSROOM ETHOS:

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personal and professional identities, I encourage each of us to:

- commit to self-examination of our values and assumptions
- speak honestly, thoughtfully, and respectfully
- listen carefully and respectfully
- reserve the right to change our mind and allow for others to do the same
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers

ELECTRONICS POLICY:

While I recommend taking notes by hand, if you prefer, you may use a laptop or tablet to take notes or to engage in class activities only. Please do whatever is necessary to ensure that notifications, emails, and the like do not distract you. I may revisit or revise this policy as needed.

We will be using computers and cell phones in class frequently, so plan to have your phone and laptop available; however, please do not communicate with one another during class via electronics unless specifically instructed to do so. TAs may need to communicate with one another during class via electronics; please do not mistake this for license to do the same.

ZOOM POLICY:

Please comply with the following during Zoom sessions:

- Cameras are required to remain on during the entire session.
- If you are in a group session, please use the “raise hand” feature to ask questions.
- Please mute yourself except when you are speaking.
- Dress appropriately—as you would during an in-person class or meeting.

RECORDING LECTURES:

I have requested that our class be recorded through the UFIT department. UFIT will be creating a MediaSite channel for our course. I will share the link to this channel with all students in the course by adding a link to the videos in the Canvas page. The uses and prohibitions delineated by the University for self-made videos apply equally to these MediaSite videos. If you use MediaSite or self-made videos in ways not approved by the University and without my written consent, you may be subject to civil liability, as well as to discipline under the UF Student Honor Code and Student Conduct Code.

ABA OUT-OF-CLASS HOURS REQUIREMENTS: ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Each weekly class is approximately 3 hours in length, requiring at least **6 hours of preparation** outside of class including reading the assigned materials, writing critical analyses, and developing your final paper.

STUDENT COURSE EVALUATIONS:

“Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.”

UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

RESOURCES:

UF LAW STUDENT RESOURCE GUIDE (CANVAS):

Please familiarize yourself with the law school’s UF Law Student Resource Guide in Canvas. It currently includes sections for:

- Attendance, Registrar, and Financial Aid, Outside Scholarships, Writing Competitions
- Weekly Calendar
- Students Organizations and Journals
- Academic Advising and Career Advising

UF LAW STUDENT LIFE:

Please familiarize yourself with the law school’s [Student Life](#) page on the UF Law website. It is a tremendous resource for both law school and university resources. Services include:

- Academics (e.g., Schedules, Calendars, Policies, Experiential Learning)
- Campus Logistics (e.g., Reserving a Study Room)
- Technology (e.g., Zoom, Canvas, ExamSoft, Helplines)
- Research Tools (e.g., Law Library, Westlaw, Lexis)

- Diversity & Inclusion (e.g., Statements, Policies, D&I Dean’s Information)
- Career and Professional Development (e.g., Advisors, Appointments, Symplicity)
- Health and Safety (e.g., Wellness, Title IX)
- Contact Information (e.g., Law School Departments)

MENTAL HEALTH AND WELLBEING:

Law school can be very stressful, particularly in your first year. Knowing when to seek assistance for issues impacting your wellbeing is part of being a professional. At a minimum each of us needs a safe place to live, sufficient food, and access to healthcare.

All members of the UF Community who are experiencing food insecurity are eligible to visit UF's Hitchcock Field & Fork food pantry. Learn more at the website, here: <https://pantry.fieldandfork.ufl.edu/>. Should you find yourself needing assistance with other basic needs, please notify me or the Office of Student Affairs so that we can direct you to appropriate resources. The Office of Student Affairs can be reached at 352-273-0620 or student.svc@law.ufl.edu.

Psychological needs and unexpected personal challenges are also not uncommon and may interfere with academic progress, social development, and emotional wellbeing. The law school and the Gainesville community offer a variety of services to assist you. Some entities equipped to assist include:

UF Law Mental Health Counselor: At UF Law we are fortunate to have a mental health counselor, **Ritzy Ettinger**, who is dedicated to the law school community. Ritzy assists with both crisis and non-crisis services. You may reach out to Ritzy by email or call the Student Life main office.

Name: Ritzy Ettinger

Direct Email: rettinger@ufl.edu

Student Life Phone: 352-273-0620

UF (Main Campus) Counseling & Wellness Center: Provides crisis and non-crisis services.

Phone: 352-392-1575 (UF Crisis Hotline 24 hours/7 days/week)

Website: <https://counseling.ufl.edu/services/crisis/>

UF "U Matter We Care": Provides services if you or someone you know is in distress.

Phone: 352-294-CARE (2273)

Email: umatter@ufl.edu

Website: <https://umatter.ufl.edu>

Alachua County Crisis Center: 24 hr./day crisis and suicide intervention phone counseling for all county residents.

Phone: 352-264-6789

<https://www.alachuacounty.us/Depts/CSS/CrisisCenter/Pages/CrisisCenter.aspx>

UF Law Student Affairs Office

Associate Dean of Students, Rachel Inman

Assistant Dean for Student Affairs, Brian Mitchell

Main Phone: 352-273-0620

Main Email: student.svc@law.ufl.edu

Kognito (30 min. training)

Learn signs of psychological distress and how to approach a peer in distress.

Website: <https://counseling.ufl.edu/resources/kognito/>

HEALTH AND SAFETY:

UF Student Health Care Center: Find the healthcare you need, including free flu vaccines and COVID-19 vaccines.

Phone: 352-392-1161

Website: <https://shcc.ufl.edu/>

UF Health Shands Emergency Room/Trauma Center

Phone: 9-1-1 for emergencies

Phone: 352-733-0111

Or go to the emergency room at:

1515 Archer Road, Gainesville, FL 32608

Website: <https://ufhealth.org/uf-health-shands-emergency-room-trauma-center>

University Police Department

Phone: 9-1-1 for emergencies

Phone: 352-392-1111

Website: <https://police.ufl.edu/> (including victim assistance, UFAAlert, self-defense classes, etc.)

Gator Safe App:

For a personal safety toolbox and other helpful links, download the GatorSafe App

<https://police.ufl.edu/services/community-services/gatorsafe-app/>

GRADING/COURSE POLICIES:

INFORMATION ON UF LAW GRADING POLICIES:

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The law school grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>

Like all required courses, this course adheres to the law school's mean and mandatory grade distribution, set out here, <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>, under the tab "grade distribution for required courses."

The law school policy on exam delays and accommodations can be found here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form#:~:text=Students%20are%20responsible%20for%20submitting,sound%20discretion%20of%20the%20administration.>

The following chart describes the specific letter grade/grade point equivalent in place:

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

The three major writing assignments in this course consist of an initial trial court memorandum, an appellate brief, and a final project. Assignments may entail extensive research, submission of multiple drafts, meetings, and oral argument. There will also be additional research assignments, oral argument, activities, homework, and possible quizzes, which will count toward your participation grade.

GRADING PERCENTAGES:

15%	WA#1	Trial Memorandum
25%	WA#2	Appellate Brief
50%	Final Project	Final Project
10%	Participation	Class attendance and preparation, in-class participation, timely and successful completion of all assignments (graded, ungraded, oral, and written), active participation in small group discussions, use of office hours, preparation for any out-of-class meetings, and your professionalism. I may also consider participation as a factor for students who fall on the cusp between two grades.

Grading Standards for Final Drafts

In conjunction with any assignment-specific standards, the grading standards applied to final assignments will be as follows:

- A or A-:** The paper is excellent in all respects. The analysis presented is persuasive, interesting, and well-reasoned. The writing style is clear, direct, and grammatically correct. The paper is generally free of typos, formatting problems and citation errors.
- B+:** The paper is very good in all respects. By and large, the analysis is persuasive and well-reasoned, the writing style is clear, direct, and grammatically correct, and the paper is free of typos, formatting problems and citation errors, but the paper lacks some of the sophistication present in an A or A- paper.
- B:** The paper constitutes a solid, well-reasoned and professional piece of work. The organization, the writing style, the use of citation and the formatting of the paper demonstrate mastery of the basics of persuasive legal writing and citation.
- B- or below:** The paper is notably deficient in one or more respects: the analysis presented is thin, conclusory, or poorly reasoned; the writing style is unclear, confusing, or difficult to follow; the organization is poor; or the paper suffers from extensive grammatical, formatting or citation errors.

Plagiarism and Quotations

Plagiarism is an Honor Code violation. Sources must be acknowledged, not only when you quote their text, but also when you paraphrase. (Citing the original source when you paraphrase not only avoids plagiarism, but also gives your position more credence by showing that someone else has supported your view.)

Direct quotes must be indicated by quotation marks, and the source should be cited immediately after the quoted passage or at the conclusion of the sentence in which the quoted passage appears. What is within the quotation marks should correspond exactly with the original; any changes should be indicated by square brackets ([]), and any omissions should be indicated by an ellipsis (. . .). Be sure you specifically double-check the accuracy of all quotations against the original sources.

When you cite to a case you are representing that the court opinion supports the proposition you have asserted. The headnotes and syllabus of a case are not part of the court opinion, and if you cite to or quote from them, you betray a fundamental ignorance of what constitutes case law precedent. Never cite to or quote from the headnotes or syllabus of a case.

Proofreading

Careless errors undermine your credibility. Excessive typographical, spelling, format, grammatical, or citation errors may cause a paper to be deemed unsatisfactory, regardless of its substantive merit. Proofreading is essential. Merely proofreading for typographical errors, however, will not reveal inaccuracies in your pinpoint citations. Therefore, you should specifically double-check the accuracy of your pinpoint citations against the original sources.

Formatting Requirements for Writing Assignments

All assignments (except the Final Project) are to be submitted electronically via the course Canvas website, in Word format. In addition to any formatting requirements specific to an assignment, documents should conform to the following: (1) the text should be double-spaced, except for the headings (which should be single-spaced); (2) all writing assignments this term should be written in **14-point Times New Roman font, double-spaced, with full justification so that the document has smooth edges of**

text; (3) each page should be numbered (bottom, center), except for the first page; and, (4) all citations should comply with the rules of *The Bluebook* or the FLORIDA RULES OF APPELLATE PROCEDURE 9.800.

PRELIMINARY COURSE SCHEDULE: TOPICS AND ASSIGNMENTS SUBJECT TO CHANGE

Reading: All reading should be completed in advance of the date for which it is assigned. All chapters on the syllabus refer to your assigned textbook. All other material can be found in Canvas; additional reading and reference material may be added to Canvas throughout the term. All assigned material is meant to be read carefully unless I have noted that you may “skim” the material.

Writing Assignments 1 and 2: These assignments must be uploaded to Canvas, in Word.

Activities/Homework: We will often engage in activities during class. Some activities will require additional independent work. Please allot regular time within your schedule to complete them. Unless otherwise advised by me, please upload research projects and other homework to Canvas by 11:59 the night before the following class, and please bring them to class (in hard copy or electronic format) for your own use. For example, homework from Class 3 should be completed by 11:59 p.m. the night before the start of Class 4. You will not receive direct feedback on homework, but we will often use it in the following class period; completing it will allow you to participate effectively in class. Occasionally, I may ask you to bring a hard copy of a homework assignment to class for peer review. In general, I will be looking for a good faith effort and timely completion on activities and homework.

Disclaimer: This syllabus represents my current plans and objectives. As we proceed through the term, I may need to alter them to enhance your learning opportunities or in response to factors internal or external to our course. Such changes, communicated clearly, are not unusual and should be expected.

Pre-Term: 1/15: MLK Holiday

Spring Classes begin Tuesday, January 16, 2024

Spring Classes end Monday 4/22/2024

Our first class will be a joint class on Tues 1/16/2024, from 3:30-4:55 p.m, in HOL 285B (Brock Hall at HOL.

First Assignment due 11:59 p.m. on January 15, 2024:

- (1) Familiarize yourself with cases for Assignment 1 (Trial Memo), and be ready to discuss at any time;
- (2) Respond to Discussion Page on Canvas titled “Truth, Lie, and Fun Fact;” and,
- (3) Send me a professional email, eng@law.ufl.edu, with answers to the following questions:

- a. Do you go by your first name, or do you prefer a nickname?
- b. For office hours visits, do you prefer open office hours (walk-in, no appointment necessary), Canvas time slots, or a combination of both?
- c. Is English your first language? If not, what is your first language?
- d. Do you have any concerns about this class?
- e. What is your undergraduate school and degree, and how much writing did you do as an undergraduate?
- f. Why did you come to law school?

COURSE SCHEDULE

Week 1

Class 1: 1/16: Reading: Syllabus, Caselaw in Canvas, and text Ch. 1, 2, 3, and 5
 Class Topic: Overview of Persuasive Writing
 Note: joint class 3:30-4:55 p.m, in **HOL 285B (Brock Hall at HOL)**

Class 2: 1/18 Reading: Ch. 8 + Appendix B (Sample Trial Memos)
 Class Topic: Complaints/Trial Motions & Memoranda; Intro to WA#1
 Activity: Research project #1-standard for Motion for Summary Judgment
 Homework: Finish Research Project #1 and upload to Canvas by 11:59 pm on 1/21/2024

Week 2

Class 3: 1/23 Reading: Ch. 4 + Canvas (re-read Universe of Cases + Trial Docs.)
 Class Topics: Charting Key Cases and Staying Organized
 Activity: Chart WA#1 Cases in Groups
 Homework: Finish Charting Cases + Read for Next Class

Class 4: 1/25 Reading: Ch. 4, 3.1, 10
 Activity: Discuss Key Cases
 New Topic: Theme and Persuasive SOF
 Homework: 1–3 Sentence Theme, 1-Page SOF; + Read for Next Class

Week 3

Class 5: 1/30 Reading: Ch. 3, 6 (pp. 129–34), 10
 Activity: Self-Review SOF; Group Review of Theme
 Topics: Organizing Arguments; Point Headings; Initial Cs
 Homework: Draft Point Headings and Initial Conclusions
 Sketch Argument; + Read for Next Class

Class 6: 2/1 Reading: Re-Read Ch. 5.I and 5.II, 6.II
 Activity: Point Heading Activity + Self-Review Point Headings

Topic: Persuasive Rules and Case Illustrations for the CREAC
Homework: Draft R and E for Trial Motion (WA#1) + Read for Next Class

Maguire

Moot Court

Competition: 2/2 Activity: Attend and complete discussion thread

Week 4

Class 7: 2/6

Reading: Re-Read Ch. 5.III, 6, 7.I, 7.II
Topic: Persuasion in the Application of the CREAC
Handling Counter-Arguments
Homework: Draft the Application for your Trial Motion (WA#1)
Develop questions for next class

Class 8: 2/8

Reading: Ch. 8 and Appendix B
Topic: Introductions/Preliminary Statements for Trial Memos
Activity: Q&A for trial memo; TBD

Extra Class: 2/9
(joint-Friday)

Topic: Editing/Proofreading
Activity: Editing/Proofreading
9-10:30 a.m. at HOL 285B Brock Hall at HOL

TRIAL MEMO DUE: Saturday, February 10, 2024, by 11:59 p.m.

Week 5

Class 9: 2/13

Read: Full Record on Appeal (Canvas) & TBD
Topic: Research refresher with Library Faculty +AI Tools
Homework: Complete Research Project #2 (procedural research for brief) and upload to Canvas by 11:59 p.m. on 2/19/2024.

Class 10: 2/15

Read: Ch. 9 + Additional Caselaw and Record (See Canvas)
Activity: TBD involving new caselaw and appellate record

Week 6

Class 11: 2/20

Read: Appendix C
Topic: Transitioning to Appellate Writing; Revisiting Theme
QP and BA
Activity: ICW 16
Homework: Complete ICW Assignment before next class

Class 12: 2/22

Topic: Persuasive SOCAF
Activity: TBD

Week 7

Class 13: 2/27 Re-read: Ch. 3, 7 (pgs. 171–72), Table 7-L, Table 6-R
Topics: Roadmaps, Point Headings, and Subheadings

Class 14: 2/29 Topic: TBD
Homework: Prepare for individual conferences. **Complete outline for appellate brief and upload to Canvas no later than 11:59 p.m. on 2/29/2024. Be ready to discuss at individual conferences.**

Week 8 INDIVIDUAL WRITING CONFERENCES: 25-min. Meetings

Class 15: 3/5 Individual writing conference with Professor

Class 16: 3/7 Asynchronous (TBD)

SPRING BREAK 3/11 through 3/15

Week 9 PRACTICE ORAL ARGUMENTS THIS WEEK

Class 17: 3/19 Read: Ch. 11+ Supplemental Material (See Canvas)
Topic: Oral Argument Tips + Q & A
Activity: Arguing Off-Brief

Class 18: 3/21 Topics: Appellate Brief Q&A; Class Time as Draft Time

Extra Class: 3/22 Topic: Editing/Proofreading
(joint-Friday) Activity: Editing/Proofreading
9-10:30 a.m. at HOL 285B Brock Hall at HOL

APPELLATE BRIEF DUE: Saturday, March 23, 2024, by 11:59

Week 10 FINAL ORAL ARGUMENTS THIS WEEK

Class 19: 3/26 Topics: TBD

Class 20: 3/28 Topics: TBD

Week 11

Class 21: 4/2 Topics: Course Evaluations; Oral Argument De-brief
Activity: ICW 6 and 7 (Fed. and State Statutes)

ICW 12 and 13 (Signals and Parentheticals)

Homework: Complete ICW Assignment before next class

Class 22: 4/4 Activity: Research Project #3 (Legal Standard for Final Project)
In-Class Global Feedback: Appellate Brief

Week 12

Class 23: 4/9 No class: No class (class met on 2/2; Maguire Moot Court event)

Class 24: 4/11 Topic: Research De-Brief; Re-focus on Trial Memos;
Final Project Tips

FINAL

PROJECT: 4/12 Drops Friday, 4/12/2024

Week 13 WORKING ON FINAL PROJECT

Class 25: 4/16 TBD/possible guest speaker

Class 26: 4/18 TA Talk: Write-on Comp.—remind about ICW 17 (a five-part Law Review Exercise); Moot Court and Trial Team; Looking for a job? Starting Your Summer Job

FINAL

PROJECT: 4/19 FINAL PROJECT DUE FRIDAY 4/19/2024

Mon 4/22/2023: Last day of Classes