# Legal Writing II

#### LAW 6930, Section 1 Q (cLASS NO. 26462)

#### 3 Credit Hours

#### sPRING 2022

#### Class location: 355d Holland hall

#### MONDAYS AND WEDNESDAYS, 3:00 – 4:25 pm

professor: Mary E. Adkins

Email: [adkinsm@law.ufl.edu](mailto:adkinsm@law.ufl.edu)

Office Phone: 352.273.0880

Office Location: 318 Holland Hall

office Hours:

Mondays 1:15 – 2:45, Wednesdays 9:30 – 10:30, and by appointment. While you may always walk in during office hours, by signing up through Canvas you will have priority. 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.

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/> You are responsible for reviewing the page for course updates. I use the “Announcements” section of Canvas as my main source of communication with my students. Check it frequently. I also use the e-mail feature.

Required Texts:

Rocklin, Rocklin, Coughlin, and Patrick, *An Advocate Persuades* (2016)

The Bluebook: *A Uniform System of Citation* (21st ed.)

Course Objective and Goals:

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 oral argument in support of your legal position. Finally, you will further refine your research strategies.

Upon completion of this course, you should be able to:

* Continue practicing how to research, analyze, and write about legal issues under time constraints.
* Demonstrate increasing levels of citation literacy: the ability both to read legal citations and to write them with appropriate placement and style.
* Apply a lawyer’s ethical and professional standards in the context of written and oral advocacy.
* Frame a legal issue to persuade a court to rule in your favor.
* Demonstrate ability to engage in effective legal analysis and advocacy through, for example, constructing persuasive rules, effectively employing analogical reasoning, strategically applying law to fact utilizing policy arguments and selecting a persuasive and logical organizational structure.
* Demonstrate an ability to communicate your legal analysis in a polished, readable, and appropriately concise written product, including motion memos and appellate briefs.
* Demonstrate a fundamental understanding of the trial process, including the filing of trial motions.
* Demonstrate an understanding of the basic appellate process and fundamental appellate concepts, including the decision to appeal.
* Edit and proofread persuasive legal documents.
* Present legal arguments, and answer questions effectively, in meetings or simulated hearings.
* Prepare and effectively present an oral argument in support of your legal position in a simulated appellate oral argument.

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 EVALUATIONS:

Please 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/.  UF will notify you when the evaluation period opens; you can complete evaluations through the email you 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/.

## Course Policies:

Attendance Policy:

I will circulate an attendance sheet during each class period. You are expected to attend every class. However, **missing more than two class periods may result in a reduction of your final grade, and 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 part of your participation grade.

group work and Assignment PolicieS:

During the semester, our class will be divided into small groups of approximately seven students working with one teaching assistant. We will use these groups for in-class activities including writing labs, case discussions, peer review, research assignments, oral arguments 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 (both online and in person), successful completion of all assignments, and active participation in in-class group exercises.

*Late Policy*

Late assignments **will result** in your grade being 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 “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 and Collaboration*

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. In this class, you may not review the work of a fellow student or allow another student to review your work, unless expressly authorized by me.

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:

You may use your laptop or tablet for taking notes (even though many studies show that taking notes by hand is more effective). However, if you are doing anything not directly related to this class, I will penalize you. We will use computers in class frequently, so do plan to have it available.

ZOOM policy:

We will probably have a few classes via Zoom. Please comply with the following during Zoom sessions:

* Cameras are required to remain ON during the entire session.
* Use the “Raised Hand” button to ask questions during a session.
* Please dress appropriately—as you would during an in-person class—during Zoom sessions.

## 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:

5% Research assignments

35% Revised Statement of Case & Facts and Appellate Brief Argument Section

10% Trial Memo

50% Final Exam

Additionally, from time to time I may give “advisory grades” on other assignments. While these do not “count,” they indicate how well you are doing so that you can apply that knowledge to the assignments that do “count.”

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:

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| --- | --- |
| **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 |

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| **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)**

January 19 Introduction to Legal Writing II; overview of persuasion; intro to appellate case

Read:Familiarize yourself with our class Canvas page prior to first class.

Read the syllabus; decisions below; record on appeal; chapters 1, 2, 3 of text

(M) January 24 Discuss key cases (see Canvas module for today’s readings); sample brief; structure of brief

Read: Read key cases for today; chapter 12 of text

(W) January 26 Key cases (see Canvas module for today’s readings)

Read: Read key cases for today; court rules; chapter 5 of text

DUE: January 30, 11:59 p.m. on Canvas: Cover page and Question Presented

(M) January 31 Key cases (see Canvas module for today’s readings)

Read: Read key cases for today and record on appeal

(W) February 2 Structure of Argument

Read: Chapter 7

(M) February 7 Substance of Argument, part 1; assertive, persuasive writing style

Read: Chapter 6

DUE: February 8, 11:59 p.m. on Canvas: Outline of Appellate Argument

(W) February 9 Writing a persuasive Statement of Case and Facts

Read: Chapter 12

DUE: February 13, 11:59 p.m. on Canvas: SOCAF draft. You will be assigned a peer-review partner for in-class peer review for the Feb. 14 class.

(M) February 14 In-class peer review of SOCAF

Read: n/a

(W) February 16 Substance and organization of Argument, part 2

Read: Chapter 8

(M) February 21 Q&A regarding format, style, substance, and organization of appellate argument section

DUE: February 22, 11:59 p.m. on Canvas: Appellate Argument Draft

(W) February 23 Trial memo research assignment assigned

Read: Supplemental Material in Canvas (Research assignment)

(ALL WEEK: scheduled w/ your TA group) Mini-oral argument (5-minute practice session)

(M) February 28 Introduction to Appellate Oral Argument

Read: Chapter 14

DUE: March 1, 11:59 p.m. on Canvas: Trial memo research assignment

(W) March 2 Introduction to Trial Motions and memos; TA demonstration of appellate oral argument

Read: Chapter 4

(Th) March 3\* Joint Zoom Class (with Section 2 U): Final Q&A regarding Trial motion memorandum (This class gets you caught up with the T/Th sections.)

Read: Chapter 9

**March 7 – 11: Spring Break! It’s time to relax!**

(M) March 14 Common issues with Argument Section drafts

Read: Chapter 13

(W) March 16 No Class! Instead, you must schedule an individual meeting with me this week regarding your trial memo.

DUE: March 19, 11:59 p.m. on Canvas: Trial Memo

(T) March 22, noon\*

Zoom Panel discussion by Florida First DCA (former Florida Solicitor General) Judge Scott Makar and appellate lawyer Bryan Gowdy discussing case they argued before SCOTUS.

(W) March 23 No Class! Instead, you will hold practice oral arguments with your TA group this week.

(F) March 25 Optional writing workshop. Details to be announced.

March 28 – April 1 Final oral arguments this week in evenings. You and your partner will be assigned a 30-minute block between 6:00 and 9:00 one evening this week.

(M) March 28 Q&A regarding final oral arguments; common issues with trial memo drafts

(W) March 30 No Class: Final Oral Arguments this week.

DUE: March 30, 11:59 p.m., in Canvas: Revised SOCAF and revised Appellate Argument

(M) April 4 Course evaluations; oral argument post-mortem; writing exercise/quiz in class

(W) April 6 ZOOM Combined class with Section 2U: Editing tips; common issues with Appellate Argument

(M) April 11: Research exercise assignment in class

DUE: April 11, 11:59 p.m. on Canvas: Research exercise

(W) April 13: Research exercise discussed and explained

FINAL EXAM DROPS: April 15, 5:00 p.m.

(M) April 18 Limited Q&A regarding final exam

FINAL EXAM DUE: April 22, 11:59 p.m.

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.

*\*Not a regularly scheduled class time.*