

# Legal Writing I

Section 1-Q, Fall 2021

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Class Hours: Tue/Thu 3:30-4:25PM, Holland Hall 355D

Office Hours: Weds 3:30-5:30PM or by appointment

## GENERAL INFORMATION

This one-semester course introduces you to the form and content of accepted legal writing, focusing on clear, thorough analysis in objective legal writing. The skills you learn in this course will be fundamental both for the rest of your legal education and your eventual career as a lawyer.

This is the first of three writing courses required for graduation. Next semester, in Legal Writing II, you will build on these skills to learn about persuasive legal writing. And in your 2L year, you will build on them again to learn how to draft binding legal documents.

### Required Texts

1. Coughlin, Patrick & Rocklin, *A Lawyer Writes* (3d ed. 2020) (“ALW”)
2. *The Bluebook: A Uniform System of Citation* (21st ed. 2020)
3. McKinney & Pryal, *Core Grammar for Lawyers* (“CGL”). Buy at <http://coregrammar.com/getcgl>, using the discount code **UFL2021** and the course code **321-72-5330**
4. Lexis Interactive Citation Workstations (“ICWs”), available through your free Lexis account
5. Additional materials I will post to the course Canvas website as necessary

### Learning Aims & Outcomes

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. If you devote yourself to doing the best work you can, by the end of the course you should be able to:

- 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 a precise, clear, organized analysis of a legal issue predicting its outcome;
- Apply ethical and professional standards in crafting your written work; and
- Effectively and critically revise, edit, and proofread your legal writing.

The ABA requires that you spend an average of at least four hours per week on work outside of class for this two-credit course.

## Course Canvas Site

You will be able to access the course Canvas site via <https://elearning.ufl.edu/> starting a few days before our first class. **You must check Canvas frequently.** All course business will be conducted through Canvas. I will post all assignments, slides, supplemental readings, and course announcements there, as well as detailed instructions for your written assignments; you will turn in all your written work there; you will receive feedback from your TAs and me there; and you will sign up for office hours slots there.

## Legal Writing Teaching Assistants

During the semester, the class will be divided into small groups of approximately six students working with one teaching assistant. We will use these groups for in-class activities including writing labs, case discussions, peer review, and other in-class exercises. Your TA will also assist out of class with assignments. I encourage you to get to know your TA and speak with him or her regularly. Your Legal Writing TAs for this semester are:

- Natasha Chen, [nchen1@ufl.edu](mailto:nchen1@ufl.edu)
- Lindsey Joost, [ljoost@ufl.edu](mailto:ljoost@ufl.edu)
- Nicole Mueller, [muel022@ufl.edu](mailto:muel022@ufl.edu)
- Jacob Rine, [jakerine@ufl.edu](mailto:jakerine@ufl.edu)
- Megan Saia, [megansaia@ufl.edu](mailto:megansaia@ufl.edu)

They are all 2L students who did well in this course last year and are committed to helping you excel.

## Office Hours

Your TA is always available to you and should be your first port of call. But please also come to my office hours! I am always happy to get to know my students better. I will hold office hours on Wednesdays at 3:30-5:30PM, and you can sign up for an individual slot on Canvas. If you cannot make my scheduled office hours or all the slots are taken, I can meet with you at another time—email me to set that up.

There is one exception: neither your TAs nor I will meet with you at any point after you have received your final exam assignment but before you have turned it in.

## ASSIGNMENTS & GRADING

Through the semester, you will turn in five major written assignments (in addition to other assignments such as drafts and quizzes), as follows:

- WA#1: Case illustration
- WA#2: Discussion section of a legal memorandum
- WA#3: Client letter
- WA#4: Full legal memorandum
- WA#5: Final legal memorandum

There is no traditional final exam in this course—the final memorandum (WA#5) takes the place of an exam and will constitute 50% of your overall raw grade for the course. Another 35% of your raw grade will be determined by your performance on the first full legal memorandum (WA#4), and 10% by the

client letter (WA#3). The last 5% of your raw grade will be earned by timely and successfully completing your CGL, ICW, and other assignments.

In converting your raw grade into your final grade, **I may lower your grade by one half-step (e.g., from A- to B+) based on inadequate preparation, participation, attendance, or punctuality. I may also lower your final grade if you turn in any assignment late.** Conversely, and very rarely, I may increase your grade by one half-step if I determine that your raw grade does not reflect your exceptional classroom contributions and engagement with the course. Please consult the related course policies set out below.

Like all required courses, the final grades in this course will adhere to the law school's mandatory mean and grade distribution, set out at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies#grade-distribution>

### **Late Policy**

You must turn in your written assignments via the course Canvas site by 10PM on the due date.

If you turn in any assignment late, I may lower your overall grade for the course by one grade increment per day (e.g., from an A- to a B+). I will not accept any assignment turned in more than three days late. If you know you cannot turn in an assignment on time, you must request an extension from me in advance.

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

### **Academic Honesty & Plagiarism**

**All work you submit in this class must be your own.** For the written assignments up to the final exam, you may discuss cases and ideas with your classmates, but you may show your written work product only to me and your TAs (except as permitted during in-class peer review sessions). The final exam is different: while it is pending, you may not discuss any aspect of the exam with anyone except Dean Inman, Dean Mitchell, or other Student Affairs personnel responsible for the scheduling and integrity of the law school's exams. If you violate these instructions, you will fail this course and may be prohibited from sitting for the bar.

Academic honesty and integrity are fundamental values of the UF community. You must be sure that you understand the UF Student Honor Code set out at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honor-code-and-committee/honor-code>, which explains in detail what conduct constitutes plagiarism and the consequences for it. Ignorance of the rules is not a defense.

## **COURSE, SCHOOL, & UNIVERSITY POLICIES**

### **Policies To Prevent the Spread of Covid-19**

The UF Student Health Center offers Covid-19 vaccines to students at no charge. **The law school strongly encourages all students to become vaccinated if you have not already done so.** If you need an excused absence to get your vaccine or to recover from post-vaccine symptoms, I will happily grant one.

At the time of drafting this syllabus, you are expected to wear a mask while indoors at the law school, including throughout the entirety of class. As the Covid-19 pandemic develops, requirements may change. It is your responsibility to stay up to date with the latest requirements and follow them conscientiously. **If you refuse to follow any public health requirement put in place by the university or law school, I will have you removed from the course.**

If you have been exposed to Covid-19 or are experiencing Covid-like symptoms, please do not come to campus or, if you are already on campus, please immediately leave campus. Please use the UF Health screening system and follow the instructions about when you are permitted to return to campus.

### **Attendance & Punctuality**

Because this is a practical course, you will not be able to achieve the course objectives without attending class and actively participating in the discussions and exercises. You may miss two classes without penalty. If you miss more than two classes, I may reduce your final grade. **If you miss more than five classes, you will fail the course.** In accordance with UF policy, I will excuse an absence to observe a holy day of your faith only if you notify me of the absence in advance.

Attendance is measured solely by the sign-in sheet. Though I may ask a TA to oversee the attendance sheet, it is your responsibility to locate and sign the sheet at the beginning of class. By signing the sheet, you affirm that you were present during that class period. It is a serious violation of the Honor Code to falsely indicate that you were present in class, or to assist a classmate in such misrepresentation.

Punctuality is part of the professionalism expected of you as future lawyers. Please be in your seat and ready to begin class at the scheduled time. If you arrive more than 10 minutes late, you will not be permitted to sign the attendance sheet. Similarly, you may not leave class early without my prior permission.

### **Professionalism**

As noted above, you will frequently spend time in class working with your classmates in small groups, as well as reviewing their drafts and having them review yours. I expect you to behave courteously and professionally at all times.

During class, you must turn off and put away your cellphone (and any similar devices, such as a smartwatch). You are welcome to use a laptop or tablet to take notes or work on assignments. I will, however, ban your device if I find you using it for non-class purposes during class time.

### **Course Evaluation**

At the end of the semester, you will be expected to provide professional and respectful feedback about this course through an online evaluation. You can find guidance on how to give appropriate feedback at <https://gatorevals.aa.ufl.edu/students/>. When the evaluation opens, you will receive an email from GatorEvals with the link; you will also be able to see the link in Canvas, or at <https://ufl.bluera.com/ufl/>. I will allot time during one of our class periods for you to complete your evaluation.

### **Accommodations**

I am committed to making this course accessible to all. Reasonable accommodations ensure equal opportunity for students with disabilities. If you need accommodations, the first step is to register with

UF's Disability Resource Center (<https://disability.ufl.edu/>). The Center will issue a letter setting out the accommodations you are entitled to, which you must present to Dean Mitchell, the Assistant Dean for Student Affairs. Dean Mitchell will then work with me to make sure I properly implement your accommodations. Please follow this procedure as early as possible in the semester. **Please understand that I cannot grant you any accommodation not reflected in a letter and approved by Dean Mitchell.**

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>

### **Recording Classes**

You may record video or audio of class lectures only for the following narrow purposes: (1) for your sole, personal educational use; (2) in connection with a complaint to the university; or (3) as evidence in, or in preparation for, a criminal or civil proceeding. Recording for any other purpose is prohibited. Moreover, you may not publish, share, or transmit any part of your personal recording to anyone else—including another student in the class—without my written permission. If you do so 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.

If you need to have class recorded to help you with a disability, please arrange that through the Disability Resource Center (see above under “Accommodations”). The Center will have the classes recorded for you using the classroom cameras and microphones, which will give you far better-quality video and audio than your cellphone can provide.

## GETTING HELP

Law school can be very stressful, particularly in your first semester. If you are struggling, please know that you are not expected to “just deal with it”—indeed, an important part of professionalism is knowing when to ask for help. Feel free to reach out to me or to the Office of Student Affairs as a first step. UF also provides many other resources to help you through law school, including several options through UF's Counseling & Wellness Center. You can find a partial list here:

<https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/have-a-problem-we-can-help>

## PRELIMINARY COURSE OUTLINE

The following outline is preliminary only and will change as the course progresses. **You must check the course Canvas website regularly for updated assignments and deadlines.**

Readings are from *A Lawyer Writes* ("ALW") unless otherwise noted.

Wk	Date	Class Subject	Read/Complete for Class
1	Tue 08/24	How Attorneys Communicate	Syllabus; ALW Intro, Ch. 1 (How Attorneys Communicate)
	Thu 08/26	Sources & Systems of Law; How to Read a Case	Chs 2 (Sources and Systems of Law) & 3 (Reading for Comprehension)
Complete CGL Pre-Test by 10PM Sunday 8/29			
2	Tue 08/31	Legal Logic; Case Illustrations	Section 7.2 (Case Illustrations); WA#1-3 hypo, cases and statute
	Thu 09/02	Legal Memorandum Structure; Finding Your Argument; Organizing Your Legal Authority	Chs 4 (Finding Your Argument) & 5 (Organizing Your Legal Authority)
3	Tue 09/07	One Legal Argument; Explaining the Law	Chs 6 (One Legal Argument) & 7 (Explaining the Law)
	Thu 09/09	Peer Review: Case Illustrations	Supplemental material on Canvas  Upload draft case illustration and bring copy to class
	<b>WA#1: Case Illustration, due 10PM Sunday 9/12</b>		
4	Tue 09/14	Applying the Law; Conclusion to One Legal Argument	Chs 8 (Applying the Law) & 9 (Conclusion to One Legal Argument)
	Thu 09/16	Statutory Analysis; the Discussion Section	Chs 11 (Statutory Analysis) & 12 (The Discussion Section)
5	Tue 09/21	Intro to Citation	Review section 7.3 (Citing and Avoiding Plagiarism); FRAP 9.800; Bluepages
	Thu 09/23	Writing Workshop: WA#2	
	<b>WA#2: Memo Discussion Section, due 10PM Friday 9/24</b>		
Complete all CGL modules and Post-Test (minimum score 85%) by 10PM Sunday 09/26			
6	Tue 09/28	Communicating with Clients	Ch 17 (Client Letters)
	Thu 09/30	Writing Workshop: WA#3	
	Fri 10/01	<i>Moot Court Final Four</i>	
<b>WA#3: Client Letter, due 10PM Sunday 10/03</b>			
7	Tue 10/05	The Question Presented and Brief Answer	Ch 13 (Question Presented and Brief Answer)
	Thu 10/07	Turning to WA#4	WA#4 hypo and statute; bring two cases to class to discuss
	Complete ICWs #1 & 2 by 10PM Friday 10/08		

Wk	Date	Class Subject	Read/Complete for Class
8	Tue 10/12	Writing About Facts	Ch 14 (Statement of Facts)  Upload draft QP and BA for peer review before class
	Thu 10/14	Writing Workshop (WA#4)	Complete peer review online before class
	<b>Draft of WA#4 (except Conclusion), due 10PM Sunday 10/18</b>		
9	Tue 10/19	[Async class: work on ICWs]	
	Wed 10/20	<i>First DCA Oral Arguments</i>	
	Thu 10/22	Professional Emails	Ch 18 (Professional Emails)
	Complete ICWs #3 & 5 by 10PM Friday 10/23		
10	Tue 10/26	Concluding, Editing & Polishing	Chs 15 (Conclusion to the Memorandum) & 16 (Editing & Polishing)
	Thu 10/28	Writing Workshop (WA#4)	
	<b>WA#4: Full Memo with Cover Email, due 10PM Friday 10/29</b>		
11	Tue 11/02	<i>No class meetings: sign up for individual conferences to review your semester's work and prepare for the final memo.</i>	
	Thu 11/04		
	Complete ICWs #9 & 13 by 10PM Thursday 11/04		
12	Tue 11/09	Review; "Fun" with Citations	
	Thu 11/11	<i>No class—Veterans Day</i>	
	Fri 11/12	<i>Final memorandum assignment released</i>	
13	Tue 11/16	Q&A re Final	WA#5 packet
	Thu 11/18	Writing Workshop: WA#5	
	<b>WA#5: Final Memo, due 11:59PM Sunday 11/21</b>		
14	Tue 11/23	TA Tips & Goodbyes	