**Legal Writing**

**LAW 6930, Class #26473 (Section 3)**

**Spring 2022**

Instructor: Paige L. Snelgro (née Carlos)

Tuesdays & Thursdays, 3:00 p.m.-4:25 p.m.

Holland Hall, Room 285C

SYLLABUS

**Professor:** Paige L. Snelgro (née Carlos)

**Office:** 370D

**Telephone:** (352) 273-2063

**E-mail:** carlos@law.ufl.edu

**Office Hours:** Tuesdays, 10:45 a.m - 11:45 a.m.

 Thursdays, 10:45 a.m. – 11:45 a.m.

 and by appointment

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

*The Bluebook: A Uniform System of Citation* (21st ed., 2020).

Additional Course Materials available on Canvas

**Suggested:** Cupples & Temple Smith, *Grammar, Punctuation & Style: A Quick Guide for Lawyers & Other Writers* (2013).

**COURSE OBJECTIVES:**

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.

**ATTENDANCE:**

We will take attendance during each class period. You are permitted to miss two classes without penalty. Your participation grade may be lowered due to additional unexcused absences. Missing more than six classes will result in a failing grade in the course.

Excessive tardiness may also result in a grade penalty. 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>.

**CLASS PREPARATION:**

This course complies with ABA Standard 310. You should plan to spend approximately 2 hours out of class reading and preparing for in class assignments for every 1 hour in class.

You are expected to read all assigned materials and complete all assigned exercises, if any, before class. You may be called on in class to discuss the material and exercises assigned. It has never happened, but if you are unprepared to discuss the material or exercises assigned for class, you will be counted as absent for the day.

**GRADING:**

Assuming a student has a satisfactory attendance record, the student’s final course grade

will be determined primarily by your performance on your Final Memo Assignment. This assignment will serve as your ‘final exam’ and will offer you the opportunity to apply the skills you develop during the course.

Timely and satisfactory performance in all class activities and interim assignments is also required. Thus, 50% of your grade is based on the Final Writing Assignment, and 50% on your timely and satisfactory performance on all other written assignments, in-class participation and written participation assignments.

**Summary of Assignments, Due Dates and Their Relative Weight**

|  |  |  |
| --- | --- | --- |
| **Assignment** | **Due Date\*** | **Weight** |
| Final Appellate Brief | March 20th | 30% |
| Final Trial Memo | March 27th | 20% |
| Final Writing Assignment | April 22nd | 40% |
| Participation, Research Assignments, Drafts,  | *Due dates will vary* | 10% |

\* **due by 11:59 p.m. on date listed**

**GRADE VALUES FOR CONVERSION:**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Letter Grade | A | A- | B+ | B | B- | C+ | C | C- | D+ | D | D- | F |
| Grade Points | 4.0 | 3.67 | 3.33 | 3.0 | 2.67 | 2.33 | 2.0 | 1.67 | 1.33 | 1.0 | .67 | 0 |

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>. Requirements for class attendance, and make-up exams, assignments, and other work in this course are consistent with University of Florida policies that can be found at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

**POLICY REGARDING LATE SUBMISSION OF ASSIGNMENTS:**

A penalty for late submissions will be imposed. If you turn in a writing assignment late, and have not received prior permission from me, the score on **that assignment** will be lowered by one grade increment for every 24 hours the assignment is late. If you have an emergency, you must contact me at your earliest opportunity to obtain a special arrangement. There is no guarantee that I will allow any special arrangement or late submission of work absent a true emergency. This is the same professionalism you would be expected to provide to your law partner, a judge, or a client. Your professional career starts now.

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 that may be necessary. It is the University of Florida’s policy to accommodate religious holidays, and that policy will be honored.

**CLASS PARTICIPATION:**

Students are expected to complete all readings prior to class. Your readings are outlined in the syllabus. Additional readings may be assigned during the semester and posted to the Canvas site for this course. Your participation score is based on your preparedness and participation during class, your completion of drafts and other written assignments that will be announced throughout the semester and on your successful completion of all assignments. Each assignment will be evaluated for completeness, accuracy and timeliness.

**ELECTRONICS:**

You may use a laptop or tablet to take notes or to engage in class activities only. You may not communicate with one another during class via electronics unless specifically instructed to do so. Please do whatever is necessary to ensure that notifications, emails, and the like do not distract you. If you are using electronics to do anything not directly related to this class, I will penalize you. I may revisit or revise this policy as needed.

**ZOOM:**

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.
* Dress appropriately—as you would during an in-person class or meeting.
* Sit upright—as you would during an in-person class or meeting.

**OTHER POLICY STATEMENTS:**

A. Policy related to Make-up exams or other work.

The law school policy on delay in taking exams or submitting other assignments can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form>.

B. Statement related to accommodations for students with disabilities.

Students requesting classroom accommodation must first register with the Disability Resource Center (tel: 352-392-8565, or online at: <http://www.dso.ufl.edu/drc/> ) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the Dean Mitchell when requesting an accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

C. 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 or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

D. Honor Code.

*Collaboration*. You are bound strictly by the Honor Code. We will have some in-class group assignments. However, for the main written assignments, the work you do must be your own. Although you may discuss assignments with each other, you may not give answers to or receive answers from anyone. If you need help completing your assignments, please see me or contact your teaching assistant.

*Plagiarism*. Representing another’s work as your own constitutes plagiarism. Further, paraphrasing or quoting from a case, law review article, or any other source without properly acknowledging the source or without including quotation marks where such marks are appropriate constitutes plagiarism. The commission of plagiarism is prohibited. Any paper evidencing plagiarism will receive a failing grade and will be referred to the law school’s Honor Committee. It is no defense to a charge of plagiarism to plead ignorance of what constitutes plagiarism or lack of intent to plagiarize.

E. Format Requirements.

Unless instructed otherwise, writing assignments this term should be written in 12-point Times New Roman font, double-spaced, one-inch margins on all sides, and NOT justified, so that the text has a jagged edge on the right (like the text in this document). Each page should be numbered (bottom, center), and all citations should comport with the rules of *The Bluebook* or Florida Rules of Appellate Procedure 9.800.

F. Your Responsibilities to Other Classes.

As an attorney you will be responsible for many clients at the same time. You must attend to the legal affairs of multiple clients at once, even when you have a big project for one client. Similarly, when you have an assignment for this course, you are still responsible for attending your other classes and completing the work for those classes on time.

G. **Recording Lectures**

“Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled.  The only allowable purposes are (1) for 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.  All other purposes are prohibited.  Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture **does not** include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.”

**COURSE CALENDAR**

**Class Meeting Schedule and Assignments (Subject to change)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Date** | **Topics**  | **Reading & Assignments to be Completed *Before* Class** | **Notes** |
| 1/18 Tues. | Introduction to Legal Writing II; overview of persuasion; intro to appellate case | Read the syllabus; decisions below in *Shurtleff v. City of Boston*; AAP Chapters 1, 2, 3 of text |  |
| 1/20 Thurs.  | Discuss key cases; sample brief; structure of brief | Read key cases for today; AAP Chapter 12  |  |
| 1/25 Tues. | Key Cases  | Read key cases for today; court rules; AAP Chapter 5 |  |
| 1/27 Thurs. | Key Cases | Read key cases for today and record on appeal |  |
| **Cover Page and Question Presented are due by 11:59 p.m. on Sunday, January 30, 2022** |
| 2/1 Tues. | Structure of Argument  | AAP Chapter 7 |  |
| 2/3 Thurs. | Substance and Organization of Argument, Part I; Assertive, persuasive writing style  | AAP Chapter 6 |  |
| **Outline of Appellate Argument is due by 11:59pm on Sunday, February 6, 2022** |
| 2/8 Tues. | Writing a persuasive Statement of Case and Facts  | AAP Chapter 12 |  |
| **Draft Statement of Case and Facts is due by Noon on Thursday, February 10, 2022** |
| 2/10 Thurs.  | In Class Peer Review of SOCAF |  | You will be assigned a partner for in class peer review of the SOCAF  |
| 2/15 Tues.  | Substance and Organization of Argument, Part II | AAP Chapter 8 |  |
| 2/17 Thurs.  | Q&A regarding format style, substance, and organization of appellate argument section  |  |  |
| 2/22 Tues. | Trial Memo Research Assignment |  |  |
| 2/24 Thurs.  | Introduction to Appellate Oral Argument  | AAP Chapter 14 |  |
| **Draft of Appellate Brief Argument Section is due by 11:59pm on Sunday, February 27, 2022** |
| 3/1 Tues.  | Introduction to the Trial Memo; TA demonstration of Oral Argument  | AAP Chapters 4 & 9 |  |
| 3/3 Thurs.  | Mini Oral Argument Exercise  |  |  |
| **MARCH 7-11** **SPRING BREAK** |
| 3/14 Mon. or 3/15 Tues. (TBA) | Guest Lecture in lieu of class (Mat Staver, Liberty Counsel) |  | *I recommend that you have a draft of your Trial Memo complete by 3/13/2022. This is not a required assignment that you need to submit* |
| 3/17 Thurs.  | TBD |  |  |
| **Final Draft of Appellate Brief is due by 11:59 p.m. on Sunday, March 20, 2022** |
| 3/22 Tues. | Panel Discussion on Oral Arguments: Judge Scott Makar and Bryan Gowdy, Esq. |  | You and your partner will be assigned a 30-minute block one afternoon or evening during the week |
| 3/24 Thurs.  | Practice Oral Arguments in lieu of class (date/time TBA) |  | You and your partner will be assigned a 30-minute block one afternoon or evening during the week |
| **Final Draft of Trial Memo is due by 11:59 p.m. on Sunday, March 27, 2022** |
| 3/29 Tues.  | Final Oral Arguments  |  | You and your partner will be assigned a 30-minute block between 6pm-9pm one evening during this week |
| 3/31 Thurs  | Final Oral Arguments  |  | You and your partner will be assigned a 30-minute block between 6pm-9pm one evening during this week |
| 4/5 Tues. | Course Evals |  |  |
| 4/7 Thurs.  | NO CLASS |  |  |
| 4/12 Tues. | Research Exercise  |  |  |
| 4/14 Thurs. | Research Exercise explained  |  | Final Writing Assignment will be released by 5:00pm on April 15, 2022 |
| **Final Writing Assignment is due by 11:59 p.m. on Friday, April 22, 2022** |

**DISCLAIMER**: The terms of this Syllabus are subject to modification at the Instructor’s discretion. If modifications are made, students will be notified through their Professor’s Canvas page or in class.