**Legal Drafting Syllabus**

Cupples, Spring 2019

Law 6807, Section 16229

(Monday/Wednesday class)

**I. Work Load and Preparation for Class** (per ABA Standard)

American Bar Association Standard 310 requires that students devote 2 hours to out-of-class preparation for every “classroom hour” of in-class instruction. Legal Drafting has 2 “classroom hours” of in-class instruction each week; thus, the ABA standard requires at least 4 hours per week of preparation outside of class.

**II. Some Specifics re: Cupples’ Class**

In addition to course policies in the Client Files, the following pertains to Cupples’ class:

(1) **Assignment Due Dates**: regular assignments are due at the beginning of the class on

the due date ***even if you are absent*** that day. If you are absent, please email the assignment by the time that class starts (8:00 am).

(2) **One “Freebie” late assignment**: you may turn in one regular assignment late

(*not* quizzes or final project); otherwise, the policy in the Client

Files for late assignments applies.

(3) **Saving assignments**: please save assignments that are graded or are marked with

more than a check mark so that you can hand them in with final project at the semester’s end.

(4) **Handouts**: please carefully read any handouts that are uploaded to Twen or

emailed—the instructions and tips will save you time.

(5) **Grading**:

• 70% of raw grade**:** final project (take-home, blind graded)

• 30% of raw grade: average of 6 graded, take-home assessments based on course

materials. (The grading scale for take-home assessments will be posted).

• Factors relating to the calculation of the final-grade:

- Blind grade: your grade on the final project.

- Raw grade: average grade for all assessments + grade for final project.

- Final Grade: raw grades usually need to be bumped up to meet the mandatory

curve and grade distribution. Factors that play a part in whose raw grades are

bumped up include **diligence in** (a) preparing for class; (b) participating in class;

and (c) preparing assignments—graded and non-graded.

The scale for graded, take-home assessments (not the Final Project) is as follows:

A 96-100 B- 80-82 D+ 67-69

A- 90-95 C+ 77-79 D 63-66

B+ 87-89 C 73-76 D- 60-62

B 83-86 C- 70-72 F below 60

**III. Course Objectives & Learning Outcomes**

A primary objective of this course is to help students become **more law-practice-ready** by completing tasks that lawyers and courts must perform. Students will work from a portfolio of simulated fact patterns and applicable statutes, rules, and case law to prepare legal documents.

If you work diligently, Legal Drafting will help you become more law-practice-ready by helping you practice tasks that lawyers and courts must perform. In this course, students practice doing the following (among other things):

• Carefully reading and analyzing language, as courts and competent lawyers do.

• Applying laws, cases, rules, and conventions when drafting documents.

• Drafting and editing documents so that—

(1) they contain the content necessary for your case;

(2) the content is well organized and easy to follow; and

(3) the content is articulated so that it is clear, unambiguous, precise, and correct.

• Self-editing.

• Working independently.

• Working as part of a team.

• Keeping track of and meeting deadlines.

• Behaving in a manner suitable for a professional setting.

**IV. Cell Phones & Laptops**

Sometimes, lawyers must put away cell phones: e.g., when meeting with clients. During class—

• Cell phones must be ***silenced and*** ***put away***—not on table, not in lap. ☺

• Laptops should be closed unless you’re asked to open them.

**V. Overview of Document-Drafting Assignments**

Most assignments will be submitted in hard-copy form at the beginning of class—**please bring 2 printed copies** unless informed otherwise. A few assignments will be done in-class or not submitted. Here’s a list of the major, regular assignments:

(1) **Complaint**, negligence (in class) (5) **Collection of Sections** (1st contract)

(2) **Complaint**, breach of contract (6) **Preliminary version** (2nd contract)

(3) **Answer** to badly drafted complaint (7) **Legislation Exercise(s)**

(4) **Complaint**, statutory

The list doesn’t include the graded assessments, the final project, or any preparatory assignments that may come up (e.g., the practitioner’s guide to a statute).

**VI. Editing & Marking of Ungraded Drafting Assignments**

Some ungraded drafting assignments will be done in stages. We will go over portions of assignments in class so that you can practice doing the editing yourself (a skill necessary for lawyers).

I will mark the final version of (1) one complaint, (2) a collection of sections for the first contract, and (3) the preliminary version of the second contract.

**VII. Class Attendance**

Each student is expected to attend every class meeting. If a student is absent from more than four class meetings, the student **may be dropped from the class** roll and become ineligible to submit the final project. See the College of Law attendance policy at <http://www.law.ufl.edu/student-affairs/current-students/academic-policies>.

**VIII. Disclosures Regarding School Policies**

A. College of Law Grade Policy (Final Grades)

Grades for this course will be in compliance with the College of Law’s posted grading policy, including the mandatory mean and grade distributions. Final letter grades for the course are determined in accordance with the following point equivalency:

Letter Grade Point Equivalent

A (Excellent) 4.00

A- 3.67

B+ 3.33

B (Average) 3.00

B- 2.67

C+ 2.33

C (Below average) 2.00

C- 1.67

D+ 1.33

D (Poor) 1.00

D- 0.67

E (Failure) 0.00

B. University Policy on Grade Points

Information on the University policy as to assigning grade points is available at: <http://catalog>.ufl.edu/ugrad/current/regulations/info/grades.aspx

C. Accommodations

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, [www.dso.ufl.edu/drc/](http://www.dso.ufl.edu/drc/)) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to Student Affairs (Dean Rachel Inman) when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

D. Course Evaluations

Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at https://evaluations.ufl.edu/results/ .

E. UF Honesty Policy

UF students are bound by the Honor Pledge which states, “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: “On my honor, I have neither given nor received unauthorized aid in doing this assignment.” The Honor Code specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel.

For the University Honor Code, please see:

<http://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>

For the College of Law Honor Code, please see:

<http://www.law.ufl.edu/student-affairs/additional-information/honor-code-and-committee/honor-code>

If you have any questions or concerns, please consult with the instructor in this class.

***Schedule of topics starts on next page***

**Legal Drafting Topic-Coverage Schedule (Cupples) Spring 2019**

The assignment schedule **will be distributed in multiple parts** (instead of all at once) during the semester: that distribution reduces confusion by reducing the need to rewrite the schedule if we need to spend extra time on any assignments**.**

Most drafting assignments are to be completed outside of the class meetings. Each drafting assignment (not including assigned readings) may require at least 2 hours to complete. The Final Project will require far more than 2 hours, and the assessments may also.

The schedule for topic coverage is an estimate: we may need to spend more or less time on a given topic.

**Meetings 1-9** (Litigation Documents)

• Statutes, rules of civil procedure and judicial rules relevant to civil complaints.

• Common-law complaints.

• Answer.

• Statutory Complaint.

**Meetings 10-23** (Contracts)

• Preparation for contract drafting:

- How courts read and construe contracts.

- Precise writing.

- Grammar and punctuation.

- Clear sentence structure.

- Class conventions for contracts (phrasing, formatting, etc.)

• Drafting of collection of contract provisions.

• Drafting of preliminary contract.

**Meetings 24-26** (Legislative Documents)

Analyzing and critiquing legislation.

**Meetings 27-28**

Review for final project.