**Fall 2020 Syllabus – Jackson – Legal Writing**

Course number: LAW 5792 Credit hours: 2

Required texts: **Chew and Pryal, The Complete Legal Writer** (2d ed. 2020)

**The Bluebook** (21st ed. 2020)

**Core Grammar for Lawyers** (4th ed.) (use code UFLL2020 for discount)

**Legal Writing Course Materials** (on Canvas)

Recommended: **Dworsky, The Little Book on Legal Writing** (2d ed.)

Zoom Office Hours: Mon. & Thurs. 4:30 - 5:30 <https://ufl.zoom.us/j/6437443675>

**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.**

Upon completion of the course you should be able to:

. Demonstrate an understanding of the U.S. legal system and how lawyers use law to advise clients and resolve legal problems;

. Apply ethical and professional standards in crafting your written work;

·      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 an analysis of a legal issue predicting its outcome;

·      Use effective organizational techniques;

·      Write effective topic sentences, transitions, and paragraphs;

·      Write precisely, clearly, and concisely;

·      Use good grammar, syntax, punctuation, and document format;

·      Use legal citation correctly; and

·      Revise, edit, and proofread your legal writing.

Policies concerning grading, attendance, academic dishonesty, formatting of written assignments, untimely submission of written assignments, and other matters are set forth in the course Administrative Policies below. Reasonable accommodations will be made for students with disabilities. Requests for such accommodations should be directed to the Student Affairs Office.

**COURSE ADMINISTRATIVE POLICIES**

1. **Assignments; Grades**

The principal assignments in this course consist of office memos, a client letter, and an email memo. Two of the office memo assignments will entail extensive research; many of the assignments will require submission of a preliminary draft. Other writing exercises will be assigned over the course of the semester as well. Some assignments will not be very time-consuming, but others will require substantial effort, and you should expect that by the end of the semester you will have spent more than twice as much time working on assignments outside of class as you have spent attending class.

Grades will be determined on the basis of the Final Memo assignment (70%), the Memo #2 revised draft assignment (20%), and the Client Letter final draft assignment (10%). In exceptional cases, extraordinary (or extraordinarily deficient) course work throughout the semester also may be taken into account in determining the final grade. See also section 6 and “Grading Standards for Final Memo” below, and the law school grading policy at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9>.

1. **Collaboration on Writing Assignments**

Written work must be done independently. Unauthorized collaboration is an Honor Code violation. **Do not read any other student's work, and do not share your written work with any student** **other than your TA**, unless you have obtained my written permission to do so. Giving your work to another student violates the collaboration policy as much as taking work from another student does. If you use a typist, that person may not edit or direct you to edit what you have written.

You are **permitted to discuss** **ideas** relating to the writing assignments, and the importance or interpretation of cases. Such discussion is often helpful in refining and testing your interpretation and analysis. However, do not discuss which cases you plan to use in your memo, or how you plan to use them. Instead, frame your discussions around the legal issues. It’s fine to say “I don’t think the Cohen decision contributes anything to the analysis of the ‘clear and present danger’ test,” but don’t say “I’m not planning to discuss Cohen in my memo.”

1. **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, it 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 source.

When you cite to a case you are representing that the court opinion supports the proposition you’ve 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.**

1. **Proofreading**

Careless errors undermine your credibility, and thereby undermine the persuasive force of what you write. **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 source.

**5. Formatting Requirements for Writing Assignments**

All assignments are to be submitted electronically via the course Canvas website, in Word or .pdf format. Specific formatting requirements will be specified in class. For the office memo assignments, use 12-point Calibri font, with 1¼-inch margins on the left and right. Do not justify the right margin. Papers should be double-spaced, except for the heading. Page numbers should be located at the bottom center of each page.

**6.** **Class Attendance and Assignment Due Dates**

Class attendance and assignment due dates are mandatory. Excessive unexcused absences may result in a downward adjustment of your final grade or your dismissal from the course. Assignments turned in more than five minutes late will be noted as untimely; assignments turned in more than one hour late will be deemed delinquent. Unless the delay is excused, submission of multiple untimely assignments, or submission of any delinquent assignment, may result in a downward adjustment of your final grade. Computer failures, errors, and the like generally do not constitute a satisfactory excuse for failing to turn in an assignment on time. I therefore urge you to prepare for such contingencies: back-up your work, and plan to upload your document long enough before the deadline to find another computer in case the one you’re using fails.

**7.** **COVID-19 Safety Protocols**

We will have face-to-face classes to accomplish the student learning objectives of this course. In response to COVID-19, the following policies and requirements are in place to maintain your learning environment and to enhance the safety of our in-classroom interactions:

* **You are required to wear approved face coverings at all times during class and within buildings**. Following and enforcing these policies and requirements are all of our responsibility. Failure to do so will lead to a report to the Office of Student Conduct and Conflict Resolution. You also will no longer be permitted on the UF Law campus. Finally, Dean Inman will also report your noncompliance to the relevant state board of bar examiners.
* This course has been assigned a physical classroom with enough capacity to maintain physical distancing (6 feet between individuals) requirements. Please utilize designated seats and maintain appropriate spacing between students. Please do not move desks or stations.
* Sanitizing supplies are available in the classroom if you wish to wipe down your desks prior to sitting down and at the end of the class.
* Follow your TA’s guidance on how to enter and exit the classroom.  Practice physical distancing to the extent possible when entering and exiting the classroom.
* If you are experiencing COVID-19 symptoms (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>), 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 able to return too campus. <https://coronavirus.ufhealth.org/screen-test-protect/covid-19-exposure-and-symptoms-who-do-i-call-if/>.
* Course materials will be provided to you with an excused absence, and you will be given a reasonable amount of time to make up work.<https://catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/>.

**8. Course Evaluation**

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/>.

**Grading Standards for Final Memo**

**A or A-:** The memo 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 memo 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 memo lacks some of the sophistication present in an A or A- paper.

**B:** The memo constitutes a solid, well-reasoned and professional piece of work. The organization of the memo, the writing style, the use of citation and the formatting of the memo demonstrate mastery of the basics of memo-writing and citation.

**B- or below:** The memo 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.

**ASSIGNMENTS AND COURSE SCHEDULE**

The Course Calendar begins below. **Note that the schedule is tentative, and may change.** “CLW2” refers toChew and Pryal, The Complete Legal Writer, 2nd ed. Major assignments contributing to the final grade are shown in **Red Boldface** type.

**Aug. 24 Proving Points with Cases**

Read: Lucy v. Zehmer (on Canvas). Be prepared to discuss the rules the case establishes regarding contracts made while intoxicated or in jest.

**Aug. 27 Introduction to Genre Discovery; Thesis Sentences**

Read: CLW2 ch. 1, 3, 4; Syllabus and Course Administrative Policies, Sample Memo #1, and Introduction to Case Citation; Alexa Chew Video on Genre Discovery (all on Canvas). Optional: Dworsky ch. 1-2, 6.

Due: Draft a case summary for Lucy v. Zehmer.

**Aug. 31 Synthesizing Cases**

Read: Memo #1 fact pattern, statutes and cases (all on Canvas under “Memo #1 Materials”). Optional: CLW2 ch. 2, 6, 7

Due: **Revised Lucy case summary**; Core Grammar for Lawyers Pre-test

**Sept. 3** **Drafting Effective Case Summaries.**

Read: Optional: CLW2 ch. 30; Dworsky ch. 3, 7-8, 10.

Due: Citation Exercise

Sept. 7 Labor Day Holiday – No class

**Sept. 10** **Using Cases to Establish Necessary and Sufficient Conditions.**

Read: None.

Due: Case summary for Memo #1

**Sept. 14** **Office Memo Genre**.

Read: CLW2 ch. 9.

Due: Additional case summaries for Memo #1

**Sept. 17** **Organization of Analysis; Common Problems with Case Summaries**.

Read: CLW2 ch. 8.

**Sept. 21** **Guest Lecture on** **Principles of Organization and Elements of Style**.

Read: CLW2 ch. 29, 30; additional readings TBA.

Due: **Memo #1 Discussion section**

**Sept. 24** **Rule Application and Effective Case Analogies**

Read: Rule Application materials (on Canvas).

**Sept. 28** **Rule Application and Effective Case Analogies**

Read: TBA

Due: Rule application analysis

**Oct. 1** **Common Problems with Memo #1**

Read: CLW2 ch. 32; Supplemental Rule Application materials

Due: Core Grammar for Lawyers Post-test (minimum score: 85)

**Oct. 5** **Client Letter Genre**

Read: CLW2 ch. 11.

**Oct. 8** **Writing to Your Audience**

Read: CLW2 ch. 33.

Due: Client letter preliminary draft

**Oct. 12** **Memo #2 Issues and Assignments**

Read: CLW2 ch. 25 parts I-III; Memo #2 materials (on Canvas).

Due: **Client letter final draft**

**Oct. 15** **Caption, Question Presented, Brief Answer, and Statement of Facts**

Read: CLW2 ch. 9. Optional: CLW2 ch. 23; Dworsky ch. 13.

**Oct. 19** **Memo #2 Substance and Organization**

Read: Optional: Dworsky ch. 4-5, 11-12.

Due: Memo #2 question presented, brief answer & statement of facts

**Oct. 22** **Common problems with QP/BA/Facts; Memo #2 Q&A**

Read: TBA

Oct. 23 Moot Court Final Four competition [Friday @ 10:00 am]

Oct. 25 [Sun.] **Memo #2 Discussion section due by 11:59pm**

Oct. 26-30 **Individual conferences on Memo #2 draft** – sign up on Canvas.

**Oct. 26** **Email Memo Genre**

Read: CLW2 ch. 10; additional readings TBA

**Oct. 29** **Citation**

Read: CLW2 ch. 28.

Due: **Email memo**

**Nov. 2 Final Q&A re: Memo #2**

**Nov. 5** **Memo #2 Revised draft**

Read: None.

Nov. 9-12 **Individual conferences on Memo #2 re-draft** – sign up on Canvas.

Nov. 9 No class – individual conferences

Nov. 12 No class – individual conferences

Nov. 13 FINAL MEMO PACKET DROPS

**Nov. 16 Q & A re: Final Memo**

Read: None.

**Nov. 19** **Final Editing Tips**

Read: None.

**Nov. 22** [Sun.] **FINAL Memo due by 11:59pm**

**Nov. 23 Course Evaluation; Exam Taking Tips – Last class!**