Legal Writing II – Persuasive Writing § 3
LAW 6930, Class # 29594
Spring 2021
Instructor: Timothy McLendon
Mondays & Wednesdays, 3:00 PM
Holland Hall, Room 355B

SYLLABUS

Professor: Timothy McLendon
Office: 320 Holland Hall (on the 3rd floor at the far west of the building, in the office suite of the Center for Governmental Responsibility)
Telephone: (352) 273-0835
E-mail: mclendon@law.ufl.edu

Office Hours: Mondays, 9.30-10.30am
Wednesdays, 9.30-11.30am
Thursdays, 4.00-4.30pm
and always by appointment.

Core Grammar for Lawyers (software), by Carolina Academic Press.
The Bluebook: A Uniform System of Citation (21st ed., 2020).

Additional Course Materials available on Canvas

Course Objectives:
This course is designed to help students learn how to read, think, and write like a lawyer at the trial and appellate levels. The course build upon the foundation students received last semester in legal research and writing, using this to become effective persuasive writers. Together we will dissect and analyze your client’s case and will practice applying cogent legal arguments to support your client’s position. Students will then have the opportunity to argue their case in both a trial and appellate court format.

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

- Apply a lawyer’s ethical and professional standards in the context of written and oral advocacy;
- Demonstrate an understanding of appellate standards of review of trial court decisions;
• Use effective techniques of persuasion;
• Develop a theme and integrate that theme into your argument;
• Frame a legal issue to persuade a court to rule in your favor;
• Present a compelling account of all relevant facts;
• Write a persuasive argument, supported by credibility, logic, the law, and a commanding narrative;
• Use effective organizational techniques;
• Demonstrate an understanding of the importance of adhering to appellate procedural rules and formatting requirements for submitting appellate briefs to a court;
• Demonstrate an understanding of the basic appellate process and fundamental appellate concepts, including the decision to appeal;
• Edit and proofread a persuasive legal document; and
• Prepare and effectively present an oral argument in support of your legal position.

**Grading:**
15% Participation (includes successful and timely completion of research assignments, in class exercises, and oral argument presentations)
10% Motion for Summary Judgment
10% Appellate Brief
65% Final Exam

**Grade Values for Conversion**

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**Policy regarding late submission of assignments:**
If you turn in a writing assignment, and have not received prior permission from me, your FINAL GRADE will be lowered by one step (for example, B+ to B) for every 48 hours each paper 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. It is the University of Florida’s policy to accommodate religious holidays, and that policy will be honored.

**Professional Behavior during Class:**
Please do not arrive late to class, leave early, or leave during class absent extenuating circumstances. Please turn off cell phones during class. I reserve the right to lower your final grade if you engage in behavior that disrupts the learning environment.

**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.

**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. Your participation grade is based on not only in class participation, but also on your successful completion of all assignments. Each assignment will be evaluated for completeness, accuracy and timeliness.

This 2-credit course complies with ABA Standard 310. It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in-class assignments for every 1 hour in class.

**Other Policy Statements:**
A. **Policy related to Make-up exams or other work.**
The law school policy on delay in taking exams can be found at: http://www.law.ufl.edu/students/policies.shtml#12.

B. **Statement regarding accommodations for students with disabilities.**
Students with disabilities seeking accommodations should first register with the UF Disability Resource Center (tel: 352-392-8565, www.dso.ufl.edu/drc/) with appropriate documentation. After registering, students will receive a letter to give to the instructor when requesting any accommodations. Students with disabilities should follow this procedure as early as possible in the semester.

C. **Evaluations.**
Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at: ufl.bluera.com/ufl/. Evaluations are typically open during the last two or three weeks of the semester, and students will be informed when they are open. Summary results of these assessments are available to students at: https://gatorevals.aa.ufl.edu/public-results/.
D. **Academic Misconduct.**
Academic honesty and integrity are fundamental values of the UF community. Students should be sure that they understand the UF Student Honor Code at https://sccr.dso.ufl.edu/process/student-conduct-code/. 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. If you have any questions or concerns, please consult with the instructor.

E. **Zoom Policy.**
We will likely use Zoom for some sessions this semester. Please observe the following during any Zoom sessions:
- Keep your camera ON during the entire session.
- Use the ‘Raised Hand’ button under the Chat icon to ask questions during a session. (Alternatively, there will be at least one TA assigned to monitor Zoom, and the question can be submitted to the TA using Chat.)
- Please dress appropriately, as though you were attending class in person.

F. **Policy on Recording Classes.**
Students may not take, circulate, or post photos or videos of classroom discussions, whether they are in-person, hybrid, or completely online. Students failing to follow this rule may be referred to the College of Law Honor Code Council and the University’s Office of Student Conduct and Conflict Resolution.

G. **Policies in Response to CoVid-19 Pandemic.**
In response to the CoVid-19 pandemic, the Levin College of Law has adopted the following policies and requirements to allow for in-person classroom interactions:
- All persons 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, noncompliance may be reported 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 or at the end of class.
- Practice physical distancing to the extent possible when entering and exiting the classroom.
- If you are experiencing symptoms of CoVid-19 (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 to campus. (See https://coronavirus.ufhealth.org/screen-test-protect/covid-19-exposure-and-symptoms-who-do-i-call-if/).
• In the event you are quarantined, 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.
(See https://catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/).

Overview of Major Assignment Deadlines:
February 19    Writing Assignment #1 [Memorandum of Law in Support of
               Summary Judgment Motion]
February 24    Research Assignment #1
March 15       Research Assignment #2
March 22       Writing Assignment #2 [Appellate Brief Argument]
March 23-26    Practice Oral Arguments (dates subject to change)
March 29-April 2 Final Oral Arguments (dates subject to change)
April 7        Research Assignment #3
April 17       Final Exam Due

Class Schedule:
Classes will generally meet Mondays and Wednesdays at 3:00pm in Room 355B Holland
Hall.  Note: This is a tentative syllabus - assigned readings and assignment due dates may
change.

Outline of the Course:

Wednesday, January 20, 2021
Read:    Syllabus; Supplemental readings available on Canvas

Discuss:  Overview of course; Motion & Memo document maps

Monday, January 25, 2021
Read:    Supplemental readings on Canvas

Discuss:  Standards of Review; jurisdiction of district court & appellate court; Title VII cases.
Assigned: Standard for Summary Judgment memo

Wednesday, January 27, 2021
Read:    Supplemental readings on Canvas
Discuss:  Review of Research Process
Assigned: Research Assignment #1 (due on Feb. 24, 2021)
Monday, February 1, 2021
Read: Chew text, chapters 13 & 14
Discuss: Title VII cases; Complaints, Trial Motions & Briefs; Description of Writing Assignment #1 (Memo of Law in support of Motion for Summary Judgment, due Feb. 19, 2021)

Wednesday, February 3, 2021
Read: Sample motions on Canvas
Discuss: Trial motion analysis; Outline of Motion for Summary Judgment Memo

Monday, February 8, 2021
Due: Draft Trial Court Motion for Peer Review
Discuss: Trial Motions

Wednesday, February 10, 2021
Read: Chew text, chapter 15
Discuss: Motion Hearings; TA Demonstration in class; Questions re Research Assignment #1

Monday, February 15, 2021
Activity: Motion Hearing Arguments in class
Discuss: Common issues with draft memos

Friday, February **, 2021
View Maguire Moot Court Competition before Florida Supreme Court justices.
Time TBA

Wednesday, February 17, 2021
Activity: Motion Hearing Arguments in class
Discuss: Questions re Motion for Summary Judgment Memo
Friday, February 19, 2021
Writing Assignment # 1 due (Memorandum of Law in Support of Motion for Summary Judgment)

Monday, February 22, 2021
Discuss: Common issues with WA#1; Introduction to Appellate Briefs; Appellate Brief document map; Federal Appellate Jurisdiction

Wednesday, February 24, 2021
Research Assignment #1 due
Discuss: Research Assignment #1 results & process; Introduce Research Assignment #2 (due Mar. 15, 2021)
Activity: Draft Jurisdictional Statement & Question Presented

Monday, March 1, 2021
Read: Sample Appellate Brief; Chew, chapters 16 & 23
Discuss: Statement of Case & Facts
Activity: Draft Statement of Case & Facts

Wednesday, March 3, 2021
Discuss: Appellate Briefs; Outlining Argument
Activity: Outline of Argument for Writing Assignment #2

Monday, March 8, 2021
Draft of Writing Assignment #2 due
Read: Supplemental reading on Canvas
Discuss: Introduction to Oral Argument
Wednesday, March 10, 2020
TA Oral Argument Demonstration
Discuss: Summary of Argument; Research Assignment #2 Questions

Monday, March 15, 2021
Research Assignment #2 Due
Read: Supplemental readings on Canvas
Discuss: Results & process for Research Assignment #2
Activity: Draft Summary of Argument

Wednesday, March 17, 2021
Discuss: Common issues & problems with Draft Arguments
Activity: drafting in class

Monday, March 22 – Friday, March 26, 2021
Practice Oral Arguments (with TA groups)

Monday, March 22, 2021
Writing Assignment #2 due (Appellate Brief Argument)
Discuss: Introduction to Research Assignment #3; Questions about final oral arguments

Wednesday, March 24, 2020
No Class

Monday, March 29 – Friday, April 2, 2021
Prepare & Present – Final Oral Arguments
Your final oral argument will be scheduled on one of these nights (subject to judge availability)

Monday, March 29, 2021
No Class
**Wednesday, March 31, 2021**

Discuss: Common problems & issues with Writing Assignment #2

**Monday, April 5 – Friday, April 9, 2021**

Individual Research & Writing Conferences with Prof. McLendon – sign up on Canvas

**Monday, April 5, 2021**

Read: Supplemental readings on Canvas

Discuss: Evaluations; Review of Motion Writing

**Wednesday, April 7, 2020**

No Class

Research Assignment #3 due

**Saturday, April 10, 2021**

Final Exam Released

**Monday, April 12, 2021**

Read: Chew, chapters 28, 29, 30

Discuss: Editing & Polishing Final Exam memo

**Wednesday, April 14, 2021**

Guest Speaker

**Saturday, April 17, 2021**

FINAL EXAM due on Canvas by 11.59pm

**Monday, April 19, 2021**

TA Info Session on Summer Strategies