

## **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 3<sup>rd</sup> 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](mailto: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.

**Required Textbooks:** Alexa Chew & Katie Pryal, *The Complete Legal Writer* (2<sup>nd</sup> ed., 2020).  
*Core Grammar for Lawyers* (software), by Carolina Academic Press.  
*The Bluebook: A Uniform System of Citation* (21<sup>st</sup> 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**

Letter Grade	A	A-	B+	B	B-	C+	C	C-	D+	D	D-	E
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>.

**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/](http://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/](http://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)
<b>March 29-April 2</b>	<b>Final Oral Arguments</b> (dates subject to change)
April 7	Research Assignment #3
<b>April 17</b>	<b>Final Exam Due</b>

**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**

**Read:** Supplemental readings on Canvas; federal jurisdictional statutes (28 U.S.C. §§ 1331, 1332; 18 U.S.C. § 3231; 28 U.S.C. § 1291)

**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**