

**Legal Writing II – Persuasive Writing § X**  
**LAW 5793, Class # 21049**  
**Spring 2025**

Instructor: Timothy McLendon  
Tuesdays & Thursdays, 1:15 PM  
Holland Hall, Room 360

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, 3.00-4.00pm  
Tuesdays, 3.00-4.00pm  
Thursdays, 3.00-4.00pm  
and other times by appointment.

**Required Textbooks:** Joan M. Rocklin et al., *An Advocate Persuades* (2<sup>nd</sup> ed., 2022).  
*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:**

25% Participation [includes successful and timely completion of collaborative trial memo, WA#1 (5%), in class exercises and oral argument presentations (10%), and appellate brief outline, WA#3 (10%)]

25% Writing Assignment # 2 - Trial Court Memorandum of Law

50% Writing Assignment # 4 - Final Appellate Brief

**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>.

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:**

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 24 hours each paper is late. I reserve the right not to accept an assignment submitted more than three days 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.

**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.

**Other Policy Statements:****A. Policy related to Make-up exams or other work.**

The law school policy on exam delays and accommodations can be found [here](#).

**B. Statement related to accommodations for students with disabilities.**

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

**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. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may 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 [here](#).

#### D. Honor Code.

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

*Collaboration.* All work you submit in this class must be your own independent work unless I have specified that an assignment is “collaborative.” If an assignment is “collaborative,” please follow my directions about how and with whom you may collaborate. Generally, although you may discuss assignments with each other, you may not give answers to anyone, receive answers from anyone, read the work of another student (whether or not that student is enrolled in Legal Writing) or allow student to read your work. From time to time, this rule may be relaxed for a specific project, but I will let you know if, and exactly when, this is done. If you need help completing your assignments, please see me or contact your teaching assistant.

Unless I specifically instruct otherwise, you may not use any large language models or generative AI (*e.g.*, Chat GPT, Claude, Omni etc.) to assist you with any of our assignments. This includes the generative text feature of Grammarly. However, you may use both Word and Grammarly for non-generative features such as grammar, spelling, syntax, and punctuation support. While I encourage you to use those features of Word and Grammarly, you are solely responsible for all choices you make in drafting any assignment you submit.

*Plagiarism.* Plagiarism is an Honor Code violation. Sources must be acknowledged, not only when you quote the text, but also when you paraphrase. Direct quotes must be indicated by the use of 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. The language within 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 check the accuracy of all quotations against the source.

When you cite to a case, you represent that the court opinion supports the proposition you have asserted. Note that the headnotes and syllabus of a case are not part of the court opinion and should never be cited.

#### E. Observance of religious holidays.

UF Law respects students’ [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.

- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

#### F. Class Preparation.

This course complies with ABA Standard 310. The required readings for this course, posted below, will require approximately 120 minutes of reading and preparation for each class session.

#### G. 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, 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.

#### H. Basic Needs Assistance.

Any student who has difficulty accessing sufficient food or lacks a safe place to live is encouraged to contact the Office of Student Affairs. If you are comfortable doing so, you may also notify me so that I can direct you to further resources.

#### I. In-Class Recording.

All classes will be recorded via Mediasite in case students must miss class for health reasons. The Office of Student Affairs will work with faculty to determine when students may have access to these recordings, and the recordings will be password protected. It is the student's responsibility to contact the Office of Student Affairs as soon as possible after an absence.

### **Summary of Assignments & Due Dates.**

<b>Assignment</b>	<b>Due Date</b>	<b>Weight</b>
WA #1 Collaborative Trial Memo of Law	February 9	5%
WA # 2 Second Trial Memo of Law	March 2	25%
WA # 3 Outline of Appellate Brief	March 29	10%
WA # 4 Final Appellate Brief	April 13	50%
Participation, Exercises & Oral Argument	<i>Due dates will vary</i>	10%

**Class Schedule:**

Classes will generally meet Tuesdays and Thursdays at 1:15pm in Room 360 Holland Hall. **Note:** This is a tentative syllabus - assigned readings and assignment due dates may change.

**Outline of the Course:**

<b>Date</b>	<b>Subject Matter &amp; Reading Assignment</b>	<b>Assignment due</b>
Class 1 Tues., January 14	Intro to Persuasive Writing. Read AAP ch. 1,2,3 & 5; read Record for MSJ on Canvas.	
Class 2 Thurs., January 16	Standards of Review; jurisdiction of district & appellate courts. Read: AAP ch. 8 & App. B & sample trial. Research Project #1 – Standard of Review for Motion for Summary Judgment – complete by next class	
Fri., January 17	Moot Court Final Four Competition (observe posted video & write 150-word impression; e-mail to your TA)	
Class 3 Tues., January 21	Read AAP ch. 4 & Record on Canvas. Charting key cases in TA groups	
Class 4 Thurs., January 23	Read AAP ch. 4, 3.1 & 10. Discuss key cases. Theme & Persuasive Statement of Facts. Homework: 1-3 sentence theme & 1-page Statement of Facts.	
Class 5 Tues., January 28	Read AAP ch. 3,5 & 6. Review themes & statement of facts. Organizing Argument & Point Headings. Homework: draft point headings & initial conclusions. Sketch of argument	
Class 6 Thurs., January 30	Read AAP 5.1 & 5.2, 6.2. Review point headings. Discuss persuasive rule statements & case illustrations for CREAC.	

	Homework: Draft Rule & Rule Explanation for Trial Memo (WA#1).	
Class 7 Tues., February 4	Read AAP ch. 5.3, 6 & 7. Persuasive arguments & counter-arguments. Homework: Draft Application for Trial Memo (WA#1).	
Class 8 Thurs., February 6	Read AAP ch. 8 & App. B Intro sections of Trial Memo. Editing, checking citations & quotations. Writing Lab.	
<b>Sun, February 9</b>		<b>Writing Assignment #1 (Collaborative Trial Memo) due</b>
Class 9 Tues., February 11	Read Record for WA#2 on Canvas. List critical facts. Begin procedural & substantive research.	
Class 10 Thurs., February 13	Federal Research & Case Organization. Homework: Case charts; point headings; discussion outline with case illustrations in the RE. <b>Due Fri., Feb. 17.</b>	
Class 11 Tues., February 18	Discuss Point Headings, Rules & Case Illustrations. Homework: Outline of Case Charts, point headings & put cases into discussion outline. <b>Due Thurs., Feb. 20.</b>	
Class 12 Thurs., February 20	Discuss Applications. Homework: Outline or better of RA of discussion section. <b>Due Mon., Feb. 24.</b>	
Class 13 Tues., Feb. 25	SOF, Intro & Preliminary Statement to Trial Memo. Homework: Draft SOC, Intro & Prelim. Statement. <b>Due Thurs., Feb. 26.</b>	

Class 14 Thurs., Feb. 27	Read: Draft Statement of Case & Facts. Read AAP ch. 14. Draft Statement of Case & Facts.	
<b>Class 15 – Extra Class Fri., Feb. 28</b>	<b>Writing Lab, 12.30-1.55pm, 285C HOL</b> Editing, proofreading & cite checking trial memo.	
<b>Sun., March 2</b>		<b>Writing Assignment #2 (Trial Memo of Law) Due</b>
Class 16 Tues., March 4	Record for Appellate Brief on Canvas. Asynchronous Research Class.	
Class 17 Thurs., March 6	Transition to Appellate Writing. Read AAP, ch. 9. Procedural & Substantive Research. Homework: Initial case charts. <b>Due Sunday, Mar. 9.</b>	
Class 18 Tues. March 11	Read AAP, ch. 3 & 7. Roadmaps, Point Headings & Sub-Headings. Work on organization & outlining of appellate brief.	
Class 19 Thurs., March 13	Persuasion through Case Law. Read AAP, Appendix C & other materials to be distributed. Activity: ICW 12 & 13 (signals & parentheticals). <b>Due Sun., Mar. 23.</b> Homework: Draft Outline of Brief with point headings & case names identified (including those in RE). <b>Due Sun. Mar. 16.</b>	
<b>March 17-21</b>	<b>SPRING BREAK.</b>	
Class 20 Tues., March 25	Theme, Appellate QP & Summary of Argument. Read AAP, ch. 9.3 Activity: ICW 6,7 & 16. Drafting Outline of Brief.	



Class 21 Thurs., March 27	Statement of Jurisdiction & SOCAF for Brief. Read AAP ch. 10	
Fri., March 28	Optional writing workshop. Details to be announced.	
<b>March 25-29</b>	<b>Final oral arguments scheduled one evening this week.</b>	
<b>Sun., March 30</b>		<b>Writing Assignment # 3 (Outline of Appellate Brief with QP, SOCAF, Point Headings &amp; Cases Slotted) Due</b>
<b>Week of March 18-22</b>	<b>Mini-Oral Arguments with TA Groups this week.</b>	
<b>Week of March 18-22</b>	<b>Individual Writing Conferences with Prof. McLendon.</b> 20 Minute meetings – be prepared to discuss your progress including arguments, cases for illustrations.	
Class 22 Tues., April 1	No Class due to conferences with Prof. McLendon	
Class 23 Thurs., April 3	Watch Maguire Moot Court Competition (link will be provided). Meet with your TA Group for 5-minute mini-oral argument, Continue work on Appellate Brief & your oral argument.	
<b>Week of April 7-11</b>	<b>Practice Oral Arguments this week.</b>	
Class 24 Tues., April 8	Oral Argument Tips. Read AAP ch. 11 & supplemental material on Canvas. Prepare full oral argument (10 minute). <b>Your 10-minute practice oral argument will occur sometime this week.</b>	

Class 25 Thurs., April 10	Appellate Brief Q&A. Edit, proofread & cite check appellate brief.	
Fri., April 11	Optional Writing Lab to work on Appellate Brief.	
<b>Sun., April 13</b>		<b>Writing Assignment #4 (Full Appellate Brief) Due</b>
<b>Week of April 14-16</b>	<b>Final Oral Arguments</b> Monday, Tuesday & Wednesday evening from 5.00-8.00pm	
Class 26 Thurs., April 17	Oral Argument De-Brief. Course Evaluations. TA Discussion on Journal Write-On Competition & Skills Team Try- Outs.	