

LEGAL DRAFTING
LAW 6807, Section 4735 (2 credits)
Fall 2023

Professor Kristen Hardy
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(352) 273-0883
Office Location: 370C (Hol)
Office Hours:
Tuesdays 11a.m.-12p.m. (*virtual*)
Thursdays 12 noon-1p.m. (*in-person*)
And by Appointment in Person or Online

This class will meet on Tuesdays and
Thursdays from 3:15 p.m. – 4:10 p.m. in
Hol 355D.

COURSE OVERVIEW, SYLLABUS & POLICIES

Welcome to *Legal Drafting*! This document provides an overview of the course and its learning objectives, university policies, and a topical outline that covers the first part of our course.

I.

Course Description and Learning Objectives

The primary objective and goal of this course is for you to learn how to review, draft, and analyze contracts.

By the end of this course, you should be able to:

1. Understand the business purpose of contract concepts.
2. Draft each part of a contract with clarity and without ambiguity.
3. Effectively work through the drafting process.
4. Understand, draft and comment on contracts and basic transactional documents commonly encountered in practice with the client's goals and objectives in mind.

ABA Standard 310 requires that students devote approximately 2 hours out of class reading and/or drafting an assignment for every 1 hour in class.

Course Texts

1. Stark, Tina L., *DRAFTING CONTRACTS* (2nd Edition), ISBN #978-0-7355-9477-7, Wolters Kluwer Law and Business.
2. Supplemental Material Posted to Canvas.

Course Website

You may access the course website at: <http://elearning.ufl.edu/>. All course business will be conducted through the website. I will post all reading assignments, supplemental readings, and course announcements there; and you can sign up for office hour appointment slots there.

Office Hours

I will hold office hours., beginning the week of September 4, 2023. My office is located in Holland Hall 370C.

I will hold a **Zoom office hour on Tuesdays between 11:00 a.m.-12:00 p.m.** My Zoom office “door” will remain open during that time and students may meet with me with or without an appointment. My Zoom office hour link can be found on the course website.

I will hold an **in-person office hour on Thursdays between 12:00 noon -1:00 p.m.** You can drop by or schedule an appointment through the course website.

I am also happy to meet with you at other times. I will try to accommodate any student who needs to meet with me, even if it is outside of the listed hours. These meetings may be conducted in person or via Zoom. Please contact me, should the need arise, and we will find a time that works.

Also, if you are sick, or have been exposed to someone who is, I am happy to meet with you via Zoom.

I reserve the right to amend this guidance as the semester progresses.

II.

Communication

Changes in class meeting times or assignments may be necessary during the semester, and you will be notified of the changes as early as possible. You are responsible for checking your e-mail and the course website daily for changes in meeting times or assignments. Further, you are responsible for complying with announcements regarding revisions to the content of this course.

Attendance

This is a skills-based course, which means that your attendance is essential to achieving the course objectives. Your active and consistent participation in the class discussions and exercises is expected and required. Put another way, class attendance is mandatory.

Missing Class. Despite our best efforts, unplanned circumstances sometimes arise. Therefore, you may miss two (2) classes without penalty. If you miss more than two (2) classes, I may reduce your final grade. **If you miss more than six (6) classes, you will fail the course.**

Any days missed to observe a religious holiday will not be counted against you for attendance purposes if you notify me of the absence in advance.

Excessive tardiness will also result in a grade penalty.

Submission of Assignments

Assignment Submission. You must turn in your written assignments (including homework) via the course website by the given deadline. *Computer problems, including e-mail or Canvas problems, should be foreseen and are not grounds for an extension.* Plan your time accordingly. Late assignments **will result** in your grade being lowered by one grade increment per day. An assignment will not be accepted if it is more than three days late.

Extensions. Extensions will be granted only for serious matters beyond the student’s control. If you find yourself in an emergency situation, contact me. Exceptions may be made for legitimate emergencies. If possible, request an extension before the assignment’s due date.

Computer Policy

We will be using computers in class frequently, so do plan to have them available each class.

Professional Behavior During Class

Please do not arrive late to class or leave early 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.

You are expected to come to class prepared and ready to fully participate in class activities and assignments.

Grading and Evaluation

In this course, a student’s grade will be based on the following:

45%	20%	Homework
	5%	Quiz #1
	5%	Quiz #2
	5%	Quiz #3
	5%	Quiz #4
	5%	Quiz #5
25%	Mid-Semester Project – Due: Thursday, October 26, 2023	
30%	Final Project – Due: Monday, November 27, 2023	
100%	TOTAL	

UF Levin College of Law Standard Syllabus Policies

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

Policies to Prevent the Spread of COVID-19

Faculty, staff, and students are all expected to follow the policies and requirements set forth by the University of Florida with respect to preventing the spread of COVID-19. These policies are subject to change from time to time. Please refer to <https://coronavirus.ufl.edu/university-updates> for the latest guidelines. Thank you, in advance, for your community mindedness and for your efforts to help keep our law school community healthy.

If you are feeling sick in any way during the semester, please stay home and contact me and the Office of Student Affairs at student.svc@law.ufl.edu.

Please do not come to class if you test positive for COVID-19 through a PCR, rapid antigen or any at-home test.

Zoom Policy

On occasion, we may need to use Zoom to facilitate a class discussion. Please comply with the following during Zoom sessions:

- Cameras are required to remain ON during the entire session.
- Use the “Raised Hand” button under the Chat icon to ask questions during a session.
- Please dress appropriately—as you would during an in-person class—during Zoom sessions.

Student Support

Any student who has difficulty accessing sufficient food, lacks a safe place to live, or who is experiencing any other personal hardship, is encouraged to contact the Office of Student Affairs at the phone number or email address that appears below. If you are comfortable doing so, you may also notify me so that I can direct you to further resources.

Counseling and Psychological Services

Many students at University of Florida Levin College of Law face personal challenges or have psychological needs that may interfere with their academic progress, social development, or emotional health. The law school and Gainesville community offer a variety of confidential services to help you through difficult times, including individual and group counseling, crisis intervention, consultations, online chats, and mental health screenings.

You can reach the law school’s mental health counselor, **Ritzy Ettinger** at email rettinger@ufl.edu or call **352-273-0620**.

You can also reach out to the following entities:

UF Counseling & Wellness Center/Gator-2-Gator
401 Peabody Hall
Gainesville, FL
Phone: 352-392-1575
Website: <https://counseling.ufl.edu/services/crisis/>

UF Crisis Hotline (24 hours/7 days/week)
Phone: 352-392-1575

Alachua County Crisis Center
Phone: 352-264-6789
Website: <https://www.alachuacounty.us/Depts/CSS/CrisisCenter/Pages/CrisisCenter.aspx>

University of Florida Levin College of Law
The Office of Student Affairs
Phone: 352-273-0620
Email: student.svc@law.ufl.edu

University of Florida * “U Matter, We Care”
Phone: 352-294-CARE (2273)
Email: umatter@ufl.edu
Website: <https://umatter.ufl.edu>

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III.

Course Outline (Weeks 1-7)

	Class	Assigned Reading (Due Before Class)	Assigned Homework (Due Before Class)	Class Discussion
Week 1	8.22	Read: Introduction to Course (Chs. 1 and 2)	Student Introductions	The Litigation/Transaction Connection
	8.24	Read: Translating the Business Deal to Contract Concepts (Chs. 3 and 4) and Legalese (Ch. 18)	Writing in Plain English	Translating the Business Deal into Contract Concepts
Week 2	8.29	Read: A Contract's Parts (Ch. 5)	Identify Parts of a Contract and Draft a Car Purchase Agreement	A Contract's Parts
	8.31	Read: Organizing a Contract and Its Provisions (Ch. 26)	Organize Provisions in an Employment Agreement	Translating the Business Deal into Contract Concepts
Week 3	9.5	Read: The Drafting Process (Ch. 27)	Review the Contract Drafting Process	Walking through the Drafting Process
	9.7	Read: Introductory Provisions (Ch. 6)	Rules for Drafting a Contemporary Preamble in Plain English	Drafting Beginning Sections of the Contract
Week 4	9.12	Read: Defined Terms (Ch. 7)	Draft Definitions	Drafting Definitions
	9.14	Read: [Recitals] and Action Provisions (Ch. 8)	Draft Preamble, Recitals and Words of Agreement	Drafting the Action Sections and Payment Provisions

Week 5	9.19	Read: Representations & Warranties (Ch. 9)	Draft Representations & Warranties	Drafting Guidelines; Drafting With Third-Parties In Mind
	9.21	No Reading	Watch DISCUSSION BOARD CLASS ASSIGNMENT (in lieu of 9.21 class lecture): Ethics for Transactional Attorneys	No Class
Week 6	9.26	Read: Drafting Covenants and Rights; Will and Shall (Chs. 10 and 13)	Draft Covenants and Rights (use Will and Shall appropriately)	Drafting Guideline; Covenants & Rights
	9.28	Read: Conditions to an Obligation (Ch. 11)	Draft Conditions to an Obligation Provision	Introduction to Course, The Seven Contract Concepts
Week 7	10.3	Read: Discretionary Authority and Declarations (Ch. 12)	Draft a Provision with Discretionary Authority and Declarations	Piecing It All Together (Contract Concepts Summary Chart)
	10.5	Read: Drafting Clearly and Unambiguously (Chs. 18, 19, 20, and 21)	Draft Clear and Unambiguous Contract Provisions	Correcting Ambiguity

***** I will circulate an updated Course Outline after Week 6.**