

**University of Florida Levin College of Law
Legal Writing II – Spring 2026
LAW 5793 Class Number 19475 Section Y
Tuesdays and Thursdays 2:30pm to 3:55pm
Holland Hall 355C**

PROFESSOR:

Heather M. Kolinsky
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Holland Hall 328

OFFICE HOURS:

I will hold regular drop-in office hours on Wednesdays from 1:30pm to 4:30pm.

You may also schedule an appointment with me during regular business hours Monday through Thursday. If you want to drop by, and my door is open, I am happy to meet with you briefly. Additionally, if you have questions regarding the course or a specific assignment, please feel free to email me. I try to respond to emails quickly. TAs will be available to assist you as well, and information about their availability will be forthcoming.

I will hold extra office hours and/or extra writing sessions during the week before assignments are due. This will ensure that all students wanting to see me can do so. **I reserve the right to limit in both time and frequency the number of individual appointments a student schedules with me during the week preceding an assignment due date to allow access to all students.** **Note: Office hours and other conferences will not be held (with me or with your TA) within the 24 hours prior to graded-assignment due dates.**

Teaching Assistants:

Jake Donovan	jakedonovan@ufl.edu
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COURSE OBJECTIVE AND GOALS

Welcome to Legal Writing II! The primary objective in Legal Writing II is for you to learn to conduct your own legal research, construct thorough legal arguments, and to express those arguments persuasively in writing in both trial and appellate court documents. You will also learn to prepare and present an oral argument in support of your legal position on your appellate brief. If you devote yourself to doing your best work, upon completion of this course you should be able to:

- Apply ethical and professional standards in crafting your written and oral advocacy
- Apply ethical and professional standards, and understand the appropriate use of, AI as permitted by your professor.
- Find and use the fundamental sources of U.S. legal research, including but not limited to constitutions and statutes, cases, secondary sources;
- Develop research strategies that maximize your efficiency and accuracy;
- Continue to improve your research, analysis, and legal writing under time constraints;
- Continue to improve citation literacy, including reading, writing, and placement of citations in trial and appellate documents;
- Frame legal issues to persuade a court to rule in your favor;
- Present persuasive accounts of relevant facts;
- Analyze and advocate effectively, using factual narratives, persuasive rule structures, analogical reasoning, relevant policy arguments, strategic application of law to fact, and logical and persuasive organization;
- Communicate legal analyses in impactful, concise, and polished written products, including motion memoranda and appellate briefs;
- Understand the fundamentals of the trial process, including the filing of trial motions;
- Understand the fundamentals of the appellate process and appellate concepts;
- Understand the importance of adhering to procedural rules and formatting requirements when submitting documents to a court;
- Effectively and critically edit, revise, and proofread your own persuasive legal writing as well as the writing of colleagues;
- Present legal arguments and answer questions effectively in meetings and simulated court proceedings;
- Prepare and effectively present an oral argument in support of your legal position in a simulated appellate oral argument;
- Continue to use and improve your writing generally, including effective topic sentences, transitions, paragraphs, as well as proper grammar, syntax, punctuation, and document format.

COURSE WEBSITE

You will be able to access the course Canvas site beginning a few days before our first class. I will use Canvas to send announcements, to provide detailed instructions for your assignments, and to post slides and supplemental materials. **Please check Canvas frequently.** While you may customize your notifications as you wish, you are responsible for frequently reviewing this course page for updates and for accessing course content. You will use Canvas for turning in written work, and for receiving feedback from me.

REQUIRED TEXTS/PLATFORMS

1. Rocklin, Coughlin, and Patrick, *A Lawyer Writes* (4th ed.2024)
2. *The Bluebook: A Uniform System of Citation* (22d ed. 2024)
3. Lexis/Nexis Interactive Citation Workstation.

ADDITIONAL RESOURCES (OPTIONAL)

1. Ross Guberman, *Point Made: How to Write Like the Nation's Top Advocates* (2d ed. 2014).
2. Linda Barris, *Understanding and Mastering the Bluebook* (3d ed. 2015)
3. Richard C. Wydick & Amy Sloan, *Plain English for Lawyers* (6th ed. 2019)
4. Bryan A. Garner, *Redbook: A Manual on Legal Style* (4th ed. 2018)

ASSIGNMENTS AND COURSE SCHEDULE (subject to change)

Reading: **PLEASE READ.** This is not a heavy lift, and it will make lecture and discussion in class much easier to follow and much more beneficial for all concerned. All reading should be completed *in advance* of the date for which it is assigned. No need to take notes or brief the reading, just read to familiarize yourself with the concepts I will discuss. “*ALW*” refers to *A Lawyer Writes*. All other material can be found in Canvas; additional reading and reference material will be added to Canvas throughout the term.

Assignments: Writing Assignments must be uploaded to Canvas in Word. Many ungraded assignments will also require Canvas uploads—please consult the syllabus and mark your calendars accordingly.

The Unexpected: **For various reasons, including to ensure you receive one-on-one assistance while working on your independent writing projects, I have altered some of the day and meeting times for this course. Please review the dates and times of our class sessions, listed**

below. Yellow highlighting on the schedule below denotes a day class is not usually held. While I encourage you to attend all class sessions in person, if you are unable to attend one of the class sessions held on a day or time other than our assigned day and time, you will be excused from attending class if, within 7 days of the class, you (1) send an email to me that includes any in-class activity (completed independently to the best of your ability).

****This syllabus represents my current plans and objectives. As we proceed through the term, I may need to alter them to enhance your learning opportunities or in response to factors internal or external to our course. Such changes, communicated clearly, are not unusual and should be expected.****

Week 1 Introduction to Advocacy and Client-Centered Writing – Classes 1 and 2				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
1/20	Introduction to Advocacy and Persuasive Writing	- Course Syllabus <i>ALW</i>, Chapter 19 - Case File #1 (Slip and Fall Redux)	None	- Read and listen for next class - Refresher Requests Email - Research for Case File #1 (Best and worst)
1/22	Client-Centered Writing: Ethos, Pathos, and Logos	- Listen to <i>The Drop Out</i>, “Closing Arguments” - Understanding Persuasion On Canvas - Review <i>ALW</i> Chapter 14	Best and Worst Requests for Refreshers via email (to me).	- Research for Case File #1 - Case List (group decision) - Persuasive narrative for client

Week 2 Persuasive Facts and Trial Motions -- Classes 3 and 4				
Date	Topic	Reading to be completed before class	Work due before the beginning of class	Work assigned in this class
1/27	Writing a Persuasive Fact Statement: The Basics	- ABA Model Rule 3.3 Candor to the Tribunal on Canvas - ABA AI Ethics Policy and Florida Bar Ethics Opinion on Canvas	Case List Narrative	- Read for next class - Case Charts - Draft a Statement of Facts
1/29	Trial Motions and Trial Level Standards of Review Bluebook Review and citing Trial Documents and Court Rules	<u>BB</u>: Trial court documents, B17, BT1 - Fla. R. Civ. P. 1.100; 1.510 - Fed. R. Civ. P. 56 (locate rules on Westlaw, Lexis, or online)	Case Charts (bring to class) Draft of Statement of Facts (bring hard copy to class)	- Read for next class - Edit and comment on Statement of Facts - Draft Standard of Review

Week 3 Developing Persuasive Arguments – Classes 5 and 6				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
2/3	Drafting Persuasive Arguments: Rules	<i>ALW</i>, Chapter 7 <u>BB</u>: Prior and Subsequent History; R10.7; <u>BB</u>: R1.5, 1.6 & 10.6	Email Standard of Review to TA Deliver comments on SOF	- Read for next class - Rules and Tests Roadmap
2/5	Case Illustrations and Analysis Bluebook Review of Explanatory Parentheticals	<i>ALW</i>, Chapter 8 - Choosing Between In-Text Illustrations and Parenthetical Illustrations and Guidelines for Drafting Parenthetical Illustration Narratives (on Canvas)	Rules and Tests Roadmap (upload) (WA #1)	Read for next class

Week 4 Headings Introduction and Conclusions – Classes 7 and 8				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
2/10	Persuasive Headings Five Sentence Exercise	Drafting the Argumentative Headings (on Canvas)		- Read for next class Draft Headings
2/12	Introductions and Conclusions	None	Draft Headings	Refine Arguments and Headings
2/13	Writing Workshop 10:00am to 12:00pm (optional)	None		Collaborative Trial Memo due Sunday, February 15, 2026 at 3:00p.m.

Collaborative Trial Memo – Individual Submission -- due Sunday, February 15, 2026 at 3:00p.m.

Week 5 Case File #2 Independent Memo in Support of MTD – Classes 9 and 10				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
2/17	Introduction to Case File #2 and WA #2	- Case File #2 - Fed. R. Civ. P. 12; - Fla. R. Civ. P. 1.420	None	Three Cases (email) Standard of Review
2/19	Research Refresher Federal Research	<i>ALW</i>, Chapters 4 and 5	Three cases (email) Standard of Review	Case List (emailed to TA) Best and worst email (emailed to me)

Week 6 Lather, Rinse, Repeat Part 1 – Classes 11 and 12				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
2/24	Research - Counterarguments and Candor Check	Class Time as Research Time	Best and worst cases (email to me)	- Read for next class Rules and Tests Roadmap
2/26	Getting Started: Story, Structure, Arguments	- Drafting the Argumentative Headings (from Oates, <i>Just Briefs</i>, pgs. 134-40 on Canvas <i>Storytelling, The Sound of Music, and Special Teams</i>, on Canvas	Rules and Tests Roadmap (uploaded to Canvas) WA #2	- Read for next class Draft of Statement of Facts, Point Headings, and CREAC/CRAC with cases listed, summarized.

INDEPENDENT TRIAL MEMO DUE SUNDAY, MARCH 8 BY 3:00PM

Week 7 Lather, Rinse, Repeat Part 2 – Classes 13 and 14				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
3/3	Revisiting the Rest: CREAC, Counterarguments and Point Headings	Supplemental Materials on Canvas	Draft SOF, Point Headings, and CREAC with cases listed	Keep drafting your trial memo
3/4	Writing Workshop in lieu of office hours 2:00pm to 5:00pm	None	Bring draft of trial memo	None
3/5	Editing, Proofreading, and Citation Check	<i>ALW</i>, Chapter 16 - Supplemental Materials on Canvas BB: R 15, 16, and 17, B15, 16; T 13	Full draft of trial memo (bring hard copy to class)	Read for next class

Week 8 Introduction to Appellate Advocacy Classes 15 and 16				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
3/10	Introduction to Appellate Brief Problem	WA #3 Appellate Brief Problem	None	- Begin appellate research - Gem mining - Three Best/Three Worst
3/12	Introduction to Appellate Advocacy and Appellate Briefs	<u>BB</u>: Appellate Court Documents, Record; B17 & BT1 - F.R.A.P. 3, 4, 28, 31, 32	Three Best Three Worst Email Gem mining results (Bring to class)	Preliminary case list

SPRING BREAK 3/14 THROUGH 3/21

Week 10 Introduction to Appellate Advocacy Classes 17 and 18				
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
3/24	Statement of the Case: Revisiting Theme, Perspective, and Facts	Page: <i>Come a Little Closer</i> (on Canvas)	Preliminary Case List	Rules and Tests Roadmap
3/26	Statement of the Case: Standard of Review Developing a Roadmap, Point Headings, and Subheadings	Beazley, <i>A Practical Guide to Appellate Advocacy</i> Chapter 10 Kevin Bacon (on Canvas)	Rules and Tests Roadmap (uploaded to Canvas) (WA #3)	Draft Standard of Review - Work on appellate brief - Read for next class

Week 11	Persuasion and Counterarguments, Questions Presented Classes 19 and 20			
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
3/31	Persuasive Touchpoints; Opposing Arguments; Counterargument	- Beazley, <i>A Practical Guide to Appellate Advocacy</i> Chapter 11, Exploiting Opportunities for Persuasion (on Canvas) - Responding to the Other Side's Argument (on Canvas)	Draft Standard of Review (uploaded to Canvas) (WA #4)	- Read for next class - Work on appellate brief
4/2	Questions Presented; Procedural History; Statement of Jurisdiction; Tables	Drafting Issue Statements (from Oates, <i>Just Briefs</i>, pgs. 159-67) (on Canvas)	None	Outline for Individual Conferences due Sunday, April 4 at 3:00p.m. - Work on appellate brief

Outline for Individual Conferences due Sunday, April 4, 2026 at 3:00p.m.

Week 12	Conference Week Classes 21 and 22			
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
4/7	Individual Conferences and TA Meetings	None	None	Work on Appellate Brief
4/9	Individual Conferences and TA Meetings	None	None	Work on Appellate Brief

Week 13	Transitioning to Oral Advocacy – Classes 23 and 24			
Date	Topic	Reading to be completed before class	Work due by beginning of class	Work assigned in class
4/14	Appellate Brief Q & A Class time as write time	None	None	None
4/15	Writing Workshop in lieu of office hours 2:00pm to 5:00pm	None	None	None
4/16	Transitioning to Oral Advocacy	<i>AAP</i>, Chapter 11 - Stetson Oral Advocacy Guide	None	None

APPELLATE BRIEF DUE SUNDAY, APRIL 19, 2026 BY 3:00p.m.

Week 14	Oral Arguments -- Classes 25 and 26			
Date	Topic	Reading to be completed before class	Work due by the beginning of class	Work assigned in this class
4/20	Appellate Argument Practice and Oral Arguments (evenings of April 20, 21, 22)	None	None	Meet with TA groups to practice for OA (as scheduled)
4/23	Course Evaluations Oral Argument Debrief Looking Forward to Summer (TA Panel)	None	None	None

GRADING PERCENTAGES

5%	Collaborative Memo in Support of a Trial Motion (Good Faith Completion)
25%	Independent Memo in Support of a Trial Motion
10%	Robust Outline of Appellate Brief (Good Faith Completion)
50%	Appellate Brief
10%	Participation
	Timely Completion of Collaborative Memo and Related Assignments (5 points)
	Good Faith Completion of WAs #1-4 (3 points)
	Attendance at individual conference (1 point)
	Attendance at oral argument practice (1 point)

ATTENDANCE POLICY

This is a skills-based course, which means that your attendance is essential to achieving the course objectives. Your active and consistent participation in class discussions and exercises is expected and required. The law school's policy on attendance can be found [here](#).

While you should plan to attend all class periods, you are permitted *two* unexcused absences *without* penalty.

- More than six absences will result in a failing grade in the course absent exceptional circumstances.
- More than two unexcused absences will likely result in a reduction of your final grade.
- Excessive tardiness will likely result in a reduction of your final grade in the course.

ASSIGNMENT PREPARATION/SUBMISSION/GROUP WORK POLICIES

ABA Out-of-Class Hours Requirement

Consistent with the American Bar Association Standard 310, you should spend at least 6 hours per week preparing for this 3-credit course. Participation grades are based on class attendance and preparation; the quality of class participation; timely and successful completion of all assignments (graded and ungraded) including oral advocacy; active and thoughtful participation in small group discussions; use of TA office hours; preparation for any out-of-class meetings with me, your TA and your colleagues, and your professionalism, generally.

Academic Honesty, Plagiarism, and Unauthorized Collaboration with People or AI

All work you submit in this class must be your own independent work, unless I have specified that an assignment is “collaborative.” Where I have indicated an assignment as “collaborative,” please closely follow my directions about how and with whom you may collaborate.

For all other work, you may discuss cases and ideas with your classmates; doing so is often helpful in refining and testing your interpretation and analysis. However, the UF Law Honor Code requires that your assignments represent your own work. Written work must be done independently. Your written work may be shown only to me and to your TA, unless I expressly authorized otherwise; for example, I may authorize you to share your work product with a particular student for purposes of completing a peer review. Unauthorized collaboration on writing assignments (with anyone—UF Law affiliated or not) is a UF Law Honor Code violation. In addition, giving your work to another student violates the collaboration policy as much as taking work from another student does.

Unless I instruct otherwise you **may not** use large language models (LLMs) or generative artificial intelligence (for example, Chat GPT, Claude, Omni, Protégé or CoCounsel) 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, for all assignments in my course. While I encourage you to use the non-generative features of Word and Grammarly, as the author, you remain solely responsible for all choices you make in your document. In addition to my course rules, the UF Law Honor Code also prohibits students from using artificial intelligence unless it is authorized by the professor for the particular assignment. **Please e-mail me a picture of a Goliath Grouper prior to our first class to confirm you have read and understand these policies.**

Assignment Submission and Late Policy

Lawyers *must* be organized: failing to meet a deadline can create disastrous results for your client. If you are not yet in the habit of keeping a personal calendar, please start now.

Unless otherwise stated in Canvas or on the syllabus, your assignments must be turned in on Canvas. Key assignment due dates and times are on the syllabus. **Please read the syllabus carefully and mark your calendars accordingly.** I may announce additional assignments or assignment details during class—please pay attention to these announcements.

If you turn in an assignment late (according to Canvas’ timestamp), your grade *for that assignment* will be lowered by 10% per day (24-hour period from the time the assignment is due). Assignments will not be accepted if they are more than three days late. Grades tend to be grouped tightly; 10% is a major deduction and it is rarely in a student’s interest to hold an assignment past the due date in hopes of making additional progress on it.

If you have an extraordinary circumstance outside of your control, please contact me in advance of the deadline or, if the emergency prevents you from doing so, as soon as possible thereafter. Contacting me does not guarantee a particular result. Computer and electronic platform problems, internet connectivity issues, car trouble, traffic, and the like should be foreseen by you. Please plan your time accordingly.

Classroom Ethos and Professionalism

As a law student and future lawyer, I expect that you will be able to engage in rigorous discourse and critical evaluation of texts and arguments while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

Further, please be on time to class and do not leave early absent extenuating circumstances. As a law student and future lawyer, you are expected to conduct yourself with professionalism in the classroom and in all course-related activities. This includes common courtesy in the classroom as well as in all email messages, threaded discussions, and chats. Please silence cell phones and computer notifications; please do not use electronics for non-course purposes during class; and please minimize all other class disruptions. In all course activities, students are expected to participate in good faith. If you have questions about professionalism, do not hesitate to ask.

Formatting, Plagiarism, and Proofreading

All assignments are to be submitted electronically via the course Canvas website in **Word** as directed. In addition to any formatting requirements specific to an assignment, documents should conform to the following standards:

- Double-space text (except for footnotes)
- Left-justify or full-justify text but be consistent;
- Do not use a page number on the first page; all other pages should be numbered at the bottom, center, in a matching font and point-size;
- Use one space between sentences;
- Use Times New Roman 14-point font;
- Use *italics*, not underlining, for Bluebook citations (including case names, signals and *Id.*) when required by Bluebook.

Plagiarism is an Honor Code violation. Sources must be acknowledged, not only when you quote text, but also when you paraphrase. Citing the original source when you paraphrase not only avoids plagiarism but 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 original sources. When you cite a case directly, you are representing to the court that you read the

opinion and that the opinion supports the proposition you are asserting. The headnotes, syllabus, and synopsis of a case are not part of the court opinion. Never cite to or quote from the headnotes, syllabus, or synopsis of a case. In my course, you may not use the “citation modified” option described in Bluebook Rule B5.3 (22d ed.) or “cleaned up” citations. If you believe you should cite a (cleaned up) or (citation modified) citation, please come to me to discuss your options.

Proofreading is essential. Careless errors undermine your credibility. Excessive typographical, spelling, format, grammatical, or citation errors may cause a paper to be deemed unsatisfactory, regardless of its substantive merit. Merely proofreading for typographical errors, however, will not reveal inaccuracies in your pinpoint citations. Therefore, you should double-check the accuracy of your pinpoint citations against the original sources.

Please also include a picture of an Eagle Ray in your email to me to confirm you have reviewed and understand these requirements.

UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

Other information about UF Levin College of Law policies can be found at [this link](#).

UF ACADEMIC POLICIES AND RESOURCES:

Other information about UF academic policies and resources can be found at [this link](#).