

LAW 5792, SECTION Q

2 CREDIT HOURS

CLASS LOCATION: HOLLAND HALL ROOM 382

TUESDAYS AND THURSDAYS, 1:15 P.M. – 2:10 P.M.

PROFESSOR: Mary E. Adkins, adkinsm@law.ufl.edu

OFFICE HOURS, HOLLAND HALL ROOM 318:

Mondays, 3:15 – 3:45

Tuesdays, 2:15 – 3:00

Wednesdays, 10:45 – 11:45

Thursdays, 2:15 – 4:00.

Depending on circumstances, I may hold some of these office hours by Zoom on Canvas. If I do, I will provide you plenty of notice. I will provide sign-up sheets on Canvas for all office hours, but walk-ins are always welcome. Also, during the days leading up to assignments, I will hold extended office hours to provide you the extra help you may want.

Toward the end of the semester I will hold office hours that you should definitely plan to attend, so we can discuss your progress and answer any questions you may have about your second memo, which will count as a significant portion of your grade. I've found that by late in the semester, every student's paper is a bit different, and you may have questions that another student may not have. (On the other hand, I try to address questions many students will have in common in class.) Please keep in touch with me! I almost always respond to emails quickly. Please contact me if you have any questions regarding the course or a specific assignment.

COURSE WEBSITE: *Canvas: Legal Writing – Prof Adkins – LAW 5792 §Q.*

REQUIRED TEXTS:

Coughlin, Rocklin, and Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis* (3rd ed.)
The Bluebook, 21st edition

McKinney and Rose, *Core Grammar for Lawyers*, (4th Ed.) (Online: see instructions below for access and discount)

LexisNexis, *Interactive Citation Workstations* (Online: see instructions below; included in your LexisNexis subscription)

COURSE DESCRIPTION:

This one-semester course, required for graduation, introduces you to both the form and content of accepted legal writing and concentrates on objective, or predictive, legal writing. (Next semester you will build on these skills to learn about persuasive legal writing.) This course includes emphasis on written legal analysis and preparation of predictive legal writing for fellow attorneys and clients.

COURSE OBJECTIVE AND GOALS:

Legal writing and legal research are two key skills any good lawyer must have. You probably are already a good writer—law school attracts good writers! However, *legal* writing, you'll find, is like learning a whole new writing language. Think of it as a kind of technical writing. It has its own set of rules, structures, conventions, and expectations (from other lawyers and from judges—we professors are just the ones who help you be ready to face those others' expectations!). Therefore, the primary objective of this course is to teach you how to analyze a legal issue rigorously and to express that analysis effectively in writing.

Upon completion of the course you should be able to:

- Demonstrate an understanding of the U.S. legal system and how lawyers use law to resolve legal problems:
- Apply ethical and professional standards in crafting your written work;
- Identify legal issues affecting a client's situation;
- Review facts and evaluate their relevance to a client's legal situation;
- Analyze, interpret, and use statutes and case law to construct legal arguments;
- Apply legal rules to relevant client facts, analogizing and distinguishing precedent;
- Write an analysis of a legal issue predicting its outcome;
- Use effective organizational techniques;
- Write effective topic sentences, transitions, and paragraphs;
- Write precisely, clearly, and concisely;
- Use good grammar, syntax, punctuation, and document format;
- Use legal citation correctly; and
- Revise, edit, and proofread your legal writing.

It is anticipated that you will spend approximately two hours out of class reading and preparing for in class assignments for every one hour in class.

COURSE POLICIES:

ATTENDANCE POLICY:

I will circulate a class roll during each class. Your signature indicates your presence in class that day. Both the ABA and the law college require class attendance. **Missing more than six classes will result in a failing grade in the course.**

Excessive tardiness will also result in a grade penalty.

QUIZ/EXAM POLICY:

There may be “pop quizzes” over the course of the semester. These scores will be considered part of your participation grade.

CORE GRAMMAR FOR LAWYERS AND INTERACTIVE CITATION WORKSTATIONS:

We will use asynchronous learning tools during the semester, including but not necessarily limited to Core Grammar for Lawyers, Fourth Edition, and the Lexis/Nexis Interactive Citation Workstations (ICWs).

Core Grammar: To pass the class, you must satisfactorily complete the Core Grammar pre-test and every module for which you do not “test out” in the pre-test. Please note that Core Grammar has a post-test as well; you will be required to complete that post-test by Friday, 1. October, with a minimum score of 85.

Instructions in how to purchase and enroll in Core Grammar will be posted on the class Canvas site before classes start.

Interactive Citation Workstations (ICWs):

In addition, you are assigned four ICW exercises, which are designed to help you learn proper Bluebook citation style. This is standard American legal citation, but beware: each state’s court system has its own rules for citation as well, which are not covered in the ICWs. For that reason, you will complete the ICWs as well as have a few in-class lessons, and a “quick-reference” sheet, to familiarize you with Florida’s rules. Points awarded for completing ICWs are found in a later section of this syllabus.

You can reach ICWs through your LexisNexis homepage. Click on the “Interactive Citation Workstation” link. We will be using the “Bluebook” (**not** Bluebook State) option. We will do only ICWs 1, 2, 3, and 5 this semester. You will have five chances to get each question right, but if you wish to keep trying, request a reset from me and I will reset the exercise so you can try again.

GROUP WORK AND ASSIGNMENT POLICIES:

Our team of teaching assistants is here to help you! Each of them will be available to answer any questions you may have; they will also review your assignments before I do. For logistical purposes, each TA is assigned to help a specific subgroup of you. You'll meet your TA during the first week of classes.

Late Policy

Writing assignments: Judges and court clerks are strict. Sooner than you expect, you will be a licensed member of a Bar and submitting documents to courts or in other deadline-dependent situations. Because you are in law school to train for expectations like these, my assignment deadlines are strict too. An assignment turned in up to five minutes late without prior agreement with me may affect your grade on that assignment. Multiple late assignments, or any assignment turned in more than five minutes late without prior agreement with me, may affect your final grade for the class. If you have an emergency, please let me know ahead of time and I will work with you. This is how professionals operate, and it's helpful for us to begin practicing those habits now.

Other assignments: The ICW schedules are slightly more fluid. They are designed to coincide with your need to learn certain standard citation formats. If you need a few extra days or wish, for any reason, to request that I "reset" an exercise, I will do it with no questions asked. The point is for you to learn. That said, I will guard against allowing you to put off the exercises until "crunch time" late in the semester.

The Core Grammar exercises are similarly fluid. How you do in your Pre-Test will determine how many units you will have to complete for the remaining weeks. I will send you reminders if I see that you are not keeping up. However, the Post-Test deadline is firm.

What's a Draft?

This class involves several drafts that you will turn in for feedback from me, and which you will then revise according to that feedback. You might think of a draft as your first try at completing an assignment, something that need not be finished or polished. However, in this class and in the professional legal world, **a draft represents the best you can do at that point.** For this reason, please let your drafts be something you have written, reviewed, proofread, and revised before you turn it in.

Plagiarism

All work in this class must be your own. You may discuss cases and ideas; however, you may show your written work product only to me and your TA.

Plagiarism is a very serious offense. There are detailed policies regarding what constitutes plagiarism in your student handbook. Ignorance of the policies is not a defense to a charge of plagiarism.

COMPUTER POLICY:

You may use a laptop or tablet for purposes of taking notes and participating in class exercises only. Evidence that you are using it for other purposes in class may result in penalties.

UF POLICIES:

UNIVERSITY POLICY ON ACCOMMODATING STUDENTS WITH DISABILITIES: Students requesting accommodation for disabilities must first register with the Dean of Students Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

UNIVERSITY POLICY ON ACADEMIC MISCONDUCT: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

UF POLICY ON IN-CLASS RECORDING:

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without my prior written consent.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic

exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without my permission is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

COURSE 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. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluer.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.”

Preferred Name and Pronouns

It is important to the learning environment that you feel welcome and safe in this class; and that you are comfortable participating in class discussions and communicating with me on any issues related to the class. If your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by e-mail or otherwise. I would like to acknowledge your preferred name, and pronouns that reflect your identity. Please let me know how you would like to be addressed in class, if your name and pronouns are not reflected by your UF-rostered name. I welcome you to the class and look forward to a rewarding learning adventure together.

GETTING HELP:

1. Health and Wellness Resources:

- *U Matter, We Care*: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.
- *Counseling and Wellness Center*: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.
- *Student Health Care Center*: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).
- *University Police Department*: [Visit UF Police Department website](#) or call 352-392-1111 (or 9-1-1 for emergencies).
- *UF Health Shands Emergency Room / Trauma Center*: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#).

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.

GRADING/COURSE POLICIES:

18% Timely and successful completion of Core Grammar for lawyers and assigned ICWs

Breakdown: 8 points possible for ICW exercises (one point for completing each exercise; one more point for getting at least 60% of the questions correct); 10 points possible for Core Grammar (Post-Test score of 85% or better = 10 points, and Post-Test score of at least 80 but less than 85% = 8 points).

10-point *advisory* “grade” only: Case Illustration (Writing Assignment #1)

10% First Memorandum (WA#2)

5% Client letter (WA#3)

10-point *advisory* “grade” only: Parts of Second Memorandum (WA#4)

5% E-mail assignment

12% Second Memorandum

50% Final Exam

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

GRADING SCALE:

Grades are recorded permanently by the Office of the University Registrar. The grade point average (GPA) is determined by computing the ratio of grade points of semester hours of work attempted in courses in which letter grades are assigned. Students receive grade points according to the following scale:

Grade	Points
A (Excellent)	4.0
A-	3.67
B+	3.33
B (Good)	3.0
B-	2.67
C +	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

No conferences will be held, or help given, by me or the TAs within the 24 hours before an assignment due date unless specifically indicated elsewhere. This is in hopes of motivating you to begin thinking, writing, and developing questions for us without waiting until the last minute!

CLASS SCHEDULE, LEGAL WRITING § Q

Time is 1:15 p.m. and location is HOL 382 unless noted otherwise.

Date	Subject matter & reading assignment	Assignment due date, if applicable
Tue., Aug. 23	How Attorneys Communicate: Intro to Class. Read Ch. 1 of text; read syllabus; visit class Canvas page.	In class: your life story in six words
Thur., Aug. 25	Sources and Systems of Law: Read Ch. 2 & 3 of text and “Pedicab” problem on Canvas; discuss differences between statutes and cases.	
Sun., Aug. 28	Complete Core Grammar for Lawyers Pre-Test (plan for about 90 minutes)	11:59 p.m.
Tue., Aug. 30	Bridge from Pedicab to General Analysis. Read: Ch. 3 of text; Memorandum #1 hypothetical on Canvas; description for Writing Assignment #1.	
Thur., Sept. 1	How to write about a case. Read subchapter 7.2 of text and assigned case on Canvas.	
Tue., Sept. 6	Bring smooth draft of Case Illustration (WA#1) for in-class review	3:15 p.m. in class
Wed., Sept. 7	Due: Final (revised) draft of Case Illustration	11:59 p.m. on Canvas
Thur., Sept. 8	Introduction to Citation. Read pp. 1-2 and Rule B1 in The Bluebook and citation quick reference sheet on Canvas	
Tue., Sept. 13 ZOOM; class will be from 1:00 to 1:55 p.m.	Legal Memorandum Structure; Finding Your Argument; Organizing Your Legal Authority. Read Ch. 4 & 5; Read material in the Module for Weeks 2 - 6 on Canvas.	

Thur., Sept. 15	One Legal Argument: Explaining the Law. Read Ch. 6 & 7 and description of WA#2 on Canvas.	
Sun., Sept. 18	Interactive Citation Workstation Exercises 1 and 2 (allow a couple of hours for each, and have your Bluebook handy).	11:59 p.m. online
Tue., Sept. 20	Applying the Law to the Facts. Read Ch. 8.	
Thur., Sept. 22	Recap of requirements of WA#2.	
Fri., Sept. 23, 10:00 a.m. Room MLAC 106	Moot Court Final Four Competition. Please attend if possible.	
Sun., Sept. 25	Due: WA#2, Discussion section of Memo 1. Incorporates revised WA#1 as part of the Rule Explanation section.	11:59 p.m. on Canvas
Tue., Sept. 27	Writing for a different audience: the client letter. Read ch. 17 and description of WA#3, client letter assignment, on Canvas.	
Thur., Sept. 29	In-class: Write, do ICWs, or catch up on Core Grammar modules, as needed.	
Sun., Oct. 2	Due: All Core Grammar modules completed, and Post-Test completed with minimum score of 85 (80 for fewer points).	11:59 p.m. online
Mon., Oct. 3 make-up class Approx. 3 p.m., room TBA	Recap & possible quiz: The client letter.	
Tue., Oct. 4	Strengths and Opportunities from Memo 1 OR in-class editing exercise	
Tue., Oct. 4	DUE: WA#3, Client letter	11:59 on Canvas
Thurs., Oct. 6	NO CLASS	
Sun., Oct. 9	Interactive Citation Workstation Exercises 3 and 5 (allow a couple of hours for each, and have your Bluebook handy).	11:59 p.m. online

Tue., Oct. 11	Agreeing on a Set of Cases for Memo 2: bring your research results from your Legal Research class. If time, discuss writing Statement of Facts; read ch. 14.	
Thur., Oct 13	Statement of Facts, Question Presented, and Brief Answer for Memo 2. Read chapters 13 & 14 of text, and description of WA#4, professional e-mail assignment, on Canvas.	
Sun., Oct. 16	Due: WA#4, Question Presented, Brief Answer, Statement of Facts: Memo 2	11:59 p.m. on Canvas
Tue., Oct. 18	Writing the Discussion of Memo 2	
Thurs., Oct. 20	Writing the Discussion of Memo 2, continued.	
Mon., Oct. 24 – Fri., Oct. 28	Individual meetings with Professor regarding details of writing Memo 2	Please meet, so we can discuss your own thought processes and questions
Tues., Oct. 25	Preview of WA#5, Professional E-mail. Read ch. 18 and description of WA#5, E-Mail Assignment, on Canvas.	
Wed., Oct. 26, 12 noon—TENTATIVE	A judge from the First District Court of Appeal of Florida will address our combined section. That court will be hearing oral arguments in MLAC 106 all morning. You are encouraged to attend, schedule permitting.	
Thur., Oct. 27	DUE: WA#5, Professional e-mail summarizing hypothetical governing Was 4, 5, and 6. Brief summary meant for a quick scan before reading the detailed memo you will submit later.	11:59 in Canvas
Thur., Oct. 27	NO CLASS: replaced by meetings all week with Professor about Memo 2.	
Tue., Nov. 1	Course evaluations; editing and Polishing. Read ch. 16.	

Thur., Nov. 3	NO CLASS: replaced by meetings with professor during week of Nov. 8 – 12.	
Sun., Nov. 6	DUE: WA#6, Full Memo 2. <i>Incorporates revision of WA#4 as well as a full discussion section.</i>	
Tue., Nov. 8	Course review; main takeaway points; preview of Final Exam.	
Thur., Nov. 10	TA Panel: Exam tips, externship & job search tips, open question forum	
Fri., Nov. 11	Final Exam Drops	
Tue., Nov. 15	Guest Speaker	
Thurs., Nov. 17	Editing and Polishing	
Sat., Nov. 19	DUE: Final Exam	