

Legal Writing

University of Florida Levin College of Law

Spring Semester Syllabus, 2024

Law 5793 27567, 2 Credits

Professor: Ben L. Fernandez

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Office Hours: Monday, Wednesday

12:00 to 1:00 pm in Person

And by Appointment in Person or Online

Monday, Wednesday 10:30 to 11:55 a.m.

HH 355C

I. Course Objectives and Student Learning Outcomes.

The primary objective of this course is for you to learn how to construct a thorough legal argument and express it effectively and persuasively in writing. An additional objective is for you to learn how to perform effectively in presenting oral argument in support of your legal position.

Upon completion of this course, you should be able to:

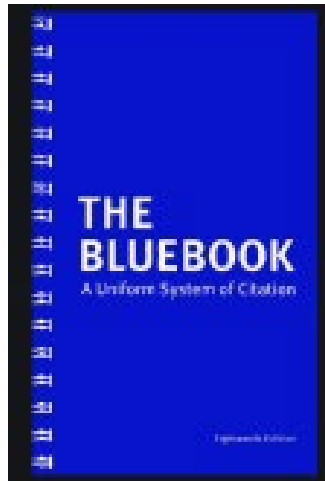
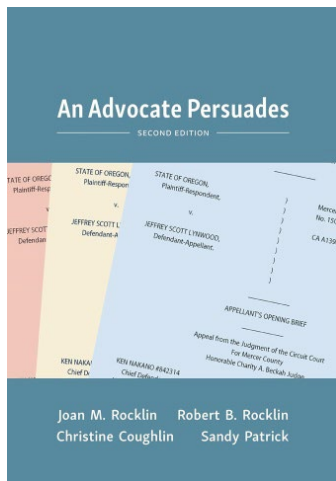
1. Find and use the fundamental sources of U.S. legal research, including constitutions and statutes, cases and digests, secondary sources, administrative law, and legislative history.
2. Develop research strategies for using sources for maximum speed and accuracy. Continue practicing how to research, analyze, and write about legal issues under time constraints.
3. Demonstrate increasing levels of citation literacy: the ability both to read legal citations and to write them with appropriate placement and style.
4. Apply a lawyer's ethical and professional standards in the context of written and oral advocacy.
5. Frame a legal issue to persuade a court to rule in your favor.

6. Demonstrate ability to engage in effective legal analysis and advocacy through, for example, constructing persuasive rules, effectively employing analogical reasoning, strategically applying law to fact utilizing policy arguments and selecting a persuasive and logical organizational structure.
7. Demonstrate an ability to effectively communicate that legal analysis in a polished, readable, and appropriately concise written product, including motion memos and appellate briefs.
8. Demonstrate a fundamental understanding of the trial process, including the filing of trial motions.
9. Demonstrate an understanding of the basic appellate process and fundamental appellate concepts, including the decision to appeal.
10. Edit and proofread persuasive legal documents.
11. Present legal arguments, and answer questions effectively, in meetings or simulated hearings.
12. Prepare and effectively present an oral argument in support of your legal position in simulated appellate oral argument.

II. Required Reading Materials

An Advocate Persuades Second Edition by Joan Rocklin, Robert Rocklin, Christine Coughlin, Sandy Patrick

The Bluebook: A Uniform System of Citation (21st ed.)



Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

III. Course Expectations and Grading Evaluation

- A. Weekly Assignments. The Legal Writing course requires the completion outside of class of many short and medium-length writing assignments, as well as the completion of short in-class projects and on-line quizzes.

Students will be divided into groups for some activities including oral arguments. Each group will have an assigned TA who will assist students with in-class exercises and out-of-class assignments. TA's are 2Ls who did particularly well in their first-year legal writing courses. They are a tremendous resource to you and I encourage you to speak with your assigned TA regularly. The class TAs will be:

Isaac Miller isaac.miller@ufl.edu	Julia Randolph Juilia.randolph@ufl.edu	Austin Dillon austin.dillon@ufl.edu	Elliott Trostel etrostel@ufl.edu
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- B. Office Conferences. Office conferences are encouraged. I will be more than happy to meet with you in individual meetings throughout the semester to discuss your work or the course material.

- C. Grade Calculation.

Students will be evaluated based upon the following:

Class exercises, homework assignments, quizzes class participation and attendance	10% of Grade
SJ Memo	15% of Grade
Appellate Brief	25% of Grade
Final Project	50% of Grade

IV. Class Attendance Policy

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed 4 absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found [here](#).

V. Other UF College of Law Policies

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>.

VI. ABA Out-of-Class Requirements

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Each weekly class is approximately 2 hours in length, requiring at least 4 hours of preparation.

“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.bluer.com/ufl/>. Summaries of course evaluation results are available to students [here](#).”

VII. Course Schedule of Topics and Assignments

Class	Assigned Reading (Due Before Class)	Assigned Writing (Due Before Class)	Class Discussion
1.17	Read Chapter 1,2, Persuasion and Ethics, Read Memo Prompt		Introduction to drafting for litigation and first writing project
22	Read Chapter 8, Appendix B, Trial Motions, Research summary judgment rule and cases	Draft outline of summary judgment standard	Go over summary judgment
24	Read statute and cases	Draft case briefs	Review statute and cases for memo

29	Read Chapter 3, Organizing Arguments	Construct Case Charts	Go over application of cases to fact pattern
31	Read Chapter 4, Themes	Draft Caption, Intro, SOF	Go over beginning sections of memo
2.2	<i>Moot Court Event</i>	<i>McGuire Competition</i>	<i>Attend Event</i>
2.5	Read Chapter 5, Drafting Arguments	Draft Headings, Discussion, Conclusion, SL	Go over remaining sections of memo
7	Read Chapter 6,7, Refining and Editing	Proofread and Cite Check Memo, Summary Judgment Memo Due 2/10	Citation review and proofreading
12	Read Chapter 9, Appellate Briefs, Research standard of review		Introduction to appellate litigation
14	Read Cases	Draft Case Briefs	Go over cases
19	Read Cases	Draft Case Briefs	Go over cases
21		Construct Case Charts	Go over application of cases to fact pattern
26	Read Chapter 10, Statement of Facts	Draft Caption, Intro, SOF	Go over beginning sections of memo
28		Draft Discussion, Conclusion, SL	Go over remaining sections of memo
3.4		Proofread and Cite Check Memo	Citation review and proofreading
6			Writing Conferences
	<i>Spring Break</i>	<i>Spring Break</i>	<i>Spring Break</i>

18			Writing Conferences
20	Read Chapter 11, Oral Argument	Appellate Brief Due 3/23	Go over oral arguments
25	Prepare for oral argument		Practice Oral Arguments, Watch videos of arguments
27	Practice oral argument		Final Oral Arguments
4.1	Practice oral argument		Final Oral Arguments
3			Review for Final Exam
8			Motion practice, the rest of the story
10		Distribute Final Project 4/12	Appellate briefs, all the other stuff
15			Famous oral arguments
17		Final Project Due 4/19	Introduction to Legal Drafting
22			Resumes, cover letters and interviewing