

Legal Writing II – Persuasive Writing
University Of Florida Levin College Of Law
SPRING SYLLABUS – SECTION 3- LAW 5793/CLASS
#29947 – 3 CREDITS

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Office Hours: Tuesdays 2pm-3pm; Thursdays 2:45pm-3:45pm

CLASS MEETING TIMES: Tuesdays 3:30-4:55pm & Thursdays 1:15-2:40pm

CLASS LOCATION: Holland Hall 382

OFFICE HOURS:

Please come to office hours! I am always happy to meet my students and get to know you better. If you cannot make it to these office hours, we can meet at another time – email me to set that up.

COURSE DESCRIPTION AND OBJECTIVES:

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. Finally, you will further refine your research strategies.

WORKLOAD

This course complies with ABA Standard 310. ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. We will spend approximately 3 hours in class each week, requiring at least **6 hours of preparation** outside of class including reading the assigned materials, completing writing assignments, preparing for simulations, and conferring with the other members of your law firm and opposing counsel.

Please note that although this course is graded Satisfactory/Unsatisfactory, the workload is no less than in any graded course, including near-weekly written assignments. As for any three-credit course, the ABA requires that you spend an

average of at least six hours per week on work for this course, in addition to time spent in class.

STUDENT LEARNING OUTCOMES:

At the end of this course, students should be able to:

- ✓ Continue researching, analyzing, and writing about legal issues under time constraints.
- ✓ Demonstrate increasing levels of citation literacy: the ability both to read legal citations and to write them with appropriate placement and style.
- ✓ Apply a lawyer's ethical and professional standards in the context of written and oral advocacy.
- ✓ Frame a legal issue to persuade a court to rule in your favor.
- ✓ 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.
- ✓ Demonstrate an ability to communicate your legal analysis in a polished, readable, and appropriately concise written product, including motion memos and appellate briefs.
- ✓ Demonstrate a fundamental understanding of the trial process, including the filing of trial motions.
- ✓ Demonstrate an understanding of the basic appellate process and fundamental appellate concepts, including the decision to appeal.
- ✓ Edit and proofread persuasive legal documents.
- ✓ Present legal arguments, and answer questions effectively, in meetings or simulated hearings.
- ✓ Prepare and effectively present an oral argument in support of your legal position in a simulated appellate oral argument.

REQUIRED READING MATERIALS:

1. **Required Textbooks:** Rocklin, Rocklin, Coughlin, and Patrick, *An Advocate Persuades* (2016)

The Bluebook: A Uniform System of Citation (21st ed., 2020).

2. **Suggested:** Cupples & Temple Smith, *Grammar, Punctuation & Style: A Quick Guide for Lawyers & Other Writers* (2013).

3. Supplemental materials and case file posted on the course Canvas website.

All course business will be conducted through Canvas. I will post all Zoom links, reading assignments, supplemental readings, class slides and course announcements on Canvas. 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; you will also turn in all your written work there.

COURSE EXPECTATIONS AND GRADING EVALUATION:

Assuming a student has a satisfactory attendance record, the student's final course grade

will be determined primarily by your performance on your Final Memo Assignment. This assignment will serve as your 'final exam' and will offer you the opportunity to apply the skills you develop during the course.

Timely and satisfactory performance in all class activities and interim assignments is also required. Thus, 50% of your grade is based on the Final Writing Assignment, and 50% on your timely and satisfactory performance on all other written assignments, in-class participation and written participation assignments.

Summary of Assignments, Due Dates and Their Relative Weight

Assignment	Due Date	Weight
Final Trial Memo	February 18th	15%
Final Appellate Brief	April 1st	25%
Final Writing Assignment	April 23rd	50%
Participation, Research Assignments, Drafts,	<i>Due dates will vary</i>	10%

ACADEMIC HONESTY

All work you submit in this course must be your own (or your team's, as applicable). Academic honesty and integrity are fundamental values of the UF community. You must be sure that you understand the UF Student Honor Code set out at <https://sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-code/>, which explains in detail what conduct constitutes plagiarism. Ignorance of the rules is not a defense.

PROFESSIONALISM

This course presents a valuable opportunity to practice professionalism and to begin to create and explore your own professional identity. In the “hands-on” exercise portions of the course you are expected to behave as, and to treat your colleagues and counterparts as, practicing lawyers.

As a future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. I encourage you to speak thoughtfully, listen carefully, and commit to examining your own values and assumptions. All students have the right to be treated with respect by their instructors and classmates.

CLASS ATTENDANCE POLICY:

This is a skills course. Attendance in class is required by both the ABA and the Law School. You may take a maximum of four absences through the semester – but **you may not take an unexcused absence on key dates such as your oral argument or mini oral argument**. For those days, you must request and receive the excused absence at least a week in advance (except in the instance of a true emergency), and I will grant one for necessary reasons only.

Attendance will be taken at each class meeting. 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](#).

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 SICKNESS

If you are sick, out of respect for your colleagues, please do not come to class. Please notify me of your condition and I will provide you with a Zoom link so that you can attend class remotely. You will not be marked absent if you must attend class via Zoom because you are sick. If you insist on coming to class sick, please consider wearing a mask to prevent the spread of germs and illness.

TECHNOLOGY

You must bring a laptop or tablet to every class so that you can access handouts on Canvas, participate in in-class exercises, and work on assignments with your teammates. Please silence and put away cellphones, smartwatches, and similar

devices before class begins. If you are using electronics to do anything not directly related to this class, I will penalize you. I may revisit or revise this policy as needed.

PREFERRED NAMES & PRONOUNS

I would like to use your preferred name and the pronouns that reflect your identity. I use the Canvas display names to create my course roster. Please make sure that your Canvas display name reflects your preferred name and correct pronouns if possible; or, if Canvas will not display your information correctly, please e-mail me and let me know how you'd like to be addressed in class.

ZOOM

Please comply with the following during Zoom sessions:

- Cameras are required to remain on during the entire session.
- If you are in a group session, please use the “raise hand” feature to ask questions.
- Dress appropriately – as you would during an in-person class or meeting.
- Sit upright – as you would during an in-person class or meeting.

TENTATIVE COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS

The following table is designed to give you a sense of the course's coverage and workload. **This outline is only tentative; you must check Canvas regularly for your assignments and deadlines.** Our pace will depend in part on the level of interest and the level of difficulty of each section and is subject to change.

CLASS	TOPIC	READING	ASSIGNMENTS
1/17	Overview of Persuasive Writing	Syllabus Chapters 1, 2, 3, and 8	
1/19	Complaints, Trial Motions and Supporting Memoranda Intro to WA #1	Chapters 4, 10 & Appendices B and C	Research Legal Standard for MSJ in US Federal District Court – be prepared to discuss during next class

CLASS	TOPIC	READING	ASSIGNMENTS
1/24-	Charting Key Cases and Staying Organized	Chapter 6 & Materials Posted on Canvas	Finish charting cases to discuss during next class
1/26	Theme and Persuasive Statement of Facts	Chapters 6, 7.1, 12	1-3 sentence theme, 1-page statement of facts - bring to next class
1/31	Organizing Arguments; Point Headings	Chapters 7 & 9	Draft point headings and initial conclusions, rough outline of argument
2/2	Persuasive Rules and Case Illustrations	Re-read chapters 8.1 & 8.2	Draft rule and rule explanation for trial motion
2/7	Persuasion in the Application; Handling Counter-Arguments	Re-read chapters 8.3 & 9	Draft the application for your trial memo
2/9	Application & Counter-Arguments continued	No reading	
2/10	Trial Memo Q&A	No Reading	Attend this extra class session via Zoom
2/10	Maguire Moot Court Competition	No reading	Attend moot court competition and complete discussion thread
2/14	Editing for Persuasion: Focus, Emphasis, Flow, Checking Citations & Quotations for Content	Chapters 13.1 & 13.2 (A, B, C)	Check your own persuasive value and citations
2/16	Grammar & Proofreading	Chapters 13.2 (D, E), 13.3, 13.4 & 13.5	Complete Trial Memo and submit by 11:59pm on Saturday, February 18, 2023
2/21	Asynch Class - TBD	Chapter 5 & Caselaw on Canvas	Chart new cases

CLASS	TOPIC	READING	ASSIGNMENTS
2/23	Asynch Class - TBD	Appendix C, Chapter 12	Research Standard of Review, ICW 16, Draft Statement of Case and Facts
2/28	Transitioning to Appellate Writing, Revisiting Theme, SOCAF, QP & BA		
3/2	Roadmaps, Point Headings & Sub-headings	Re-read Chapter 7 & Chapter 13	Prepare for individual writing conference
3/7	Individual Conferences w/Professor Snelgro will take place this week	No reading	Turn in document: (1) analyzing how you are improving upon their notice argument and adapting it for your appellate brief and (2) outlining your remedial-measures argument for your appellate brief.
3/9	Asynch - TBD	TBD	Complete discussion board thread
SPRING BREAK March 13-17			
3/21	Oral Argument	Chapter 14	
3/23	Oral Argument	No reading	
3/28	Appellate Brief Q&A		
3/30	TBD		Appellate Brief is Due on Saturday, April 1, 2023 by 11:59pm (seriously, this is not a joke)
4/4	Course Evaluations; Oral Argument de-brief	No reading	Complete ICW 6, 7, 12, 13
4/6	Global Appellate Brief Feedback; Research Project #2	No reading	Research Project #2 due by 11:59pm on Saturday, April 8, 2023
4/11	No class		
4/13	Research de-brief; trial memo re-focus	No reading	
4/18	No class		<i>Final writing assignment will be released on Sunday, April 16, 2023</i>
4/20	No class		
Final Writing Assignment is due by 11:59pm on Sunday, April 23, 2023			

CLASS	TOPIC	READING	ASSIGNMENTS
4/24	Zoom Make-Up Class: Write-On Competition; Moot Court; Trial Team; Summer Jobs	No Reading	

DISCLAIMER: The terms of this Syllabus are subject to modification at the Instructor's discretion. If modifications are made, students will be notified through their Professor's Canvas page or in class.