

ACADEMIC COURSE SYLLABUS

COURSE TITLE:	ADVANCED LEGAL WRITING
COURSE NUMBER:	LAW R501
UNITS:	2
COURSE TYPE:	Required
PROFESSOR(S) NAME:	Heather Bussing
PROFESSOR CONTACT INFO:	I will be available before and after each class for questions and discussion of your work. You may also make an appointment to talk with me either in person or by telephone. You may call me or e-mail. I like e-mail the best, but am always willing to talk to you. heather.bussing@gmail.com or 707.622.5156
SCHEDULE:	Spring 2015, Tuesdays 4-6pm, Room #102
PREREQUISITES:	Completion of firstyear required coursework; preferred completion of second-year required courses.
COREQUISITES:	None
TEXTS AND MATERIALS: (Identification of any texts, materials and references used throughout the course.)	<p><i>The Redbook; A Manual on Legal Style:</i> 2nd Edition Garner; ISBN # 0314168915 or ISBN-13: 9780314168917</p> <p><i>California Style Manual, A Handbook of Legal Style for California Courts and Lawyers:</i> 4th Edition; Jessen; ISBN # 0-314-23370-9.</p> <p>Matthew Butterick, <i>Typography for Lawyers</i>, Publication Date: November 12, 2010, ISBN-10: 1598390775 or ISBN-13: 978-1598390773, Edition: 1st</p> <p>One work of fiction of student's choice of at least 300 pages and something student has never read before. (See Assignment for Week 1 class session later in this Syllabus.)</p> <p>Notebook or Journal and pens or pencils for writing--Bring to class each week</p>
COURSE DESCRIPTION:	Students will learn how to write briefs and legal memoranda that get to the heart of the issues. They will learn to develop a clear, concise English prose style that they will apply to writing about legal subjects. Students will focus on substantive analysis of legal problems, grammar, and organization, with a goal of making themselves understood the first time.
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.)	<p>This is a writing course and workshop. You will be writing. A lot. You will learn what makes writing good and what makes writing stink, and how to write for legal practice.</p> <p>You will also learn how to effectively organize your research; analyze multiple legal issues for brief writing; and frame and write effective, clear, legal arguments. You will also learn strategies on opening, opposition and reply briefs; the differences between objective and</p>

	<p>persuasive writing; and technical writing skills for drafting contracts.</p> <p>Some weeks we will do in-class writing and editing exercises. You will also be drafting a demand letter, contracts and a motion for summary judgment. In the process, you will integrate civil procedure and evidence with torts, property and contracts. If you are hoping to finally understand the rule against perpetuities, don't hold your breath. Students should expect to spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside preparation time per week.</p>
<p>FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)</p>	<p>This is a writing course and workshop. You will be writing. A lot. You will learn what makes writing good and what makes writing stink, and how to write for legal practice.</p> <p>You will also learn how to effectively organize your research; analyze multiple legal issues for brief writing; and frame and write effective, clear, legal arguments. You will also learn strategies on opening, opposition and reply briefs; the differences between objective and persuasive writing; and technical writing skills for drafting contracts.</p> <p>Some weeks we will do in-class writing and editing exercises. You will also be drafting a demand letter, contracts and a motion for summary judgment. In the process, you will integrate civil procedure and evidence with torts, property and contracts. If you are hoping to finally understand the rule against perpetuities, don't hold your breath.</p> <p>Practice, review, rewrite, repeat</p>
<p>EXAMS:</p>	<p>General Policies: Exams begin promptly at 6 p.m. Take-home exams and papers must be submitted to the Law School office by 6 p.m. on the due date, unless otherwise noted. All students must take examinations as scheduled. It is recognized that in special circumstances and due to emergencies, it may be necessary to schedule delayed examinations. An emergency is defined as a serious illness or injury to the student or a member of his or her immediate family. Special Circumstances are defined as other situations that, in the opinion of the Dean, are sufficient to warrant delay in taking examinations. Any student taking delayed examinations <u>must have the prior written approval of the Dean.</u> No examination may be taken <u>prior</u> to the day of the regularly scheduled examination. If delayed examinations are approved by the Dean, <u>a fee of \$75 will be charged for each such exam taken.</u> Failure to complete an exam is not sufficient reason for a late or retake exam.</p> <p>No exam administered in this course. The final project-Summary Judgment project is weighted heavily.</p>
<p>GRADING / ASSESSMENT</p>	<p>This course is graded as follows:</p>

<p>CRITERIA/CLASS POLICIES:</p>	<p><u>Pass/Fail Classes:</u> 65 - 100 P Pass/Credit 64 and Below F Fail/No Credit</p> <p>Although your transcript will reflect only Pass or Fail, I will provide you with a numerical grade on a scale of 65-100 for each assignment and a final grade. 65 and above is a passing score. You will be given a chance to re-write assignments when your score would be below 65 (except the summary judgment motion).</p> <p>Your overall grade will be based on: 10% Written Journal, Class Exercises & Participation 10% Reading Project 15% Opposition to Demurrer 15% Demand Letter 50% Summary Judgment</p> <p>Failure to turn in an assignment when it is due will result in a grade of 0. If you do not turn in the assignment on time and show a good faith effort, you will not be permitted to “re-write” it. You will be given one free-pass to turn in one paper up to one week late, no questions asked. After that, late papers will not be accepted, absent extraordinary circumstances, a great deal of groveling on your part and a big-heart day on my part– the combination of which is highly unlikely.</p> <p>In class exercises will be done by hand in the old school style with pens and paper (retro attire is optional). You will also have writing assignments done outside of class and turned in to me for feedback and grading.</p> <p>Writing assignments that will be turned in and graded must be typed with page numbers and stapled together. Factors affecting your score include legal analysis, grammar, spelling, correct citation of authorities, organization, grasp of the material and clarity of thought. Creativity and a sense of humor are welcome.</p>	
<p>ATTENDANCE:</p>	<p>Regular and punctual attendance is essential for the successful completion of law school and this class. Students should plan to attend every class. Students must attend a minimum of 80% of the class hours to be eligible to pass the course. Roll will be taken at each class. No more than 2 absences permitted.</p> <p>Times and course sessions may change as the class proceeds. If a student misses a class, the student is responsible for determining whether there has been a change from this syllabus. Class meets for 3 hour sessions with study weeks at regular intervals.</p>	
<p>Date</p>	<p>Assignment</p>	<p>Class Outline</p>
<p>Week 1:</p>	<p>Submit Proposed Reading Project detailed under Class</p>	<p>Salutations, Expectations and Exclamations Lecture on the importance of writing in the legal</p>

	Outline Week 1	<p>profession followed by lots of encouragement about how to write and improve your writing.</p> <p><u>Discussion of Reading Projects:</u> Week 1 Reading Project: For the first class, please choose a book of fiction that you are willing to actually read. Yes. Fiction. You know, the stuff you used to read when you had a life. The book must be at least 300 pages, something you have not read before, and contain dialogue. You may choose whatever you like--as long as it is something you would enjoy reading.</p> <p>You must actually obtain a physical copy of the book before the first class. If you are having trouble choosing between several books, pick the one that has no prepositions in the title. If you can't remember what a preposition is, pick the one with blue on the cover. If you are completely lost, send me an email and I'll tell you what I've read lately that you might enjoy.</p> <p>Bring to class a typed sheet of paper with the following:</p> <p>Your name:</p> <p>Title of the Book:</p> <p>Author:</p> <p>Number of Pages:</p> <p>Subject: Short blurb on what it is generally about. 1-2 sentences. It's fine to get the information off the cover, book jacket or from a review. I realize you have not read it yet and are still in shock to have it at all.</p> <p>Purpose of This Assignment: Please speculate wildly on why I would possibly ask you to do this for a legal writing class. Theories about my tortured sense of fun are permitted. And yes, you really do need to do this part.</p>
Week 2:	Read Fiction (Brief due Week 3)	Writing 15 Minutes Lecture on Transactional Writing Contract Writing Exercises
Week 3:	Fiction Brief Due	Further Discussion and Contract Writing Exercises Writing 15 min. Discuss Demand Letter Assignment

Week 4:	Work on Demand Letter (due Week 5)	Discussion of Damages and How to Calculate Damages for Demand Letter Writing 15 min. Overview of written documents in civil litigation, what they are and what they do
Week 5:	Demand Letter Due	Citation Refresher and Exercises Discussion on organizing research when writing a brief or memo Discussion on how to handle adverse authorities Hand out Demurrer Assignment Writing 15 min
Week 6:		Discussion of Rules of Pleading and Strategies for Demurrer and Opposition briefs. Writing 15 Minutes
Week 7:	Demurrer Opposition brief is due	Discussion of Discovery and Motions to Compel Discovery
Week 8:	Summary Judgment Assignment is Handed Out.	Discussion of Summary Judgment Assignment Strategies for Avoiding Triable Issues of Fact. Effective introduction of evidence on summary judgment
Week 9:	Read Complaint and Transcripts for Summary Judgment; Pull and review cases for summary judgment assignment.	Undisputed Material Facts Developing a clear legal argument Lecture and discussion written style, tone and attitude. How to draft statement of facts and citing factual evidence on summary judgment.
Week 10:	Work on statement of facts portion of summary judgment brief.	Discussion of standards of proof Framing your legal arguments and analysis of substantive law for summary judgment motion
Week 11:	Work on Summary Judgment	Lecture on How to Draft Separate Statement of Material Undisputed Facts Discussion of Opposition and Reply Brief strategies, tentative rulings and oral argument.
Week 12:	Summary Judgment Due	Writing 15 Minutes Proof read and edit MSJ Further discussion of evidence, proof and how to write about it.
Week 13:		Guest Speaker on Writing for Career and how to effectively use writing skills and technology in a job search
Week 14:	Bring draft resume for feedback	Workshop on how to write resumes, cover letters and using/creating writing in your job search.
Finals Period		No Class/No Final

Syllabi subject to change.