

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 call me or e-mail. I like e-mail best, but am always willing to talk to you. heather.bussing@gmail.com or 707.622.5156
SCHEDULE:	Summer 2017, Tuesdays 5-7pm, Room #104
PREREQUISITES:	Completion of first year 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> 3rd Edition - Garner; ISBN-10: 0314289011 or ISBN-13: 978-0314289018 (2nd edition is acceptable also)</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>, Edition: 2nd , ISBN#978-1598392623 (1st edition is also acceptable)</p> <p>Mark Forsyth, <i>The Elements of Eloquence: Secrets of the Perfect Turn of Phrase</i>, Publication Date: October 7, 2014, Berkeley, ISBN-10: 042527618 or ISBN-13: 978-0425276181 (I know, it's weird. You'll love it.) Amazon link: https://www.amazon.com/Elements-Eloquence-Secrets-Perfect-Turn-of-Phrase/dp/042527618X/ref=pd_sbs_14_t_0?encoding=UTF8&psc=1&refRID=C09QZJKSAY630SR7F140.</p> <p>AND</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. And yes, you really have to do this.)</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,

	<p>organization and presentation of arguments with a goal of making themselves understood the first time.</p>
<p>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>	<p>You will learn what makes effective legal writing, what doesn't, and how to do the first one.</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 learn strategies on opening, opposition and reply briefs; the differences between objective and persuasive writing; and technical writing skills for drafting contracts.</p> <p>Students can expect to spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings, writing assignments, rewrites, and assignment preparation. 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.</p> <p>Some weeks we will do in-class writing and editing exercises.</p> <p>You will also be drafting a demand letter, an opposition brief, 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 CRITERIA/CLASS POLICIES:</p>	<p>This course is graded as follows: <u>Pass/Fail Classes:</u></p>

65 - 100 P Pass/Credit
64 and Below F Fail/No Credit
(Only numeric grades are used to calculate grade point average.)

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).

Your overall grade will be based on:

- 15% Written Journal, Class Exercises & Participation
- 10% Reading Project
- 15% Demand Letter
- 20% Opposition Brief
- 40% Summary Judgment

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. If you work hard at it, but just don’t get it the first time, you will get another try. 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.

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.

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.

ATTENDANCE:

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.

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.

Date	Assignment	Class Outline
Week 1:	Submit Proposed Reading Project detailed under Class Outline Week 1	<p>Salutations, Expectations and Exclamations Lecture on the importance of writing in the legal 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)	<p>Writing 15 Minutes Lecture on Transactional Writing Contract Writing Exercises</p>
Week 3:	Fiction Brief Due	Discussion of writing style, voice, and rhetoric.

	Read Chapters 1-4 of The Elements of Eloquence (EoE)	Writing 15 min. Discuss Demand Letter Assignment
Week 4:	Work on Demand Letter (due Week 5) Read Chapters 5-10 EoE	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 Read Chapters 11-13 EoE	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:	Read Chapters 14-18 EoE	Discussion of Rules of Pleading and Strategies for Demurrer and Opposition briefs. Writing 15 Minutes
Week 7:	Demurrer Opposition brief is due Read Chapters 19-22 EoE	Discussion of Discovery and Motions to Compel Discovery
Week 8:	Summary Judgment Assignment is Handed Out. Read Chapters 23-29 EoE	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. Read Chapters 30-34 EoE	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. Read Chapters 35-38 EoE	Discussion of standards of proof Framing your legal arguments and analysis of substantive law for summary judgment motion
Week 11:	Work on Summary Judgment Read Chapter 39, Peroration, and Epilogue	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:	Optional: Bring draft resume for	Workshop on how to write resumes, cover letters

	feedback	and using/creating writing in your job search.
Finals Period - runs 8/7 thru 8/17/2017		No Class/No Final Final projects are due by 6pm on date assigned for “final” in this course. Watch for exam schedule which will be published during the semester.

Syllabus is subject to change.