

# EMPIRE COLLEGE SCHOOL OF LAW

## Advanced Legal Writing– Syllabus (Fall 2009)

- Course No.: C 543  
Time: Wednesdays 4pm - 6pm  
Units: 2  
Instructor: Heather Bussing
- Required Texts: Garner, Bryan *The Redbook: A Manual on Legal Style, Second Ed.* ISBN 0314168915  
Jessen, *California Style Manual, A Handbook of Legal Style for California Courts and Lawyers* (4<sup>th</sup> ed. 2000) ISBN 0-314-23370-9  
One work of **fiction** of your choice of at least 300 pages and something you have never read before. (See Assignment for First Class attached)
- Recommended: Levinson & Perry, *Guerrilla Marketing for Job Hunters 2.0*, ISBN 978-0-470-45584-5
- Required Materials: Bound Notebook or Journal and pens or pencils for writing--Bring to class each week
- Course Description: This is a writing course and workshop. You will be writing. A lot. About 20% will be done in class. You will learn what makes writing good and what makes writing stink, how to get over writer's block and fear of having others read your writing. You will become excellent proof readers and editors.
- You will also learn how to effectively organize your research and analyze multiple legal issues for brief writing, how to frame and write an effective, clear legal argument, strategies on opening and reply briefs, the differences between objective and persuasive writing and technical writing skills for drafting contracts.
- Most weeks we will do in-class writing and editing exercises. You will also be drafting a demand letter, research memo, 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.
- The last two classes are spent on writing for a job search, including resumes and cover letters.
- Attendance: Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. A minimum of 80 percent attendance is required. Roll will be taken at each class.
- Grading: Pass/Fail. Although your transcript will reflect only pass or fail, I will provide you with a numerical grade on a scale of 65-

## EMPIRE COLLEGE SCHOOL OF LAW

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 where your score would be below 65 (except the final and the last writing assignment).

Your overall grade will be based on:

10%	Written Journal & Class Exercises	50%	Summary Judgment
15%	Demand Letter	20%	Research Memo
5%	Reading Project		

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, 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.

Format for  
Written Work:

We will write in class most weeks. This will be done by hand in the old school style with pens and paper (retro attire is optional). You will **not** turn in your journal writing. 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.

Instructor Info.:

I will be available before and after each class and during breaks 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

## EMPIRE COLLEGE SCHOOL OF LAW

### Advanced Legal Writing Class Descriptions and Assignments

Week	Assignment	Class Outline
1	Submit Proposed Reading Project (see assignment attached)	Salutations, Expectations and Exclamations Writing 15 minutes. Lecture on the importance of writing in the legal profession followed by Lots of encouragement about how to write and improve your writing. Discussion of Reading Project
2	Read Fiction (Brief due Week 3)	Writing 15 Minutes Lecture on Transactional Writing Contract Writing Exercises Editing
3	Fiction Brief Due	Writing 15 Minutes Lecture on Persuasive Writing and How to Frame A Legal Argument Discussion of Different Kinds of Motions, What They're for and When to Use Them Discuss Demand Letter Assignment
4	Work on Demand Letter (due Week 5)	Writing 15 Minutes Discussion of Damages and How to Calculate Damages for Demand Letter Lecture and Discussion on Research Strategies
5	Demand Letter Due	Writing 15 Minutes Citation Refresher and Exercises Discussion on organizing research when writing a brief or memo Discussion on how to handle adverse authorities
6	Work on Research Memo (due Week 8) Bring Cases You Have Found to Class	Writing 15 Minutes How to writing headings How to quote from cases How to talk about cases in a brief Writing about cases exercises

## EMPIRE COLLEGE SCHOOL OF LAW

<b>7</b>	Work on Research Memo (due Week 8) Bring Rough Draft to Class	Edit and Proof Read Legal Memos in Class Quoting exercises Lecture on summary judgment motions Hand Out Summary Judgment Materials and discuss assignment
<b>8</b>	Research Memo due	Writing 15 Minutes Lecture and discussion on evidence, proof and summary judgment motions Hand out evidence for Motion for Summary Judgment (MSJ)
<b>9</b>	Read Complaint and Transcripts for Summary Judgment Work on Statement of Facts-bring draft to class week 10	Writing 15 Minutes Writing exercises on developing a clear legal argument Lecture and discussion written style, tone and attitude. Exercises on statement of facts and citing factual evidence
<b>10</b>	Draft of Statement of Facts due Work on legal arguments	Writing 15 Minutes Discussion of standards of proof Lecture on How to Draft Separate Statement of Material Undisputed Facts Editing and proof reading exercises
<b>11</b>	Summary Judgement due Week 12	Writing 15 Minutes Discussion of Opposition and Reply Brief strategies, tentative rulings and oral argument. Proof read and edit MSJ Further discussion of evidence, proof and how to write about it.
<b>12</b>	Summary Judgement Due	Writing 15 Minutes
<b>13</b>	Summary Judgment Due	Workshop on how to write resumes, cover letters and using writing and the internet to search for an apply for legal jobs.
<b>14</b>	Bring Draft of Resume for feedback	In class review of resumes and cover letters.

# EMPIRE COLLEGE SCHOOL OF LAW

15		No Class/No Final
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# EMPIRE COLLEGE SCHOOL OF LAW

## Week 1 Reading Project Proposal

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 on summer vacation or for fun when you had a life.

The book must be at least 300 pages long, be something you have never read before and **contain dialogue**. While it is preferable that the book not have anything to do with law, lawyers, courts or crimes, you may choose what ever you like--as long as it is something you would like to read. 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.

Bring to class a typed sheet of paper with the following:

**Your name.**

**Title of the Book:**

**Author:**

**Number of Pages:**

**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.

**Purpose of This Assignment:** Please speculate wildly on why I would possibly ask you to do this for a legal writing class. Keep expletives to a minimum please. (Yes, I actually want you to do this part.)