

Advanced Legal Writing– Syllabus (Fall 2011)

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* (4th 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 to the end of the Syllabus.)

Required Materials: 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.
You will learn what makes writing good and what makes writing stink, and how to write for legal practice.

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.

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.

Grading: Pass/Fail. Although your transcript will reflect only pass or fail, I will provide you with a numerical grade on a scale of 65-100 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:

10%	Written Journal, Class Exercises & Participation	50%	Summary Judgment
10%	Reading Project	15%	Demand Letter
15%	Opposition to Demurrer		

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.

Format for
Written Work:

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.

Instructor 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.

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**Advanced Legal Writing
Class Descriptions and Assignments**

Week	Assignment	Class Outline
1	Submit Proposed Reading Project (see assignment attached)	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. Discussion of Reading Project
2	Read Fiction (Brief due Week 3)	Writing 15 Minutes Lecture on Transactional Writing Contract Writing Exercises
3	Fiction Brief Due	Further Discussion and Contract Writing Exercises Writing 15 min. Discuss Demand Letter Assignment
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
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
6		Discussion of Rules of Pleading and Strategies for Demurrer and Opposition briefs. Writing 15 Minutes
7	Demurrer Opposition brief is due	Discussion of Discovery and Motions to Compel Discovery

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
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.
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
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.
12	Summary Judgment Due	Writing 15 Minutes Proof read and edit MSJ Further discussion of evidence, proof and how to write about it.
13		Guest Speaker on Writing for Career and how to effectively use writing skills and technology in a job search
14	Bring draft resume for feedback	Workshop on how to write resumes, cover letters and using/creating writing in your job search.
15		No Class/No Final

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 what ever you like--as long as it is something you would enjoy reading.

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.

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. Theories about my tortured sense of fun are permitted. And yes, you really do need to do this part.