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Course: **LRW III – Transactional**

Semester: **Spring 2012**

**NOTE: This is a draft. A final syllabus will be distributed in class. Assignments for the first two weeks will not change.**

### **Text**

Fajans, Falk, and Shapo, *Writing for Law Practice*, Foundation Press 2<sup>nd</sup> Edition 2010, ISBN 978-1-59941-630-4

### **Learning Goals and Course Structure**

In this course you will develop skills for drafting precise and clear documents. You will be exposed to drafting litigation documents, contracts, and other legal documents. You will learn to research, evaluate, and use forms and checklists.

This course will include an online component. You will be required to complete several online modules. This online component will replace three of our class sessions, as noted in the schedule below. Details and instructions regarding the online component will be provided in class.

### **Attendance**

Class attendance is very important to understanding the course materials, developing drafting skills, and completing the assignments. Our classroom discussions and small group projects will be the primary learning tools to help you complete the drafting assignments and some assignments will require classroom exercises to gather the necessary facts needed to draft the document.

You are required to attend all Legal Research and Writing classes and to participate

in class discussions and exercises. Excessive absence will be penalized. Excessive absence is defined as missing more than two classes per semester. Two points will be deducted from your final point total for a third absence. Four points will be deducted from your final point total at the end of the semester for each absence after the first three absences. More than three missed classes may result in forced withdrawal from the course. Arriving significantly late for class, leaving early, or being unprepared will be considered an absence. There are no excused absences.

## **Due Dates and Procedures**

The cover sheet for each assignment will include the due date and time for the assignment. Failure to submit your assignment prior to the due date and time will result in a penalty of two points per day. By way of example, if an assignment is due at 3 PM on Wednesday, a student who turns in the assignment on the due date at 4 PM would lose two points. If the student turns in the assignment at 5 PM the following day, the student would lose four points total.

When submitting an assignment, make sure you follow any requirements provided on the assignment cover sheet. Additionally, the following apply when submitting an electronic copy of an assignment:

- A. Use Microsoft Word
- B. Attach the assignment via e-mail; title the e-mail using the assignment name
- C. Title the Word document using **your last name only** ("Smith.doc")
- D. Make sure your name is on the assignment document itself

Failure to follow any assignment formatting or submitting procedures may result in a loss of points for that assignment.

## **Technology Policy**

At various times throughout the course you will need your laptop to conduct research and draft documents for small group projects. Please refrain from downloading email or conducting other non-course related activities on your computer, as these activities may distract fellow students. Also, please make sure your cell phone ringer is turned-off during class.

## **Course Website**

The class web site is hosted by Lexis/Blackboard and can be found at: <http://www.lexisnexis.com/lawschool/>. If you do not have a current Lexis password, please contact your Lexis representative (Jillian Kalogerson, [jillian.kalogerson@lexisnexis.com](mailto:jillian.kalogerson@lexisnexis.com)) no later than prior to the first day of the

semester, and preferably a couple of weeks prior. To gain access to the website, you must be "enrolled" by me. Approximately one week prior to the first day of the semester I will begin enrolling students into the course website.

### **Grading Components**

Your grade will be based upon the following assignments:

Drafting assignment one	15 points
Drafting assignment two	10
Drafting assignment three	25
Drafting assignment four	15
Drafting assignment five	10
In-class assignments	10
Legislation Drafting exercise	5
Librarian research exercises	4
Mid-term Exam	25

*Additional drafting, research, and citation exercises may be assigned*

### **Grading Notes:**

1. Many of the above totals include the total points allotted for an assignment, which may consist of both research or other preliminary assignments and the points allotted for the final submission. Details are always provided in the individual assignment cover sheets.
2. I will not provide letter grades on each assignment. Instead, each grading component will have a point total. At the conclusion of the semester I will tabulate all of the points and determine final grades.
3. I reserve the right to raise a grade by one grade increment (ex: B to B+) for significant and consistent work that exceeds the normal expectation of the class, as determined in my sole discretion. This would entail outstanding work on small group projects and class involvement and preparation.
4. I also reserve the right to lower a grade by one grade increment (ex: B to B-) for significant and consistent work that does not meet the normal expectation of the class, including not fully participating in small group projects and incomplete class preparation.

### **In-class assignments**

While classes will regularly include small group and hands-on exercises, on two occasions throughout the semester you will be given a graded in-class group

exercise. These will not be announced ahead of time. Each exercise will be worth five points.

**Midterm Exam**

The midterm exam will be open book and take place during one of our class sessions. The exam will consist of exercises designed to test the skills we have developed throughout the semester.

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## Syllabus

### Notes:

1. Additional reading materials may be distributed and assigned in class.
2. Due dates below for major assignments are preliminary and you should always rely **solely** on the due date provided on each assignment packet, as well as for all details as to time, process and requirements for submitting the assignment.
3. This syllabus is subject to change.

### January 20

*Writing for Law Practice*, Chapters 1 and 2

- Course introduction
- Drafting process
- Discussion of the first assignment
- Complaints and fee agreements

**Due:** If you have a partner preference for the first assignment, you must return the Partner preference form (distributed in class and available on the website) prior to 12 p.m. on January 26.

### January 27

*Writing for Law Practice*, Chapter 7, pp. 235–43  
First Assignment Packet (distributed in class)

- Fact gathering and interviewing
- Preparation for client interview
- Westlaw presentation on finding forms and checklists

**Note:** The second hour of class will be a Westlaw presentation on finding forms and checklists. You will need your laptop and access to Westlaw for the presentation.

## **February 3**

*No reading assignment*

- Interviewing exercise
- Use of forms and checklists
- Discussion of first assignment
- Partner work time

### **Due:**

1. Interviewing preparation and research exercise – due by **4 PM on Thursday, February 2.**
2. Drafting assignment one is due on **February 10.**

## **February 10**

*No class meeting*

**Due:** Drafting assignment one

## **February 17**

*Writing for Law Practice*, Chapter 14, pp. 497-508

Handout – Administrative Law Research (distributed prior to class)

Assignment two packet (distributed in class)

Assignment three packet (distributed in class)

- Introduction to contracts drafting
- Introduction to assignments two and three

The second hour of class will be a law librarian lecture on administrative law research.

## February 24

*No reading assignment*

- Contract drafting fundamentals
- Discussion of assignments two and three
- Lexis presentation on finding forms and checklists and

The second hour of class will be a Lexis presentation on finding forms and checklists and a review of case law and statutes research. You will need your laptop and access to Lexis for the presentation.

### **Due:**

1. The first three online modules are due by 4 PM on Friday, March 2
2. Drafting assignment two is due by 4 PM on **Tuesday, March 13**
3. Assignment three research assignment is due by the start of class on March 16

## March 2

*No class meeting*

### **Due:**

4. The first three online modules are due by 4 PM on Friday, March 2
5. Drafting assignment two is due by 4 PM on **Tuesday March 13**

## March 16

*Writing for Law Practice, Ch. 14 pp. 516 – 536*

- Contract drafting fundamentals
- Putting together the contract
- Discussion of assignment three

### **Due:**

1. Drafting assignment two is due by 4 PM on **Tuesday March 13**
2. Assignment three research assignment due by the start of class.
3. Drafting assignment three is due March 30

## **March 23**

*No class meeting*

**Due:** Drafting assignment three is due March 30

## **March 30**

*Writing for Law Practice*, Chapter 15, pp. 551 – 566

Assignments four packet (distributed in class)

Handout –Legislative History Research (distributed prior to class)

- Introduction to wills and will drafting
- The second hour of class will be a law librarian lecture on legislative history research.

**Due:** Drafting assignment three

## **April 13**

*Writing for Law Practice*, Chapter 15, pp. 566 – 580

- Wills and will drafting

**Due:** Legislative drafting online module and exercise

## **April 20**

*Writing for Law Practice*, Chapter 14, pp. 508 – 516

Negotiation exercise (distributed in class)

- Will drafting
- Negotiating a contract
- Negotiation fundamentals
- Introduction to letters of agreement, settlement agreements, and releases

## **April 27**

Midterm exam

**Due:** Drafting assignment four

## **May 1 (Tuesday)**

Negotiation exercise (distributed in class)

- Negotiation exercise
- Drafting the negotiated agreement

**Due:** If not completed in class on 5/1, Drafting Assignment Five is due by 5:00 p.m. on Thursday, May 3.