HAMLINE UNIVERSITY
School of Law

Faculty: **Professor Kenneth R. Swift**
Kswift@Hamline.edu
W222
(651) 523-2397

Course: **LRW III – Transactional**

Semester: **Spring 2013 (online)**

Preliminary Note: With an online course it is very important that you read every document and e-mail closely, beginning with this syllabus, to ensure that you understand all of the course assignments, procedures, and due dates. Additionally, from time to time there may be changes, reminders, and additional content sent to organize and supplement the course. You are responsible for knowing all such information.

I. Text

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

II. Learning Goals

In this course you will develop skills necessary for drafting precise, clear, and complete 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.

III. Course Structure and Technology

This course is taught fully online. With the exception of readings from the assigned text, all aspects of this course including additional readings, assignments, and multimedia material such as videos and MP3 files, will be available online, save for the final exam, which must be taken in person. To prepare for the course, there are two steps you must take **before the semester begins**:

A. Course Website

The course 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

DRAFT

password, please contact your Lexis representative (Jillian Kalogerson, jillian.kalogerson@lexisnexis.com) and request a new password.

To gain access to the website, you must be "enrolled" by me. Approximately two weeks prior to the first day of the semester I will begin enrolling students. At that time, you will have access to the course website and introductory video. The first unit will be available approximately one week prior to the start of the semester.

NOTE: There is an introductory video assigned for the first unit. Some information in the video may be duplicative of the information below, but some will not be. You are responsible for information both in this document and in the introductory video.

B. Lexis E-Mail

I will regularly send e-mails. You must check the e-mail address that is associated with your Lexis password to ensure it is the address you want to receive class e-mails. Check closely to ensure that the e-mail is exactly correct. I am not able to change the e-mail associated with your Lexis password.

IV. "Attendance" and Collaborative Assignments

In an online course there is, obviously, no physical "attendance." However, you are required to keep up with the assignment schedules as set forth in the syllabus. Falling behind that schedule may result in your **forced withdrawal** from the course. All units must be completed, and the standards met for credit, to receive credit for the course. Failure to do so will result in an incomplete.

It is important to keep up with the weekly readings, assessments, and activities, as each week builds skills necessary to complete the Major Assignments for the course (discussed below). It will be important to work on course activities consistently and not put them aside until the due date as there will be group assignments and activities which will require participation throughout the week.

Collaborative and Group Assignments

Transactional drafting is collaborative work. Final documents reflect collaborative work with clients and, in most cases, other attorneys and opposing parties. In this course you are going to be required to work with other students to complete both small group assignments and Major Assignments. Additionally, for the final unit of the semester you will be required to meet with another student to complete the fact-finding portion of the assignment. This will require you to set up a time convenient

DRAFT

for both students within a one week period.

V. Course Structure and Assignments

The course is divided into five units, each covering several weeks. For each unit you will be given a checklist of all of the items which you must complete prior to a particular due date, and the suggested order in which they should be completed. With the exception of the assignments from your textbook, each required activity will be presented, in order, in a folder on the course website (demonstrated on introductory video).

Within each unit there will be several items, including:

A. Videos: These are videos or MP3 files which provide an introduction to, and overview of, the materials you will be studying in the unit.

B. Readings: These are the required textbook chapters, cases, statutes, and articles.

C. Assessments and Activities: Your comprehension of the reading materials is assessed using several different types of inquiries:

> **i. Questions:** These are sets of questions designed to assess your comprehension of assigned readings, develop skills, or lead you through research materials or other items related to your assignments.. These will be multiple-choice, multiple answer, true false, and fill in the blank type questions. Requirements for completing any one set of questions will be included in the instructions.
>
> **ii. CALI Exercises:** There will be numerous Computer-Aided Legal Instruction (CALI) exercises throughout the course. These exercises will be used to help present and assess basic drafting skills and allow for short and long essay responses. These assignments will be graded based upon the "Good Faith Effort" standard discussed in the introductory video.
>
> **iii. Small Group Exercises:** You will regularly be required to complete small group exercises designed to assess and build the skills necessary to draft good legal documents.

D. Graded Assignments.

> **i. Major Assignments:** Each unit is designed to build skills and knowledge that lead to the development of a final drafting assignment for that unit. These assignments, along with the final exam, will account for the majority of the points. Outlines and rubrics will be provided to help guide you in

DRAFT

developing quality Major Assignments

ii. Major Assignment Building Block. Each unit will also include assignments designed to be "building blocks" to completing the major assignment. For example, you will be required to find forms, samples, and checklists that you will utilize to create your Major Assignments. These assignments will be graded based upon the "Good Faith Effort" standard discussed in the introductory video.

iii. Skills Assignments: There will also be assignments that are not directly related to a unit's Major Assignment, but are designed to assess and build necessary drafting skills. On occasion, some of the group exercises discussed in V(C)(iii) will be included in this category. These types of assignments are not critiqued in the same way as the Major Assignments and completing these assignments with a reasonable effort will normally result in receiving most or all of the allotted points.

VI. Due Dates and Procedures

Unless otherwise noted, all assignments will be due at 10 PM on Tuesdays.

The cover sheet provided for each Major Assignment packet will include the due date 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, at 10 PM. By way of example, if an assignment is turned in at 5 PM on the Wednesday following the due date, the student will lose two points. If the assignment is turned in at 11 PM on Wednesday, the student would lose four points.

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. Note that some assignments may be graded anonymously. In such a case instructions will be provided on the assignment cover sheet and items C and D above will not apply.

DRAFT

VII. Grades

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.

Your grade will be based upon the following Major Assignments for each unit **plus points** for Building Block assignments and Skills Assignments (see section V (D) above):

Pleadings Unit	15 points
Contract Drafting I Unit	10
Contract Drafting II Unit	25
Statutory Drafting Unit	5
Will Drafting Unit	15
Participation and Effort	10
Final Exam	35

Grading Notes:

1. 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 CALI exercises, group activities, and other course items.

2. 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. This reduction may be in addition to loss of participation and effort points, discussed below.

Participation and Effort
The points for participation and effort will be based upon:

1. Timely completion of all assignments and activities
2. Thoroughness of responses to essay questions and writing assignments , including CALI exercises
3. Timely participation in small group activities

NOTE: The participation points are not based upon a curve and it is my hope that every class participant will receive all of the allotted points.

DRAFT

Exam

The exam will be open book and sell scheduled and take place during the normal exam period. The exam will consist of one or more exercises designed to test the skills we have developed throughout the semester.

VII. Code of Conduct

The same Hamline Legal Writing Code of Conduct that applied to LRW I and II applies to this course. A copy of the code is posted on the course website.

DRAFT

Syllabus

Due dates and details for each unit are presented in the checklist for each unit. The checklist for unit one is presented below. Future unit checklists will be posted on the course website.

Unit 1 Checklist

Week One

1. Watch Video: *Course Introduction*
2. Read: *Writing for Law Practice*, chapter 1
   Assignment One Packet
3. Watch Video: *Introduction to Drafting*
4. Complete:
   A. Reading Questions
   B. Property Lease Problem (group project)
   C. Research Exercise

Due Date: The above must be completed by 10 p.m. on Tuesday, January 22

Week Two

1. Watch Video: *Property Lease Problem Feedback and Introduction to Forms and Checklists*
2. Read: *Writing for Law Practice*, chapter 2
3. Watch Video: *Introduction to Complaints and Written Discovery*
4. Complete:
   A. Research Assignment: Unit 1 Forms and Checklists

Due Date: The above must be completed by 10 p.m. on Tuesday, January 29

DRAFT

Week 3

Note: No later than 5 PM on Wednesday, January 30 you must submit your complaint and interrogatory forms and checklists from the Unit 1 Forms and Checklists assignment to your small group partners for this week.

1. Watch Video: *Evaluating Forms and Checklists*
2. Read: Interrogatories Article (available on the course website)
3. Complete:
   A. Evaluation of small group partners' forms and checklists
   B. Interrogatory Drafting Group Assignment

Due Date: The above must be completed by 10 p.m. on Tuesday, February 5

Week 4

1. Complaint

Note: Additional assignments will be due for Unit 2 as we begin that unit. A Unit 2 checklists will be available on the course website.

Due Date: The above must be completed by 10 p.m. on Tuesday, February 12

DRAFT