



## COURSE SYLLABUS

Faculty: **Beth Honetschlager**  
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**651-523-2068**  
**Office: 233W**

Course: **LRW III: General Practice and Transactional (Weekend)**

Semester: **Fall 2013**

Meeting Schedule: **Sunday, 9:20-11:30**

Room: **4**

### **Office Hours**

My office hours will be determined after the semester begins. But you are welcome to drop in any time my office door is open. If my door is closed, but my office light is on, I may still be able to meet with you – just knock. I can also make an appointment to meet with you.

### **Teaching Assistant**

Jennifer Wendt is the TA for this course. Jennifer will be present during class and will be available to meet with you outside of class.

You can contact Jennifer at [jwendt04@hamline.edu](mailto:jwendt04@hamline.edu). Her office hours will be determined after the semester begins.

### **Textbooks**

#### ***Required***

Elizabeth Fajans, Mary R. Falk, & Helene S. Shapo, *Writing for Law Practice* (2d ed., Foundation Press 2010) ISBN 978-1-59941-630-4

*Although we will not be covering every chapter in the textbook, I have chosen this book for you because I believe it will be an excellent reference for your future years of law school, clerking, or law practice. Please keep this in mind before selling it back to the bookstore or to others.*

#### ***Recommended***

Anne Enquist & Laurel Currie Oates, *Just Writing: Grammar, Punctuation, and Style for the Legal Writer* (3d ed., Aspen 2009) ISBN 978-0-7355-7668-1

Bryan A. Garner, *The Redbook: A Manual on Legal Style* (3d ed., West 2013) ISBN 978-0-314-28901-8

Richard Wydick, *Plain English for Lawyers* (5th ed., Carolina Academic Press 2005) ISBN 1-56460-151-8

### **Learning Outcomes for the Course**

This course is designed to give you practice accomplishing clients' intentions while attempting to avoid potential legal problems. This involves gaining mastery of the relevant law as well as applying language skills in new and demanding contexts. The course should also substantially reinforce and refine the writing skills that you developed in your first-year Legal Research and Writing courses.

The ultimate goal of the course is to get you ready to undertake the drafting tasks demanded of lawyers. Specifically, by the end of the course you should be able to:

- Understand and effectively use the drafting process to prepare a variety of documents.
- Identify and draft for relevant audiences.
- Understand how the law informs drafting.
- Research, evaluate, and use forms and checklists.
- Write clearly, precisely, and without inadvertent ambiguity.
- Draft documents with readable structure and style.
- Work effectively in a group to prepare drafted documents.
- Interview a client to obtain information to carry out the client's wishes.
- Negotiate a contract on behalf of a client.
- Draft pleadings, legislation, health care directives, wills, and contracts.

### **Course Policies**

#### **HUSL Policies on attendance, lateness and preparation**

The program of instruction at the School of Law is based on an active and informed exchange between instructor and student and between student and student. Regular, prepared class attendance helps develop skills essential to the competent practice of law. A student who violates the attendance policy, including the instructor's specification of class expectation described below, may lose his or her right to take the exam in the course, to receive course credit or may receive other penalties described below and in Academic Rule 108. Persistent or frequent lateness or unpreparedness may also be the basis for reduction of the grade awarded in a course. See Academic Rule 108 for further details.

### ***Attendance Policies in this Course***

You are required to attend all classes and to participate in class discussions and exercises. Penalties for missed classes are as follows:

- 1st missed class: no penalty
- 2nd missed class: 2 points deducted
- 3rd missed class: additional 2 points deducted (4 points total)
- 4th missed class: additional 2 points deducted (6 points total) and your name will be sent to the Dean's office with a recommendation that you be withdrawn from the course.

Arriving significantly late for class, leaving early, or being unprepared will be considered an absence. There are no excused absences.

### ***Technology Policy***

I suggest that you bring your laptop to class, because class time will be spent writing and conducting online legal research. However, I will not tolerate the use of laptops, cell phones, etc., to surf the web or do any other activities not related to class discussion.

### ***TWEN Site***

We will use the course TWEN site extensively for communicating, distributing materials, and handing in assignments. You are charged with the responsibility of reading postings on TWEN.

### ***Professionalism Expectation***

You are a member of a professional community and are expected to behave professionally. Lack of professionalism may result in a grade deduction (see below).

### ***Code of Conduct***

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

### **Assignments and Grading**

#### ***Assignments and point values***

Complaint	20
Legislation	20
Client letter	5
Health care directive	10
Will	20
Contract	30
Miscellaneous exercises*	<u>6</u>
Total	111

\* Personal profile, contract outline, and reflective memo exercises. Additional exercises may be assigned.

### ***Due Dates and Procedures***

Assignments will generally be due by class time and will be handed in on TWEN or in class, or both. See each assignment for the submission method, due date and time, and other directions. For assignments submitted to the TWEN assignment drop box, I will use TWEN's time stamp to determine submission time.

Failure to follow an assignment's formatting or submitting procedure may result in a loss of points for that assignment.

Failure to submit an assignment by the due date and time will result in a penalty of 4 points per 24-hour period. For example, if an assignment is due at 9:20 a.m. on Sunday, a student who submits the assignment at 9:30 a.m. on Sunday will lose 4 points. Likewise, if a student submits the assignment at 8:00 a.m. on Monday, the student will lose 4 points. If a student submits the assignment at 3:00 p.m. on Monday, the student will lose a total of 8 points.

You must turn in all assignments and exercises to receive credit in the course.

### ***Determination of Final Grade***

I will determine your grade by adding up the total number of points received during the semester, and then deducting, if applicable, any points lost through excessive absenteeism. I will then curve grades by comparing the total number of points received by my students. Grades will be based on this point comparison, rather than on the percentage of total points you have received.

I will calculate the average and median grades for each assignment to help you determine your relative standing among my students.

I reserve the right to raise a grade by one grade increment (e.g., B to B+) for significant and consistent work or conduct that exceeds the normal expectations of the course, as determined in my sole discretion. This could entail outstanding work on small group projects, class involvement, or preparation.

I also reserve the right to lower a grade by one grade increment (e.g., B to B-) for significant and consistent work or conduct that does not meet the normal expectations of the course, as determined in my sole discretion. This could include not fully participating in small group projects, incomplete preparation, inappropriate use of technology, or unprofessional conduct.

## Weekly Schedule

### Notes

- Additional readings, assignments, and exercises may be assigned.
- Due dates below are preliminary and are subject to change. You should always rely solely on the assignment cover sheet for the due date and for details as to time, process, and submission of the assignment.
- This syllabus is subject to change. I will give you as much notice as possible of any changes.

<b>Week &amp; date</b>	<b>Class topics</b>	<b>Reading assignments to be done for this week</b>	<b>Assignments due this week</b>
Week 1 Aug. 18	Course introduction Drafting process Conceptualizing Introduction to litigation drafting Complaints Guest speaker: law librarian	Fajans et al. Introduction; Chapter 1: Conceptualizing; Chapter 2: Complaints*  <i>*Unless explicitly directed to do so, you are not expected to do the exercises or assignments within the reading assignments.</i>	
Week 2 Aug. 25	Complaints Precision	Fajans et al. Chapter 11: Precision	
Sept. 1 No class – Labor Day			
Week 3 Sept. 8	Answers Precision	Fajans et al. Chapter 3: Answers	Complaint due
Week 4 Sept. 15	Introduction to legislative drafting Legislation and regulation Precision Guest speaker: Westlaw rep	Fajans et al. Chapter 13: Legislation and Regulation	
Week 5 Sept. 22	Legislation Letters Clarity	Fajans et al. Chapter 5: Clarity; Chapter 7: Letters	
Week 6 Sept. 29	Introduction to transactional drafting Wills and health care directives Clarity Guest speaker: Lexis rep	Fajans et al. Chapter 15: Wills	Legislation due Client letter due
Week 7 Oct. 6	Wills and health care directives Interviewing Clarity		
Week 8 Oct. 13	Wills Document design Interview client	Fajans et al. Chapter 12: Document Design	Personal profile due
Oct. 20 No class – fall break			

Week 9 Oct. 27	Wills Document design		Health care directive due
Week 10 Nov. 3	Contracts Guest speaker: Bloomberg Law rep	Fajans et al. Chapter 14: Contracts	Will due
Week 11 Nov. 10	Contracts Negotiation		
Week 12 Nov. 17	Contracts Negotiation of contract terms		Contract outline due
Week 13 Nov 24	Contracts Negotiation and drafting of contract terms		
Dec. 1	No class - Thanksgiving break		Contract due Reflective memo due