

**Hamline University School of Law – Dispute Resolution Institute
January Term 2010**

Writing to Persuade (1 Law School Credit)

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Class Meetings

January 9-10, 2010
9:00 a.m. – 4:30 p.m.
Room: East Hall 004

Course Description

This course will focus on persuasive writing as a fundamental skill in Alternative Dispute Resolution. While the process of resolving a dispute involves extensive spoken communication, many events vital to the process, such as demand letters, client advice letters, and responses to client inquiries, require written communication. Frequently, one goal of such communication is to persuade the recipient to adopt or change a position. Readings, exercises, and assignments in this course will address the skills needed for such persuasion by focusing on negotiation and mediation processes, decision-making, persuasion skills, the incorporation of persuasion skills into written communication, and dealing with hostile or emotional communications.

Class exercises will include extemporaneous writing. Please come to class with paper to use for exercises; some exercises may be handed in anonymously before breaks for later use in the class as examples.

Course Materials

Please do all the readings posted on TWEN before the course starts. While we will focus on topics in the approximate order indicated in the agenda, discussion and exercises at any given point will inevitably involve references to related topics coming up later. Additional short readings may be handed out on Saturday for reference on Sunday.

TWEN Course Readings: Excerpts from The Negotiator's Fieldbook, edited by Andrea Kupfer Schneider and Christopher Honeyman; The Handbook of Conflict Resolution: Theory and Practice, edited by Morton Deutsch and Peter T. Coleman; Legal Writing and Other Lawyering Skills, by Nancy L. Schultz and Louis J. Sirico, Jr.; Writing for Law Practice, by Elizabeth Fajans, Mary R. Falk, and Helene S. Shapo; and assorted articles.

Course Assignments and Grading

Attendance for the full two days of the course is required. During class, participation in large and small group discussions and exercises is expected. While class participation will not be specifically graded, it may be taken into account in the overall grading process to "bump" a grade to a higher grade in cases where the grade otherwise falls on a line between two grades.

The grade in the course will be based on three short, persuasive letters, each of three-four pages in length, each worth one-third of the course grade. Detailed instructions for these letters will be handed out the first day of class. Two of the letters will be to a client and one will be to opposing counsel.

The three letters are due no later than 4:30 p.m. on Monday, January 25, 2010. Grading is anonymous and consequently students should only include their final exam number on their final assignment. Your final should be submitted by uploading it to the TWEN "Assignment Drop-box." You do not need to deliver a physical copy to the Office of the Registrar.

You will need to know your 5 digit final exam number before you can upload the document. If you do not know your final exam number:

- Go to Piperline (http://www.hamline.edu/homepage_items/home/piperline.html)
- Login to Secure Area
- Choose Student Services
- Click on Registration
- Click on Student Detail Schedule
- Select term January 2010
- Your final exam number is listed below total credit hours at the top of the page.

If you have questions regarding access to TWEN, contact Debra Berghoff at 651.523.2946 or dberghoff@hamline.edu.

Writing to Persuade Course Agenda (subject to change) • January 9-10, 2009

Saturday, January 9

9:00 – 10:15 a.m.	Intros; The Lawyer as Counselor
10:15 – 10:30 a.m.	Break
10:30 a.m. – Noon	Counselor Goals: Risk Analysis, Rational Choices, Respecting Client Needs and Choices
Noon – 1:00 p.m.	Lunch
1:00 – 2:45 p.m.	Client/ Opponent Decision-Making
2:45 – 3:00 p.m.	Break
3:00 – 4:30 p.m.	Persuasion Techniques

Sunday, January 10

9:00 – 10:15 a.m.	Client/Opponent Communication
10:15 – 10:30 a.m.	Break
10:30 a.m. – Noon	Persuasion in Written Communication
Noon – 1:00 p.m.	Lunch
1:00 – 2:45 p.m.	Forms of Written Communication
2:45 – 3:00 p.m.	Break
3:00 – 4:15 p.m.	Pitfalls: Hostility, E-Mail, Miscommunication
4:15 – 4:30 p.m.	Course Assignment