

SYLLABUS AND RULES FOR LEGAL WRITING II
Sections 3&4
Spring Semester 2021

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Office Hours: MW 12-1 p.m., Tues 4-5 p.m., Thurs 9:30-10:30 a.m., and by appointment

PURPOSE

This course aims to develop your analytical, research, writing, and oral advocacy skills. Toward those ends, you will be required to complete three writing assignments and one “skills exercise.” Although this course uses amateur sports law as a teaching tool, its principal purpose is to enhance your legal writing, not your knowledge of amateur sports law. Therefore, class discussions will emphasize legal writing rather than the law of amateur sports.

LEARNING OUTCOMES

By the end of this course, you will be able to:

1. Demonstrate professionalism in legal communication.
2. Use basic principles of good legal writing to communicate effectively with diverse audiences.
3. Explain concepts orally in formal and informal presentations.
4. Apply objective writing techniques in a variety of factual and legal scenarios.
5. Demonstrate persuasive writing techniques to influence an outcome.
6. Employ techniques for time-management, self-reflection, feedback, and collaboration necessary for academic study, the bar exam, and professional practice.

MATERIALS

The following materials are required:

1. The Course Packet, which includes materials on both legal writing and amateur sports law;
2. *The Bluebook* (21st ed.).

RULES

RULE 1: SCOPE OF RULES

These rules govern form and procedure for the writing assignments and oral arguments in this course. When necessary, handouts distributed electronically will supplement the rules stated here.

RULE 2: ASSIGNMENTS

During this course you will complete three writing assignments, including (1) a trial brief; (2) a trial court decision and order; and (3) a memorandum of law in support of or opposition to a motion for summary judgment. In connection with the motion memorandum, you will have a conference with me to discuss your first draft. After the conference, you will have an opportunity to revise before submitting your final product. You will also participate in a “skills exercise,” namely, an oral argument that supports your memorandum of law.

RULE 3: FORM OF WRITTEN ASSIGNMENTS

Written assignments must be typed on 8.5 x 11 inch paper and must be **double-spaced**, with the typeface either Times New Roman or CG Times 12-point. Margins must be one inch on all sides. **Page numbers must appear at the bottom center** of each page. The first word of each paragraph must be indented. Written assignments not conforming to these requirements may be rejected and returned for correction or may result in a lower grade. A grade penalty will also be imposed for exceeding page limits. Unless I direct you otherwise, please follow the Bluebook for citation format.

RULE 4: GRADING

Final grades will be based on the following criteria:

Trial Brief:	20%
Decision and Order:	20%
Motion Memorandum:	30%
Oral Argument:	15%
Class Participation:	15%

“Class Participation” includes class attendance and preparation, participation in class discussions, and preparation for and participation in your conference. You cannot participate in class if you do not attend regularly, so **class attendance is mandatory**. Points will be deducted

from the final grade of any student who has two unexcused absences. **A student who has three or more unexcused absences will receive a failing grade of “F” for the course.** Points may also be deducted from a student’s final grade for repeated failures to arrive for class on time or for repeatedly leaving class early.

RULE 5: TIMELY SUBMISSION OF ASSIGNMENTS

You are responsible for submitting assignments at the proper time and place. Any student who fails to submit an assignment at the proper time without permission is subject to **a late penalty of half a letter grade per day.** Assignments submitted **more than five days late will receive an F.** Because our class will be conducted virtually, all assignments are to be submitted electronically on the due date.

RULE 6: THE HONOR CODE

The Vermont Law School Honor Code governs your work and conduct in Legal Writing II. Whenever you use the words or ideas of another writer, you should acknowledge the original source. Cite the original source even if you put another person’s ideas in your own words. The assignment you submit must be your own work product. You may not give an outline or a completed assignment to another student.

RULE 7: WRITING ASSIGNMENT ONE

Your first writing assignment, a trial brief, will concern legal issues raised by a recreational skiing accident. This assignment will have a page limit of eight to ten pages and will be **due on February 4th.**

RULE 8: WRITING ASSIGNMENT TWO

This assignment will concern legal issues raised by a high school athlete’s (or coach’s) exercise of the freedom of religion. It will require you to play the role of a trial judge by writing an opinion that explains your resolution of the case and a short accompanying order that either grants or denies the plaintiff’s request for relief. It will have a page limit of eight to ten pages and will be **due on March 9th.**

RULE 9: WRITING ASSIGNMENT THREE

Your third writing assignment, a memorandum of law in support of or opposition to a motion to the trial court, will concern legal issues involved in a college coach’s claim of sex discrimination under Title IX [20 U.S.C. §§ 1681-88], namely, retaliation for the coach’s complaints about inequitable treatment of female athletes. The memorandum will include an argument section with point headings and citations to authority to support your argument. The page limit is ten to twelve pages. The **first draft** of this assignment is **due on March 30th.** The **final draft is due one week after your individual conference.**

RULE 10: SKILLS EXERCISE
(Oral Argument)

In conjunction with the motion memorandum, you will present an oral argument (ten minutes per student), based on that memorandum, to the trial court. These arguments will occur **between April 15th and April 20th.**

RULE 11: MULTISTATE PERFORMANCE TEST
(UNGRADED)

During the spring semester, all sections of Legal Writing II will take a practice version of the Multistate Performance Test (MPT), a component of the Uniform Bar Exam (UBE). **This test will not affect your grade in this class.** The purpose of taking it is to acquaint you with the degree of difficulty that you can expect from questions on the bar exam. You will take the test **during the week of April 12th.** Although it will not affect your grade, it is **a mandatory component of this course.** More information will be forthcoming later in the semester.

