LEGAL WRITING II
SECTION 6: MONDAY & WEDNESDAY, 9:55-11:10
SPRING 2022
PROFESSOR CATHERINE FREGOSI
SYLLABUS

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INTRODUCTION AND OVERVIEW

In this class you will practice the fundamentals of good legal writing and analysis through work on selected problems in civil law. You will have a graded editing assignment, three graded written assignments, and two graded skills exercises. Your first assignment will be a chance for you to revisit the material you learned in Legal Writing I through editing and refining your final assignment in that class. Your second assignment will introduce you to persuasive writing through a closed universe trial court memorandum on a civil law question. We will transition to a different problem in civil law for the third assignment, which will require you to draft a different kind of trial court memorandum. Before turning in your third written assignment, you will turn in a research memo setting out the sources you will use for this open universe assignment. The research memo is the first graded skills exercise of the semester. You will present oral argument after turning in the third written assignment, oral argument is the second skills exercise of the semester. Your final assignment will be a case comment linked to the issue presented in the prior assignment. Throughout the semester, you will also be required to complete a few in-class writing, editing, and citation exercises. You will also take a mock Multistate Performance Test (MPT) during one class period. The MPT and in class exercises are not graded.

COURSE MATERIALS

Required:
- The Bluebook: A Uniform System of Citation (Columbia Law Review Ass’n et al. eds., 20th ed. 2015).
- Materials posted on TWEN

GRADING

10% Editing Exercise
20% Summary Judgment Memorandum
10% Research Memo
25% Motion to Dismiss Memorandum
10% Oral Argument
20% Case Comment
5% Class Participation (including timely attendance, preparation for class and conferences, contribution to class discussion, and performance on in-class exercises)

TIMELY SUBMISSION OF ASSIGNMENTS

Students are responsible for submitting assignments at the proper time and place. Some assignments are due in class, others are due on TWEN. All assignment deadlines and submission details are noted on the course schedule. Any student who fails to submit an assignment on time or in the correct manner without prior permission will receive a penalty of one-third grade per day late. Any assignment that is five days late will automatically receive a failing grade.

I will grant extensions in only the most exceptional circumstances. Courts and your future employers will expect you to complete your work within set deadlines; therefore, I expect the same.

GUIDELINES FOR COURSE WORK

First, you must adhere to the citation form required by the Bluebook. All written assignments must be typed on 8 ½ x 11 inch paper and double spaced with one-inch margins on all sides. The typeface should be Times New Roman or CG Times, 12-point font. All pages, including the first page, should be numbered, with the page number located in the center of the bottom of each page. Page numbers must also be in 12-point Times New Roman or CG Times. Margins must be fully justified, and the first line of each new paragraph must be indented.

Second, the Vermont Law School Honor Code governs your work and conduct in this class. Whenever you use the words or ideas of another writer, as you will inevitably do in legal writing, you must acknowledge the original source using a citation. If you use the exact words of another person, use quotation marks and cite the source. Cite the source even if you put another person’s ideas in your own words. This rule covers cases and statutes, and applies to every sentence. Citing a source once in a paragraph when the source is mentioned or otherwise relied on in every sentence is unacceptable. Never copy from any written material without acknowledging the source. You will also violate the Honor Code by using a current or former student’s work or by looking at materials that I have asked you not to look at. There will be several opportunities to work cooperatively and collaboratively with classmates during the semester. Unless otherwise specified, however, assignments must be your own work product. You must receive permission from me before receiving assistance on your writing from any source, including ASP mentors and the Writing Specialist. Except as directed in class, under no circumstances may you receive assistance on the substantive law, your writing, or any other aspect of any assignment from any faculty member, attorney, judge, or other non-VLS community member. Failure to follow these instructions violates the Honor Code.

Finally, this class requires active and responsible class participation. Consequently, you have an obligation both to yourself and to your classmates to come prepared to class and to arrive promptly for all scheduled classes, conferences, and oral arguments.
CLASS ATTENDANCE

Class attendance is mandatory. Students with three or more unexcused absences will receive a failing grade for the course, but any unexcused absence may affect your participation grade. Prior notice of an absence does not mean that the absence is excused. An absence will be excused only for illness or other compelling emergency with prior notice (unless the emergency makes prior notice impossible, in which case you should notify me of the absence and the nature of the emergency as soon as is reasonably possible).

LEARNING OUTCOMES

At the end of Legal Writing II, students will be able to:

- Use basic rules and principles of legal analysis, writing, and research
- Employ techniques for time management, self-reflection, and collaboration necessary for academic study and professional practice
- Apply editing techniques to refine drafts and polish work product
- Demonstrate persuasive writing techniques to influence a legal outcome or resolution through hypothetical problems-based scenarios
- Demonstrate statutory and common law research techniques to find support for a legal argument
- Demonstrate proper citation format
- Formulate an oral legal analysis or argument
- Practice accepting and implementing feedback