

**Professional Writing Skills:
Legal Writing in Plain English**
Spring 2019

Description

The purpose of this course is to help students continue to improve their editorial and writing skills for their professional careers. This course helps students understand good writing while strengthening their mechanics and composition. Topics range from punctuation to grammar and usage. Students will have the opportunity to develop the composition skills necessary for success. The course covers issue framing, readability, and writing efficiently.

Learning outcomes

At the end of this course, students will be able to:

- frame their thoughts using a four-step writing process—(1) Madman, (2) Architect, (3) Carpenter, and (4) Judge;
- phrase clear and concise sentences;
- choose words for clarity;
- structure analytical and persuasive writing;
- draft legal documents for easy understanding;
- design documents with good typography; and
- edit systematically and objectively.

Course format

The class spans two days: from 9:00 a.m. to 4:30 p.m. on Saturday and Sunday (with breaks interspersed, of course). Students will do several writing exercises. Guest lecturers (by exclusive video) include judges and practitioners from throughout the United States. The class is on February 23 and 24. Please make sure to catch up on your other readings before that weekend.

Basis of grade

The course is credit or no credit. Passing is based on attendance, participation, completing in-class exercises, and completing the take-home final.

Required book

Bryan A. Garner, *Legal Writing in Plain English* (2d ed. 2013).

Recommended references

- *Black's Law Dictionary* (10th ed. 2014);
- Bryan A. Garner, *Garner's Dictionary of Legal Usage* (3d ed. 2011);
- Bryan A. Garner, *Garner's Modern English Usage* (4th ed. 2016) (or the fantastic mobile app—it's highly recommended);
- Bryan A. Garner, *The Redbook: A Manual on Legal Style* (4th ed. 2018);
- Matthew Butterick, *Typography for Lawyers: Essential Tools for Polished & Persuasive Documents* (2d ed. 2018);
- Matthew Butterick, *Practical Typography*, <https://practicaltypography.com/> (bookmark this site);
- *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds., 20th ed. 2015); and

ABA Standard 310

This course is designed to satisfy the requirements of ABA Standard 310. Standard 310 requires that for each hour of class time, students spend two hours preparing for class (reading or completing class assignments or assessments) and researching and writing the required paper.

SCHEDULE

Saturday	February 23, 2019
9:00–9:15	Introduction
9:15–10:15	Framing Your Thoughts
10:15–10:30	Break
10:30–11:30	Phrasing Your Sentences
11:30–12:30	Choosing Your Words
12:30–1:15	Lunch
1:15–2:15	Structuring Your Analytical and Persuasive Writing
2:15–3:15	Some Keys to Good Expository Prose
3:15–3:30	Break
3:30–4:30	In-class Exercises
 Sunday	 February 24, 2019
9:00–9:15	Review
9:15–10:15	Legal Drafting (part A)
10:15–10:30	Break
10:30–11:30	Legal Drafting (part B)
11:30–12:30	Document Design
12:30–1:15	Lunch
1:15–2:15	Editing Yourself and Others & The Finer Points of Style
2:15–3:15	How to Punctuate
3:15–3:30	Break
3:30–4:30	Instructions and Discussion of the Take-home Final

COURSE PROCEDURES

Attendance and class participation

Class attendance is mandatory, and you will receive no credit for this course if you miss more than 20% of the class sessions; also, I may mark you absent if you are late or unprepared for class. You are responsible for finding out about announcements made in class and material covered during the class you missed. As a professional student, you are expected to come to class prepared (with the required texts and handouts), having completed the assigned readings for the class session. Class participation is strongly encouraged, and I welcome questions about the material.

Electronics policy

During class, you may not use computing devices (including laptops, tablets, and phones) unless I ask you to use a computing device during a particular exercise. You may never use technology for purposes unrelated to class. You may not use any recording devices (audio or video) in class. Unauthorized use of electronic devices may result in your being deemed absent from class, and I may ban in-class use of these devices entirely if they distract other students.

Disability accommodations

Students with disabilities should refer to the policies described at the University of La Verne Disabled Student Services Handbook, which can be found on the website of the University of La Verne Disabled Student Services website (<https://sites.laverne.edu/disabled-student-services/disabled-student-services-handbook/>) or at their office. Temporary accommodations are offered on a case-by-case basis. All required documentation must be submitted by the student before any formal accommodations and should be made directly to the Director of Student Affairs.

Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) is asked to contact the College of Law Director of Student Affairs and Americans with Disability Act Compliance Officer, Akita Mungaray, by email at amungaray@laverne.edu or by phone at (909) 460-2017. Her office is located on the first floor of the College of Law, Office # 107. You can also contact Cynthia Denne at the University of La Verne Disabled Student Services office at (909) 448-4441. The office is located at the La Verne campus Health Center. To be considered for accommodations, disabilities must be documented and the proper medical evaluations must be submitted. The office is here to help you succeed in law school. Visit it online at <https://sites.laverne.edu/disabled-student-services/>.

Assignment format

Unless you receive contrary instructions, all assignments must be in Microsoft Word. Documents must include a page number centered in the footer. The text must be typeset in Century Schoolbook 12-point type¹ (with normal spacing in between letters), exactly 16-point spacing, and left justified. Each paragraph must be indented .25" and each page must have 1.5" margins on the left and right and 1.5" margins on the top and bottom. Assignments contravening any of these requirements will be penalized. Similar formatting rules govern filing briefs in court,² and judges have rejected briefs that flout court rules.³ All assignments are graded using Microsoft Word, and you must ensure that your submission's content and format are correct when displayed in Microsoft Word.

¹ See, e.g., Sup. Ct. R. 33(b), *available at* https://www.supremecourt.gov/filingandrules/rules_guidance.aspx.

² See, e.g., Federal Rule of Appellate Procedure 32, *available at* <http://www.uscourts.gov/file/rules-appellate-procedure>.

³ See, e.g., *Reyes-Garcia v. Rodriguez & Del Valle, Inc.*, 82 F.3d 11, 12 (1st Cir. 1996).

Lateness penalty

Each assignment must be submitted on time. A malfunctioning computer is not a legitimate excuse for a late submission, either in this class or in practice.⁴ Readable (not corrupted) files must be uploaded to avoid sanctions.

Word-count penalty

An assignment exceeding a specified word limit will be penalized, with 1% of the assignment's total possible raw score deducted per 25 words more than the limit. Each assignment with a word-count limit must be accompanied by an accurate word certification as is typically required when attorneys file briefs in court.⁵

Plagiarism and non-collaboration policy

Law school graduates found guilty of plagiarism have been denied admission to the bar based on an adverse moral character determination; and students suspected of plagiarism will be reported to the Director of Student Affairs for disciplinary action, with possible penalties ranging from receiving a zero on the offending assignment to being expelled from law school. You are responsible for reviewing and abiding by the plagiarism policy contained in the College of Law's Manual of Academic Policies and Procedures for all assignments submitted in this course.

⁴ See *Martinelli v. Farm-Rite, Inc.*, 785 A.2d 33, 35–36 (N.J. 2001).

⁵ See, e.g., Federal Rule of Appellate Procedure 28(e)(3), available at <http://www.uscourts.gov/file/rules-appellate-procedure>.

APPENDIX

University of La Verne Vision, Mission, and Core Values

The University of La Verne will be nationally recognized for its enriching and relevant educational experience, which prepares students to achieve more than they ever imagined.

University Mission

The University of La Verne offers a distinctive and relevant educational experience to a diverse population of traditional-age, adult, and graduate learners, preparing them for successful careers and a commitment to lifelong learning across the liberal arts and professional programs.

Core Values of the University of La Verne

- **Ethical Reasoning:** The university affirms a value system that actively supports peace with justice, respect of individuals and humanity, and the health of the planet and its people. Students are reflective about personal, professional, and societal values that support professional and social responsibility.
- **Diversity and Inclusivity:** The university supports a diverse and inclusive environment where students recognize and benefit from the life experiences and viewpoints of other students, faculty, and staff.
- **Lifelong Learning:** The university promotes intellectual curiosity and the importance of lifelong learning. It teaches students how to learn, to think critically, to be capable of original research, and to access and integrate information to prepare them for continued personal and professional growth.
- **Community and Civic Engagement:** The university asserts a commitment to improving and enhancing local, regional, and global communities.

**University of La Verne College of Law
Vision, Mission, and Values**

Vision

La Verne Law is an incubator for innovation in legal education, thought, and advocacy for individuals passionate about serving their communities and promoting access and justice.

Mission

The mission of La Verne Law is to guide our students in the discovery of law and self as they prepare for the practice of law or other professional careers. Our faculty of scholars and teachers is committed to creating an innovative, collaborative learning environment designed to develop the knowledge and skills relevant to achieving individual and professional success.

Our mission encompasses educating, as well as enhancing the professional lives of, the members of the local, regional, national, and international communities we encounter—students, faculty, staff, administrators, alumni, members of the bench and bar, and others who pursue social justice.

Our mission is grounded in the core values of the University of La Verne—lifelong learning, ethical reasoning and decision-making, diversity & inclusivity, and community & civic engagement.

Difference-making is our legacy.

Core Values

- **University Values:** As a College within the University of La Verne, we adopt and endorse the University's core values of Lifelong Learning, Diversity and Inclusivity, Community Engagement, and Ethical Reasoning.
- **College of Law Core Principles and Values:** As an institution dedicated to teaching and training the next generation of lawyers and leaders, we operate institutionally

and individually on the principles of professionalism, innovation, ethics, student centeredness, and community enhancement. In our actions and interactions, we are and seek to be affirming, respectful, humble, accountable, committed, inclusive, empathetic, responsive, passionate, and positive.

**University of La Verne College of Law
Program Objectives**

- A. Upon completion of the program of legal education, students will possess the skills and knowledge to enable them to pass any bar examination of their choosing.
- B. Upon completion of the program of legal education, students will possess those skills to participate as respected members of the legal profession.
- C. Upon completion of the program of legal education, students will model ethical, responsible, and professional behavior.
- D. Upon completion of the program of legal education, students will embrace cultural differences and civic and community engagement.

**American Bar Association Standard 302:
Learning Outcomes**

A law school shall establish learning outcomes that shall, at a minimum, include competency in the following:

- (a) Knowledge and understanding of substantive and procedural law;
- (b) Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context;
- (c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and
- (d) Other professional skills needed for competent and ethical participation as a member of the legal profession.

University of La Verne College of Law

In compliance with ABA Standard 302, the University of La Verne College of Law has established the following learning outcomes:

**University of La Verne College of Law
Program Learning Outcomes**

1. Students shall demonstrate knowledge and understanding of substantive and procedural law.
2. Students shall demonstrate competence in legal analysis and reasoning.
3. Students shall demonstrate competence in conducting legal research.
4. Students shall demonstrate competence in problem-solving.
5. Students shall demonstrate competence in written and oral communication.
6. Students shall be able and motivated to exercise proper professional and ethical responsibilities to clients, the legal system, and the wider community.
7. Students shall demonstrate competent litigation skills.
8. Students shall demonstrate competent transactional skills.
9. Students shall apply cultural competency while exercising their legal skills.
10. Students shall demonstrate competence in answering bar-style multiple-choice, essay, and performance test questions.