

SIU School of Law
 LAW-510B-002: Legal Writing II
 Spring 2024/ 2 credit hours/ in-person
 Classroom 108
 Tuesday/Thursday 11:00-Noon

Instructor and Contact Information:

Instructor name: Anna Vick

E-mail address: anna.vick@siu.edu

Office hours: Anytime my door is open. The following are the best times to come by: Tuesday 9:00 a.m.—11:00 a.m.; Wednesday 9:00 a.m.-11:00 a.m. and 12:00 p.m.—1:30 p.m.; Thursdays 9:00 a.m.—11:00 a.m. and 12:00 p.m.—1:30 p.m. or by appointment.

Office location: Room 226

Office phone: 618-453-8311

Course Description:

This course continues the development of the analysis and writing skills practiced in Lawyering Skills I – Legal Writing. The focus shifts to persuasive legal writing. Students are also introduced to negotiation and oral advocacy skills.

Course Learning Objectives:

Upon successful completion of this course, students will be able to:

- Apply fundamental legal principles and legal reasoning to analyze given fact patterns.
- Identify the applicable or dispositive language, standards, elements, or facts of a provided resource.
- Identify ambiguities in the language, standards, elements, or factors of a provided resource.
- Identify the roles and characteristics of common legal sources and identify their authoritative weight.
- Identify the facts in a matter that are analogous to and/or distinct from the dispositive facts in judicial opinions.
- Draft a persuasive trial and appellate brief.
- Support an argument with appropriate legal authority and cite to that legal authority using The Uniform System of Citation (The Bluebook).
- Recognize how a person's position (e.g., race, class, gender, sexuality) in comparison to other group members shapes interactions and discussions, as well as interpretation of legal texts, rules, and conventions.
- Be introduced to the portions of the Model Rules of Professional Conduct or state ethical rules that concern legal research and writing.
- Recognize the importance and practice the following components of professionalism: timeliness; honesty; quality, appearance and thoroughness of work product; compliance with ethical responsibilities; compliance with local court rules; independent thought and work; and courtesy to the court, opposing counsel, and all persons involved in the legal process.



Course Materials:

- ✓ Richard Neumann, Jr., Sheila Simon, and Suzianne Painter-Thorne, *Legal Writing* (5th ed., Wolters Kluwer 2015).
- ✓ Gardner, *The Redbook: A Manual on Legal Style*, 4th edition. (hereinafter referred to as Redbook)
- ✓ Harvard Law Association, *The Bluebook: A Uniform System of Citation*, 21st edition. (hereinafter referred to as The Bluebook).
- ✓ Other materials as posted on D2L or handed out in class.

Class Policies:

Student courtesy policy: The classroom is a shared space where consideration and compassion for others are not negotiable.

Attendance Policy

Attendance is expected. You should not plan on taking any absences in this class unless you have an unforeseen or unavoidable conflict, such as illness. As such, attendance is mandatory (including any make-up classes related to recognized school holidays) and you may miss no more than three (3) classes during the semester. In extraordinary situations, a student may make up a missed class, so that the absence will not be counted against the total absences permitted; this determination will be addressed at my sole discretion on a case-by-case basis. Those exceeding the maximum number of absences will be subject to the ramifications described in the Law School's attendance policy. See School of Law Rules III.5 (f)-(g).

To be marked present for class, you must (1) complete the assigned readings, quizzes and exercises for that day by the start of class; (2) participate in the class discussion, and (3) participate in any in class polls. **If you miss more than five minutes of class for any reason (other than an approved accommodation), you will be counted as absent.** Repeated tardiness will also result in being marked absent. If you must miss more than five minutes of class, you may still come to class provided that you do not cause an interruption.

Policy for Missed or Late Work & Class Preparation

Due dates for every assignment are provided on the course syllabus and course schedule (and posted in D2L). Law is all about deadlines. Missing deadlines, being unprepared for class, or missing meetings can have dire consequences for your clients and for you (malpractice, loss of respect from the court, discipline from the bar association.) **Late work will not be accepted unless prior approval is given.** That approval will only be granted in extreme circumstances that are clearly beyond your control. *Preparation* for class means reading the assigned readings & reviewing all information required for that week.

Law School Honor Code and University Code of Conduct. Both the Honor Code and the Code of Conduct apply and are in effect in this class. Read both documents carefully and make sure you comply with both at all times. Submitting plagiarized work or any other form of work not your own, regardless of a student's purpose or intent, is potentially subject to serious sanctions as are other academic, honor code, and conduct code offenses. Do not consult others on the final work product you turn in. If you have any questions regarding the Honor Code, Code of Conduct or either's application, consult me. The following guidance may also be helpful:

- ✓ What you may do: You may discuss writing and charting assignments with other students, which includes discussing issues, research, and analysis. You may consult teaching assistants, librarians, and me for



questions about assignments. You may sometimes consult teaching assistants and Taylor Mattis Fellows about other matters, and you may always ask me any questions you may have.

- ❖ What you may not do: You may not turn in work that is not your own. You may not collaborate during the charting or writing process, and you may not read the written work of another student or permit another student to read your written work. The written product must be your own work; you may not copy another student's work and hand it in as your own. You may not seek assistance on any written assignment from anyone except me or a teaching assistant, and teaching assistants are neither obligated nor always permitted to provide assistance. You may not use Artificial Intelligence to produce your written work.

University & Law School Policies – See Attachments

Grading

Assignment	Due Date	Points
Affidavit Drafting Assignment	Jan. 21	
Draft of Statement of Facts	Jan. 28	
Draft – Motion/Memo	Feb. 4	
Individual Meeting #1	Week of 2/5	
Motion/Memo	Feb. 11	
Motion Argument	Week of 2.13	
Jury Instruction drafting assignment	Feb. 25	
Draft of Statement of Facts and required contents other than Argument section	Mar. 24	
Draft-Appellate Brief	March 31	
Individual Meeting #2	Week of April 1	
Appellate Brief	April 14	
Appellate Argument	Week of April 23	
Total points		

The assignments listed in yellow will be fully graded for competency. The remainder of the assignments will be graded for your ability to follow directions, effort, and completion.

Final grades for the course will be in accordance with the School of Law's required grade distribution. To learn more about this required grade distribution: <https://law.siu.edu/common/documents/rules/sol-rules-grades-and-grading-systems-excerpt.pdf>.



COURSE SCHEDULE – subject to change. Please check D2L for assignment updates.

ABA standards incorporate out of class work in the calculation of credit hours. Under the ABA standards, **you should expect to spend 120 minutes per week in class (2 hours), plus (a minimum of) four hours of study a week, for a total of 6 hours per week.**

Week	Topics & Class Preparation Readings (additional readings may be assigned as needed)	Assignments Due (due by 11:59 p.m. on the assigned date unless otherwise noted.)
Week 1 Jan. 16-18	Moving from objective writing to persuasive writing (Yay!) ✓ Read Trial motion/memo assignment ✓ Read chapter 27 ✓ Review Chapters 11 & 12 Affidavit drafting ✓ Read WRITING TO THE TRIAL JUDGE, 83-FEB Mich. B.J. 44	✓ Affidavit Drafting assignment due – Jan. 21
Week 2 Jan. 23-25	Writing the Trial motion/memo ✓ Read chapter 28 & 32 ✓ Review Chapters 17 & 18	✓ Draft of Statement of Facts – due Jan. 28
Week 3 Jan. 30-Feb. 1	Types of Motions/ Contents of Motions/notice requirements/proposed orders ✓ Read Fed. Civ. Rules – 7, 11, 5, 6 ✓ Read Chapter 29, 30, & 31	✓ Draft of trial motion/memo due – Feb. 4
Week 4 Feb. 6-8	No class this day – individual meetings Final editing exercise in class	✓ Individual meetings to discuss drafts ✓ Final Trial Memo due – Feb. 11
Week 5 Feb. 13-15	Motion Arguments ✓ Read https://www.stetson.edu/law/academics/lrw/media/Stetson-oral-advocacy-guide-.pdf In-class motion arguments	✓ Motion arguments this week
Week 6 Feb. 20-22	Jury Instruction Drafting ✓ www.pillsburylaw.com/images/content/2/0/v2/2066/9E9EB501379290033ADCB31FADFD5A5E.pdf Plea Negotiation Exercise	✓ Jury Instruction Drafting Assignment due - Feb. 25
Week 7 Feb. 27-29	Trial presentation Read Chapters 34 & 35	(Appellate Brief Assignment given this week)
Week 8 Mar. 5-7	Mid-term week No classes	



Week	Topics & Class Preparation Readings (additional readings may be assigned as needed)	Assignments Due (due by 11:59 p.m. on the assigned date unless otherwise noted.)
Week 9 Mar. 12-14	<i>No classes – Spring Break</i>	
Week 10 Mar. 19-21	<p>Intro. to Appellate Briefing – following the rules</p> <p>✓ Read Chapter 36 & 37</p> <p>✓ Read http://media.ca8.uscourts.gov/newcoa/forms/crbchck-16.pdf</p> <hr/> <p>Standard of Review</p> <p>✓ Read https://www.law.georgetown.edu/wp-content/uploads/2019/09/Identifying-and-Understanding-Standards-of-Review.pdf</p>	✓ Draft of Statement of Facts and required contents (Place holder for TOC) other than Argument – due March 24
Week 11 Mar. 26-28	<p>Anticipating and responding to your opponent's arguments.</p> <hr/> <p>Read Chapter 38</p> <hr/> <p>Citation Review and using parentheticals to increase readability.</p>	✓ Appellate brief draft due – March 31
Week 12 Apr. 2-4	Individual meetings with drafts	✓ Individual meetings
Week 13 Apr. 9-11	<p>Intro. to Appellate Arguments</p> <p>✓ Read chapter 39</p>	✓ Appellate Brief due – April 14
Week 14 Apr. 16-18	Oral argument practice rounds	✓ Oral argument practice rounds
Week 15 Apr. 23-25	Oral arguments	✓ Oral arguments



SYLLABUS ATTACHMENT

SIU SCHOOL OF LAW – Spring 2024

EMERGENCY PROCEDURES: We ask that you become familiar with **Emergency Preparedness @ SIU**. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit <http://emergency.siu.edu/>.

DISABILITY POLICY. SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval, please contact DSS immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Please send approved accommodations to your faculty through the DSS online portal.

SALUKI CARES and COUNSELING & PSYCHOLOGICAL SERVICES (CAPS). The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students, and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or siucares@siu.edu, <https://salukicare.siu.edu> . Associate Dean Angela Upchurch (aupchurch@siu.edu or (618) 536-8314) is available at the School of Law to help students access university resources. Additionally, counseling services are available through CAPS (*Counseling and Psychological Services (CAPS) | Student Health Services | SIU*). A counselor is at the law school every Wednesday from noon until 4:30pm in Room 268 for drop-in appointments.

SAFETY AWARENESS FACTS AND EDUCATION Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>



Syllabus Attachment

Spring 2024

MISSION STATEMENT FOR SOUTHERN ILLINOIS UNIVERSITY CARBONDALE

SIU embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives.

IMPORTANT DATES:

Semester Classes Begin:01/16/2024
 Last day to add full-term course (without Dean's signature):01/21/2024
 Last day to withdraw from the University with a full refund:01/26/2024
 Last day to drop a full-term course for a credit/refund:01/28/2024
 Last day to drop a full-term course (W grade, no refund):03/31/2024
 Final examinations:05/06/2024–05/10/2024

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at <http://registrar.siu.edu/calendars>. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at <http://registrar.siu.edu/schedclass/index.php>

SPRING SEMESTER HOLIDAYS:

Martin Luther King, Jr.'s Birthday 01/15/2024
 Spring Break 03/09/24-03/17/24
 Total Solar Eclipse (classes cancelled) 04/08/24

DIVERSITY: Southern Illinois University Carbondale's goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: <http://diversity.siu.edu>. Additional [informational flyer](#).

DISABILITY SUPPORT SERVICES: SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at (618) 453-5738 or <https://disabilityservices.siu.edu>. You may request accommodations at any time, but timely requests help to insure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty.

MILITARY COMMUNITY: There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at <http://veterans.siu.edu/>.

STUDENT MULTICULTURAL RESOURCE CENTER: The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at <https://smrc.siu.edu/>.

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SIU COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS): Mental health counseling services are available by calling CAPS at (618) 453-5371. CAPS offers confidential same-day services and ongoing counseling. For after hours crisis care, students are encouraged to call 988, 911, or present to their nearest emergency room.

WITHDRAWAL POLICY (Undergraduate Only): Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar's office. For the proper procedures to follow when dropping courses and when withdrawing from SIUC visit: <http://registrar.siu.edu/students/withdrawal.php>.

SIUC'S EARLY WARNING INTERVENTION PROGRAM (EWIP): Students enrolled in courses participating in SIUC's Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the University Core Curriculum's Overview webpage: <https://corecurriculum.siu.edu/for-faculty/>.

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CATALOGS:

catalog.siu.edu
gradcatalog.siu.edu - Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

CENTER FOR LEARNING AND SUPPORT SERVICES:

Tutoring: <https://clss.siu.edu/>
 Math Labs: <http://math.siu.edu/courses/course-help.php>

WRITING CENTER: <http://write.siu.edu/>

PLAGIARISM: See the Student Conduct Code: <http://srr.siu.edu/student-conduct-code/>

INCOMPLETE POLICY (Undergraduate Only): <http://registrar.siu.edu/grades/incomplete.php>

REPEAT POLICY: <http://registrar.siu.edu/students/repeatclasses.php>

MORRIS LIBRARY HOURS: <https://libcal.lib.siu.edu/hours/>

ADVISEMENT: <http://advisement.siu.edu/>

SIU ONLINE: <https://online.siu.edu/>

