

Contact Information and Office Hours:

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Monday and Wednesday:
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Course Meeting Information:

Legal Writing II
Monday and Wednesday 9:00 a.m.
Lesar Law Building, Room 202

Course Description, Overview & Learning Outcomes¹

Welcome to LW part II! This course continues to build foundational elements of legal writing and moves into more advanced writing assignments.

Your performance in this course is based on written assignments, worksheets, online modules, class participation, and oral advocacy. The workload for this course typically will involve about four hours of preparation outside of class every week, along with more extensive time for larger writing assignments.

This course complies with the School of Law's Credit Hour Policy and will require **at least 42.5 hours of total work per credit**.

****LAPTOP BAN POLICY****

To encourage comprehensive listening and avoid digital distractions, laptops and other digital devices will not be allowed in the class unless an in-class activity is assigned

¹ The syllabus is likely to change as the semester progresses depending on the speed at which we move through content. Please check D2L to make sure you have the most updated syllabus. If there are any changes to the syllabus, they will be announced.

that requires a digital device. You must leave your digital devices in your bags unless an activity is taking place.

Physical skeleton outlines for notes will be distributed at the beginning of each class, and students can take their class notes on those (or in a notebook) and later add them to their digital devices after class as review.

Students needing accommodations should contact me ASAP.

Assigned Materials

- Required Texts
 - R. Neumann, Jr., S. Simon, S. Painter-Thorne, *Legal Writing*, 5th Ed. [herein LW]
 - *The Bluebook: A Uniform System of Citation* (21st Edition) [herein BB]
- Required Technology
 - Please check information on D2L prior to purchasing. Mastering the Bluebook Interactive Exercises Subscription [Mastering The Bluebook Interactive Exercises 2024-25 Edition : Login](#) [herein MBIE]
 - D2L page for assignments, announcements, and more
- Recommended Text
 - Linda Barris, *Understanding and Mastering the Bluebook: A Guide for Students and Practitioner*, 5th Ed.

Grading & Assessment Methods

This course is required to adhere to the mandatory [first year grade distribution](#) (i.e. the 1L curve). *Note: I have seen grade lines forced to be drawn by ½ point, so remember each point counts.*

Assignments and Points

Good Faith Effort Assignments (5 points each/Total 20 points)

1. Persuasive Writing to Start Semester
2. Draft Charging Document/Answer to Charging Document
3. Request for Discovery/Answer to Request
4. Preparation and Negotiation of Jury Instructions

MBIE Modules—You will lose one point for each module that you do not complete on time.

MBIE Final Exercise—You will earn one extra credit point for each correct answer on the Final MBIE Exercise.

Graded Assignments (Total 80 points)

1. Motion to Dismiss/Opposition and Supporting Memorandum (20 points)
2. Motion Arguments (10 points)
3. Appellate Brief (35 points)
4. Oral Arguments (15 points)

Attendance, Participation & Professionalism

Active participation and professionalism – 5pts. As future attorneys, you are expected to maintain professionalism throughout your personal and professional lives. I expect the same in class.

If a student is not prepared to discuss assigned materials when called upon or fails to actively participate in class activities, the student will be marked absent for that class, and the student's grade may be lowered. Students may have a maximum of four absences (partial or total) as per Simmons Law School policy.

Assignments

There will be a variety of assignments during the semester: reading assignments, in-class group and individual assignments, citation exercises and exam, and written memorandum (partial and full). See below for due dates. These are subject to change if we need to spend more time on a particular concept. This syllabus will be updated and posted on D2L as needed.

All written assignments come with detailed instructions and, unless otherwise noted, must be submitted on D2L as a MICROSOFT WORD DOC on the due date. You will receive either verbal or written feedback that reflects your performance with suggestions for improvement. Failure to complete any assignment fully can affect whether you receive a passing grade for the course.

Assignment Due Dates & Late Policy

Just as in the court, due dates and times are firm and are strictly enforced. All assignments are to be turned in before the start of your class session via D2L unless the assignment specifically sets a different deadline. Extensions are generally not granted and will be given only for extreme circumstances that are clearly beyond your control. If you are not in class on a day that a written assignment is due, it is still your responsibility to make sure that your assignment is turned in on time. If you are absent on a day of an in-class assignment, you are still responsible for that assignment but can request an extension.

If any *pass/fail assignment* is late without a granted extension, zero points will be awarded for the assignment.

If any *graded assignment* is late without a granted extension, **three penalty points** against total semester points will be imposed for each such late assignment at the moment it is late. If it is handed in more than an hour past the deadline, **three additional points will be deducted and then another three for each twenty four hours thereafter** until all semester points are exhausted.

Unless otherwise noted, assignments are to be submitted via D2L by the due date and time. These should be WRITTEN and SUBMITTED using MICROSOFT WORD DOC.

Class Participation:

As a law student, I expect that you will come to class having read the material for the day and ready to participate in the class discussion. Students will be called on in class, often without advance notice (“cold-called”), so be prepared to be responsible for helping me explain concepts and cases. Everyone is expected to participate in class discussion, and you are always free to raise your hand and volunteer an answer, offer a helpful observation, or ask a question. Law school is a learning laboratory, and we can all learn from each other. During group work and projects, all group members are expected to equally participate to the learning efforts and deliverables of the group. If a group member is reported or observed as not participating, deductions from the participation points will be made.

Attendance

As specified in the Rules of the Southern Illinois University School of Law, “regular attendance to class meetings in all courses is expected and required of all students in accordance with the rule to be announced by the professor at the beginning of each course. Attendance will be taken in class and attendance records will be kept. Violation of this rule shall subject the student to penalties”

Students may have no more than a maximum of **four absences** (partial or total) for any reason. The attendance requirement is not subject to modification by a professor, nor may a professor excuse an absence. If the absences allowed under this provision have been exhausted, the Associate Dean for Academic Affairs may grant leave and relief from the regular attendance requirement in extraordinary circumstances, including but not limited to: (1) military service; (2) representing the law school at a moot court, mock trial, law review, or official function; (3) jury duty; (4) religious observances; (5) the birth of a child; (6) the death of an immediate family member to include grandparents; (7) major non-elective surgery or a prolonged hospital stay; or (8) to comply with federal or state anti-discrimination laws, other applicable laws, or SIU policies.

It is expected that students will review the slides and materials and view the recording of any classes they missed and come to Office Hours with questions.

Recording Policy

For the benefit of students who are unable to attend a particular class due to an unavoidable circumstance, it is my hope that class sessions will be recorded and made available for viewing. Students must request the recordings directly from me. I will post the class PowerPoint slides each week to D2L. These recordings and materials are not to be shared with students outside the class.

All other recordings of the class are prohibited. Unauthorized recordings and unauthorized access to recordings will be governed by the School of Law Honor Code, § II.E.1.g.

General Guidelines & Collaboration Policy

You must do your own work on the assignments. The actual expression of your responses to the assignments must be your own. Do not copy anyone's answers (including AI) or share your work with others. Copying answers or ideas violates the Honor Code.

As we will discuss in class, plagiarism results when you use another's work and submit that work as your own. This rule applies not only to copying work by other students, but also to copying language and ideas from other sources, including treatises and cases. How to avoid:

1. Acknowledge direct use of a source's words with quotation marks and a citation.
2. Acknowledge any paraphrase of a source's words with a citation.
3. Acknowledge direct use of a source's idea with a citation.
4. Do not copy/use someone else's or AI's response to the assignment.

A. Dishonest Citation

You will be penalized for dishonest citation. Dishonest citation means—

- Citing a source that does not support the proposition asserted.
- Altering or omitting language in a quotation without indicating the alteration or omission. If you quote, you must quote exactly or indicate alterations and omissions.
- Quoting a commercial summary or research aid as if it is the underlying source.

B. "Talk" collaboration

You may talk with the LW class Teaching Assistants and me about assignments, and it is also permissible to discuss ideas or questions about assignments with other students. You may not—(except as allowed during in-class group work)

- write an assignment jointly
- edit another student's writing
- copy anyone else's work
- use AI's responses in your writing

- read another student's writing before it is turned in or before you turn in your assignment

This ban on collaboration includes obtaining written materials from *any* other person or AI and/or communicating with any other person about an assignment. This ban on collaboration applies to both graded and ungraded exercises. If you violate the ban on collaboration policy, you can be found in violation of the Honor Code, which can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation. *When in doubt about how to proceed, ask me or a TA.*

C. Ban on Plagiarism and Collaboration

Plagiarism is the act of taking someone else's work, ideas, or words and passing them off as your own without crediting the source. Plagiarism is not permitted in this course. You must acknowledge the use (direct or indirect) of an outside source by using citation.

Unless otherwise instructed, you are not allowed to collaborate on assignments in this course. This means you may not obtain written material or communicate with anyone (including your fellow students) about an assignment except your professor and TAs. This includes, but is not limited to, writing an assignment jointly, editing another student's work, copying anyone else's work, reading another student's work before it is turned in or before you turn in your assignment. ****Note that I consider using AI (ChatGPT, Grammarly, etc.) to be collaboration.**** Submissions will be run through an AI/Plagiarism checking software. ******

You need to learn to write well before turning to AI to supplement. Do not be like these lawyers. See Sara Merken, *Lawyer who used flawed AI case citations says sanctions unwarranted in whistleblower case*, Reuters (Aug. 27, 2024) <https://www.reuters.com/legal/transactional/lawyer-who-used-flawed-ai-case-citations-says-sanctions-unwarranted-2024-08-27/>; Sam Skolnik, *Lawyer Sanctioned Over AI-Hallucinated Case Cites, Quotations*, Bloomberg Law (Nov. 26, 2024) <https://news.bloomberglaw.com/litigation/lawyer-sanctioned-over-ai-hallucinated-case-cites-quotations>; John Russel, *Sanctions ordered for lawyers who relied on ChatGPT artificial intelligence to prepare court brief*, Courthouse News Service (June 22, 2023) <https://www.courthousenews.com/sanctions-ordered-for-lawyers-who-relied-on-chatgpt-artificial-intelligence-to-prepare-court-brief/>; Golriz Chrostowski, *ANALYSIS: Sanctions for Fake Generative AI Cites Harm Clients*, Bloomberg Law (April 3, 2024) <https://news.bloomberglaw.com/bloomberg-law-analysis/analysis-sanctions-for-fake-generative-ai-cites-harm-clients> (“ . . . attorneys should be very careful with their use of generative AI. One misstep may mean a call to their malpractice insurer.”).

If I find that you have plagiarized or collaborated while working on an assignment, you will receive zero points for that assignment, lose professionalism points, and possibly incur other penalties. You will be reported and may be found in violation of the school's Honor Code, which can lead to serious penalties, including expulsion. Note that an Honor Code investigation may be reported to the Bar Examiners.

If you have any questions about this policy, ask me. It is not worth it to plagiarize or collaborate.

******Note: if there is any deviation from the class collaboration policy (for example, group work), the instructions on the assignment will be clear about what is allowed.***

Accessibility Statement

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. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreements for each course to the School of Law Registrar's Office to ensure the School of Law provides the proper classroom and examination accommodations.

Course Standards

When you became a lawyer, you entered a profession requiring ethical behavior, professional competence, the ability to meet deadlines, and an awareness of rules. You will be expected to maintain these standards in LW.

Failure to Follow Instructions Counts against You

Each assignment has detailed instructions. If you are uncertain about what to do, do not guess. Seek clarification or discuss the assignment with me. Point deductions will be made if instructions are not followed.

Lateness Counts against You

Due dates and times are firm and are strictly enforced. Late assignments will receive a point deduction. If a student repeatedly submits late assignments, I will alert the Associate Dean for Academic Affairs, which will then contact the student directly.

D2L & MBIE

Assignments, announcements, and other notices will be posted on the D2L platform. You are responsible for familiarizing yourself with the information posted on D2L prior to the examination. All assignments will be posted on D2L. Citation assignments will not be posted on D2L. Instead, all check the syllabus and go to the MBIE platform for those assignments.

AI Tools Policy

In this class, it is a violation of the honor code to misrepresent work that you submit or exchange with your instructor, including work produced by a generative AI tool such as ChatGPT, by characterizing that work as your own. In this class, you may not use generative AI for any writing task, including without limitation for generating text or images, outlining, grammar checks, revision to achieve a certain word count, or revision of organization.

The above ban on collaboration includes obtaining written materials from any other person or generated artificial intelligence and/or communicating with any other person about an assignment. This ban on collaboration applies to both graded and ungraded exercises. If you violate the ban on collaboration policy, you can be found in violation of the Honor Code, which can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation. When in doubt about how to proceed, ask me.

Office Hours:

I have an open door policy, and I am available to meet with you whenever my door is open; however, I have set aside time (listed on page 1 above) just for the purpose of meeting with 1L students. Office hours are an open forum, and everyone is invited in groups. Bring your questions for clarification. I'm also available to meet with students 1-1 by appointment. We can meet in person or via Teams. Please use the booking link on D2L to book a time to meet with me that works best in your schedule. If you prefer to meet in Teams during the appointment, please email me directly confirming that preference after making the booking.

Teaching Assistants & Required Meetings

You are welcomed and encouraged to visit any and all TAs in office hours to get a different perspective as often as you would like. Legal writing (albeit formulaic) offers opportunity for different possibilities for individual flair based on the legal writer, so it is beneficial to learn about the different varieties from professor and TAs. Similar to a law firm where every partner will have a different writing style, so too will every TA and professor.

ALL students **are required** to meet at least once with the TA to discuss the Motion Memorandum before it is due. The TAs are required to mark your attendance at the meetings, and it is your responsibility to meet with them before it is due to discuss your questions and concerns. **If you fail to meet with the TAs as required, you will lose 3 semester points.**

Additionally, you **are required** to meet with Prof. Vick at least twice to conference – once about the Motion Memorandum and once about the Appellate Brief – but are welcome to visit more often! **If you fail to meet with the professor as required, you will lose 3 semester points per meeting.**

Signup times and deadlines for the individual conferences are on D2L. It is your responsibility (and your points) to meet with the TAs and professor. We will not chase you to meet with us.

| Class | Discussion and Readings | Assignments |
|---|---|---|
| Week One January 12 th through January 18 th | 1/12: The Shift to Persuasive Writing Readings: LW Chapter 27 1/14: A New Case: Interviewing the Criminal Client Readings: D2L | 1/16 MBIE 9, 10, 11 1/18 Memo Section Redraft |
| Week Two January 19 th through January 25 th | 1/19: Dr. Martin Luther King, Jr. Day—No class, complete an act of service Readings: D2L 1/21: Charging the Offender Readings: D2L | 1/27 MBIE 12, 13, 14 |
| Week Three January 26 th through February 1 st | 1/26: Entering Your Appearance and Requests for Discovery 1/28: Answering Requests for Discovery Readings: D2L | 1/30 MBIE 15, 16, 17 2/1 (1) Charging Document (2) Entry of Appearance (3) Request for Discovery (4) Answer to Request for Discovery Due |
| Week Four February 2 nd through February 8 th | 2/2: Pretrial Proceedings: Drafting Motions Readings: D2L 2/4: Motion Memorandum Readings: LW Chapters 28-30 | 2/6 MBIE 18, 19, 20 |
| Week Five February 9 th through February 15 th | 2/9: Motion Memorandum Readings: LW Chapters 31-33 2/11: Motion Memorandum Readings: LW Chapters 31-33 | 2/13: MBIE 21, 22, 23 Meeting #1 with Professor Vick |
| Week Six February 16 th through February 22 nd | 2/16: Motion Memorandum Discussion Readings: D2L 2/18: Motion Argument Practice Readings: D2L | 2/20 MBIE 24, 25, 26 2/22 Motion and Motion Memorandum Due |
| Week Seven February 23 rd through March 1 st | 2/23: Motion Argument Practice | 2/25 MBIE 27, 28, 29 |

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| | 2/24 through 2/26: Motion Arguments (Graded) | |
| Week Eight March 2 nd through March 8 th | MIDTERM WEEK—NO CLASS | |
| Week Nine March 9 th through March 15 th | SPRING BREAK—NO CLASS | 3/15: 30, 31, 32 3/15: Jury Instructions |
| Week Ten March 16 th through March 22 nd | 3/16: Drafting and Negotiating Jury Instructions Readings: D2L 3/18: Mock Trial | 3/20 MBIE 33, 34, 35 |
| Week Eleven March 23 rd through March 29 th | 3/23: The Appellate Process Readings: LW Chapters 34-36 3/25: Parts of the Brief Readings: LW Chapters 37-39 | 3/27 MBIE Exam |
| Week Twelve March 30 th through April 5 th | 3/30: Appellate Brief Discussion Readings: D2L 4/1: Appellate Brief Discussion | 4/5 Appellate Brief Draft Meeting #2 with Professor Vick |
| Week Thirteen April 6 th through April 12 th | TBA | |
| Week Fourteen April 13 th through April 19 th | Oral Argument Practice Readings: D2L | 4/19 Brief Due |
| Week Fifteen April 20 th through April 23 rd | Oral Arguments | |

SYLLABUS ATTACHMENT
SIU SIMMONS LAW SCHOOL – Fall 2025

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. The Office of Access and Accommodations, formerly 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 OAA 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 Shelia Simon ssimon@siu.edu or (618) 536-8321 is available at the Simmons Law School 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>