

WRITTEN ADVOCACY

PROFESSOR LONNY HOFFMAN

SPRING 2013



Written Advocacy for Litigators: Course Description and Syllabus
Spring 2013
Professor Lonny Hoffman

This three-hour credit course, which does not satisfy the UHLC writing requirement, is an advanced course of study in written advocacy for litigators. It is intended for students who wish to improve their persuasive writing skills, especially for civil litigation practice.

There is no casebook for the course. Instead, I have prepared course materials for you. By Tuesday, January 7, the materials will be available from the copy center in the basement of the law school (713-743-2193). If you have any problem locating the materials, please contact my assistant, Vanessa Fonte (vmfonte@central.uh.edu). This class regularly meets on Tuesdays and Thursdays from 6:00-7:30 p.m.

In our initial meetings we will discuss basic strategies for approaching a problem that calls for a written answer and analysis. Over the course of the semester, we will work on different writing projects, all of which relate to an actual case. The anticipated class schedule starts on page two of this course description and syllabus.

There is no final examination. Students will be evaluated primarily on their written work. In-class participation may also be taken into account but at most could result in a final grade increase of one-third of a letter grade. It is possible (though rare) for a student's grade to be reduced by one-third of a letter grade or more for failure to participate. Attendance is required both for regular class meetings and for all separate meetings that are scheduled with the instructor to discuss drafts of the student's work. I may lower a final grade and/or take any other appropriate disciplinary action necessary if you are absent from more than 20% of the scheduled classes and individual meetings.

Anticipated Class Schedule:

<u>Class Meeting Dates</u>	<u>Subject Matter</u>	<u>Reading Assignment</u>
Jan 15	Introductory class meeting to cover how seminar works and to begin discussing articles on writing. Will also introduce primary case	In advance of this class, students should read: Matthewson, Oettle, Evans and Cooney. Also skim through Seventh Circuit's decision in ATA v. FedEx so you are generally familiar with the opinion. No need to read it carefully, however. We will return to it soon enough.
Jan 17	Continue discussing (i) writing strategies and (ii) primary case.	Read Excerpt from Brief of Plaintiff-Appellee and Cross-Appellant ATA Airlines. Read FRAP 35, 40 and excerpts from Seventh Circuit Internal Operating Rules, XXVII. Petition for Rehearing and XXVIII. En Banc Procedure
Jan 22	Continue prior discussion. At end of class, students will be given homework assignment for Issue #1.	In advance of this class, students should read cases relating to Issue #1 (to be distributed)
Jan 24	Class meeting to discuss student work on Issue #1.	No reading
Jan 29	Invited speaker David Gunn, Senior Partner Beck Redden (one of top appellate lawyers) to discuss writing strategies	Read McElhaney, Salzwedel, Sparkes, Cooney, Guberman
Jan 31	Invited speaker to discuss writing strategies	Read Gray, Romig, Order in Belli v. Hedden Enterprises, Brief of Bob Kohn as Amicus Curiae,
Feb 5	Class meeting to discuss Issue #2. At end of class, students given assignment for Issue #2.	Read Hazelwood, Two examples of Client Communications, Scheiss (for Client), Bench Brief (versions 1 and 2), Scheiss (for Trial Judge)
Feb 7, 12, 14, 19, 21	No group class meetings these days. Students working on first drafts of Issue #2. Individual meetings with professor. First drafts of Issue #2 due by email to professor and student's assigned partner) by 6:00 pm Feb 19	
Feb 28,	Group class meeting to discuss Issue #2.	Read Wald, Klinkenborg, Fischer
Mar 5, 7	Students meet with professor individually	

	over these two class days to discuss individual work. Redrafting assignments of Issue #2 given	
Mar 12, 14	Spring Break	
Mar 19	Second drafts of Issue #2 due by email to professor before we meet for class at 6:00 pm. Class meeting to discuss Issue #3. At end of class, students will be given homework assignment for Issue #3.	
Mar 21, 26, 28	No group class meetings these days. Students working on first drafts of Issue #3. Individual meetings with professor.	
Apr 2	No class meeting. Student first drafts on Issue #3 due by email to professor before we meet for class at 6:00 pm.	
Apr 4, 9, 11	Students meet with professor individually over these three class days to discuss individual work. Redrafting assignments of Issue #3 given	
Apr 16, 18, 23, 25	No group class meetings. Students working on revised versions of Issue #3. Student	
Apr 30	Student final versions of Issue #3 due by email to Instructor (and to student's assigned partner) by 6:00 pm Apr 30	