

**WRITTEN ADVOCACY FOR LITIGATORS:
COURSE DESCRIPTION AND SYLLABUS
Spring 2018
Professor Lonny Hoffman**

This three-credit course, which satisfies the Upper Level Writing Requirement, is meant to help students gain a sharper understanding of their writing tendencies and develop better writing skills and habits. It is especially suited for those who expect to become civil litigators. Over the semester, students will prepare multiple drafts of several short writing assignments and receive feedback from the instructor on each draft. The class meets on Mondays and Wednesdays from 2:30-3:45 p.m.

There is no casebook to buy for this class. The instructor has prepared course materials that will be available just before the semester begins. There is also no final examination. Students will be evaluated primarily on their written work. In-class participation could improve a student's final grade by one-third of a letter grade (*e.g.*, B+ to A-). It is possible (though rare) for a student's grade to be reduced 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. The instructor may lower a final grade and/or take any other appropriate disciplinary action that is necessary if a student is absent from more than 20% of the scheduled classes and individual meetings.

ANTICIPATED CLASS SCHEDULE

Class Meeting Dates	Subject Matter	Reading Assignment
Jan 17	Introductory class meeting to begin discussing articles on writing.	<p>In advance of this class, students should read:</p> <ul style="list-style-type: none"> • Mattewson, <i>Law Students Beware</i> • Oettle, <i>Eschew Exaggerations</i> • Evans, <i>Tips for Writing Less Like a Lawyer</i> • Bench Brief in <i>Adams v. Alon</i> (both versions) <p>Pages 1-22</p>
Jan 22	Continue discussing writing strategies	<p>In advance of this class, student should read:</p> <ul style="list-style-type: none"> • Plaintiff's Response in <i>Washington v. La Marque</i> (both versions) • Gopen, <i>A Micro-Journey</i> • Adnon Syed v. <i>State</i> annotated brief • Guberman, <i>25 Ways to Write Like John Roberts</i> • <i>Jones v. Flowers</i> • Introduction to Plaintiffs' Reply Brief in <i>Children's Rights</i> case • Mandamus Standard brief • Self-Evaluation Questions <p>Pages 23-56</p> <p>In advance of class, rewrite Introduction to Plaintiffs' Reply Brief in <i>Children's Rights</i> case. Bring your rewrite to class (no need to turn anything in to me in advance)</p>

Jan 24	Continue discussing writing strategies and discuss student assignment for <i>ATA v. FedEx</i> .	<p>In advance of this class, student should read:</p> <ul style="list-style-type: none"> • Pitts & Bennett, <i>Just Do It</i> • Gopen, <i>The Style Proclaims the Lawyer</i> • Georgetown Writing Center, <i>Concise is Nice</i> • <i>ATA v. FedEx</i>; Fed. R. App. P. 35 and 7th Cir IOP XXVIII • Written Advocacy Assignment: <i>ATA v. FedEx Contract Enforceability/Erie Problem</i> <p>Pages 57-87</p> <p>In advance of this class, rewrite section of mandamus brief on “Mandamus Standard.” Bring your rewrite to class (no need to turn anything in to me in advance)</p> <p>For next class, complete assignment in <i>ATA v. FedEx</i> on Contract Enforceability/<i>Erie</i> Problem, and email to me (lhoffman@uh.edu) by 9:00 am on Sunday, Jan 28</p>
Jan 29	Class meeting to discuss Contract Enforceability/ <i>Erie</i> assignment	Discuss student assignments in <i>ATA v. FedEx</i>
Jan 31	Invited speakers to discuss writing strategies	<p>In advance of this class, student should read:</p> <ul style="list-style-type: none"> • Read Guberman, <i>Judges Speak Out</i> • McElhaney, <i>The Plain Truth</i> • Salzwedel, <i>Eschewing Comfort Words</i> • Sparkes, <i>Speaking of Elephants</i> • Cooney, Plain Language, <i>Acronymious</i>; • Guberman, <i>Legal Writing: How to Write for Partners</i> <p>Pages 88-104</p>
Feb 5	Invited speakers to discuss writing strategies	<p>In advance of this class, student should read Fantastic Sams documents</p> <p>Pages 105-138</p>

Feb 7, 12, 14	No group class meetings these days. Students working on first drafts of Motion for Summary Judgment for Fantastic Sams problem. Individual meetings with professor.	Written Assignment: First drafts of summary judgment motion for Fantastic Sams due by email to professor and student's assigned partner by 5:00 pm Feb 16
Feb 19	Discuss first drafts of Motion for Summary Judgment in Fantastic Sams problem	In advance of this class, student should read <ul style="list-style-type: none"> • Georgetown Writing Center, <i>Emailing Professionally</i> • Hazelwood, <i>Emails to Clients</i> • Two examples of Client Communications • Scheiss, <i>Writing for Your Client</i> Pages 139-153
Feb 21, 26, Feb 28, Mar 5, 7	No group class meetings these days. Students working on revised draft of Motion for Summary Judgment for Fantastic Sams problem. Individual meetings with professor.	Written Assignment: Revised drafts of summary judgment motion for Fantastic Sams due by email to professor and student's assigned partner by 3:45 pm Mar 9
Mar 12- 16	Spring break	Spring break
Mar 19	Discuss revised drafts of Motion for Summary Judgment in Equistar/Mason problem	In advance of this class, student should read <ul style="list-style-type: none"> • Gopen, <i>A New Approach; Misconceiving</i> • Gopen, <i>The Importance of Stress</i> • Gopen, <i>How to Overburden</i> • Gopen, <i>Controlling Crowded</i> • Gopen, <i>Important: Avoid</i> • Guberman, <i>Secrets of</i> Pages 154-167

Mar 21	Discuss <i>City of Houston v. Towers Watson</i> assignment	<p>In advance of this class, student should read</p> <ul style="list-style-type: none"> • Gray, <i>The Appellate Record</i>: Font Advice • Romig, <i>Checklists</i> • Order in <i>Belli v. Hedden Enterprises</i> • Brief of Bob Kohn as <i>Amicus Curiae</i> • <i>City of Houston v. Towers Watson</i> Materials <p>Pages 168-196</p>
Mar 26, 28, Apr 2, 4, 9	No group meetings these days. Students meet individually with professor to discuss revised drafts of response.	Written Assignment: First draft of Plaintiff's Response to Motion to Stay in <i>City of Houston v. Towers Watson</i> due to professor and student partner by 9:00 am April 9
Apr 11	Discuss first drafts of brief on <i>City of Houston v. Towers Watson</i>	No additional reading
Apr 16, 18, 23 and 25	No group class meetings. Students working on revised draft of briefs on <i>City of Houston v. Towers Watson</i> . Individual meetings with professor.	Written Assignment: Revised response brief in <i>City of Houston v. Towers Watson</i> due to professor and student partner on April 25 by 3:45 pm.