

**WRC: General Drafting for Smaller to
Mid-size Firm Attorneys**

**Summer 2020
Syllabus**

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Note: This is a preliminary syllabus. The final syllabus will be posted on the course website at the start of the term.

Introductory Note: With an online course it is very important that you read every document and e-mail closely, beginning with this syllabus, to ensure that you understand all of the course assignments, procedures, and due dates. Additionally, from time to time there may be changes, reminders, and additional content sent to organize and supplement the course. You are responsible for knowing all such information.

I. Text

Fajans, Falk, and Shapo, *Writing for Law Practice*, Foundation Press 3rd Edition 2015, ISBN: 9781609304447.

II. Learning Goals

In this course you will develop skills necessary for drafting precise, clear, and complete documents. You will be exposed to drafting litigation documents, contracts, and other legal documents covering a wide-range of practice areas, similar to what some small to mid-size attorneys do, particularly early on in their careers. You will learn to research, evaluate, and use forms and checklists.

III. Course Structure and Technology

This course is taught fully online. With the exception of readings from the assigned text, all aspects of this course including additional readings, assignments, and multimedia material such as videos and MP3 files, will be available online. To prepare for the course, there are two steps you must take **before the semester begins**:

A. Course Website

(This differs from the preliminary syllabus)

The course website is hosted by the University's Blackboard course management system. To access the course website:

1. Log into access UH: <https://accessuh.uh.edu> .
2. Under University Services, click on Blackboard Learn 9.
3. Under courses select WRC Small-Midsize Firm Atty.
4. The website will be available approximately 1 to 2 weeks prior to the official start of the course. You will be automatically enrolled in the course.

Blackboard support is available 8-8 (M-F):

1. Phone: 713-743-1411
2. Live chat: <http://www.uh.edu/infotech/livechat>
3. Email: support@uh.edu
4. In person: 58 MD Anderson Library

NOTE: There is an introductory video assigned for the first unit. Some information in the video may be duplicative of the information below, but some will not be. You are responsible for information both in this document and in the introductory video.

B. Course E-Mail

I will regularly send e-mails. You **must check** the e-mail address that is associated with the Blackboard site to ensure it is the address you want to receive class e-mails. Check closely to ensure that the e-mail is exactly correct. I am not able to change the e-mail associated with your account.

IV. "Attendance" and Collaborative Assignments

In an online course there is, obviously, no physical "attendance." However, you are required to keep up with the assignment schedules as set forth in the syllabus. Falling behind that schedule may result in your **forced withdrawal** from the course. All units must be completed, and the standards met for credit, to receive credit for the course. Failure to do so will result in an incomplete. You are also required to watch all course videos and you will be asked to affirm that you have done so at the end of the course.

It is important to keep up with the weekly readings, assessments, and activities. It will be important to work on course activities consistently and not put them aside until the due date as there will be group assignments and activities which will require participation throughout the week.

Peer Review Assignments

Transactional drafting is collaborative work. Final documents reflect collaborative work with clients and, in most cases, other attorneys and opposing parties. In this course you are **going to be required to work** with other students to complete both small group assignments and Major Assignments.

V. Course Structure and Assignments

The course is divided into five units, each covering several weeks, and some units will overlap. Each you will be given a checklist of all of the items which you must complete prior to a particular due date, and the suggested order in which they should be completed. With the exception of the assignments from your textbook, each required activity will be presented, in order, in a folder on the course website (demonstrated in the introductory video).

Within each unit there will be several items, including:

A. Videos: These are videos or MP3 files which provide an introduction to, and overview of, the materials you will be studying in the unit.

B. Readings: These are the required textbook chapters, cases, statutes, and articles.

C. Assessments and Activities: Your comprehension of the reading materials and lectures is assessed using several different types of inquiries:

i. Questions: These are sets of questions designed to assess your comprehension of assigned readings, develop skills, or lead you through research materials or other items related to your assignments.. These will be multiple-choice, multiple answer, true/false, and fill in the blank type questions. Requirements for completing any one set of questions will be included in the instructions.

Additionally, on occasion there will be short answer/essay questions. Your responses to these questions will be reviewed on a "Reasonable Effort" standard, meaning I will look to see that you have thoughtfully and thoroughly responded to the question, regardless of the grade that might have otherwise be given. Often there will be immediate feedback in the form of a sample or discussion provided for these questions.

ii. CALI Exercises: There will be numerous Computer-Aided Legal Instruction (CALI) exercises throughout the course. These exercises will be used to help present and assess basic drafting skills and allow for short and long essay responses. These assignments will be graded based upon the "Reasonable Effort" standard discussed in the previous paragraph.

iii. Small Group Exercises: You will regularly be required to complete small group exercises designed to assess and build the skills necessary to draft good legal documents.

D. Graded Assignments.

i. Major Assignments: Each unit is designed to build skills and knowledge that lead to the development of a final drafting assignment for that unit. These assignments, along with the final exam, will account for the majority of the points. Outlines and rubrics will be provided to help guide you in developing quality Major Assignments

ii. Major Assignment Building Blocks/ Preliminary Assignments. Each unit will also include assignments designed to be "building blocks" to completing the major assignment. For example, you will be required to find forms, samples, and checklists that you will utilize to create your Major Assignments. These assignments will be graded based upon the "Good Faith Effort" standard discussed in the introductory video.

iii. Skills Assignments: There will also be assignments that are not directly related to a unit's Major Assignment, but are designed to assess and build necessary drafting skills. On occasion, some of the group exercises discussed in V(C)(iii) will be included in this category. These types of assignments are not critiqued in the same way as the Major Assignments and completing these assignments with a reasonable effort will normally result in receiving most or all of the allotted points.

VI. Due Dates and Procedures

Unless otherwise noted, all assignments will be due by 10 p.m. on Mondays.

The cover sheet provided for each Major Assignment packet will include the due date for the assignment. Failure to submit your assignment prior to the due date and time will result in a penalty of two points per day, at 10 PM. By way of example, if an assignment is turned in at 5 PM on the Tuesday following the due date, the student will lose two points. If the assignment is turned in at 11 PM on Tuesday, the student would lose four points.

Submitting Assignments

When submitting an assignment, make sure you follow any requirements provided on the assignment cover sheet. Additionally, the following apply when submitting an electronic copy of an assignment:

- A. Use Microsoft Word
- B. Attach the assignment via e-mail; title the e-mail using the assignment name
- C. Title the Word document using **your last name only** ("Smith.doc")
- D. Make sure your name is on the **assignment document itself**

Failure to follow any assignment formatting or submitting procedures may result in a loss of points for that assignment. Note that some assignments may be graded anonymously. In such cases instructions will be provided on the assignment cover sheet and items C and D above will not apply.

VII. Grades

Under the Law Center's grading rules for summer 2020, this course will be graded on a satisfactory/no credit basis. I will not provide letter grades on each assignment. Instead, each grading component will have a point total. At the conclusion of the semester I will tabulate all of the points and determine satisfactory/no credit.

The determination will be based upon the following Major Assignments for each unit plus points for selected Building Block assignments and Skills Assignments (see section V above):

Pleadings Unit	15 points
Contract Drafting I Unit	10
Contract Drafting II Unit	25
Statutory Drafting Unit	5
Will Drafting Unit	15
Participation and Effort	10
Final Exam	20

Participation and Effort

The points for participation and effort will be based upon:

1. Timely completion of all assignments and activities.
2. Thoroughness of responses to essay questions and writing assignments, including CALI exercises.
3. Timely participation in small group activities. "**Timely**" includes participating throughout the week the activity is assigned and not waiting until the last day or two to contribute to a group project.

NOTE: The participation points are not based upon a curve and it is my hope that every class participant will receive all of the allotted points.

Exam

The exam will be open book and consist of one or more exercises designed to test the skills we have developed throughout the semester.

VIII. Additional University Resources

CAPS

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, a drop-in consultation service at convenient locations and hours around campus.

http://www.uh.edu/caps/outreach/lets_talk.html

UH Sexual Misconduct Policy

The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. For more information, please refer to the University system’s Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08, available here:

<http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php>

http://www.uhsystem.edu/compliance-ethics/_docs/sam/01/1d7.pdf

(antidiscrimination)

http://www.uhsystem.edu/compliance-ethics/_docs/sam/01/1d8.pdf (sexual misconduct)

Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note that the reporting obligations under the sexual misconduct policy reach to employees and students. Also, as a required reporting party, Law Center employees and faculty members are not a confidential resource.

Week One - DRAFT

1. Watch Video: *Course Introduction*

This video will introduce you to course rules, procedures, and grading.

2. Read:
 - a. *Writing for Law Practice*, chapter 1
 - b. Assignment One Packet

The assignment packet is the major assignment for Unit 1.

3. Watch Video: *Introduction to Drafting*

4. Complete: Reading Questions

These questions are based upon the reading assignment. All questions must be answered correctly to receive credit for completing the assignment. You may attempt the question set as many time as necessary.

5. Complete: Short Answer Questions

6. Read: *Writing for Law Practice*, chapter 2

7. Complete: Statutes and Rules Research Exercise

In this assignment you will find additional statutes and rules that will guide the drafting of the complaint. You are responsible for knowing and using these rules and statutes in drafting the assignment.

8. Property Lease Problem (group project)

Notes:

- A. You will be assigned to a group via the course website (you can find your group assignment just below the course navigations buttons on the left-hand side of the course website).
- B. You must make an initial email contact with your group members by no later than 5 p.m. on Thursday, hopefully sooner.
- C. This assignment is not scored, but participation is required.

Due Date: The above must be completed by 10 p.m. on Monday, June 8.