

Legal Writing
for Foreign LL.M. Students
Professor Laurel Simmons

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Course Objectives. Welcome to the University of Houston Law Center and the study of law in the United States. In this course, the curriculum will begin with instruction in the case method study of law employed by U.S. law schools, including case briefing and recitation. We will then shift our focus to the U.S. legal system and the skills U.S. lawyers employ in day-to-day practice, with special emphasis on writing skills you will be required to master to pass the Texas bar exam. The curriculum is problem-based, and we will use fact pattern simulations from prior Multistate Performance Tests (MPTs) administered by the National Conference of Bar Examiners, as well as to identify and analyze legal issues and write client documents. Finally, we will identify and discuss skills you will need to hone to prepare and perform well on your law school exams.

Some writing and revising we will do in class. I will assign limited outside reading so that you can complete other writing and revising outside of class. I will be mindful of your time.

Class Time. We will meet Tuesdays and Thursdays from 7:50am to 9:05am.

Mode of Instruction. Face to face, with a small number taking the course SDE (synchronous distance education).

Grade Calculation. The ultimate purpose of this class is to teach you how to use the doctrinal law you are learning in a U.S. practice setting. Your grades will be based on class exercises, an oral presentation, several writing assignments, and a final MPT exam. Specifically, I will calculate your grade as follows:

Assigned Interim Class and Writing Exercises	20% (completion grade)
MPT #1	10%
MPT #2	15%
MPT #3	20%
Final MPT	25%
Oral Presentation	10%

The completion grade on any assigned interim writing exercises will be based on your timely and meaningful completion of the assignments.

All graded out-of-class writing assignments and your final will be similar to the bar exam's MPTs.

This class will assign letter grades with numerical equivalents (i.e., grade points) to each student. Students receive 4.0 grade points for an A, 3.67 for an A-, 3.33 for a B+, and so on. For additional discussion, *see* UHLC Student Handbook at page 18.

You must turn in all assignments on time. If you are ill or otherwise unable to turn in a graded assignment on time, please notify me via e-mail prior to the time the assignment is due to seek an accommodation.

Class Web Course. I will maintain a course website for this course (Canvas). The course webpage is named Legal Writing. On the page, you will find a copy of this course description and syllabus, additional readings, handouts, and exercises covered in class.

You will also turn in your assignments under Assignments on the course page.

When you register, please use an email address that you check frequently. I will send out all course communications through the course page and will expect that you are aware of these communications.

Textbooks and Online Resources. There will not be a textbook for this class. I will provide supplements with readings for class. These will be provided to you free of charge on the course page.

If you are a non-native English speaker, or simply unfamiliar with the U.S. legal system, you may find the following books and online services useful. They are by no means required:

Karen M. Ross, *Essential Legal English in Context: Understanding the Vocabulary of US Law and Government* (2019). ISBN 978-1-4798-3167-8.

Bryan Garner, *The Redbook: A Manual on Legal Style* (4th ed. 2018). ISBN 978-1642421002.

For study skills and law school hacks: <http://www.jennifermcooper.com/>

For refreshers on grammar and punctuation rules: https://owl.purdue.edu/owl/purdue_owl.html

For sources of law and the legal method:

https://www.youtube.com/playlist?list=PL7g_CQSlG4S8LNHbB7SErpyL6hKxx17o0

For IRAC/CREAC/CRAC: https://www.youtube.com/watch?v=fZK38vru_GM

For exam writing: http://www.ericejohnson.com/docs/Tip_Sheet_on_Exam_Writing.pdf;
<https://www.youtube.com/watch?v=0FkP0cYy5o8>

For legal research: <http://law.indiana.libguides.com/c.php?g=27591&p=169360> or Terrill Pollman, Jeanne Frazier Price, Linda Berger, *Legal Research* (2017). ISBN 978-1454867890.

Attendance Policy. UHLC attendance policy dictates that you may miss no more than five scheduled classes. The Law Center considers mandatory outside-of-class activities as scheduled classes. I will count you as absent if you 1) are not in the classroom or other specified

location at the time class is scheduled to begin, 2) are unprepared for class, or 3) fail to put forth a good faith effort on an in-class assignment.

Syllabus. Please see Part 2 of the syllabus for daily assigned readings.

Student Participation:

You are expected to discuss the assigned material in depth, so please make a commitment to be prepared. Your advanced preparation gives you the best opportunity to correctly synthesize and participate in our class discussion.

As this class is a graded course, the decision to drop a grade for participation is at my discretion and is non-negotiable. A drop in class participation can result from a combination of unpreparedness, not paying attention in class, and absences (even if you are within the five-absence limit).

Student Responsibilities When Absent:

If a student is absent from class, the student has the obligation to reach out to the instructor, obtain all missed content, and submit all missed assignments. To assist in this effort, class assignments and presentations are posted to Canvas after each class (as best possible). *The missed material must be completed and submitted to the instructor prior to the next class meeting.* Failure of the instructor to post the assignments does not relieve the student of the duty to reach out and ask for the missed assignments in a timely manner. For example, if a student misses a Monday 10:30am class (of a M/W 10:30am-12pm class section), the student must complete all assignments from that class meeting before class begins on Wednesday at 10:30am. Any assignment not timely completed will be deducted from the Completion portion of the student's grade. Late assignments will not be accepted.

Computer and Phone Use:

The permitted use of personal computers in the classroom is permitted solely for the purpose of completing class assignments (i.e. MPTs, note-taking). Specifically excluded from in-class computer usage is anything beyond these activities, e.g., "surfing the web" and messaging. When we are not completing an assignment for this class, your computer should be put away. Nonparticipation and nonresponsiveness in the classroom discussion attributable to diversionary uses of your personal computer or phone constitutes an absence from the class. The instructor reserves the right to disallow the use of laptops in the classroom at any time throughout the semester. The use of other electronics, including recording devices, is prohibited during class time. Please be sure that all noise-making devices, including cell phones, are in silent mode or powered off. Phones should be put away during class.

Your camera should be on during all class sessions that (may) occur virtually. You are welcome to use a virtual background, provided it is school-appropriate. If this is a problem, please reach out to me individually.

Communication:

Students should check their emails and Canvas regularly and consistently. I will send emails to the whole class or individually. These emails may contain important details and time-sensitive materials. It is imperative that you check your emails frequently as you will be responsible for the content and information provided in those communications as it pertains to the course and assignments.

Instructor Evaluations:

I welcome any comments or suggestions that you may have regarding instructor teaching style, class presentation, or any other related subject. Please feel free to provide me such comments during the course of the semester as they will help me improve this program. I will carefully consider all of the comments and suggestions that I receive.

Proposed Course Outline:

A separate proposed schedule for the semester (“Course Schedule”) will be distributed by the instructor. It will include class assignments, homework, and relevant dates of assessments.

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Please check and use your Cougarnet email for communications related to this course. To access this email, [login](#) to your Microsoft 365 account with your Cougarnet credentials.

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First Week’s Assignments:

Your instructor will provide you with a schedule of assignments the week prior to class starting.

Each class, please bring your computer and be prepared to take notes.

Law Center Attendance Policy

As noted in the student handbook, [link](#) (page 5), the Law Center has a minimum 80% attendance policy for students. The ABA standards say that the Law Center must have a policy. The 80% threshold is that policy. Express the attendance policy in the syllabus and discuss the mode of accounting for attendance in the course. Express how many missed class sessions constitute student nonadherence to the policy in the course, and what consequences the instructor might predetermine. These consequences can be left vague, such as “the student’s nonadherence will be notified to the Office of Student Affairs” (OSA). For consequences that are more strict, such as dropping the student automatically from the course, these strict consequences should be described with particularity in the syllabus.

Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code’s provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

Prohibited Use of Artificial Intelligence

The software technology known as artificial intelligence has recently expanded its capability to generate text and other work product (AI Generated Work Product). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text and other work product in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Work Product, appears to have human-mimicking “intelligence” and is thus potentially usable as a substitute for material one might generate themselves. AI Generated Work Product can include computer code or programs as well as human language content and materials.

Your continuing enrollment in this course obligates you to not knowingly prompt, generate, or use any AI Generated Work Product in relation to any activity or assessment in this course. This applies to AI Generated Work Product from yourself or others. This obligation includes that your assessment materials in the course be without any contribution from AI Generated Work Product. This obligation specifically extends to not plagiarize any writing required of you for assessment in the course: AI Generated Work Product will be treated as from another/others in applying the plagiarism policy to this course. The term “assessment” means any material generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not. Assessments include mid-terms and final exams. AI Generated Work Product may not be used in the development or drafting of any assessments created by you in a non-proctored environment, such as a “take-home” final examination.

Mental Health and Wellness Resources

The University of Houston has a number of resources to support students’ mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let’s Talk location in-person or virtually. Let’s Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, your instructor is a “responsible employee” for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdccenter@Central.UH.EDU.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don't know where to start. CSAC is a "home away from home" and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard, all students can get up to 30 lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: @uh_CSAC and @uhcupbrd. YOU belong here.

Women and Gender Resource Center

The mission of the WGRC is to advance the University of Houston and promote the success of all students, faculty, and staff through educating, empowering, and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack, or check out one of the WGRC programs or resources. Stop by Student Center South room B12 (Basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm Monday through Friday.

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Resources for Online Learning

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

UH Email

Please check and use your CougarNet email for communications related to this course. Faculty use the CougarNet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your CougarNet email, login to your Microsoft 365 account with your CougarNet credentials. Visit University Information Technology (UIT) for instructions on how to connect your CougarNet e-mail on a mobile device.

Webcams

Access to a webcam is required for students participating remotely in this course. Webcams must be turned on at all times.

Security Escorts and Cougar Ride

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called “Cougar Ride” that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Syllabus Changes

Please note that the instructor may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible through Canvas or email.