

Federal Pretrial Drafting

Substance | Procedure | Evidence | Drafting

Assignments

Initial Pleadings including Disclosures

Motion for Summary Judgment

Reply in Support of the Motion for Summary Judgment

Due Dates

Pleadings due late January

MSJ drafts due early March & late March

Reply drafts due early April & late April

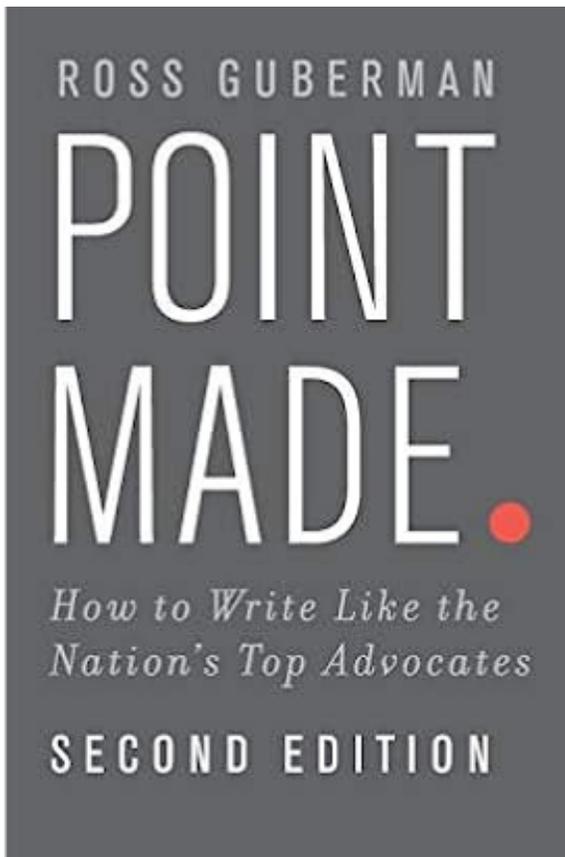


Class Description

This semester, in the context of a single federal court case, you will draft basic pleadings and a dispositive motion and accompanying responsive pleadings. Along the way you will review removal procedure, discovery practices, and alternative dispute resolution. You will hone your analytical and persuasive writing skills, understand how the rules of procedure and evidence intersect with a daily civil trial practice, converse with trial lawyers, judges, and clerks about their work, discuss billing practices, and in general prepare for the first few years of a career in litigation.

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

continued



Course Materials

In addition to materials I will periodically post, please purchase Ross Guberman's *Point Made: How to Write Like the Nation's Top Advocates* (2nd ed. 2014) (ISBN-13: 978-0199943852).

I will also maintain a course website on the University of Houston's Blackboard learning management system.

Periodically you may also need to refer to *The Bluebook: A Uniform System of Citation* and *The Greenbook: Texas Rules of Form*. I prefer the online *Bluebook* but any copy will suffice.

About Me

A first-generation college graduate and Big Law refugee, I joined the University of Houston Law Center faculty in 2000. I research and write about the intersection of legal rhetoric, evidence, procedure, and substantive law, as well as introductory U.S. legal concepts for novice students and foreign-trained attorneys - especially those trained in the civil law tradition. I teach LSS, Evidence, Federal Pretrial Drafting, and U.S. Legal Skills.

Prior to teaching, I divided my practice between oil and gas litigation, catastrophic personal injury defense, and commercial litigation for both plaintiffs and defendants.



Book office hours [here](#).

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Course Objectives

1. *Understand the nexus between substantive law, procedure, legal skills, and ethics.*
2. *Translate legal research and analysis into persuasive writing that is organized effectively; conveys all relevant and required substance clearly and concisely; and omits extraneous matters.*
3. *Understand and apply legal citation effectively using Bluebook and Greenbook citation formats.*
4. *Master the basic tenets of legal style.*

The Fine Print

The UH Attendance and Honor Codes Apply

No Late Submissions without Advance Permission

Class Meets In Person

Students May Consult Legal Writing Center Fellows on First Draft Submissions

Inclusion

Preferred Pronouns. I want to address each of you in a manner that corresponds to your identity. Feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronouns, or if you have concerns about how your classmates or I address you.

Reasonable Academic Adjustments/Auxiliary Aids. The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please contact the Justin Dart Jr. Student Accessibility Center (formerly the Justin Dart, Jr. Center for Students with DisABILITIES) and Samantha Ary, Academic Records Coordinator at the Law Center. Ms. Ary's office is in the Office of Student Services suite. She can be reached by [email](#) or at (713) 743-7466. Requests for accommodation that involve graded assignments should be directed to Ms. Ary as soon as possible to allow adequate time to process the request.

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UNIVERSITY of HOUSTON

Wellness Resources

The University of Houston offers Counseling and Psychological Services (CAPS) to 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 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 available at convenient locations and hours around campus:

The Texas Lawyers' Assistance Program (TLAP) also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. [TLAP's website](#) includes a page with links to resources about mental health that are of interest to law students. Check it out!

Class Recordings

I will record classes and post links to these recordings on the class web course as soon as they are available. You may use these recordings for your own studying and notetaking purposes, but please do not share them with anyone without my prior written permission. University procedures

require that your failure to comply with these requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

COVID-19

If you are experiencing any COVID-19 symptoms that are not clearly related to a pre-existing medical condition, do not come to class. Please see Student Protocols for what to do if you experience symptoms and Potential Exposure to Coronavirus for what to do if you have potentially been exposed to COVID-19. Students are encouraged to visit the University's COVID-19 website for important information including diagnosis and symptom protocols, on-campus testing, and vaccine information. Please check the website throughout the semester for updates.

Vaccines

Data suggests that vaccination remains the best intervention for reliable protection against COVID-19. Students are asked to familiarize themselves with pertinent vaccine information and to consult with their health care provider. The University strongly encourages all students, faculty and staff to be vaccinated.



Spring 2020 Course Evals

"This is a very practical and valuable class. Professor Brem did a great job of building upon the basic legal writing skills that I have learned over the course of my law school career to make me a better legal writer. I also really liked that the class was structured in such a way that we turned in two drafts of both major writing assignments; this allowed me to get feedback on my writing and then immediately incorporate that feedback directly into a new draft."

"Most of all, this course helped me become a better legal writer. Professor Brem covers the most important topics that influence legal writing, along with focusing on the small nuances that will separate students from the average legal writer".

"I'm really glad I took this course and would recommend it to other students. I thought the case was boring and hard to understand, and that probably made it the perfect case for this writing course."