

**SYLLABUS**  
**ADVANCED LEGAL WRITING: CONTRACT DRAFTING**  
**LAW 3696C-01**  
**Fall 2013**

Stetson University College of Law, Gulfport, Florida  
Student Center 201  
Thursday 6:00 pm to 7:50 pm

**Adjunct Professor:** James W. Martin, Esq., St. Petersburg, Florida  
**Email:** jwmartin@law.stetson.edu  
**Website:** www.jamesmartinpa.com  
**Office hours:** By appointment

**Course Catalog Description:**

This course surveys documents of legal practice and the skills needed to write them. Students will engage in problem-solving via legal analysis and writing, receive hands-on drafting experiences, and gain greater sophistication and power as legal writers.

**Goal:**

To confidently and competently draft typical contracts found in the practice of law.

**Required Text (obtain before class #1):**

George W. Kuney, *The Elements of Contract Drafting with Questions and Clauses for Consideration*, 3rd Edition, 2011, Thomson Reuters (West)

**Classes and Reading Assignments:**

1. Introduction (read text Chapter 1 before class)
2. Fundamentals of Contract Drafting and Transaction Planning (read text Chapters 2 and 3 before class)
3. Document Review and Comments (read text Chapter 4 before class)
4. Consideration and the Term of the Agreement (read text Chapter 5 before class)
5. Conditions (read text Chapter 6 before class)
6. Representations, Warranties, Covenants, Guaranties, and Indemnities (read text Chapter 7 before class)
7. Events of Default and Remedies (read text Chapter 8 before class)
8. Boilerplate, Arbitration & ADR, Signature Blocks (read text Chapters 9, 10 and 11 before class)
9. Letters of Intent (read text Chapter 14 before class)
10. From Letter of Intent to Definitive Documents
11. Amending and Restating Agreements (read text Chapter 12 before class)
12. Covenants Not to Compete (read text Chapter 13 before class)
13. Opinions of Counsel (read text Chapter 15 before class)

**Grading Policy:**

Grading is based on writing assignments, editing assignments, class attendance, and class participation. There is no final exam. Grading is on a pass/fail scale, not the 4.0 scale.

**Attendance Policies:**

Attendance is mandatory. Attendance will be taken at the beginning of each class. A student arriving after 6:00 pm must inform the professor upon arrival so that he can mark the student partially present instead of completely absent. Failure to attend at least 80% (21 hours) of the total class hours (26 hours) will automatically exclude the student from receiving any credit hours for the course. In addition, failure to attend and prepare for class will be considered in determining the student's pass/fail grade in the course. Each student is required to keep a record of his or her total absences for each class. The professor is not obligated to keep a student informed of the student's absences. A student who meets one or more of the following criteria should contact the Associate Dean for Academics Kristen Adams (not the class professor) as soon as possible to discuss attendance: (a) has the flu or flu-like symptoms; (b) has a contagious or serious illness other than the flu; (c) is caring for another person suffering from the flu or contagious disease; or (d) presents extraordinary circumstances that might require missing a large number of class hours. Note: Failure to attend class #1 counts as an absence even if the student added the course after class #1.