

SYLLABUS AND READING ASSIGNMENTS
ADVANCED LEGAL WRITING: CONTRACT DRAFTING

Fall 2018 Law 3696C-01

Thursdays 6:00 pm to 7:50 pm

Student Center 201

Stetson University College of Law

Gulfport, Florida Campus

Course Website: contractdraftingblog.wordpress.com

Attorney Website: www.jamesmartinpa.com

1. **Adjunct Professor of Law:** James W. Martin, Esq., Florida Bar Board Certified Real Estate Lawyer, Law Office of James W. Martin, P.A., 540 4th Street North, St. Petersburg, Florida 33701, www.jamesmartinpa.com, jim@jamesmartinpa.com, jwmartin@law.stetson.edu, Fax (727) 823-3479, Phone (727) 821-0904
2. **Office Hours:** Thursdays at 5:30 pm in classroom by appointment
3. **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. This section will emphasize contract drafting.
4. **Goal:** To draft “the contract that stays out of court” by learning how to confidently and competently draft clear and unambiguous contracts.
5. **Text:**
 - 5.1. Required: *Legal Drafting, Process, Techniques and Exercises*, 2nd edition 2007 by Haggard & Kuney or 3rd edition 2017 by Kuney & Looper, West Academic
 - 5.2. Recommended: *A Manual of Style for Contract Drafting*, 3rd Edition 2013 by Adams, ABA Business Law Section
6. **Required Tools:** Computer to access Internet and create and edit documents in and out of class
7. **Weekly Classes and Reading Assignments in Required Text:**
 - 7.1. 8/23/18 Introductory Tips on Drafting the “Contract That Stays Out of Court”
 - 7.2. 8/30/18 Chapters 1 and 2 (philosophy of drafting and contract drafting)
 - 7.3. 9/6/18 Chapters 3 and 4 (legislative drafting and rules of interpretation)
 - 7.4. 9/13/18 Chapters 5 and 6 (drafting ethics and drafting overview)
 - 7.5. 9/20/18 Chapters 7 and 8 (getting started and drafting within the law)
 - 7.6. 9/27/18 Chapters 9 and 10 (determining substance and choosing concept)
 - 7.7. 10/4/18 Chapter 11 (organization)
 - 7.8. 10/11/18 Chapter 12 (avoiding ambiguities)
 - 7.9. 10/18/18 Chapter 13 (drafting style and usage)
 - 7.10. 10/25/18 Chapter 14 (definitions)
 - 7.11. 11/1/18 Chapters 15 and 16 (terms and typography and layout)
 - 7.12. 11/8/18 Chapter 17 (reviewing and revising drafted documents)
 - 7.13. 11/15/18 Review of Contract Drafting

8. Hours

- 8.1. Credit Hours: Two (2) credit hours consisting of 85 hours of work over 13 weeks.
- 8.2. Classroom Faculty Instruction: 26 hours over 13 weeks.
- 8.3. Out-of-Class Student Work: 59 hours over 13 weeks (5 hours per week reading the text and assigned material and drafting legal documents as assigned).

9. Grading Policy

- 9.1. There is no final exam.
- 9.2. Grading is based on assignments, classroom attendance, and classroom participation.
- 9.3. Grading is on a satisfactory/unsatisfactory scale (not the 4.0 scale).

10. Classroom Attendance Policy

- 10.1. Attendance is mandatory.
- 10.2. Failure to attend at least 80% of the total classroom hours will automatically exclude the student from receiving any credit hours for the course.

10.3. Attendance will be taken at the beginning of each class (6:00 pm).

10.4. A student may miss only 5 hours of the 26 hours of classroom faculty instruction and still receive credit for the course.

10.5. Failure to attend class #1 counts as an absence even if the student added the course later.

- 10.6. Each student is required to keep a record of his or her total absences for the semester. The professor is not obligated to keep a student informed of the student's absences.
- 10.7. A student who meets one or more of the following criteria should contact the Associate Dean for Academics (not the class professor) as soon as possible to discuss classroom 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 classroom instruction.

11. Accommodations

- 11.1. Please read Accessibility Resources — Registering For and Requesting Accommodations at www.stetson.edu/law/accessibility/register-request.php .
- 11.2. In keeping with College of Law policies regarding ADA Accommodations and ESL Testing Modifications, students with disabilities or foreign students may seek reasonable accommodations and/or ESL testing modifications for this course. Accommodations and/or modifications cannot be made unless written notice is provided from the ADA Coordinator to the course professor.
- 11.3. If you believe you fall into one or both of these categories, you must communicate with the ADA Coordinator as soon as possible by emailing ADA@law.stetson.edu, and follow the appropriate request procedures found on the Accessibility Resources pages of the College of Law website.