

SYLLABUS AND READING ASSIGNMENTS
ADVANCED LEGAL WRITING: CONTRACTS DRAFTING

Fall 2019 Law 3696C-01

Thursdays 6:00 pm to 7:50 pm

Student Center SC201

Stetson University College of Law

Gulfport, Florida Campus

Adjunct Professor of Law: James W. Martin, Esq.
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Law Office Website: www.jamesmartinpa.com
Course Website: <https://contractdrafting.org>
Office Hours: By appointment

A. Texts and Equipment:

1. **Required:** *Legal Drafting, Process, Techniques and Exercises*, 3rd edition 2017, by George W. Kunej & Donna C. Looper, West Academic Publishing
2. **Required:** Computer to access internet during and after class, and Microsoft Office 365 to open, create, revise, and edit documents

B. 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.

C. Learning Outcomes:

1. Communicate effectively in writing and orally: how to draft “the contract that stays out of court” by learning how to confidently and competently draft clear and unambiguous contracts.
2. Demonstrate sophistication in legal analysis, reasoning, and problem-solving: how to analyze contract wording and revise it to meet the client’s expectations.
3. Gather and interpret relevant facts and conduct legal research: how to sort through and assemble facts for use in contract provisions based on rights, duties and legal principles.

D. Weekly Classes and Reading Assignments in Required Text: It is important that students read the assigned material prior to each class.

1. 8/29/19 Introductory Tips on Drafting the “Contract That Stays Out of Court”
2. 9/5/19 Chapters 1 and 2 (philosophy of drafting and contract drafting)
3. 9/12/19 Chapters 3 and 4 (legislative drafting and rules of interpretation)
4. 9/19/19 Chapters 5 and 6 (drafting ethics and drafting overview)
5. 9/26/19 Chapters 7 and 8 (getting started and drafting within the law)
6. 10/3/19 Chapters 9 and 10 (determining substance and choosing concept)
7. 10/10/19 Chapter 11 (organization)
8. 10/17/19 Chapter 12 (avoiding ambiguities)
9. 10/24/19 Chapter 13 (drafting style and usage)
10. 10/31/19 Chapter 14 (definitions)
11. 11/7/19 Chapters 15 and 16 (terms and typography and layout)
12. 11/14/19 Chapter 17 (reviewing and revising drafted documents)
13. 11/21/19 Review of Contract Drafting

E. Classroom Attendance Policy:

1. A student may miss only 5 hours of the 26 hours of classroom faculty instruction and still receive credit for the course. Failure to attend class #1 counts as an absence even if the student added the course later. Failure to attend at least 80% of the total classroom hours will automatically exclude the student from receiving any credit hours for the course.
2. Attendance is mandatory. Attendance will be taken at the beginning of each class (6:00 pm). 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.
3. 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.

F. Two Credit Hours: 26 hours of classroom faculty instruction over 13 weeks, plus 59 hours of out-of-class student work over 13 weeks (4.5 hours per week reading the assigned text and other materials and drafting the assigned contracts), for a total of 85 hours of work over 13 weeks.

G. Class Participation. Class participation consists of the following minimum requirements: attendance for the entire class period, arriving on time at the beginning of each class, reading all assigned materials prior to class, being prepared to discuss any of the assigned materials and topics of discussion in class, engaging in and contributing to thoughtful class discussion, and demonstrating professional conduct during class.

H. Grading Policy: There is no final exam. Grading is based on writing assignments, classroom attendance, and classroom participation. Grading is on a satisfactory/unsatisfactory scale (not the 4.0 scale).

I. Accommodations: According to the College of Law policies on 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 to the ADA Coordinator. To seek accommodations students must communicate with the ADA Coordinator as soon as possible at ada@law.stetson.edu and follow the procedures found on the school's Accessibility Resources website <http://www.stetson.edu/law/accessibility/index.php> .