

SYLLABUS AND READING ASSIGNMENTS
ADVANCED LEGAL WRITING: CONTRACT DRAFTING
Fall 2020 Law 1072 3696C - 01

Wednesdays 6:15 pm to 8:15 pm

Remote Online Course Via Blackboard Collaborate Ultra (Synchronous Live)
Stetson University College of Law, Gulfport, Florida

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Office Hours: By appointment

Note Regarding Professional Conduct and Recording of Classes

- **Law students are required to conduct themselves in a professional and courteous manner at all times, as if they were in a courtroom, during the main sessions and breakout sessions of each class.**
- **Audio, video, and online chat of all classes will be recorded by Stetson for ADA reasonable accommodation purposes.**
- **There is NO reasonable expectation of privacy for audio, video, or chat communications during the classes.**
- **Students are prohibited from recording classes on their own, unless approved to do so by the Stetson ADA Coordinator.**
- 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 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>.
- If a student has a medical or family emergency, please follow the Stetson Class Recording Procedures here: <https://www.stetson.edu/law/policies/home/media/class-recording-procedures-for-students-pdf.pdf> and request for the class to be recorded.
- Otherwise, if a student misses a class, it is the student's responsibility to obtain class notes from fellow classmates and return ready to participate in the next class.
- Please do not request to have a class recorded if the need to miss class is for a non-emergency reason.

1. **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.
2. **Weekly Classes and Reading Assignments in Required Text:** It is important that students read the course website contractdrafting.org and also read the assigned text reading material prior to each class, as follows:
 - 2.1. 8/19/2020 Introductory Tips on Drafting the “Contract That Stays Out of Court”
 - 2.2. 8/26/2020 Chapters 1 and 2 (philosophy of drafting and contract drafting)
 - 2.3. 9/2/2020 Chapters 3 and 4 (legislative drafting and rules of interpretation)
 - 2.4. 9/9/2020 Chapters 5 and 6 (drafting ethics and drafting overview)
 - 2.5. 9/16/2020 Chapters 7 and 8 (getting started and drafting within the law)
 - 2.6. 9/23/2020 Chapters 9 and 10 (determining substance and choosing concept)
 - 2.7. 9/30/2020 Chapter 11 (organization)
 - 2.8. 10/7/2020 Chapter 12 (avoiding ambiguities)
 - 2.9. 10/14/2020 Chapter 13 (drafting style and usage)
 - 2.10. 10/21/2020 Chapter 14 (definitions)
 - 2.11. 10/28/2020 Chapters 15 and 16 (terms and typography and layout)
 - 2.12. 11/4/2020 Chapter 17 (reviewing and revising drafted documents)

Note: Students are required to spend 2 hours outside of class time preparing for each hour of in-class time. In total, it is necessary for students to spend 85 hours on this 2 credit-hour class.

3. **Requirements:**
 - 3.1. **Required Text:** *Legal Drafting, Process, Techniques and Exercises*, 3rd edition 2017, by George W. Kunej & Donna C. Looper, West Academic Publishing
 - 3.2. **Recommended Text:** *Garner’s Guidelines for Drafting and Editing Contracts*, 1st edition 2019, by Bryan A. Garner, West Academic Publishing
 - 3.3. **Required Equipment:** Computer with microphone, video camera, and internet access
 - 3.4. **Required Collaboration Tools:**
 - 3.4.1. Stetson account with Blackboard and Blackboard Collaborate Ultra
 - 3.4.2. Stetson account with Microsoft 365 for Microsoft Word
 - 3.4.3. Stetson Outlook email account
4. **Class Format:**
 - 4.1. This course will be taught remotely online by means of Blackboard Collaborate Ultra as a live, synchronous class.
 - 4.2. The 2 hours of in-class instruction each week will include lectures, course website review, class discussions, reviewing sample contracts, and reviewing prior writing assignments, as well as breakout sessions into small groups of students.

5. Out-of-Class Additional Reading and Writing Assignments:

- 5.1. The professor will generally post the out-of-class writing assignment for the next class to the course website contractdrafting.org.
- 5.2. The completed assignment must be emailed to the professor no later than the day before the next class.
- 5.3. Absence from any class does not excuse a student from completing the out-of-class writing assignment for any class.

6. Communication with Students: Email is the primary means of communicating during and after class so students must constantly monitor their emails for the following:

- 6.1. Emails from the professor to the students before classes with a link to the class website and other information.
- 6.2. Emails from the professor to the students after classes with supplemental information discussed in class.
- 6.3. Emails from the students to the professor with assignments during and after classes.

7. Two Credit Hours: 26 hours of in-class faculty instruction over 12 class weeks, plus 59 hours of out-of-class student work over 12 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 12 class weeks.

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

9. Class Attendance Policy:

- 9.1. The Public Health Crisis and Natural Disaster Relief Class Attendance Policy governs this course, is in effect for the Fall 2020 semester, and is incorporated by reference into this syllabus. Citation: <https://www.stetson.edu/law/policies/home/media/public-health-crisis-and-natural-disaster-relief-attendance-policy-july-2020.pdf>
- 9.2. Attendance is mandatory. Attendance will be taken at the beginning of each class.
- 9.3. Students are required to keep a record of their total absences for each class. The professor is not obligated to keep students informed of absences
- 9.4. Failure to attend at least 80% of the total class hours in the course will automatically exclude students from receiving credit for the course, regardless of the reason(s) for the absence.
- 9.5. Note: Failure to attend class #1 counts as an absence even if the student added the course after class #1.

10. Alternative Attendance: When, for the reasons set forth in section 3(a)-(g) of the Public Health Crisis and Natural Disaster Relief Class Attendance Policy, a student is expected to exceed the maximum allowable absences for a particular class, then the student will be permitted to satisfy the attendance requirements for class sessions in the following ways:

- 10.1. Equivalent activities will include review of the content delivered in class, which may include viewing a recording of the class, if a recording is available;
- 10.2. Completion of an assignment or assignments designed to foster engagement with that class content; and
- 10.3. Feedback on the assignment or assignments.

11. **Class Participation.** Class participation consists of the following minimum requirements:

- 11.1. Virtual personal presence for the entire class period;
- 11.2. Being on time at the beginning of each class;
- 11.3. Reading all assigned materials prior to class;
- 11.4. Being prepared to discuss any of the assigned materials and topics of discussion in class;
- 11.5. Engaging in and contributing to thoughtful class discussion;
- 11.6. Demonstrating professional conduct during class;
- 11.7. Treating classmates with respect; and
- 11.8. Turning in assignments on time.

12. **Learning Outcomes:**

- 12.1. 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.
- 12.2. Demonstrate sophistication in legal analysis, reasoning, and problem-solving: how to analyze contract wording and revise it to meet the client’s expectations.
- 12.3. 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.