

Course Syllabus

University of Washington School of Law

Autumn, 2018

Persuasive Writing E508

Class meets Tuesday & Thursday 10:30-12:20, Room 119.

Professor HELEN A. ANDERSON

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(206) 543-0346

Room 307

Office Hours: Tues. 1:30-3:00, or by appointment

SYLLABUS

Class Description and Learning Objectives

This class is about written legal advocacy. Beginning with Aristotle's familiar focus on pathos, logos and ethos, we will practice developing arguments for a legal audience. The first part of the course is devoted to studying examples of legal advocacy, and practicing persuasion through discrete exercises. During the last part of the course you will research and write at least three drafts of a persuasive brief, incorporating extensive feedback from the professor and peers.

Learning Objectives

My **learning objectives** are to get you to think about what it means to persuade with legal argument, and to explore the nature of written advocacy—where lawyers are not able to use their physical presence, oral delivery, or (for the most part) eye-catching visual aids. I hope to make you aware of the need for a thoughtful approach to any argument, persuasive use of authority, careful revision, and a willingness to submit to editing. I also want to develop your own editing skills. Finally, I want to instill the habits of good professional writing.

Texts

Noah Messing, *The Art of Advocacy*, (Walters Kluwer 2014). *Reading assignments refer to this book*

Course Requirements

(1) *Attend class.* Class meets twice a week, and you are expected to attend every class. This is a small class, and it will depend heavily on class participation. Come to class prepared, and you will get the most out of it. Students who attend less than 80% of the scheduled classes will not receive credit for the course, absent an excellent excuse.

(2) *written exercises.* Written exercises are an important part of the course. As the syllabus indicates, you should submit these electronically by noon the day before class, and bring a paper copy to class. Although written exercises are not graded, you must complete all of them to receive credit for the course.

(3) *writing assignments.* There is one major writing assignment. You will submit three drafts of this assignment. The first and final drafts are graded.

Grades

Your final grade in the course will consist of:

written exercises	
& peer review	10 %
writing assignment	
First draft	25 %
Final draft	60 %
Class participation	5%

This class is not bound by the curve. Nevertheless, I will reserve "A" grades for those who demonstrate a very high level of professionalism, craft, and skill. I will not hesitate to give low grades for poor quality work.

Late assignments will be penalized unless excused by illness or prior arrangement. Please email me before the due date if you need an extension. You must complete all required assignments and activities, whether graded or not, to pass this course.

Exception to the Honor Code:

The Law School Honor Code provides in part:

Sec. 2-204. A student may not offer for credit or other academic or professional benefit work prepared in collaboration with another person unless the student secures the written permission of the instructor or other person in charge in advance of submission. Unless the instructor or other person in charge so states in a written instruction, a student does not prepare work in collaboration with another person if the student merely discusses with such other person matters relevant to the work in question. "Collaboration" as used here requires that the collaborator has made substantive written or dictated contributions to the work submitted. It does not encompass mere proof reading which makes grammatical, spelling, or stylistic recommendations.

For this course, the following exception to the Honor Code applies:

Because producing a persuasive brief requires careful sentence-level writing and attention to style, students should not have anyone else proof-read or edit their work, unless as part of a class peer edit exercise.

Course Evaluation

Course evaluations are open online during the last week of classes. Class time will be made available on the last day of class for filling out your evaluation. Please bring a laptop or mobile device to class on this date to participate in the evaluation.

Podcasts

Because this is not a lecture class, I do not podcast. If you must miss a class, get notes from a classmate.

Access and Accommodation

Your experience in this class is important to me. If you have already established accommodations with Disability Resources for Students (DRS), please communicate your approved accommodations to me at your earliest convenience so we can discuss your needs in this course.

If you have not yet established services through DRS, but have a temporary health condition or permanent disability that requires accommodations (conditions include but not limited to; mental health, attention-related, learning, vision, hearing, physical or health impacts), you are welcome to contact DRS at 206-543-8924 or uwdrs@uw.edu or disability.uw.edu. DRS offers resources and coordinates reasonable accommodations for students with disabilities and/or temporary health conditions.

Reasonable accommodations are established through an interactive process between you, your instructor(s) and DRS. It is the policy and practice of the University of Washington to create inclusive and accessible learning environments consistent with federal and state law.

Class Meetings and Assignments

THIS SYLLABUS IS SUBJECT TO CHANGE! CONSULT THE COURSE WEBPAGE FOR THE LATEST VERSION

Submit **exercises** no later than noon the day before the class in which they are due, and bring a paper copy to class.

Week One: Introduction & the Importance of Facts

Tues. 9/25 Read introduction, pp. xix-xxii; & Ch. 1, 2. Read ACLU [amicus brief](#)  in *Marshal Coal Co. v. John Oliver*.

Thurs. 9/27 Read Ch. 3 & sample briefs in Readings file. **Submit [self-assessment](#)**  **before class.**

Week Two: Facts, cont.; Organization of Argument

Tues. 10/2 Read [Seventh Circuit Guidelines](#) . **Submit [Exercise A](#)**  **by noon, Monday, 10/1.**

Thurs. 10/4 Read Ch. 11.

Submit revised Exercise A by 5 pm Friday.

Week Three: The Big Picture

Tues. 10/9 Read Ch. 12, 13.

Thurs. 10/11 Read Helen A. Anderson, *Changing Fashions in Advocacy: 100 Years of Brief-Writing Advice*, 11 J. App. Prac. & Process 1 (2010)

Submit Exercise B by noon on Wednesday 10/11.

Week Four: Kinds of Arguments

Tues. 10/16 Read Ch. 4

Submit exercise B-2 by noon Monday 10/16.

Thurs. 10/18 Read Ch. 5-6

Submit revised exercise B-2 by noon Wed. 10/18.

Week Five: Policy; Sentences & Paragraphs

Tues. 10/23 Read Ch. 7-8.

Thurs. 10/25 Read Ch. 9. **Submit examples of camouflaged policy arguments from your reading in other classes by noon Wednesday 10/24.**

Week Six: Sentences & Paragraphs

Tues. 10/30 **Submit Exercise C** by noon Monday 10/30. Read Ch. 16

Bring to class an example of what you consider to be effective legal writing from your reading in other classes or elsewhere.

Thurs. 11/1 Read Final Assignment instructions and record.

Week Seven: Getting to Work

Tues. 11/6 Conduct legal research for final SJ brief.

Thurs. 11/8 **Submit Fact Section** for SJ brief by noon Wednesday, 11/8.

Week Eight: the Summary Judgment Motion

Tues. 11/13 **Submit Argument Outline and Introduction** by noon Monday, 11/13.

Thurs. 11/15 Continue to work on SJ motion.

Friday 11/16 **Submit first draft** of SJ brief. Sign up for a conference time.

Note: "First draft" does not mean your first rambling thoughts, with blanks where authorities should be. Write the best draft you can; imagine you are giving it to a supervising attorney at your first paying job. The more you put into the first draft, the more you will get from my feedback, and the better the final brief will be.

Week Nine: The Summary Judgment Motion

Tues. 11/20 Oral Arguments

Thurs. 11/22 **Thanksgiving—No class**

Week Ten: Conferences & Revision

Tues. 11/27 Conferences

Thurs. 11/29 Conferences

Week Eleven: Peer Edit

Mon. 12/3 Second Draft of Summary Judgment Brief Due at 9:30 a.m.

Tues. 12/4 class evaluation and peer edit

Final Assignment due Friday, 12/7 /2017 by midnight.