

LAWYERING II: ADVOCACY
COURSE SYLLABUS
Spring Semester 2009
Sections 1 and 2

Professor Rachel Jay Smith
Room 428
(513) 556-4360
rachel.smith@uc.edu

Office hours:
Thursdays 9:00 – 11:00 a.m.
or by appointment

This Advocacy course will introduce you to client representation in the context of a federal court case. You will learn how to research, evaluate, and analyze legal materials and how to write a persuasive brief. The culmination of the year's work in Lawyering I and II is an oral argument before a faculty or administration member acting as a federal district court judge.

REQUIRED TEXTS:

1. Linda Edwards, *Legal Writing and Analysis* (2d ed., Aspen).
2. Amy Sloan, *Basic Legal Research: Tools and Strategies* (3d ed., Aspen).
3. *The Bluebook: A Uniform System of Citation* (18th ed., Harvard Law Review Association).
4. Richard Wydick, *Plain English for Lawyers* (5th ed., Carolina Academic Press).
5. Alan Dworsky, *The Little Book on Oral Argument* (1991, Fred B Rothman & Co.).

Please bring your textbooks to class if you had a reading assignment in them. Occasionally in class, you will be instructed to complete exercises from the *Legal Writing and Analysis* textbook. If you are not so instructed and your reading assignment includes exercises, skip over them. However, you are expected to do the exercises in the assigned readings from *Plain English for Lawyers*. The book contains suggested answers to those exercises in its appendix.

ADDITIONAL RECOMMENDED TEXTS:

1. For good information on how to improve your legal writing consult Judge Mark Painter's *The Legal Writer* (3d ed., Jarlyce & Jarlyce 2003) (ISBN: 0972191674)
2. If you believe that you have grammar or punctuation weaknesses, please review and consider purchasing Anne Enquist, *Just Writing: Grammar, Punctuation, and Style for the Legal Writer* (2d ed., Aspen 2005) (ISBN: 0735549559). This book also contains a chapter for students for whom English is a second language.
3. Another valuable writing text is *Elements of Style*, by William Strunk, Jr. and E.B. White (4th ed., Longman 1999) (ISBN: 020530902X).
4. ALWD & Darby Dickerson, *ALWD Citation Manual* (3d ed., Aspen 2006) (ISBN: 0735555710).

ASSIGNMENT FOR THE FIRST CLASS:

Read Chapter 14 in the Edwards text.

COURSE GRADE:

Brief, due March 20, 2009 (65%)

Final Oral Argument (15%)

Practice Oral Arguments (10%)

All other assignments (10%)

(I will assign these additional exercises in class along with relevant due dates. Although I may not individually grade these assignments, if you do not complete them, you will lose points and you might not receive a final grade for the course.)

ANTICIPATED TOPICS AND READING ASSIGNMENTS FOR ADVOCACY

Key:

E refers to your Edwards text

W refers to your Wydick text

S refers to your Sloan text

D refers to your Dworsky text

BB refers to your Bluebook Citation Manual

	Topic	Related Reading Assignments
1	Introduction to Advocacy	Read E: Chapter 14
2	Federal Research	Read S: Chapters 7, 8, and 11 Review S: Chapters 1-6
3	Computer Training	Read S: Chapter 10
4	Pretrial Brief	Review E: Chapter 14 and Appendix B
5	Argument Section	Read E: Chapters 16 and 19
6	Firm Meetings	TBA
7	Statement of Facts	Read E: Chapter 18
8	Questions Presented and Point Headings	Read E: Chapter 15
9	Citations	Read E: Chapter 20 Read BB: Practitioner’s Notes (i.e. “The Blue Pages”)
10	Legal Writing Style	Read E: Chapter 21 Read W: all
11	Oral Advocacy	Read E: Chapter 22 Read D: all