

Practical Writing for Lawyers

Professor Yvonne A. Tamayo

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Spring 2022

3 Credits

“The difference between the right word and the almost right word
is the difference between lightning and a lightning bug.”

--- Mark Twain

SYLLABUS

Required Text

Elizabeth Fajans, Writing for Law Practice (3d ed. Foundation Press 2015)

Learning Objectives

In this course you will learn writing skills essential to the practice of transactional, in-house, and litigation attorneys. In addition to letters, memoranda and emails, we will focus on conciseness, clarity and organization in writing, along with grammar, punctuation, form and tone appropriate for the intended audience.

- * Please complete and be prepared to discuss assigned Exercises in class.**
- **The final draft of the Memorandum of Law will determine your final grade**
- ***Please be advised that a third instance of having failed to do so will result in a reduction of ½ of your final grade.**

Class Schedule and Assignments

Week 1-

1/10 Monday: Fajans, Ch. 5, Basic Skills; Clarity, pp. 145-163; complete Ex. 5.1, p.151; Ex. 5.2 (A) 4,5,7, P. 156; (B), p. 157.

1/12 Wednesday: Fajans, pp. 151-181, Clear Sentences (B)4, Clear Paragraphs (C), pp. 164-180; complete Ex. 5.1, #1-10 pp. 151-152; Ex. 5.4, 1-7, pp. 163-164; Ex. 5.5, p.171; Ex.5.6, pp. 180-181.

Week 2-

1/17 Monday: MLK Jr. Birthday, no class

1/19 Wednesday: Fajans, Ch. 11, pp. 385-422; complete Ex. 11.1(A) #1-10, pp. 401-402; Ex. 11.3 (A), (B) and (C), pp. 416-417.

- Week 3-** **1/24 Monday:** Fajans, complete Ex. 11.6 (A), pp. 420-421; Will do Ex. 11.6 (B) and (C), pp. 421-422 during class time.
- 1/26 Wednesday :** Fajans, Chapter 7, “Letters”, pp. 229-237
In-class cover letter exercises.
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- Week 4-** **1/31 Monday:** Complete cover letter, Ex. 7.1, p.238.
Email me cover letter no later than midnight Sunday 1/30
- 2/2 Wednesday:** Fajans, pp. 238- 245; In-class advice letter exercises.
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- Week 5:** **2/7 Monday:** Complete advice letter, Ex. 7.2, pp. 246-247.
Email me advice letter no later than midnight Sunday 2/6
- 2/9 Wednesday:** Fajans, pp. 248-252; In-class demand letter exercises
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- Week 6:** **2/14 Monday -** Complete demand letter; Ex. 7.3, pp. 252-253.
Email me demand letter no later than 12PM on Monday 2/27
- 2/16 Wednesday-** Fajans, Email, pp.259-261, pp. 291-293; Chapter 8, pp. 265- 270; In-class office memo exercises.
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- Week 7-** **2/21 Monday-** Fajans, Statement of Facts, pp. 265-269; Complete Ex. 8.2, pp. 270-271.
Email me Rewrite 8.2 no later than midnight on Sunday 2/20
- 2/23 Wednesday -** Fajans, Ch. 8, Question Presented or Issue, pp. 271-276, complete Ex. B(1-4), tell me which is best “Question Presented” and why, p.275-276. In-class exercises
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- Week 8-** **2/28 Monday-** Fajans, Short Answer, Conclusion, pp. 276-279; Discussion, pp. 279-282; pp. 285-290, C. Sample Memo, identify the purpose of each paragraph (identify Topic sentences and IRAC).
- 3/2 Wednesday-** Fajans, pp. 299-303; Assignment 8.2, p. 300, rewrite the “D. Reasonable Time” Section.
Email me Rewrite no later than midnight on Tuesday 3/1

Week 9- **Monday 3/7** -Fajans, Chapter 6 “Persuasion”, pp. 183- 189; Exercise 6.1, pp. 185-189 (What fundamental American values do the parties invoke to justify their respective positions?); Persuasive Facts, pp. 193- 202.

Wednesday 3/9- Fajan, Persuasive Analysis, pp. 204-222

Week 10- **Monday 3/14-** Fajans, Conceptualizing, pp. 3-17. Prepare an outline for Casefile #5, Pierce v. Marcus. 601.

The outline will be the basis of your writing in an interoffice **Memorandum of Law**. Use the following legal authorities: Kan Stat. Ann. Secs.38-101, 38-123(b), 32-123(b); *Younts v. St. Francis Hospital and School of Nursing*, 469 P.2d 330, 337 (Kan.1970); *Bonner v. Moran*, 126 F.2d 121 (D.C.Cir.1941); *Cardwell v. Bechtel*, 724 S.W.2d 739 (Tenn. 1987), *Bakker v. Welsh*, 108 N.E. 94 (Mich. 1906). We will review and discuss Memo outlines in class.

Email me outline no later than midnight on Sunday 3/13.

Wednesday 3/16- In-class discuss outline, first draft Memo. Prepare first draft Memo (“Question Presented”, “Facts”, “Discussion” and “Conclusion) of Memorandum.

Week 11-

Spring Break March 21-27.

Email me first draft no later than Sunday midnight 3/27.

Week 12-

Monday 3/28- In-class exercises.

Wednesday 3/30- In-class exercises

Week 13-

Monday 4/4 – In-class exercises. **I return First draft no later than Sunday 4/3.**

Wednesday 4/6- In-class exercises.

Week 14-

Monday 4/11- In-class exercises.

Email me **Final draft Memo no later than Sunday 4/10.**

Wednesday 4/13- In-class exercises.

Week 15-

Monday 4/18 – In-class exercises.