

Practical & Persuasive Legal Writing – Spring 2010

Course Schedule:	10 Weeks – January 11 through March 29 *No class will be held on Monday, January 18. *Tuesday, February 16 will be treated like a Monday for class purposes.
Location/Times:	Classroom C, Mondays, 6:15 p.m. – 9:30 p.m.
Required Course Materials:	<u>Practical & Persuasive Legal Writing Course Materials</u> , by Neil Gielegem Course materials are available in the bookstore.
Professors' Contact Information:	<p>Courtney Lee, J.D. Director of Academic Success & Lecturer in Law, McGeorge School of Law Pacific McGeorge Alumna, Class of 2008 916-739-7242 ~ clee1@pacific.edu Office Hours: Tuesday 4:30–6:00 p.m.; Wednesday 10:15 a.m.–12:00 p.m.</p> <p>Wanda Hill Rouzan, J.D. Practicing Attorney, California Department of Justice, Office of the Attorney General 916-324-5291 ~ Wanda.Rouzan@doj.ca.gov Office Hours: by appointment</p> <p>Karen Bettencourt, J.D. Practicing Attorney, United States Magistrate Judge Edmund F. Brennan Pacific McGeorge Alumna, Class of 2004 916-930-4612 ~ karen.bettencourt@gmail.com Office Hours: by appointment</p> <p>Steven A. Block, J.D. Practicing Attorney, The Law Offices of Steven A. Block, Esq. Pacific McGeorge Alumnus, Class of 1978 916-646-8100 ~ sablock@earthlink.net Office Hours: by appointment</p> <p>Hilary Dinkelspiel Practicing Attorney, Hunt & Jeppson 650-739-5526 ~ hilarydink@gmail.com Office Hours: by appointment</p> <p>GUEST LECTURER: Neil Gielegem, J.D. Practicing Attorney, Law Office of Neil Gielegem, Los Angeles, CA Pacific McGeorge Alumnus, Class of 1982 ngielegem@sbcglobal.net</p>
Course Description	This course will build on the analytical, writing, and organizational skills taught across the curriculum with the goal of enhancing a student's ability to prepare for the bar exam. Students will review selected substantive topics, complete in-class and at-home practice essays and performance tests, and receive feedback. This course does not focus on the substantive law, and therefore does <u>not</u> replace commercial bar exam preparation courses. Enrolled students must be in their last year of law school or a graduate of McGeorge School of Law.
Instructional Methodology	Group sessions for lectures, written feedback, self and peer review, and professor-student conferencing.

Professor Biographies

Courtney G. Lee is a graduate of Pacific McGeorge and a member of the CA State Bar. Prior to attending law school, she spent several years as the co-owner and manager of several independent pharmacies. As a law student, Professor Lee was a member of the Dean's Honor List, the Roger J. Traynor Honor Society, Honors Legal Writing, the Anthony M. Kennedy Inn of Court, and she completed a Concentration in Intellectual Property Law. She also worked for the California Department of Corrections and Rehabilitation and the Office of the Attorney General (Civil Division – Health, Education, and Welfare).

Professor Lee was appointed as the Director of Academic Success at McGeorge in 2008, after serving as the Interim Director (during which time she was a grader for Practical and Persuasive Legal Writing). She teaches Principles of Agency and Practical and Persuasive Legal Writing, runs and teaches in the First Year Skills Hour Program, and served as a workshop leader for Appellate and International Advocacy. She is a published author in the field of Academic Success as well as a member of the Law School Academic Success Project Bar Support Committee and the Western Association of Academic Support Professionals. She maintains the "McGeorge Bar Prep" Facebook group page as well as the McGeorge Bar Prep blog (<http://mcgeorgebarprep.wordpress.com>). Professor Lee is also available to counsel students individually regarding the skills needed to excel in law school as well as on the California Bar Exam. Her office is on the first floor of Northwest Hall, next to the Career Development Office.

Wanda Hill Rouzan is a graduate of Pomona College (Claremont) with a joint degree in Math and Philosophy and a law graduate of UCLA. During Professor Rouzan's second year at UCLA, she participated in a fulltime externship at the Los Angeles Office of the Attorney General where she found her professional calling, writing appellate briefs in the Criminal Division: Appeals, Writs, & Trials Section. Professor Rouzan was quite thankful to have been successful on the California Bar Exam on her first attempt. She spent one year, post-UCLA, grading for a commercial bar review course.

Professor Rouzan currently works in the Sacramento Office of the Attorney General where she has directed the Section's student intern program since 1987. She has for the past decade or more been an off-site supervisor for McGeorge's clinical program. After mentoring hundreds of interns and reviewing several hundred of their briefs at the Office of the Attorney General, she enjoys the challenge of actually teaching in a law school setting.

Karen Bettencourt graduated from Pacific McGeorge in 2004, Order of the Coif. While at Pacific McGeorge, she was the Editor-in-Chief of the McGeorge Law Review; was a member of various committees and organizations, including the Traynor Honor Society and Dean's Honor List; and was a teaching assistant for Principles of Agency and Criminal Law.

Since being admitted to practice in 2004, she has clerked for United States District Judge Garland E. Burrell, practiced civil litigation at Downey Brand LLP, and spent six months volunteering in Bangkok, Thailand for a non-profit organization that provides legal representation and counseling to asylum seekers and refugees. She has also served as an adjunct instructor for the International and Appellate Advocacy Program and as a Seminar Leader for the Field Placement Program; was a volunteer tutor for a repeat-taker of the California Bar Exam; and was a member of the Anthony M. Kennedy American Inn of Court. She is currently a staff attorney for United States Magistrate Judge Edmund F. Brennan.

Steven A. Block graduated from Pacific McGeorge in the top ten percent of his class in 1978. He has practiced law in Sacramento for 27 years, handling insurance defense, plaintiff's litigation, and a variety of complex business disputes. In 2000, building on experience as a seasoned litigator, he transitioned to offering mediation, arbitration, referee and special master services on a full-time basis.

Professor Block regularly serves as a discovery referee in complex litigation and conducts binding arbitrations in real estate, business and contract matters. His practice includes mediation of sensitive business disputes and catastrophic losses, where the highest levels of discretion, legal knowledge and communication are required. Although his offices are headquartered in Sacramento, Professor Block offers his services throughout Northern California.

Professor Block served as an Adjunct Professor at McGeorge in Civil Pre-Trial Litigation from 1999 to 2003, as an instructor at Stanford Law School and U.S.F. Law School in their trial advocacy programs and coached a McGeorge Competition Trial Advocacy Team to a First Place finish in the ATLA Western Regional Finals in 2004. He is a member of the American Board of Trial Advocates and a Master of the Bench in the Anthony M. Kennedy Inn of court. He has remained active at McGeorge throughout his career and served as President of the Alumni Board in 2000.

Hilary Dinkelspiel received her Bachelor of Arts in Government with concentrations in Law & Society and International Relations from Cornell University and her Juris Doctorate from Pacific McGeorge. While attending Pacific McGeorge, she served as Comment Editor for the *Pacific McGeorge Global Business and Development Law Journal* and Governing Board member of the Landlord-Tenant Clinic. She was also a member of the Dean's Honor List and Traynor Honor Society.

Professor Dinkelspiel currently works for Hunt & Jeppson in Roseville handling mainly general civil litigation matters and advising clients on business entity formation. Previously, she has worked in Washington D.C. in both the private sector on a national pharmaceutical litigation and the public sector on a police brutality case for the U.S. Department of Justice.

Neil Gielegem graduated from Pacific McGeorge in 1982 (Day), Order of the Coif. While at McGeorge, he was a member of the Pacific Law Journal, and was a Judicial Extern for Associate Justice Frank Newman of the CA Supreme Court. Professor Gielegem took the California Bar Exam immediately after graduating, passing on his first try. In 1982-1983 he was the Law Clerk for Chief Justice E. M. Gunderson of the Nevada Supreme Court. While in Nevada, Professor Gielegem successfully took the Nevada Bar Exam, unofficially ranking 12th in the State for that sitting. (In the process, he had to take the MBE a second time, because Nevada did not accept California's MBE results.)

Professor Gielegem now has his own firm in Los Angeles, and over the past 25 years has been involved in all aspects of civil litigation dealing with a wide variety of clients and issues, including legal and professional malpractice; employment law (sexual harassment and discrimination litigation); securities fraud/RICO actions; First Amendment/media defense; personal injury/products liability/toxic tort class actions, including representing a major Japanese auto manufacturer and a U.S. nuclear weapons laboratory; and intellectual property enforcement actions.

In the mid-1980s Professor Gielegem was a Grader for the California Bar Exam. For the last 20-plus years, he has *pro bono* coached repeat-takers of the bar exam.

Practical and Persuasive Legal Writing – General Information

Welcome!

We are excited to be your professors and to work with you this semester. This course meets for three hours per Monday evening class over a period of 10 classes. PPLW is a course designed to demystify the California Bar Exam, and will primarily focus on essay examination and performance test writing techniques. These two elements of the California Bar Exam account for 65% of your final score. **PPLW is not a replacement for a commercial post-graduation bar review course.** You must take a commercial course after graduation so you can get the review of the substantive law that is essential to passing the bar.

Evaluation of Students

You will be evaluated for pass/fail purposes based on two criteria:

- (1) attendance, and
- (2) timely submission of assignments completed in good faith.

While some assignments will be returned to you with a score, these scores are for feedback purposes only and do not reflect a course grade. To pass PPLW, you must successfully complete in good faith all of the written assignments on time and attend all classes in their entirety; you do not have to receive any particular score on your assignments. Plagiarism of any materials other than the provided substantive rule sheets violates the Code of Student Responsibility, results in an automatic failing grade, and will be reported to the relevant state bar moral character committee.

Assignments

In PPLW, you will write three 60-minute essay examinations and three 180-minute performance tests. You will receive an outline of substantive rules to assist you in writing the essay exams since our focus is primarily on your writing technique, not whether you recall the substantive law at this time (your bar review course will fill in the substantive law). Most exams will be written under exam conditions in class. **It is a requirement of this course that students remain in class to simulate all in-class writing assignments.** You will get the most out of the experience if you simulate exam conditions when completing homework assignments as well.

You cannot pass PPLW if you have any missing assignments. An assignment more than 24 hours late is the equivalent of a missing assignment. Late assignments will be accepted only in compelling circumstances, and should be arranged before the due date by contacting Professor Lee. Multiple late assignments may affect the student's final grade. Due to the fast pace of this course, late assignments will be checked to ensure that they were completed in good faith, but they will not be returned with feedback or a score. You are welcome to arrange an appointment with Professor Lee to discuss them in person.

Attendance

Students are expected to arrive on time and attend the entirety of all ten classes. Each student is allowed one unexcused absence, but this does not include the ability to therefore turn in a late assignment. More than one unexcused absence will result in a failing grade. Excused absences will be granted in compelling circumstances, but must be arranged before class by contacting Professor Lee.

Absence from class does not excuse a student from submitting assignments on time. If a student is late for class or leaves early from class and has not made prior arrangements with Professor Lee, the student will be recorded as absent and may not be able to make up assignments or other in-class work that occurred while the student was not present.

An attendance roster will be circulated during class. Signing an attendance roster for another student is falsification of a document and constitutes a violation of the Code of Student Responsibility, carrying sanctions up to and including expulsion.

Turning In Assignments

Because grades in PPLW are based on (1) attendance and (2) the timely submission of completed assignments, the process by which those assignments are turned in must be accurately followed. The chart below should assist you in determining when, where, and how to submit your assignments:

In-class Typed	E-mail to mcgeorgeplw@gmail.com by 11:59:59 p.m. or sooner on the same night it is assigned.
In-class Written	Turn in to one of the professors on the same night it is assigned.
Homework Typed	Email to mcgeorgeplw@gmail.com any time before 6:15 p.m. on the night it is due.
Homework Written	Turn in to one of the professors any time before 6:15 p.m. on the night it is due.

Assignments not emailed or handed in by these times will be considered late and subject to the penalties outlined above.

All emails and attached documents must have your last name and the assignment name in the subject line. For example:

“Smith-Crim.doc,” “Jones-PT2.doc,” “Lee-Evidence.doc,” etc.

(If you have a common last name or know another student shares your last name, please also include your first name or first initial, e.g., “Smith_J-Crim.doc.”)

Attached documents must be saved in Word 2006 or earlier (no .docx will be accepted), or pasted into the body of the e-mail.

Grades

H = Honors: Student produces work at a superior level and meets all attendance and assignment requirements as described in this syllabus.

P = Pass: Student shows a basic understanding of the material and meets all attendance and assignment requirements as described in this syllabus.

F = Fail: Student missed assignments, turned assignments in late, exceeded the permitted number of absences and/or violated the Code of Student Responsibility.

General Policies and Procedures

Nothing in this syllabus in any way modifies the University’s Academic Policies. Students must be familiar with and comply with the standards set forth in the Code of Student Responsibility which can be found in the McGeorge Student Handbook.

Spring 2010 Practical & Persuasive Legal Writing Class Schedule

Date	Class Topic	Reading/Assignment
Class 1 January 11	Professor Introductions and Explanation of Syllabus & Assignments Introduction to the CA Bar Exam and Bar Essay Writing	Before Class 1, read: *PPLWCM pp. 7-44
No Class Monday, January 18 – Martin Luther King Day		
Class 2 January 25	In-Class Essay: Crim Law/Crim Pro Bar Exam Essay Writing & the Mindset of the Bar Grader: Professor Neil Gielegem	Before Class 2, read: PPLWCM pp. 45-104
Class 3 February 1	In-Class Essay: Evidence Review of Evidence Essay	
Class 4 February 8	Top Mistakes to Avoid from the Evidence Exam In-Class Essay: Professional Responsibility Peer Review of Professional Responsibility Exam	
No Class Monday, February 15 – Presidents Day Tuesday, February 16, will be treated like a Monday for class purposes.		
Class 5 - Tuesday - February 16	MBE Techniques Review: Bar/Bri Professor Chuck Shonholtz	Before Class 5, read: PPLWCM pp. 140-162
Class 6 February 22	Mastering Performance Tests: Professor Neil Gielegem	Before Class 6, read: PPLWCM pp. 105-139 -and- turn in PT1 Homework (handwriters, please make a copy to refer to during class)
Class 7 March 1	In-Class Performance Test: PT2	Before Class 7, turn in: self-analysis paper -OR- schedule a meeting with one of the professors
Class 8 March 8	Review of PT2 PT Outlining Exercise	
Class 9 March 15	In-Class Performance Test: PT3	
No Class Monday, March 22 – Spring Break		
Class 10 March 29	Class Evaluations Review of PT3 The Bar Exam Experience Common Bar Myths Debunked Q&A Session	Before Class 10, read: PPLWCM pp. 163-171 and Appendix D (the last page)

*PPLWCM = Practical & Persuasive Legal Writing Course Materials