

# Practical & Persuasive Legal Writing – Spring 2009

<p><b>Course Schedule:</b></p>	<p>10 Weeks – January 12 through March 30            *No class will be held on Monday, January 19.            *Tuesday, February 17 will be treated like a Monday for class purposes.</p>
<p><b>Location/Times:</b></p>	<p>Classroom C; Mondays, 6:15 p.m. – 9:30 p.m.</p>
<p><b>Required Course Materials:</b></p>	<p><i>Practical &amp; Persuasive Legal Writing Course Materials</i>, Gielegghem, et al.            Course materials are available in the bookstore.</p>
<p><b>Professors' Contact Information:</b></p>	<p><b>Jaime R. Román, J.D., LL.M.</b>            Sacramento Superior Court Judge            916-875-5645 ~ rroman@sbcglobal.net            Office Hours: by appointment</p> <p><b>Courtney Lee, J.D.</b>            Director of Academic Success, McGeorge School of Law            Pacific McGeorge Alumna, Class of 2008            916-739-7242 ~ clee1@pacific.edu            Office Hours: M-F on campus in Northwest Hall</p> <p><b>Lauren Bowers, J.D.</b>            Practicing Attorney, Parent Advocates of Sacramento            Pacific McGeorge Alumna, Class of 2004            916-731-4981 ~ lbowers@sacjd.com            Office Hours: by appointment</p> <p><b>Wanda Hill Rouzan, J.D.</b>            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><b>GUEST LECTURER: Neil Gielegghem, J.D.</b>            Practicing Attorney and Pacific McGeorge Alumnus, Class of 1982            Law Office of Neil Gielegghem            Los Angeles, CA            ngielegghem@sbcglobal.net</p>
<p><b>Course Description</b></p>	<p>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, learn methods by which to review the tested areas of law for the California Bar Exam, complete practice essays and performance tests and receive feedback. This course does not replace commercial bar exam preparation courses. Students must be in their last year of law school or a graduate of McGeorge School of Law.</p>
<p><b>Instructional Methodology</b></p>	<p>Large group sessions for lectures, written feedback, and professor-student conferencing</p>

## Professor Biographies

**Jaime René Román** was appointed to the Superior Court of California, County of Sacramento, on May 23, 2007. Prior to his appointment, he was the Presiding Administrative Law Judge for the Sacramento Regional Office of the California Office of Administrative Hearings, a California deputy attorney general, a deputy district attorney in Solano County, and a private practitioner. On July 1, 2007, Judge Román retired from the United States Army Reserve as a colonel. He was a member of the Judge Advocate General's Corps from May 1981 until his retirement. Prior to his service as a "JAG", he was commissioned in the Army Military Police Corps.

Previously active in various State Bar committees and organizations, Judge Román was a Grader for various administrations of the General Bar Examination between 1986 and 2002. He is admitted to the bars of the States of California, Colorado, Texas, and the District of Columbia.

**Courtney G. Lee** is a 2008 graduate of McGeorge School of Law and is a member of the California State Bar. Prior to attending law school, she spent several years as the co-owner and manager of three 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, and the Anthony M. Kennedy Inn of Court. She also interned with the CA Department of Corrections and Rehabilitation and the Office of the Attorney General (Civil Division).

Professor Lee was appointed to the position of Director of Academic Success at McGeorge in 2008, after serving for four months as the Interim Director (during which time she was a grader for Practical and Persuasive Legal Writing). She currently teaches 1L Skills Hour classes, Principles of Agency, Practical and Persuasive Legal Writing, and is a workshop leader for Appellate and International Advocacy. Professor Lee is also available to counsel students individually regarding law school and bar exam preparation. Her office is on the first floor of Northwest Hall, next to the CDO.

**Lauren Bowers** graduated from McGeorge School of Law in 2004. While at McGeorge, Professor Bowers was a member of the Dean's Honor List as well as an Assistant Comment Editor for the *Transnational Lawyer*. Professor Bowers also interned with the Sacramento County District Attorney's Office, in the Juvenile Division. While waiting for bar exam results, she worked for McGeorge as a recruiter.

Professor Bowers was admitted to practice in California in December of 2004. She has been practicing Juvenile Dependency in Sacramento County for four years. She also worked for Bar/Bri as a grader.

**Wanda Hill Rouzan** is a graduate of Pomona College (Claremont) with a joint degree in Math and Philosophy and a law graduate from 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 AG's Office 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 AG's Office, she looks forward to the challenge of actually teaching in a law school setting.

**Neil Gielegghem** graduated from Pacific McGeorge 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 Gielegghem 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 Gielegghem successfully took the Nevada Bar Exam, unofficially ranking 12<sup>th</sup> in the State for that sitting. (In the process, he had to take the MBE a second time, because Nevada at that time did not accept California's MBE results.)

Professor Gielegghem 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 Gielegghem 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 pleased to be your professors in this course that will focus you on particular techniques for bar preparation and testing. Each of us is either a former grader for the California Bar Exam or worked extensively to prepare students for the bar exam.

This course will meet for three hours per Monday evening class over a period of 10 classes. The primary focus of this course will be on essay examination and performance test writing techniques. These two elements on the California Bar Exam account for 65% of the grade. The multiple choice questions count for 35%.

### Evaluation of Students

You will be evaluated for pass/fail purposes based on attendance and timely submission of completed assignments. 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 this class, you must successfully complete all of the written assignments and attend all classes.** You do not have to receive any particular score on your essays, but you must show a good faith effort in completing the assignments. ***Students who do not complete the assignments in good faith will be asked to re-do them and risk failing the course.***

### Assignments

In this course you will write four 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; 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). We will provide substantial written and personal feedback along with a grade calibrated to our bar grading experience. Most exams will be written under exam conditions in class. You will get the most out of the experience if you simulate exam conditions when completing homework assignments as well.

A failing grade will be earned if you have any missing written assignments. Assignments more than 24 hours late are the equivalent of a missing assignment. Late assignments will be accepted in compelling circumstances, but should be arranged **before** the due date by contacting Professor Lee. **Due to the fast moving pace of this course, late assignments will not be returned with feedback or comments.**

### Attendance

Students are expected to arrive on time, be prepared, and attend ALL CLASSES. Each student is allowed one unexcused absence, but this does not include the ability to therefore turn an assignment in late. A failing grade will be earned if you have more than one unexcused absence. Excused absences will be granted in compelling circumstances, but should be excused before class by contacting Professor Lee.

Absences from class do not excuse a student from required assignments. If a student is late for class or leaves early from class and has not made prior arrangements with a professor, the student may not be able to make up assignments or other in-class work that occurred while the student was not present.

A nightly attendance roster for this course will be circulated. Failure to sign the attendance roster will result in the student being recorded as absent. If a student enters class after the roster has been picked up, the student must see a professor. 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 the emphasis in this class is on attendance and the turning in of assignments, the process by which those assignments are turned in must be accurately followed. There are essentially four styles of assignments: in-class typed exams, in-class written exams, typed homework exams, and written homework exams. The chart below should assist you in determining when, where and how your assignments should be turned in.

<b>In-class Typed</b>	E-mail to mcgeorgeplw@gmail.com <b>by noon</b> the day after class.
<b>In-class Written</b>	Turn in to one of the professors in class the same night it is assigned.
<b>Homework Typed</b>	Email to mcgeorgeplw@gmail.com <b>before class</b> on the night it is due.
<b>Homework Written</b>	Turn in to one of the professors <b>before class</b> 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 E-MAILS AND ATTACHED DOCUMENTS MUST HAVE YOUR LAST NAME AND THE ASSIGNMENT NAME IN THE SUBJECT LINE. FOR EXAMPLE:***

***“Smith – Crim Law Essay” or “Smith – Crim Law.doc”***

(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\_John – Crim Law.doc.”)

***NOTE: Attached documents must be in Word 2006 or earlier (no .docx will be accepted), or pasted into the body of the e-mail. Please use size 12 Times New Roman font.***

## **Grades**

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

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

F = Fail: Work is not passing.

## **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.

## **Laptop Use**

Laptops are an important part of this course, especially for those who type exams. However, using class time to IM, internet surf, play games, etc. is disrespectful and will be considered when determining grades (e.g., an “H” or a “P”). Professors may, at their discretion, designate certain “Laptop Down” lectures, during which all laptop screens must be closed.

# Spring 2009 Practical & Persuasive Legal Writing Class Schedule

All times are approximate. Class will always begin at 6:15 p.m. and may extend to 9:30 p.m. at any meeting.

Date	Class Topic	Reading/Assignment
<b>Class 1</b> January 12	Introductions, Syllabus, & Assignments (6:15–6:45) Movie: <i>A Lawyer Walks Into a Bar</i> (6:45–8:15) Discussion & Introduction to the Bar Exam: Prof. Lee (8:30–9:30)	Before Class 1, Read: *PPLWCM 1-43  By the Beginning of Class 1, Turn In: Survey Homework (see next page)
<b>No Class Monday, January 19 – Martin Luther King Day</b>		
<b>Class 2</b> January 26	<b>In-Class Essay:</b> Crim Law/Crim Pro (6:20–7:20) Bar Exam Essay Writing: Prof. Gielegthem (7:35–9:30)	Before Class 2, Read: PPLWCM 44-98
<b>Class 3</b> February 2	The Bar Exam Experience: Profs. Lee, Bowers, Rouzan (6:15–7:00) Review of Crim Law/Crim Pro Exam: Prof. Lee (7:00–7:30) Mindset of the Bar Grader: Prof. Roman (7:45–8:30) <b>In-Class Essay:</b> Community Property (8:30–9:30)	
<b>Class 4</b> February 9	<b>In-Class Essay:</b> Evidence (6:20–7:20) Mastering Performance Tests: Prof. Gielegthem (7:35–9:30)	Before Class 4, Read: PPLWCM 99-134  After Class 4, Complete: PT1 Homework
<b>No Class Monday, February 16 – Presidents Day            Tuesday, February 17, will be treated like a Monday for class purposes.</b>		
<b>Class 5 - Tuesday -</b> February 17	Review of Community Property & Evidence Essays: Prof. Lee (6:15–7:15) Facts, Outlining, & Weighting the Issues: Prof. Lee (7:15–8:00) Small Group Discussions (8:15–9:30)	By the Beginning of Class 5, Turn In: PT1 Homework
<b>Class 6</b> February 23	Review of PT1: Prof. Lee (6:15–7:15) <b>In-Class Essay:</b> Professional Responsibility (7:30–8:30)	Before Class 6, Read: PPLWCM 138-147
<b>Class 7</b> March 2	<b>In-Class Performance Test: PT2</b> (6:20–9:20)	
<b>Class 8</b> March 9	Review of Professional Responsibility Essay & PT2: Prof. Lee (6:15–7:00) MBE Techniques Review: Prof. Gielegthem (7:15–9:30)	
<b>Class 9</b> March 16	<b>In-Class Performance Test: PT3</b> (6:20–9:20)	
<b>No Class Monday, March 24 – Spring Break</b>		
<b>Class 10</b> March 30	Class Evaluations (6:15–6:35) Review of PT3: Prof. Lee (6:40–7:10) Bar Exam Administrative Requirements & Wrap-Up (7:10–8:30) Voluntary Individual Q&A Session	

\*PPLWCM = Practical & Persuasive Legal Writing Course Materials