

**Professional Writing Strategies
Spring 2022
Syllabus**

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This is a preliminary syllabus. A final syllabus will be distributed at the start of class. The required books and initial reading assignment will not change.

Introductory Note: With an online course it is very important that you read every document and e-mail closely, beginning with this syllabus, to ensure that you understand all of the course assignments, procedures, and due dates. Additionally, from time to time there may be changes, reminders, and additional content sent to organize and supplement the course. You are responsible for knowing all such information.

I. Texts and Materials

Richard C. Wydick and Amy E. Sloan, *Plain English for Lawyers*, Carolina Press 6th edition 2019, ISBN: 9781531006990. (“Sloan”)

Alexa Z. Chew and Katie Rose Guest Pryal, *The Complete Bar Writer*, Carolina Press 2020, ISBN 978-1-5310-1787-3, EISBN 978-1-5310-1788-0 (“Chew”).

** Please note that this book comes with a subscription to Core Knowledge for Lawyers (www.coreknowledgeforlawyers.com). **See below**, section V(C)(iv), for further details.

II. Course Overview and Learning Goals

As defined by the National Conference of Bar Examiners:

The Multistate Performance Test is designed to test an examinee’s ability to use fundamental lawyering skills in a realistic situation and complete a task that a beginning lawyer should be able to accomplish. The MPT is not a test of substantive knowledge. Rather, it is designed to evaluate six fundamental skills lawyers are expected to demonstrate regardless of the area of law in which the skills are applied.

The learning objectives of this course are to:

- (A) prepare the student to successfully answer the various types of MPT questions commonly found on the bar exam; and
- (B) further develop and refine the professional writing, editing, and drafting skills necessary for success on the MPT and within the profession.

Students will be able to accomplish the following tasks, as set forth by the National Conference of Bar Examiners:

- (1) sort detailed factual materials and separate relevant from irrelevant facts;
- (2) analyze statutory, case, and administrative materials for applicable principles of law;
- (3) apply the relevant law to the relevant facts in a manner likely to resolve a client's problem;
- (4) identify and resolve ethical dilemmas, when present;
- (5) communicate effectively in writing; and
- (6) complete a lawyering task within time constraints.

III. Course Structure and Technology

This course is taught fully online. With the exception of readings from the assigned texts, all aspects of this course, including additional readings, assignments, and videos, will be available online.

A. Course Website

The course website is hosted by the University's Blackboard course management system. To access the course website:

1. Log into access UH: <https://accessuh.uh.edu> .
2. Under University Services, click on Blackboard Learn 9.
3. Under courses select (forthcoming).
4. The website will be available approximately 1 to 2 weeks prior to the official start of the course. You will be automatically enrolled in the course.

Blackboard support is available 8-8 (M-F):

1. Phone: 713-743-1411
2. Live chat: <http://www.uh.edu/infotech/livechat>
3. Email: support@uh.edu
4. In person: 58 MD Anderson Library

NOTE: There is an introductory video assigned for the first unit. Some information in the video may be duplicative of the information below, but some will not be. You are responsible for information both in this document and in the introductory video.

B. Course E-Mail

I will regularly send e-mails. You **must check** the e-mail address that is associated with the Blackboard site to ensure it is the address you want to receive class e-mails. Check closely to ensure that the e-mail is exactly correct. I am not able to change the e-mail associated with your account.

IV. “Attendance” and Penalties for Late Assignments

In an online course there is, obviously, no physical “attendance.” However, you are required to keep up with the assignment schedules as set forth in the weekly checklists. Falling behind schedule may result in your **forced withdrawal** from the course. All units must be completed, and the standards met for credit, to receive credit for the course. Failure to do so will result in an incomplete. You are also required to watch all course videos and you will be asked to affirm that you have done so at the end of the course.

It is important to keep up with the weekly readings, assessments. It will be important to work on course activities consistently and not put them aside until the due date as there will be group assignments and activities which will require participation throughout the week.

Penalties for Late Course Assignments

Assignments for each weekly unit are due by 11 PM on Tuesday. Meeting deadlines is critical for the operation of this course and success on both the bar exam and as a practicing attorney. This course is designed around receiving and providing feedback, through the peer review process as well as self-reflection and from the professor. For example, not completing a practice MPT in one week affects the course operation, both for you and the rest of the class. As such, the weekly deadlines are strictly enforced, with rare exceptions, and will not be granted for work, family, or school commitments. This is particularly the case for the timed practice MPTs, which must be completed by the deadline because of the follow-up peer review exercise.

V. Course Structure and Assignments

The course is divided into 14 weekly units. Within each unit, which will be organized through a weekly checklist, there will be several items, including:

A. Videos: These are videos which provide an introduction to, and overview of, the materials in skills you will be practicing in the unit. Some videos also include questions which must be answered during the video.

B. Readings: These are the required textbook chapters, cases, statutes, and articles.

C. Assessments and Activities:

- i. **Practice MPTs.** Throughout the course you will take numerous practice MPTs. While a couple will be untimed, most will be 90-minute, timed exercises.

- ii. **Peer review exercises.** On three occasions throughout the course you are going to be required to provide an assessment of a classmate’s practice MPT. This process anonymous and based upon a provided rubric. You will also be asked to assess your own MPTs.

- iii. **Writing and skills exercises.** Throughout the course you will be asked to complete exercises designed to practice the organizational and writing skills necessary to successfully complete the MPT questions. Additionally, you will be asked to complete writing exercises designed to review and enhance your professional writing skills.

- iv. **Questions on Core Knowledge for Lawyers**
 As part of your book purchase of The Complete Bar Writer, you are provided a subscription to www.coreknowledgeforlawyers.com (should be on a card inside your copy of the book). Once you log into the website, you will “activate” your subscription. When you activate your subscription, enter the unique Class Code that corresponds to this course. Here is the code:

122-209-8535

VI. Calculating Grades

Each exercise, assignment, and exam is assigned a point total. At the conclusion of the semester I will tabulate all of the points and determine final grades.

Points Awarded on the Reasonable Effort Standard (standard discussed below)

Timed MPT questions (3 question, 5 pts each)	15
Peer review (3 question, 5 pts each)	15
Writing Skills and other Exercises (1pt. each)	25 (<u>approximate</u> number)
Participation and Effort	10

Graded Points

Other MPT-type exam question	25
Final Exam	75

Point totals may be adjusted throughout the semester.

Exam/ Graded Points

There will be a scheduled Final Exam. This will be a closed book exam and consist of two MPT writing questions, one objective and one persuasive. Additionally, in the final week of the semester there will be a graded MPT question on one of the “other” types of MPT questions.

Reasonable Effort Standard

The reasonable effort standard means a good faith attempt at completing a practice MPT question or another exercise that demonstrates both a significant effort and familiarity with the materials presented in the readings and videos. Further details are provided in the introductory video. These points are not based upon a curve and it is my hope that every class participant will receive all of the allotted points.

Grading Notes:

1. I reserve the right to raise a grade by one grade increment (ex: B to B+) for significant and consistent work that exceeds the normal expectation of the class, as determined in my sole discretion. This would entail outstanding work on exercises, peer review, and other course items.
2. I also reserve the right to lower a grade by one grade increment (ex: B to B-) for significant and consistent work that does not meet the normal expectation of the class. This reduction may be in addition to loss of participation and effort points, discussed below.

Participation and Effort Points

The points for participation and effort will be based upon:

1. Timely completion of all assignments and activities.
2. Thoroughness of responses to exercises and writing assignments.
3. Thoughtful feedback on Peer Review exercises

The participation points are not based upon a curve and it is my hope that every class participant will receive all of the allotted points.

VII. Additional Resources and University Required Language

CAPS

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus.

http://www.uh.edu/caps/outreach/lets_talk.html

Names and Pronouns

I want to address each of you in a manner that corresponds to your identity. Although mistakes happen, chosen names and preferred pronouns—including non-binary ones such as they / them / their—must be respected in my course. Feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronoun, or if you have any concerns about how I or your classmates address you.

Mode of Presentation (University required designation)

(AS) Asynchronous classes do not meet face-to-face, and they do not have a regularly scheduled meeting time. Most of the class materials are available online at any time. Some asynchronous online classes may include virtual class meetings, which will be arranged on a class-by-class basis by the instructor.

UH Sexual Misconduct Policy

The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. For more information, please refer to the University system's Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08, available here:

<http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php>

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d7.pdf> (antidiscrimination)

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d8.pdf> (sexual misconduct)

Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note that the reporting obligations under the sexual misconduct policy reach to employees and students. Also, as a required reporting party, Law Center employees and faculty members are not a confidential resource.

Recording of Class (University required)

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Center for Students with DisABILITIES. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Resources for Online Learning

The University of Houston is committed to student success and provides information to optimize the online learning experience through our Power-On website. Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, and Blackboard; requesting a laptop through the Laptop Loaner Program; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

Week One

Due Date: All items below must be completed by 11 p.m. on Tuesday, January 25.

1. Course Introduction

- A. **Watch and Complete:** *Course Introduction Video.*
- B. **Read:** *Chew, Preface and Ch.1*
- C. **Complete:** *Core Knowledge, Ch. 1*

2. Introduction to the Bar Exam and the MPT

- A. **Watch:** *Introduction to the Bar Exam and the MPT.*
- B. **Read:** *Chew, Ch.2*
- C. **Complete:** *Core Knowledge, Ch. 2*

3. Writing Skills

- A. **Read:** *Sloan, Chapters 1 and 2.*
The exercises within chapter 2 are optional, but you may want to give them a try (suggested answers are in the back of your book).
- B. **Complete:** *Sloan, Exercise, Ch. 2*
*You may also want to download the supplement, which includes the exercises in a Word document. Note that the exercises **must be submitted to the course website** to receive credit for the exercise.*