

**SYLLABUS
ADVANCED LEGAL WRITING (LAWS 540)
FALL 2025
Professor Lisa Eichhorn**

Contacting Me:

The best way to reach me outside of class if you have a question is via email: **eichhorn@law.sc.edu**. If you'd prefer to meet face to face, my office is 324, and my office hours this semester will be on **Tuesdays and Thursdays from 2:00 to 3:30 p.m.** If these times are not convenient, please email me so we can make an appointment to meet in person, on Zoom, or on Teams at some other time.

If you have something to drop off for me, please leave it with any administrative assistant in the faculty wing. If I need to reach you outside of class, I will try via email, so please make sure I have your current email address.

Class Logistics:

Our class will meet from 10:45 a.m. to 11:45 a.m. on Mondays and Wednesdays in Room 393. You will receive three credits for this course, but we will meet only twice a week because you will be doing a lot of drafting and editing outside of class.

Texts:

Anne Enquist & Laurel Currie Oates, *Just Writing: Grammar, Punctuation, and Style for the Legal Writer* (any edition).

The Bluebook (any recent edition).

Course Objectives

This course is designed to help students do the following: (1) to practice drafting and critiquing common litigation documents; (2) to become better editors of their own writing; (3) to master the mechanics of writing (grammar, punctuation, and usage); and (4) to develop an effective process for tackling all types of writing projects, with or without AI.

Learning Outcomes and Assessment

Students will learn formats and drafting strategies for short-form objective memoranda, pleadings, correspondence, and trial-level briefs and will also become more effective editors of their own prose. Assessment will take the form of comments and scores on individual papers throughout the semester and a take-home test on grammar and punctuation. See the next page for a table showing point values for each assessment.

Course Policies:

Attendance: I will take attendance at each meeting. The Law School policy states that if you miss more than 10% of the classes, you must get approval from Dean Kuo to receive any grade other than an F in this course. Thus, in this course, you may miss three classes without having to petition Dean Kuo.

Lateness Penalty: Late arrivals distract your classmates. I reserve the right to deduct ten points from your raw point total for chronic lateness, but I will communicate with you as soon as I notice a problem so that you can stop the pattern before it becomes chronic.

Preparation and Participation: You will learn more if you ask questions and contribute your thoughts in class. Therefore, you are always encouraged to participate in class discussion, as long as you respect your classmates.

Basis of Your Grade:

Assignment	Due Date	Submission Method	Point Value
Scaled-Down Memo	Fri., Sept. 5, by 9 a.m.	via TWEN	50
Client Letter	Wed., Sept. 17, by 9 a.m.	via TWEN	40
Complaint Exercise	Mon., Sept. 22, in class	Hardcopy in class	5 (all or nothing)
Settlement Letter	Wed., Oct. 1, by 9 a.m.	via TWEN	40
Argument Section of Persuasive Memo	Fri., Oct. 17, by 9 a.m.	via TWEN	30
Full Persuasive Memo	Wed., Nov. 5, by 9 a.m.	via TWEN	80
Jury Instruction	Mon., Nov. 17, by 9 a.m.	via TWEN	20
Grammar/Punctuation Take-Home Test	Fri., Nov. 21, by 5 p.m.	via email to eichhorn@law.sc.edu	30
TOTAL			295*

*As explained in this syllabus, absences, tardiness, and late papers may result in point deductions.

Revisions. You may revise any assignment in this course, **except the Persuasive Memo Argument Section**, for additional feedback. Due dates for revisions appear in the class schedule below. If the revision is well done, **I will add up to 5 points to your original score, but I won't add points that put the total over the original number of points possible for the assignment.** You may use no more than three assignment revisions to increase your point total. I will critique and re-score revisions of as many different assignments as you care to submit, but at the end of the semester, **I will count only the three revisions that added the most points** toward your total.

Timely Submission of Papers: Meeting deadlines is a large part of being a good attorney, so you should develop this habit in law school if you do not already have it. The next page lists the method of submission and deadline for each assignment.

Late papers will receive a deduction of 20% of the total points for that assignment for each day the paper is late (including weekends and holidays). The first “day” of lateness begins immediately after the assignment is due. Thus, if a paper is due at 9:00 a.m. and you submit it at 9:15 a.m. on the deadline day, it is one day late. At 9:00 a.m. the following day, it will be two days late, and you will receive a deduction of 40%. If your assignment is more than two days late, you will receive a 0.

While illness and unavoidable mishaps may excuse a late paper, tech malfunctions do not. As in law practice, you are responsible for knowing how to use all necessary equipment and for making sure that it works when you need it.

Teamwork on Papers and the Honor Code: Students can learn a great deal from each other. Therefore, you are encouraged to work on papers in pairs. These need not be permanent alliances. If you prefer to work alone, you may.

Each member of a pair should contribute to the process, and each will receive the same score. By putting your name on the paper, you attest that you contributed significantly to the project. Team drafting is most productive when each member of the team has a chance to review and critique first and final drafts.

Finally, plagiarism is an Honor Code violation. I define plagiarism as the negligent or intentional passing off of someone else’s work as your own. To avoid negligent plagiarism, be sure you understand the basic rules of quotation and citation and just ask me if you have questions about them. I will refer incidents of suspected plagiarism to the appropriate committee for review.

Generative AI: You will no doubt use gen AI tech such as ChatGPT, Lexis Protégé, Claude, etc., in practice after graduation. For now, these technologies can still hallucinate or produce otherwise inaccurate responses. Some courts have issued rules requiring attorneys to ensure that a human being checks any text produced by generative AI before that text becomes part of a filed document. Thus, gen AI remains an untrustworthy source of information, and you should always check its output for yourself. Gen AI can, however, help you think of ways to organize documents, and it is very good at correcting spelling, punctuation, and grammatical errors in your drafts, just like the Editor function of Microsoft Word. I encourage you to play around with generative AI on your own time, and it will not be an Honor Code violation to use it in this course, but I also expect you to use the lessons from this course, along with your own judgment, to decide whether any legal authority, citation, or text produced by AI is the best possible choice for purposes of a given assignment. I will hold you to a high standard, so use gen AI at your own risk.

Format of Papers: Unless I direct otherwise, please double space all written assignments in at least 12-point type. In addition, please use one-and-a-half-inch margins and put page numbers on your documents.

TWEN: We have a TWEN site for this course on which you can find readings, handouts, and assignments.

Class Schedule

Wed., Aug. 20th: Diagnosing Your Needs

- Bring a short writing sample to class if you've not already emailed one to me.
- Prepare a one-page explanation of why you chose to enroll in the course and what you hope to gain from it. Include what you see as your strengths and weaknesses as a writer. Again, bring this statement to class if you've not already emailed it.
- Take the Diagnostic Test on TWEN and email me your answer sheet.
- You will receive the Scaled-Down Memo Assignment in class. It is due via TWEN by 9 a.m. on Friday, Sept. 5th.

Mon., Aug. 25th: Managing the Writing Process: Some Basics

- Sign up for a 1-on-1 conference if you've not already done so.
- Research the Scaled-Down Memo issue and be ready to discuss your findings.
- Read chapter 1 in *Just Writing*.
- Be ready to discuss the process you typically follow in writing a paper.

Wed., Aug. 27th: Organizing an Objective Memorandum

- Attend your conference this week if you've not already done so.
- Bring a one-page preliminary outline of your memo to class.
- Bring all cases, statutes, and notes for your memo to class.

Mon., Sept. 1st: LABOR DAY—NO CLASS

Wed., Sept. 3rd: Review of Citation and Quotation Mechanics

- **REMINDER: Your MEMO is DUE via TWEN by 9 a.m. this FRIDAY.**
- Continue working on your memo and bring your questions and notes to class.
- Read sections 9.5.1 to 9.5.3 in *Just Writing* on quotation marks, ellipses, and brackets.
- Bring your Bluebook to class.

Mon., Sept. 8th: Client Letters

- Read the handout on client letters from *The Legal Writing Handbook*, 3d ed. (on TWEN).
- I will make the Client Letter Assignment available today.

Wed., Sept. 10th: More on Client Letters; Clarifying Your Sentences

- **NOTE:** Will try to return your memos by the end of the day today. If you wish to discuss your memo, come to my office hours or email me to make an appointment to meet in person or virtually.
- Work on your Client Letter and see me individually if you need help.
- Read ch. 5 in *Just Writing* and complete the Sentence Editing Exercise handout (on TWEN). Have your completed exercise ready in class.

Mon., Sept. 15th: Polishing Your Prose

- Revised Scaled-Down Memo due via email (optional)
- Continue working on your Client Letter and bring any questions to class.
- Complete the Punctuation Exercise handout (on TWEN) and bring the exercise to class. As you work on the exercise, consult the rules in ch. 9 of *Just Writing*.

Wed., Sept. 17th: New Hypothetical Scenario

- **CLIENT LETTER DUE by 9 a.m. via TWEN.**
- In class we will discuss the scenario that will form the basis of the rest of your writing assignments, and you will receive a handout on drafting complaints.

Mon., Sept. 22nd: Complaints

- Read Ms. Scott Moise's *Scrivener* article on drafting complaints (on TWEN).
- Come to class with a hardcopy draft of a Complaint for the new problem. We will review each other's drafts in class.

Wed., Sept. 24th: Settlement Letters

- Read the handout on settlement letters from *Beyond the Basics* text (on TWEN).
- In the handout, study Exercise 3 on page 341 and make a list of the effective and ineffective aspects of each of the four letters.
- I will make the Settlement Letter Assignment available today.

Mon., Sept. 29th: Settlement Letters

- Revised Client Letter due via email (optional).
- Bring a draft of your Settlement Letter to class.

Wed., Oct. 1st: Motion Practice

- **SETTLEMENT LETTER DUE by 9 a.m. via TWEN.**
- You will receive the Persuasive Memorandum Assignment in class.

Mon., Oct. 6th: Persuasive Memoranda: Argument Sections

- Read 47 Mich. J. L. Reform 827 (2014) (on TWEN) and research the law for your Persuasive Memo; come to class with the sources you found, plus two or three points in writing that you intend to make in your Argument Section.

Wed., Oct. 8th: Persuasive Memoranda: Refining Arguments

- Continue researching and formulating your arguments.

Mon., Oct. 13th: Persuasive Memoranda: Refining Arguments

- Revised Settlement Letters due via email (optional).
- Bring a working draft of your Argument Section to class. We will critique some excerpts from old papers together.

Wed., Oct. 15th: Persuasive Memorandum Writing Lab

- **ARGUMENT SECTION DUE this FRIDAY by 9 a.m. via TWEN.**
- You will continue revising your draft Argument Section in class. I will give advice, and you may ask me questions as you work.

Mon., Oct. 20th: Persuasive Fact Statements

- Read handout on persuasive fact statements from pp. 198-208 & 326-29 from *Writing for Law Practice* (on TWEN).

Wed., Oct. 22nd: NO CLASS. I will be reading your Argument Sections

- I will try to return your Argument Sections by next Monday.

Mon. Oct. 27th: Refining Your Arguments

- If you wish, sign up for an optional conference this week.
- There is no assigned reading for today. I will give some general feedback to you in class.

Wed. Oct. 29th: NO CLASS TODAY; OPTIONAL CONFERENCES THIS WEEK

- Class will not meet, but sign up for an optional conference if you would like to discuss the feedback you've received on your Argument Section.

Mon., Nov. 3rd: Editing Your Memos

- Bring a **printout** of your Persuasive Memorandum draft to class.
- Students will exchange drafts and give each other feedback in class.

Wed., Nov. 5th: A Day About Email & AI

- **FINAL PERSUASIVE MEMO DUE by 9 a.m. via TWEN.**
- You have no assigned reading, but in class we will discuss the use of email in professional settings and continue discussing gen AI.

Mon., Nov. 10th: Jury Instructions

- Read the handout on Jury Instructions from Elyse Fox's manual (on TWEN).
- You will receive the Jury Instruction Assignment in class today.

Wed., Nov. 12th: Jury Instructions

- Bring a draft of your Jury Instruction to class. You may be asked to read it aloud.

Mon., Nov. 17th: Set-Up for Take-Home Test

- **JURY INSTRUCTION DUE by 9 a.m. via TWEN.**
- I will make the Grammar & Punctuation Take-Home available today in class. It will be **due on Fri., Nov. 21st, by 5 p.m. via TWEN.** This will be our last class meeting.

Wed., Nov. 19th: NO CLASS – WORK ON TAKE-HOME TEST

Remaining Deadlines

- Revised Jury Instruction (optional) due via email to eichhorn@law.sc.edu any time before Monday, Dec. 1st.
- Revised Persuasive Memorandum (optional) due via email to eichhorn@law.sc.edu any time before Wednesday, Dec. 3rd.

Good luck on your exams!