

University of Florida

Course Information Spring 2020

ENC 1145: Writing About Law and Literature
Section: 35G7/13735 MWF 6 (104 Leigh Hall)
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Course Description:

To one degree or another, almost all forms of writing are meant to persuade, in that the author attempts to convince the reader of her position on some issue or topic. Persuasive/argumentative writing is most conspicuously vital and has far-reaching social and political implications in the field of law. Notwithstanding the romanticized version of the law shown by television shows such as *Law & Order*, an attorney—even a trial attorney—is rarely found in the courtroom making oral arguments to the court. Instead, she is more often than not in a library or office, where she is researching cases and statutes, and writing briefs and motions.

These briefs play an important role in the contested legal issue, because they serve as the initial presentation of the case to a judge, who must determine whether the issue should be heard in court. In other words, if a judge is not convinced by the validity of a party's claim—which the judge primarily determines by reading the briefs—then that party's case may not even receive the opportunity to be argued in court.

To this end, this course will stress the importance of critical analysis as well as persuasive/argumentative writing within the template of the law and literature by considering the criminal culpability and/or civil liability of fictive characters. For the above reasons, this course does not so much stress the earning of a letter grade as it does the empowering of students to write persuasively. Eventually, you will forget the grade that you will earn for this class but with continual practice, you will not forget the skills you will acquire from this course and use them daily.

General Education Objectives:

- This course confers General Education credit for either Composition (C) *or* Humanities (H). This course also fulfills 6,000 of the university's 24,000-word writing requirement (WR).
- *Composition courses* provide instruction in the methods and conventions of standard written English (grammar, punctuation, usage), as well as the techniques that produce effective texts. Composition courses are writing intensive. They require multiple drafts submitted to your instructor for feedback before final submission.

- Course content should include multiple forms of effective writing, different writing styles, approaches and formats, and methods to adapt writing to different audiences, purposes and contexts. Students should learn to organize complex arguments in writing using thesis statements, claims and evidence, and to analyze writing for errors in logic.
- The University *Writing Requirement (WR)* ensures students both maintain their fluency in writing and use writing as a tool to facilitate learning. To receive Writing Requirement credit, a student must receive a grade of C or higher and a satisfactory completion of the writing component of the course. This means that written assignments must meet minimum word requirements totaling 6000 words.

General Education Learning Outcomes:

At the end of this course, students will be expected to have achieved the following learning outcomes in content, communication and critical thinking:

- **Content:** Students demonstrate competence in the terminology, concepts, theories and methodologies used within the academic discipline.
- **Communication:** Students communicate knowledge, ideas and reasoning clearly and effectively in written and oral forms appropriate to the discipline. Students will participate in class discussions throughout the semester to reflect on assigned readings.
- **Critical Thinking:** Students analyze information carefully and logically from multiple perspectives, using discipline-specific methods, and develop reasoned solutions to problems.

Outcomes/Goals:

This course aims to assist you in improving your analytical skills as well as your argumentative writing skills in all facets such as: recognizing your audience, identifying and developing an appropriate voice, creating a well-structured argument, organizing your thoughts into a coherent and persuasive presentation, and improving basic grammatical and rhetorical skills. It will also assist you in improving your research skills (both legal and scholarly) and ability to synthesize outside research into your argument. Such an endeavor will require you to plan, outline, draft, revise, and edit numerous papers, interact with peers by critically reading and responding to rough drafts, attend and participate in class, and maintain an open mind and positive attitude.

Required Materials:

Miss Julie by August Strindberg (provided by instructor)

Strange Case of Dr. Jekyll & Mr. Hyde by Robert Louis Stevenson (provided by instructor)

A Doll House by Henrik Ibsen (provided by instructor)

Dirty Work by Larry Brown (provided by student)

“A Mother” by James Joyce (provided by instructor)

Requirements for the Course:

Essays—Since argumentative writing is a skill (and like any other skill it must be developed through practice), the primary focus of this course will be to produce four papers in which you

will take a position regarding the guilt or innocence of a particular fictive character. Within the parameters of each paper, you will write an outline and at least two drafts. Writing is, indeed, a process—one requiring continuous revision and involving multiple drafts. Just as one cannot become a virtuoso violinist after a single practice, one cannot write a truly persuasive legal brief after writing only a single draft. The assigned classroom and homework exercises will also facilitate in developing stronger writing skills.

Trial/Hearing—Towards the end of each unit, the class will conduct a legal proceeding in which the respective fictive character will be prosecuted and/or sued for alleged transgressions.

Format—All written work must be completed and submitted in New Times Roman font size 12, left justification, one-inch margins, single sided. Failure to comply with these minimal format requirements will result in an unacceptable paper, which results in a late paper (see “late work” *infra*).

Communication—The primary means of formal communication will be through the class Canvas portal. In addition, students may contact the instructor via email or text messages. Any Canvas-related technical issues should be addressed to: <http://helpdesk.ufl.edu>.

Attendance and Participation—Requirements for class attendance as well as make-up exams, assignments, and other work in this course are consistent with university policies and can be found at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>

If students miss more than six periods during the semester, they will fail the entire course. Make sure you are cognizant of how many classes you have missed. Exemptions from this policy are granted only for those absences involving university sponsored events (such as athletics and band) and religious holidays. For absences due to illness or injury, please obtain a signed doctor’s note.

The onus for making up any missed work falls on the student. An absence does not excuse a student from turning in work that is due on the day of the absence. For example, if you are absent from class on a day a paper is due, you are still responsible for handing in the paper (via Canvas, e-mail, etc.) *during class*. In other words, an absence from class on the due date of an assignment does not afford you any extra time for submitting the assignment unless prior consensual arrangements have been made with the instructor. A tardy may be viewed as an absence if the student is more than 15 minutes late. In general, two tardies equate to an absence. Egregious tardies, however, may morph into an absence at a quicker rate. Individual or group conferences are considered classes and shall be viewed as such with regards to attendance and participation.

From a less punitive perspective, attendance and classroom participation are vital components to becoming a more proficient writer. In other words, you will find it difficult to improve your writing if you do not attend class and participate, because writing is an active, and even interactive, endeavor. Along these lines, it is important not only to attend class but also actively participate. Almost every class is based on some sort of interaction between the instructor and the students or among the students themselves. Obviously, your participation shall greatly depreciate if you are not prepared for that day’s activities. For these reasons, classroom participation is also

weighed when calculating semester grades. *In addition, electronics (cell phones, laptops, etc.) will not be permitted during class.*

Evaluation:

Final grades are determined as follows:

Paper #1: critical analysis of representative text (trial brief)(1,250/20%): After reading August Strindberg's drama *Miss Julie*, write an essay in which you state who is most responsible for the deceased's death and why. To further support your position, make sure to also explain why the other characters are not as responsible as the character you have selected. In other words, strengthen your position by mitigating the possible culpability of other possible suspects.

Paper #2: critical definition of concept (appellate brief)(1,250/20%): Based on Robert Louis Stevenson's novella *Strange Case of Dr. Jekyll and Mr. Hyde*. Focusing on the definition of the word "intent," write an essay that addresses whether Dr. Jekyll/Mr. Hyde possessed either specific or general intent when Mr. Carew was killed. Along the lines of (dis)proving intent, please also address any possible defenses, such as capacity, insanity, or intoxication.

Paper #3: application of theory to current topic (petition for custody)(1,500/25%): Based on the text of Henrik Ibsen's drama *A Doll House*, draft a petition for child custody on behalf of either Nora Helmer or her estranged husband Torvald. Make sure to address in your petition the legal responsibilities and obligations that parents have to their children and whether either of the Helmers met those obligations. Furthermore, how can societal presuppositions about maternalism and gender specific parental responsibilities run counter to and interfere with a legal determination regarding parental custody?

Paper #4: critical analysis of representative text and application to current topic (pre/post-trial brief)(2,000/25%): You must argue several issues in this paper, all of which are premised on Larry Brown's novel *Dirty Work*: Does a person have the right to ask someone to end his life? Can a person be found guilty of a crime if he is drug-induced during the commission of that crime? Can third parties be held liable if they do nothing to prevent and/or stop the crime from occurring? What if they promote but do not commit the criminal act? As a second layer of analysis, is the death penalty potentially appropriate for the Defendant in the above scenario?

Homework and Class Participation(10%): Homework consists of the successful completion of assigned work, including but not limited to mini research and writing assignments, outlines, rough drafts, and peer responses. Some homework assignments will be weighted differently than others. Unless expressly stated otherwise, all homework assignments must be typed and formatted per requirements and physically submitted in class on the due date.

Final drafts (despite Hemingway's aversion for the term) will be graded for content, structure, support, organization, coherence, style, clarity, grammar, and other rudimentary elements of quality writing. Rewriting is an option (though not a requirement) for paper #1 only, because it serves as an excellent learning method. Please keep in mind, however, that a rewrite in no way

guarantees a higher grade; in fact, it can even engender a lower grade. Rewrites are due one week from the date the paper was returned.

Grading Scale:

A	4.0	93-100	C	2.0	73-76
A-	3.67	90-92	C-	1.67	70-72
B+	3.33	87-89	D+	1.33	67-69
B	3.0	83-86	D	1.0	63-66
B-	2.67	80-82	D-	0.67	60-62
C+	2.33	77-79	E	0.00	0-59

Note: A grade of C- is not a qualifying grade for major, minor, Gen Ed, or College Basic distribution credit. For further information on UF's Grading Policy, see:

<https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx#hgrades>
<http://www.isis.ufl.edu/minusgrades.html>

Grading/Assessment Rubric

In each written assignment, I will be looking at:

1. **Content:** How strong is your argument, development, and support? Is there a clear and complex thesis statement? Do you display a firm understanding of the text and does your content seem relevant to your assignment? Do you provide adequate support in terms of quotes from both the primary and secondary sources? Are the sources well synthesized?
2. **Organization:** How well-structured are your paragraphs? Do they have clear topic sentences and does the para support ideas introduced in the topic sentence? Do your overall ideas flow well with proper transitions? Instead of sounding like a catalogue of ideas, does the essay show a sense of development/progression while supporting the thesis statement?
3. **Style:** Do you display a firm grasp of vocabulary in terms of apt word choice? Is your word choice suitable to the context, genre and discipline? Do your sentences display complexity and logical structure? Is there sentence variety (a mix of simple, complex and compound sentences) Are your sentences overly long or awkward or are they well-crafted and read smoothly?
4. **Mechanics:** How frequently do you make errors in grammar, spelling, MLA citations, paper formatting (title, page numbers, due dates etc.)?

“A-level” Paper

- Follows and meets all the requirements in the assignment guidelines
- The thesis (or argument) is clearly articulated, original, and well-supported; the argument is analytical rather than descriptive. *Important note: An “A” paper usually goes beyond analyses and ideas shared in class.
- Subsequent paragraphs build on and support the paper’s central thesis or argument
- Examples and evidence from the texts back up (but do not subsume) your own critical analysis

- The writing is clear and dynamic with varied sentence length and structure.
- The paper is free of most grammatical and spelling errors.
- MLA formatting is uniformly (and correctly) followed throughout.
- Should have a distinct and strong conclusion that does not simply rehash the paper's original thesis

“B-level” Paper

- Follows and meets most of the requirements in the assignment guidelines
 - Has a good thesis, but the wording might be less clear and/or fluid or weaker in its argumentation
- Still builds up and supports the paper's main argument but does not create compelling nor strong connections between the ideas presented in each paragraph
- Does not analyze textual evidence as critically or as in depth as the “A” paper
- Puts forth a solid argument but may have unclear language, spelling, or grammatical errors and superficial or vague analysis in a few places
 - MLA formatting is uniformly (and correctly) followed throughout
- Conclusion is strong

“C-level” Paper

- Follows and meets some of the requirements in the assignment guidelines
- Does not clearly articulate or fully develop thesis; it is more descriptive rather than analytical
- Does not wholly engage with or defend the paper's key argument throughout
- The writing is largely incoherent and disorganized but may have instances of proper analysis and clear argumentation
- Does not incorporate sufficient textual evidence to support the main argument and claims
- MLA formatting is not uniformly (nor correctly) followed throughout
- Lacks a clear conclusion

“D-level” Paper and below

- Does not meet any of the requirements in the assignment guidelines
- Lacks a clearly articulated and well-developed thesis
- Does not engage with or defend the paper's key argument throughout
- Does not successfully incorporate any textual evidence to support the main argument and claims
- Shows blatant disregard of proper grammar and punctuation
- The writing is vague and has several errors in analysis and argumentation
- Does not follow MLA formatting guidelines
- Lacks a conclusion

Grade Appeals: Students may appeal a final grade by filling out a form available from Carla Blount, Program Assistant, in the Department office (4008 TUR). Grade appeals may result in a higher, unchanged, or lower final grade.

Late Work:

Late work will not be accepted. A work is labeled “late” if the instructor does not receive it *during class* on the day it is due. All assignments that are to be turned in are due at the start of class. If an emergency arises, please see the instructor as soon as possible. Please note that all work must be completed to pass this course.

Writing Requirement:

This course confers 6,000 words towards the Writing Requirement (WR), which ensures students maintain their fluency in writing and use writing as a tool to facilitate learning. While helping students meet the broad learning outcomes of content, communication, and critical thinking, the instructor will evaluate and provide feedback on students’ written assignments with respect to grammar, punctuation, clarity, structure/coherence, and organization. Course grades have two components. To receive Writing Requirement credit, a student must receive a grade of C or higher and a satisfactory completion of the writing component of the course.

Academic Dishonesty:

As a University of Florida student, your performance is governed by the UF Student Honor Code, (<https://catalog.ufl.edu/ugrad/current/advising/info/student-honor-code.aspx>). The Honor Code requires Florida students to neither give nor receive unauthorized aid in completing all assignments. Violations include cheating, plagiarism, bribery, and misrepresentation, all defined in detail at the above site.

Plagiarism:

Plagiarism is a serious violation of the Student Honor Code. The Honor Code prohibits and defines plagiarism as follows:

Plagiarism. A student shall not represent as the student’s own work all or any portion of the work of another. Plagiarism includes but is not limited to:

1. Quoting oral or written materials including but not limited to those found on the internet, whether published or unpublished, without proper attribution.
2. Submitting a document or assignment which in whole or in part is identical or substantially identical to a document or assignment not authored by the student. (University of Florida, Student Honor Code, 8 October 2013)

University of Florida students are responsible for reading, understanding, and abiding by the entire [Student Honor Code](#). The University Writing Program takes plagiarism very seriously and treats instances of plagiarism as dishonesty and as a failure to comply with the scholarly requirements of this course. You commit plagiarism when you present the ideas or words of someone else as your own.

Important tip: You should never copy and paste something from the Internet without providing

the exact location and citation information for the source.

If a student plagiarizes all or any part of any assignment, he or she will be awarded a failing grade on the assignment. Additionally, instructors may impose a course grade penalty and report any incident of academic dishonesty to the Office of the Dean of Students. Each student's work may be tested for its originality against a wide variety of databases by anti-plagiarism sites to which the University subscribes, and negative reports from such sites may constitute proof of plagiarism. Other forms of academic dishonesty will also result in a failing grade on the assignment as a minimum penalty. Examples include cheating on a quiz or citing phony sources or quotations.

ADA: Students with disabilities who are requesting accommodations should first register with the Disability Resource Center (352-392-8565, www.dso.ufl.edu/drc/), which will provide appropriate documentation to give the instructor.

Distress: Students who are in distress or who are in need of counseling or urgent help, please contact umatter@ufl.edu or 352-392-1575 so that a team member can reach you. UF's Counseling and Wellness Center offers additional support: 352-392-1575 or <https://counseling.ufl.edu>.

Readings:

Reading assignments typically appear in the syllabus on the date on which they are due. Students should have completed these readings before coming to class that day.

Conferences and Writing Studio:

Students are encouraged to use the instructor's office hours if there are questions about progress in the course, work underway, or any other course-related concerns. If there is a conflict with the posted office hours, please contact the instructor to schedule a better time. Having conferences on assignments is often the best way to improve the quality of final drafts. The [*Writing Studio*](#) also offers one-on-one assistance on writing projects and is available to students of all levels.

Evaluations:

Students are expected to provide feedback on the quality of instruction in this course based on 10 criteria. These evaluations are conducted online at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu>.

ADA:

Students with disabilities requesting accommodations should first register with the

Disability Resource Center (352-392-8565, www.dso.ufl.edu/drc/) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

Harassment:

The classroom should be a place of critical exploration and lively discussion. Disruptive or offensive behavior (especially offensive behavior or speech directed at other students on the basis of race, gender, ethnicity, religion, etc.), however, will not be tolerated. Familiarize yourself with the University's policy on harassment. Violations of this policy can result in disciplinary action.

SCHEDULE OF CLASSES AND ASSIGNMENTS

Week 1:

1/6: review outline/brief format
1/8: discuss Strindberg's *Miss Julie*
1/10: research/review basic legal tenets

Week 2:

1/13: sentence outline on criminal/civil issues in *Miss Julie* due
1/15: review legal memorandum format and structure
1/17: take Skype deposition of Officer Nick Panico (trained crisis negotiator)

Week 3:

1/20: Martin Luther King Day (no class)
1/22: rough draft of *Miss Julie* brief due
1/24: discuss application of ASM court rulings in Massachusetts to *Miss Julie* issue

Week 4:

1/27: final brief due
1/29: *Miss Julie* trial
1/31: review/reflect on *Miss Julie* trial

Week 5:

2/3: discuss ASM and wrongful death statutes
2/5: discuss *Jekyll and Hyde*
2/7: research and discuss relevant civil statutes

Week 6:

2/10: *Jekyll and Hyde* sentence outline due
2/12: discuss ways to structure/organize *Jekyll and Hyde* legal arguments
2/14: review criminal statutes for murder and defenses of insanity and intoxication

Week 7:

2/17: *Jekyll and Hyde* rough draft due

2/19: discuss legal issues and defenses

2/21: Skype with Palm Beach County ASA Pat Quinlan re appellate brief writing

Week 8:

2/24: *Jekyll and Hyde* final draft due

2/26: *Jekyll and Hyde* trial

2/28: reflect on *Jekyll and Hyde*/pivot to *A Doll House*

SPRING BREAK (3/2-3/6)**Week 9:**

3/9: discuss potential family law issues in *A Doll House*

3/11: research/review state statutes re dissolution of marriage and child custody

3/13: sentence outline of family law issues in *A Doll House* due

Week 10:

3/16: take deposition of family law expert witness Maria Catsikopoulos, attorney at Dept. for Child Family Services

3/20: *A Doll House* petition for custody rough draft due

3/22: discuss rough drafts

Week 11:

3/23: *A Doll House* petition for custody final draft due

3/25: hearing on *A Doll House* custody petition

3/27: reflect on *A Doll House*/pivot to *Dirty Work*

Week 12:

3/30: discuss preemptive refutes in legal writing

4/1: discuss potential criminal and civil issues in *Dirty Work*

4/3: *Dirty Work* sentence outline re sentencing issues due

Week 13:

4/6: group discuss sentencing issues (death penalty), esp. organizing arguments

4/8: research/review apposite statutory/case law re civil counts and criminal charges

4/10: *Dirty Work* sentencing recommendation rough draft brief due

Week 14:

4/13: group work in preparation for trial and sentencing hearing

4/15: *Dirty Work* sentencing recommendation brief final draft due

4/17: group work in preparation for trial and sentencing hearing

Week 15

4/20: *Dirty Work* trial

