



ESSAY

The Best Upper-Level Legal Writing Assignment. Period.

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One of the best ways to prepare students to practice in a modern and diverse world is to expose them to as many different types and styles of writing as possible. But, how do you do this in an upper-level writing class when limited both by time and by topic? Enter: The Best Upper-Level Legal Writing Assignment. Period. This an assignment that you can give in any upper-level legal class—no matter the topic—that will expose students to many styles and types of writing in a short period of time. It will also allow you to: (1) show students real-world legal writing implications; (2) teach students to edit to improve the work of others; (3) engage students in networking with practicing lawyers; (4) allow students to practice public speaking/presenting; (5) reinforce professionalism and etiquette; and (6) teach students the value of a thank you note. Sound too good to be true? It gets better. The best part of this assignment is that it requires almost zero prep for the professor, and it will be a favorite of your students because it will help them get jobs.

I have included the assignment that I give to students in full below. Next, I have broken the assignment into three parts that I describe in detail.

The Assignment (Three in One)

Part One, Networking: *Bring an example of great persuasive writing to class (either a trial court motion or opposition or appellate brief). The example of great persuasive writing should be from someone you "know" (i.e. do not pull a random supreme court brief). This is GREAT opportunity to network, reconnect, etc. with lawyers whose writing you admire. You will explain your assignment and ask them to send you an example of a motion/opposition/brief of which they are particularly proud.*

Part Two, The Presentation: *You will then present to the class what the document is and what kind of case it is from and give brief background on the issues. Next, you will show (on the document camera) three parts of that motion/opposition/brief that are good examples of persuasive writing techniques and explain why.*

Part Three, The Thank You Note: *Afterwards, you will write a thank you note.*

Break It Down

Part One, Networking: The first part of the assignment requires students to reach out and network with lawyers in the community that they know or wish they knew to ask them for an example of a persuasive writing work product of which the lawyer is particularly proud. This not only allows students to improve their networking skills, but it also give you a chance to remind students about the value of networking.¹ Additionally, it allows you to remind students how to format a professional email (subject, salutation, body, closing, signature, etc.). One surprising thing that students learn every semester is that lawyers like to help and mentor students (and maybe even brag a little). Every semester, I have given this assignment, every student has been able to successfully connect with a lawyer to receive a written work product. Every semester the students are surprised as to how "easy" this part of the assignment is and how eager the lawyers were to help them with this class assignment.

¹ Richard Goldman, *Networking: How Successful Lawyers Do It and Why You Should, Too*, ABA J. (Jan. 10, 2019), https://www.abajournal.com/voice/article/networking_how_successful_lawyers_do_it_and_why_you_should_too.

Part Two, The Presentation: The second part of the assignment requires one or two classes (depending on your class size and time) for student presentations, but I guarantee it will be time well-spent. Each student shares the work product with the class. I have students begin by describing who they reached out to and why. This is always fun for the students to learn about what their peers did over the summer or where their peers will work in the future given that most students reach out to a former or future employer. Then, the presenting student gives background on the case and issues presented in the work product. Finally, the student shows on the document camera three parts of the work product that the student thought was a good example of persuasive writing. Students will point out everything from paragraph length to headings, using diagrams or pictures in the statement of facts, transitions, and using emphasis. Because the work products the students bring in are so diverse in terms of both document and case type, almost no student will point out the same effective persuasive writing technique.

What I love about the presentations is that not only are we able to discuss various styles and forms of legal writing, but students get to practice their public speaking and get to critique the work of practicing lawyers. Oftentimes, a student will realize that the work product the lawyer sent was “good” in the sense that the lawyer had a successful result but the writing itself needed improvement. In this way, students leave knowing that they have all the tools to do what these lawyers are doing.

Part Three, The Thank You Note: The class after we finish presentations, I bring in some stationary with our school’s letterhead on it and envelopes. I give a brief refresher on professional thank you notes followed by approximately 10 minutes to handwrite a thank you note to the lawyer who helped them. The students address the envelopes, and I add postage and mail them. It is the perfect ending to assignment because it not only allows you to discuss the importance and value of a thank you note,² but it gives the student another opportunity to network with the lawyer.

Final Takeaways

There you have it: The Best Upper-Level Legal Writing Assignment. Period. With respect to logistics on timing and grading, I have the students do this assignment at the mid-point in the semester (usually the week after midterms), and I grade the assignment as part of their participation grade. However, it could

² Jill Griffin, *The Value of a Well-Written Thank-You Note*, FORBES (Aug. 7, 2018, 9:58 AM), <https://www.forbes.com/sites/jillgriffin/2018/08/07/the-value-of-a-well-written-thank-you-note/?sh=658d5c456500>.

also be a great assignment to begin or end the semester with, and, if you wanted to make it graded, you could easily grade their oral presentation or have them submit a written critique to accompany their oral presentation. Note that I do not recommend giving this assignment to 1L students because 1L students may be confused on the diversity of styles in the example work products. As you know, lawyers do not always follow IRAC/CRAC or use perfect citation form. This would likely be confusing to 1L students, which is why I think it is better suited for an upper-level course.

I hope I have convinced you to add this three-in-one assignment to your syllabus next semester. You won't regret it.