



UNIVERSITY OF MIAMI  
SCHOOL of LAW

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**Legal Communication and Research Skills II**

**Professor Frohock**

**Section A1—Spring 2021**

**Zoom Class Meetings:**  
Monday 10:10-11:50 a.m.

**Zoom Appointments:**  
[cfrohock@law.miami.edu](mailto:cfrohock@law.miami.edu)

**Description**

Legal Communication and Research Skills II will help you develop your reasoning, writing, research, and oral argument skills in the context of client advocacy. This course builds on the foundational skills taught in LComm I, advancing from objective writing to persuasive writing and oral advocacy. You will first write and argue a pretrial motion. You will then follow the case to appeal, where you will review the record, research the law, draft an appellate brief, and participate in oral arguments.

**Online Attendance**

This is a learning-by-doing class. Accordingly, punctual attendance at all Zoom classes and other meetings is required, and any unexcused absence will adversely affect your grade. Because the American Bar Association requires class attendance, missing more than 20% of class meetings may preclude you from earning credit for this course. If you do miss a class, you are responsible for all material covered, announcements made, and assignments given.

## Assignments

Motion/Opposition	Ungraded
Oral Argument on Motion/Opposition	Ungraded
Research Report	Pass
Appellate Brief	70%
Oral Argument on Appellate Brief	15%
Professionalism & Class Participation	15%

## Professionalism & Class Participation

You are an attorney in training, and your commitment to the ideals and values of professionalism begins now. Your grade includes a component for professionalism and class participation, with the expectation that you will do the following:

1. attend all Zoom classes and other meetings,
2. complete all reading and writing assignments,
3. participate in class discussions,
4. submit all assignments on time,
5. proofread and edit your documents,
6. show respect and civility to others, and
7. make a good-faith effort and follow directions on all assignments, whether graded or ungraded.

## Deadlines

All assignments must be submitted on time. In legal practice, time management and adherence to deadlines are essential; missing a deadline may constitute legal malpractice. **Students who submit a late assignment may forfeit the opportunity to have the benefit of my critique or face other penalties.**

An emergency may require a deadline extension. If an emergency arises, please let me know as soon as possible.

## Texts

### Required

1. Barton & Smith, The Handbook for the New Legal Writer (2d ed.)
2. The Bluebook: A Uniform System of Citation (21st ed.)

### Recommended

1. Strunk & White, The Elements of Style

2. Black's Law Dictionary
3. Cohen & Olson, Legal Research in a Nutshell
4. Barris, Understanding and Mastering the Bluebook

### **Blackboard**

The course webpage is available on Blackboard, including all assignments and weekly handouts. You should have the weekly handouts ready for class, either in print or open on your computer; you do not need to read the handouts in advance.

Assignments submitted on Blackboard must be uploaded by the date and time specified on your Assignment Schedule. **Once a document is submitted, that document is final.**

### **Honor Code**

You must follow the Law School's Honor Code. Plagiarism is an Honor Code violation that may result in penalties, including suspension. Do not accept assistance, give assistance, or collaborate on any assignment except as permitted. If you are unsure whether an action violates the Honor Code, ask me **before** undertaking the action.

### **Academic Integrity Policy**

Students are expressly prohibited from recording any part of this course. Meetings of this course might be recorded by the University. Any recordings will be available to students registered for this class as they are intended to supplement the classroom experience. Students are expected to follow appropriate University policies and maintain the security of passwords used to access recorded lectures. Recordings may not be reproduced, shared with those not in the class, or uploaded to other online environments. If the instructor or a University of Miami office plans any other uses for the recordings, beyond this class, students identifiable in the recordings will be notified to request consent prior to such use.

### **Disability & Accommodation**

If a student has a disability, or suspects that he or she may have a disability, please contact Jessie Howell, Director of Accessibility, for information about available opportunities, resources, and services. Her phone number is 305-284-4551, and her email address is [access@law.miami.edu](mailto:access@law.miami.edu).

## Title IX

The University of Miami seeks to maintain a safe learning, living, and working environment free from all types of sexual misconduct, including Dating Violence, Domestic Violence, Sex- or Gender-Based Discrimination, Sexual Assault (including Sexual Battery), Sexual Exploitation, Sexual Harassment, and Stalking. For additional information about the University's efforts to prevent, stop, and address sexual misconduct, including resources and reporting options, please visit [www.miami.edu/titleix](http://www.miami.edu/titleix) or contact the University's Title IX Office at [titleixcoordinator@miami.edu](mailto:titleixcoordinator@miami.edu).

### Assignment Schedule

This schedule may change during the semester.

<b>Week</b>	<b>Date</b>	<b>Assignments</b>
1	January 25	Introduction  Read: Assignment Materials for Motion/Opposition
2	February 1	Read: <u>Handbook</u> , chapters 24-29
	February 5	<b>Partial Motion/Opposition—due on Blackboard by 8:00 p.m.</b>
3	February 8	Read: <u>Handbook</u> , chapters 30-31
4	February 15	Read: <u>Handbook</u> , chapter 38
5	<i>Make-up Class TBD</i>	<b>Oral arguments on Zoom</b>
	February 26	<b>Full Motion/Opposition—due on Blackboard by 8:00 p.m.</b>
6	March 1	Read: • Assignment Materials for Appellate Brief & Research Report • <u>Handbook</u> , chapters 34-35

7	March 8	Read: <u>Handbook</u> , chapters 32-33, 35-36
	March 14	<b>Research Report—due on Blackboard by 8:00 p.m.</b>
8	March 15	Read: <u>Handbook</u> , chapters 39-43
9	March 22	Read: <u>Handbook</u> , chapters 18-24
10	March 29	Review: questions regarding appellate brief
11	April 5	Review: questions regarding oral arguments
	April 9	<b>Appellate Brief—due on Blackboard by 8:00 p.m.</b>
	April 12-16	<b>Oral Arguments on Zoom</b>