

University of Florida
Course Information Spring 2025

IDH 3931: Law and Literature (Honors)
Section: 22704
Period: 8 (3:00-3:50)
Instructor: Bernard O'Donnell
Office: 2022 Farrior Hall/**Zoom: 355 143 0114**
Office Hours: M 8:00-9:00 and by appointment
Phone #: 617.650.9195
E-mail: odonnellb@ufl.edu

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 and practice of law. Notwithstanding the romanticized version of the law shown by television shows such as *Suits* and *Law & Order*, an attorney—even a trial attorney—is rarely found in the courtroom making oral arguments to the court. Instead, they are more often than not in a library or office, where they are researching cases and statutes and writing briefs and motions.

These briefs play a crucial 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 legal briefs, then that party's case may not be afforded the opportunity to be argued in court.

To this end, this course will stress the importance of critical analysis, legal and factual research, 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 and recognize the **practical application** of strong writing.

General Education Learning Outcomes:

At the end of this course, students will be expected to have achieved the following learning outcomes in research, analysis, and writing (RAW):

- **Research:** Students demonstrate proficient competence in effectively and efficiently researching legal and non-legal topics and issues in furtherance of drafting legal briefs.
- **Analysis:** Students carefully and logically process information from multiple perspectives (including the opposition), using discipline-specific methods, and develop reasoned solutions to problems in furtherance of drafting legal briefs.

- **Writing:** Students organize their research and analysis and synthesize different and divergent information/research, using the integration of information from multiple sources to engage in critical discourse via the written medium.

Outcomes/Goals:

This course aims to assist you in improving your analytical and argumentative writing skills in all facets such as: recognizing your audience, identifying/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)

Dubliners by James Joyce (NCE provided by student)

Ethan Frome by Edith Wharton (NCE provided by student)

Requirements for the Course:

Legal Briefs—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 three legal briefs in which you will take a position regarding the guilt or innocence of a particular fictive character. Within the parameters of each legal brief, 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 produce a truly persuasive legal brief after writing only a single draft. The assigned classroom and homework exercises will also facilitate in developing stronger research and 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 Times New Roman font size 12, left justification, and one-inch margins. Outlines are single-spaced. Case briefs/summaries, rough drafts, and final drafts are double-spaced. Failure to comply with these minimal format requirements will result in an unacceptable paper, which results in a late paper, which results in a grade of zero for that assignment.

Communication—The primary means of formal communication will be through the class Canvas portal and university email. In addition, students may contact the instructor via phone 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>

Attendance is required. If a student misses more than five periods during a semester, the student will fail the entire course. Exempt from this policy are only those absences involving university-sponsored events, such as athletics and band, religious holidays, and illness-related quarantine. Absences related to university-sponsored events must be discussed with the instructor prior to the date that will be missed. Requirements for class attendance and make-up exams, assignments, and other work in this class are consistent with university policies that can be found at <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>

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 the 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. Any unexcused absences will count against the student's class participation grade.

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 and respectable attorney. In other words, 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 students or among students themselves. Obviously, your participation shall greatly depreciate if you are not prepared for that day's activities nor meaningfully participate in classroom discussions and activities. For these reasons, classroom participation is also weighed when calculating semester grades.

Evaluation:

Final grades are determined as follows:

Legal Brief #1 (25%): Based on August Strindberg's drama, *Miss Julie*, draft a legal brief that addresses whether Jean is criminally culpable and/or civilly liable for Miss Julie's injuries and damages.

Legal Brief #2 (30%): Based on James Joyce's short story, "A Mother," draft a legal brief in which you argue whether: a) a valid contract had been formed and, if so, b) whether either party, Mrs. Kearney or Mr. Holohan, has met their contractual obligations. If a breach of contract occurred, explain the exact nature and cause of the harm as well as the appropriate remedy.

Legal Brief #3: (35%): After reading Edith Wharton’s novella, *Ethan Frome*, draft a legal brief in which you explain who is more responsible for the damages incurred as a result of the toboggan ride that Ethan and Maddie took.

Homework (5%): Homework consists of the successful completion of assigned work, including but not limited to mini research and writing assignments, outlines, and rough drafts. 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 by the student only either before or during class on the due date.

Class Participation (5%): Besides attendance, class participation is graded based on: completing assigned readings, showing up on time and prepared for class, actively participating in each class’s lecture/discussion, paying attention, and taking notes. Students who are not engaged and do not pay attention in class will lose credit for their class participation grade. This consequence especially applies to students who choose to go online during class and stare at their laptops instead of paying attention and actively participating in class. Unexcused absences also have a negative impact on class participation grades.

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 minimum grade of B is required to earn Academic points towards your Honors Completion Requirements. (Exception: Honors Quest I and II sections require a C). Once you have earned your final grade in this course, please upload the course information and final grade from your Unofficial Transcript into your Honors Canvas Cohort: Honors Completion module to earn Honors Milestone / Completion credit.

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 research 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. **Structure/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 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.
- Extensive research of both primary and secondary sources and incorporation of same
- MLA formatting is uniformly (and correctly) followed throughout.

“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
- Some solid research performed of primary and secondary sources that are incorporated into the legal brief’s argument

“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
- Research and its incorporation into the brief are lacking

“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 textual evidence or outside research to support arguments
- 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

Grade Appeals: Students may appeal a final grade. 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.

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. Students should pay particularly close attention to avoid using the ideas of another person without proper ascription.

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.

Academic Resources:

Honors Program, 201 Walker Hall, 352-392-1519

Quick questions for an Honors advisor? Email advisor@honors.ufl.edu

Need an Honors advising appointment? Schedule via Microsoft Bookings:

<https://bit.ly/ufhonorsadvising>

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>.

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.

Course Evaluations:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available

at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

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:

1/13: review syllabus

1/15: court structure and jurisdiction, RAW

1/17: RAW/DEA, legal issues in *Miss Julie* (assignment sheet)

Week 2:

1/20: no class

1/22: legal research/databases

1/24: academic research/databases

Week 3:

1/27: legal defenses

1/29: *MJ* outline due, outline review

1/31: cont. outline review

Week 4:

2/3: ways to structure/organize *MJ* legal arguments

2/5: issue/topic support via legal and academic sources

2/7: *MJ* rough draft due, rough draft review

Week 5:

2/10: cont. rough draft review
2/12: legal citations and plagiarism
2/14: *MJ* final draft due

Week 6:

2/17: prepare for mock trial
2/19: *MJ* mock trial
2/21: reflect on *MJ* mock trial, pivot to “A Mother”

Week 7:

2/24: civil claims and defenses in “AM” (assignment sheet)
2/26: flex day
2/28: flex day

Week 8:

3/3: “AM” outline due, outline review
3/5: cont. outline review
3/7: review structure/organization and nexuses

Week 9:

3/10: common errors
3/12: “AM” rough draft due, rough draft review
3/14: cont. rough draft review

Week 10:

3/17: no class
3/19: no class
3/21: no class

Week 11:

3/24: review re: structure of legal brief and organization of legal arguments
3/26: “AM” final draft due, prepare for mock trial
3/28: prepare for mock trial

Week 12:

3/31: “AM” mock trial
4/2: reflect on “AM,” pivot to *EF*
4/4: flex day (*EF* assignment sheet)

Week 13:

4/7: discuss legal issues in *EF*

4/9: flex day

4/11: *EF* outline due, outline review

Week 14:

4/14: cont. outline review

4/16: flex day

4/18: *EF* rough draft due, rough draft review

Week 15:

4/21: cont. rough draft review

4/23: *EF* final draft due