The course has a long name. Let’s just call it DNCS.

**Subjects Covered in this Syllabus —**

1. DNCS is Taught Entirely on Zoom
2. Textbooks
3. Some Basic Ideas on Which the Course Is Based
4. Course Learning Goals
5. Class Attendance
6. Exercises
7. Assignments
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1. **DNCS is Taught Entirely on Zoom**

During class, most of what we do is diagnosing and fixing inadequate provisions from contracts and statutes. We'll use Zoom’s screen-share feature to put provisions on your laptop screen to be redrafted collaboratively by the class as a group, the words continually changing as the class tries out ideas and makes decisions.

Transactional lawyers usually don't negotiate across a table. They negotiate by phone and by email with contract drafts as attachments. That type of negotiation can't be replicated if students are in the same room. But it can be replicated in Zoom.

Individual student conferences are conducted as professional meetings in which you must set the agenda. Some students decide to do screen-share in reverse so the student's own work is on the screen and we can talk about the writing process and how to solve writing problems.

During class you must be in a private and quiet place — **not in the law school building.**

2. **Textbooks**

Beginning with the first class, you'll need the drafting book and the DNCS supplement (numbers 1 and 2 below). Later you’ll need the skills book (number 3).

1. **“The drafting book”** —  
   *Legal Drafting by Design* by Neumann & Entrikin. ISBN 9781454841395.  
   Your best bet would be to buy a used copy from Amazon or another seller. **You don’t need a new copy.**  
   Renting the book has a big disadvantage: After you start practicing law, when a supervisor asks you to draft something, you'll wish you had the drafting book as a reference. If you rent it now, you won’t have it then.  
   *(Authors get royalties only from new books. Notice that I’m not encouraging you to buy a new book.)*

2. **“The DNCS supplement”** —  
   Distributed in the photocopy room in the law school basement.
    Also distributed in the photocopy room in the law school basement — but not until September or October.

3. Contacting Me Outside of Class

We can chat by Zoom, phone, or email as much as you wish and as often as you wish. Email goes to Richard.k.neumann@hofstra.edu.

My secretary is Joyce Cox, room 216, phone 516-463-6339 Joyce.a.cox@hofstra.edu. You probably won't need to contact her. But to handle administrative matters, she might contact you.

4. Course Learning Goals

The following are adapted from the law school's learning outcomes requirements, which are at https://law.hofstra.edu/currentstudents/academics/academicresources/learningoutcomes/index.html. As a student in this course, these should be your goals:

1. (Part of Knowledge and understanding of substantive and procedural law)
   Knowledge of —
   the processes through which statutory law is made

2. (Part of Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context)
   Ability to —
   (a) draft legal documents such as contracts and statutes
   (b) analyze and structure transactions

3. (Part of Exercise of proper professional and ethical responsibilities to clients and the legal system)
   Ability to —
   conduct oneself in professional settings in a manner that meets the standards of the legal profession
4. (Part of Entry-level lawyering capabilities needed for competent and ethical participation as a member of the legal profession)

   Ability to —
   
   (a) plan strategically to accomplish a goal
   (b) problem-solve in light of a client’s objectives
   (c) anticipate consequences and assess risks
   (d) negotiate in a transactional context
   (e) learn from experience through self-critique

5. Class Attendance

   The attendance sheet is the Zoom chat box. Sign in there.

   We’ll start class at 7:10 pm on the dot. You’ll need to log in well before 7:10 to be prompt and ready.

   During class, you must be in an environment that you control. No room in the law school fits that description. If you are in the law school building during class, you will be marked absent.

   You’re entitled to three unexcused absences. It’s up to you to keep track of how many times you have been absent and how many of those absences are unexcused. No one will notify you when you have used up your limit of three unexcused absences.

   An excused absence is one caused by illness, family emergency, or something else that prevents attendance in class. If you’re absent for this kind of reason, send me email right away so we can take that into account when tabulating attendance records.

6. Exercises

   Exercises are done in nearly every class. Don’t submit your exercise answers to me. Instead, use your answers during the class discussion.

   Although you won’t receive a grade on the class exercises, failure to do them diligently could result in a lower final grade. These exercises are the focus of much of the in-class work and are critical to learning drafting and transactional lawyering. Students who put significant effort into preparing the exercises before class tend to learn the most from the
course and generally perform well on assignments and the final exam.

**Before class:** Most exercises involve redrafting material in the textbooks. Before class, I'll send you Word files with that material. If an exercise involves redrafting, do that part of the exercise inside the Word file.

After you have done the exercises, print the Word files. Have them in front of you in hard copy during class. You won't be able to see your own work on your computer screen during class. Instead you'll see the what the class as a whole is doing with the exercise.

**During class:** You'll often be called on to explain how you did an exercise and why you did it that way. During class, pay attention to the process of drafting.

**Don't try to write down what you see on your screen.** It'll be constantly changing as we draft and redraft. Instead when you have an insight into the process — how to draft — write the insight down. Except for that, writing fewer notes during class is better than writing many of them. Be active in class. Be part of what we're doing.

**After class:** At the end of each week, I'll send you a PDF of the final product we did in class.

### 7. Assignments

During the semester, you'll do three assignments.

In **Assignment A**, you'll redraft a statute that a legislature did badly. In **Assignment B**, you'll draft a statute or something similar from scratch. For Assignments A and B, I try to choose issues that are current. Past assignments have included subjects like drones, distracted driving, early voting (before election day), cyberstalking, student privacy rights (FERPA), and the statute that governs how Congress counts electoral votes on January 6 after every Presidential election.

In **Assignment C**, you'll draft and negotiate a contract. You'll represent a party on one side of the deal. Another student or students, with whom you will negotiate, will represent the other party. You can do this solo — you alone negotiating against one other student. Or you can form a two-person firm and negotiate with another two-person firm.

Feel free to share ideas with other students. But do your own writing.
Soliciting or receiving assistance from anyone outside this class, such as a practicing lawyer, is academic dishonesty.

8. How to Submit an Assignment

1. Give the document a file name that specifies exactly what it is. Use this precise format —

   Assignment [A, B, or C] – [Your name]

   For example —

   Assignment A – Abigail Smith

   Don’t make a reader guess about the document’s identity.

2. Put a header on every page. The header should be identical to the file name.

3. Paginate. What would happen if your pages were to become scrambled when I print them?

4. Submit by email. Send two attachments. One must be a wordprocessing file (Word or WordPerfect). The other must be an Adobe PDF. They must be identical in content. One of the two attachments will be graded. You won’t know in advance which it will be. No grade will be changed on the ground that the attachments differ in content.

   Create the pdf just before you submit. And then, before submitting, inspect the pdf in Adobe to insure that it’s identical in content to the wordprocessed file. To create a PDF in Word, click on “save as” and then click on “PDF.” To do it in WordPerfect, click on “file,” then “publish to,” and then “PDF” (or, if you see “publish to pdf” in the “file” drop-down menu, click on that).

5. Keep a hard copy in case your computer crashes.
9. Conferences

I will meet with you individually after Assignment A and again after Assignment B. After Assignment C, I’ll meet with you and the other student or students with whom you worked.

In addition, I’ll meet with you any time you want and as often as you want. Just send me an email to set something up. Really.

10. Some Things about Zoom

Even after the pandemic is over, lawyers will continue to use Zoom or another platform for professional meetings. It’s better than conference calls, and it’s more time-efficient than traveling to someone’s office. Developing professional online habits is a good idea now.

**Visual setting:** Don’t sit where a light source, like a window, is behind you. Adjust your lighting so your face can be seen on the webcam clearly. You might experiment with moving lamps and your camera until you can see your brightly-lit face on the screen.

**Sound:** Be in the quietest place available to you. Close your door if necessary to reduce background noise. Keep yourself on mute unless you are talking.

**Identification:** Make sure that Zoom shows your full name under your picture. If you’re known by a nickname instead of your given first name, please use it instead of your first name. But you must use your last name as well.

**Webcam:** To be counted as present, you must keep your webcam on during the entire class, unless you have permission in advance to turn it off.

**Before and after class:** Class starts at 7:10 pm and ends at 8:30. But I’ll be in Zoom around 6:00 pm, as well as after class, for students who want to chat.

**Exercises:** You’ll do them in the Word files you receive from me. Before class, print your work so you can refer to it from hard copy during class.

**Raising your hand:** Use Zoom’s raise-hand feature.

**The chat box:** Use the chat box only to sign in for attendance. I won’t be monitoring it during class.
**Multitasking — Don't even think about it:** When you’re in a Zoom meeting, it will be obvious to a teacher if you check email, look at websites, text, or do other things with your phone. Shut down all other windows on your computer during your Zoom session so you can be fully present during class.

**Problems at your end:** If you have an equipment malfunction, a difficult situation, or another problem before class, please send me an email.

**Suggestions:** I’ll be grateful for your suggestions for making class better for you.

11. **Professionalism**

   In college, you were responsible only to yourself — which meant that if you studied poorly, only you would be hurt. Professional schools aren’t run that way. When a law teacher looks at you, the teacher sees the thousands of future clients who’ll depend on you after you graduate. The teacher, the school, and you are responsible to those clients.

   Class is a business meeting. Behave in class with the same level of professionalism that governs a lawyer’s behavior in any meeting where the lawyer is an active participant.

   It is unprofessional to arrive late without a compelling reason. If you arrive in class late, you must contact me after class and explain why. Unless you provide a compelling reason for tardiness, you can be counted as having an unexcused absence.

   It is unprofessional to leave a meeting except in an emergency. If you leave class, even temporarily, you must contact me after class and explain why. Needing to use the restroom is not an emergency. In a courtroom, a trial will go on for hours. If you ask for a restroom break in the middle of a cross-examination, the judge's jaw will drop in astonishment. Class is a business meeting.

12. **The Exam**

   There will be an exam at the end of the semester. You'll take the exam at home. It will involve drafting and redrafting. The school will send you the exam by email, and you’ll have 72 hours to do the work and send it back by email. You won't use the school's exam software, and there will be no proctoring. You'll do the work in Word just as you would do an assignment during the semester.
A few weeks before exams begin, I’ll send you three or four exam scheduling options. Each option will be a different 72-hour period. Choose the option that works best for you. (In this course, students don’t all take the exam at the same time — unless they all choose the same option, which has never happened.)

13. Grading

Final grades are based on the assignments and on the exam. Here is the credit breakdown:

- 55% assignments during the semester
- 10% class participation
- 35% exam

You’re entitled to three unexcused absences. If you miss more than three classes and have not provided excuses for the extra absences (see Class Attendance above), your end-of-semester point total will be reduced by three points for each excess unexcused absence. For example, if your assignments, exam, and class participation add up to 81 points and you have five unexcused absences (two of which are penalized), your final grade will be based on only 75 points.

14. Medical Conditions

If you have a medical condition that might be relevant to school work, such as ADHD or dyslexia, please feel free to discuss it with me privately so we can try to work out something that could be helpful to you in the course now — as well as later when practicing law.

15. How to Get Other Students’ Email Addresses for Negotiations and Other Group Work

At some point during the semester, you’ll probably need to contact other students by email. If you don’t already know a student’s email address, send an email to me. I’ll reply and add the other student’s address in the To box. One of you can hit Reply-All and delete my address from the To box. Then you’ll be emailing each other without me.