

  
 UNIVERSITY OF  
**DENVER**  
 STURM COLLEGE OF LAW  
 Lawyering Process Program  
 2255 E. Evans Ave.  
 Room 472  
 Denver, CO 80208

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PLEASE  
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**ALWD**  
 Association of Legal Writing Directors

**Best Practices in Teaching,  
 Management, and  
 Scholarship**

**2007 Biennial Conference**  
 June 14-16, 2007






UNIVERSITY OF  
**DENVER**  
 STURM COLLEGE OF LAW

This year's ALWD conference is being held in Denver, Colorado, at the University of Denver Sturm College of Law. For more information, please visit our website at <http://law.du.edu/alwd/>.

Accommodations

Conference participants are responsible for making their own reservations for accommodations. The University of Denver has negotiated ALWD conference rates at the three hotels listed below. The Marriott Tech Center was designated as the main conference hotel because it is mid-range in price and has space for all conference participants. To guarantee a room at the discounted rates, you must register with the hotel by April 20th and request the DU rate for the ALWD conference. After that date, request whatever discounts are available.

Conference Hotel:  
**Marriott Tech Center**

Phone (800) 228-9290  
<http://www.marriott.com/hotels/travel/dentc-denver-marriott-tech-center/>

Other Alternatives:  
**JW Marriott Cherry Creek**

Phone: (303) 316-2700  
[www.marriott.com/hotels/travel/denjw-jw-marriott-denver-at-cherry-creek/homestead-suites](http://www.marriott.com/hotels/travel/denjw-jw-marriott-denver-at-cherry-creek/homestead-suites)  
 Phone: (303) 689-9443  
[www.homesteadhotels.com/minisite/?hotelID=30](http://www.homesteadhotels.com/minisite/?hotelID=30)  
<http://www.homesteadhotels.com/minisite/?hotelID=30>

**\*\*For the relative location of the recommended hotels and transportation information, please visit: <http://law.du.edu/alwd/transportation.cfm>**

Airport Information and Transportation

Denver International Airport (DIA) is ranked as one of the top ten in the world and provides direct flights from most major cities. DIA is approximately 35 miles northeast of the DU campus. For the location of the airport, the campus, and the hotels, please see the maps at the following link: <http://www.du.edu/maps/city.html>. You do not need to rent a car if you stay at the Marriott Tech Center or the Homestead Suites hotels—both of these provide access to the DU campus by Denver's new light rail service. Unfortunately, the light rail does not yet connect to DIA, so you will need to get from the airport to the hotel by cab or by a shuttle service such as Super Shuttle. The shuttle price from DIA to the Marriott Tech Center is approximately \$19 per person. Although the Marriott Cherry Creek is closer to DU than the other two hotels listed, it is not on the light rail, so you will need a car. Allow approximately 45 minutes of drive time from DIA to DU or Cherry Creek. For more information about bus and light rail options, please visit [www.rtd-denver.com](http://www.rtd-denver.com).

Tourism Information

Denver is located at the base of the Rocky Mountains providing many options for visitors from outdoor adventures to sophisticated city experiences. The University of Denver is only minutes away from downtown, which offers a mile-long pedestrian promenade full of shops and restaurants. For more information, please visit: <http://law.du.edu/alwd/accommodations.cfm> or <http://www.denver.org/VisitingDenver.aspx>.



**Registration Form**

Sign up for:	Price
<input type="checkbox"/> Registration (on or before May 17th)	\$400.00
<input type="checkbox"/> Late Registration (after May 17th)	\$450.00

Dinner at The Fort on Friday, June 15th (included in fee):

- I intend to attend the dinner at the Fort
- I would also be interested in attending the Dinosaur Ridge/Red Rocks Park Tour before the dinner.
- I will also need \_\_\_ additional tickets (\$35.00/person)

Dinner at The Denver Zoo on Saturday, June 16th (included in fee):

- I intend to attend the dinner at the Denver Zoo
- I will also need \_\_\_ additional tickets (\$10.00/person)

Please write your total including registration and any additional tickets: \$ \_\_\_\_\_

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Law School

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City, State Zip

\_\_\_\_\_  
 \*Office Telephone

\_\_\_\_\_  
 \*E-mail Address

\* By providing this information you are giving us permission to contact you by these methods to communicate conference details.

**Return this form, your check, and a copy of your session selections to:**

**University of Denver  
 Sturm College of Law**

**Lawyering Process Program  
 2255 E. Evans Ave., Room 472  
 Denver, CO 80208**

Phone: 303-871-6633  
 E-mail: [lgoldford09@law.du.edu](mailto:lgoldford09@law.du.edu)



**Program**  
Please check which concurrent sessions you plan to attend so that we can better estimate the size of classrooms needed. You will not be bound by these selections. Please include a copy of your selections with your registration form and check. For further details about the sessions, please visit <http://law.du.edu/alwd/>.



#### Thursday, June 14

3:30-5:30 ALWD Membership Meeting  
5:30-7:30 p.m. Welcome Reception

#### Friday, June 15

8:30-9:00 a.m.	Breakfast
9:00-9:30 a.m.	Welcoming Remarks
9:30-10:30 a.m.	Plenary Session The Sourcebook on Legal Writing Programs Ralph Brill & Eric Easton
10:30-10:45 a.m.	Break
10:45-11:45 a.m.	Breakout Sessions on Plenary Theme  <i>Goals and Content of a First-year Legal Writing Course</i> <input type="checkbox"/> Kirsten Davis, Anthony Niedwiecki, & Marilyn Walter  <i>Pedagogical Methods in First-year Courses</i> <input type="checkbox"/> Kirsten Dauphinais, Mary Barnard Ray, & Nancy Soonpa  <i>Staffing Models and Other Personnel Issues: Focus on Fulltime, Hybrids, &amp; Fellows</i> <input type="checkbox"/> Mary Garvey Algero, Ralph Brill, Jan Levine, & Sue Liemer  <i>Staffing Models and Other Personnel Issues: Focus on Tenure-track Programs</i> <input type="checkbox"/> Terry Seligmann & Ruth Vance  <i>Staffing Models and Other Personnel Issues: Adjuncts and Issues With Transitions from Adjuncts to Another Model</i> <input type="checkbox"/> Lisa Eichhorn & Susanne Rabe  <i>Beyond the First-year: Upper Level Programs</i> <input type="checkbox"/> Susan Brody, Terrell Pollman, & Michael Smith  <i>ABA Accreditation Standards and Legal Writing</i> <input type="checkbox"/> Bradley Clary & Pamela Lysaght
11:45-12:00 p.m.	Break
12:00-1:00 p.m.	Lunch
1:00-1:15 p.m.	Break

1:15-2:15 p.m.	Concurrent Sessions <input type="checkbox"/> <i>Creating a Ten-year Strategic Plan for Your Program</i> Jo Ellen Lewis & Ann Shields <input type="checkbox"/> <i>Integrating the Legal Writing Course with a Doctrinal Course</i> Amy Dillard, Eric Easton, Dionne Koller, & Amy Sloan <input type="checkbox"/> <i>Wearing Many Hats: What are the Best Practices for Managing Multiple Jobs</i> Bradley Clary, Diane Edelman, Mary Barnard Ray, Anne Rector, Nancy Soonpa, & Stephame Vaughan <input type="checkbox"/> <i>Beyond Technology: Teaching the Substance of State Research</i> Pamela Lysaght, Lisa McElroy, & Suzanne Rowe <input type="checkbox"/> <i>The Perils of Unpublished Non-precedential Federal Appellate Opinions</i> Sarah Ricks <input type="checkbox"/> <i>The Genre and Practice of Judicial Writing: Reflections on a Multi-Focus Advanced Legal Writing Course</i> Andrea McArdie
2:15-2:30 p.m.	Break
2:30-3:30 p.m.	Concurrent Sessions <input type="checkbox"/> <i>Using the Media to Promote Our Worth as Practitioners</i> Jean Rosenbluth & Gilien Sibby <input type="checkbox"/> <i>You Call That Scholarship? The Continuing Denial of Rhetoric in Legal Scholarship</i> Linda Berger <input type="checkbox"/> <i>When the Water Breaks, Be Sure You Have an Umbrella: Handling Unexpected Staffing Emergencies</i> Judy Rosenbaum <input type="checkbox"/> <i>Just the Facts, Ma'am: Using the Presentation of Facts to Enhance Students' Analysis</i> Karen Sneddon <input type="checkbox"/> <i>Teaching Appellate Advocacy with Supreme Court Cases</i> Greg Johnson <input type="checkbox"/> <i>Self-Assessment: Understanding How Students' Perceptions of Their Writing Strengths and Weaknesses Can Make You a Better Teacher</i> Melissa Greipp
3:30-3:45 p.m.	Break
3:45-4:45 p.m.	Roundtable Discussions <input type="checkbox"/> <i>Converting an Adjunct Program to 405(c)</i> Staffing Lisa Eichhorn <input type="checkbox"/> <i>Best Practices for Staffing a Program with Adjunct Faculty</i> Soma Bychkov Green, Mary Barnard Ray, Susan Steingass, & Jean Whitney <input type="checkbox"/> <i>Directing a Tenure Track Legal Writing Program—An Oxymoron?</i> Terry Seligmann <input type="checkbox"/> <i>Management of Difficult Employees</i> Christine Nero Coughlin & Susan Throver

5:00 p.m.	<input type="checkbox"/> <i>Legal Writing Programs and Academic Freedom: Friends or Foes?</i> Lou Suico & Nancy Shultz <input type="checkbox"/> <i>Teaching Legal Writing in Another Country</i> Diane Edelman, Anne Enquist, Steve Johansen, Jill Ramsfield, Arnold Siegel, Marilyn Walter Buses begin to leave for tour and dinner at the Fort
<b>Saturday, June 16</b>	
8:30-9:00 a.m.	Breakfast
9:00-10:00 a.m.	Plenary Session On Educating Lawyers: Preparation for the Profession of Law Judith Wegner
10:00-10:15 a.m.	Break
10:15-11:15 a.m.	Roundtable Discussions <input type="checkbox"/> <i>The Pros and Cons of Directorless Programs</i> Alison Julien & Lisa McElroy <input type="checkbox"/> <i>Stilled Voices: The Future of Legal Writing?</i> Jan Levine & Molly Lien <input type="checkbox"/> <i>Renewal Issues for LRW Faculty Contracts</i> K.K. DuVivier & Hether MacFarlane <input type="checkbox"/> <i>Getting Connected—For New (er) Directors</i> Sue Liemer <input type="checkbox"/> <i>Conflicting Roles of the Director</i> Anthony Niedwiecki <input type="checkbox"/> <i>Beyond Technology and Technique: Liberating the Good Teacher and the Good Writer</i> Jill Ramsfield
11:15-11:30 a.m.	Break
11:30-1:00	Lunch: Clinicians' Best Practices Project Peter A. Joy
1:00-1:15 p.m.	Break
1:15-2:15 p.m.	Plenary Session
2:15-2:30 p.m.	Break
2:30-3:30 p.m.	Roundtable Discussions <input type="checkbox"/> <i>The Merits &amp; Challenges of Tenure-Track Status for Legal Writing Faculty</i> J. Lyn Eutrikin Goering, Linda Edwards, Pamela Lysaght, & Andrew Solomon <input type="checkbox"/> <i>Challenges and Opportunities: Directing an Effective and Creative Adjunct Legal Writing Program</i> Nancy Lawler Dickhute, Suzanne Rabe & Lee Tucker

3:30-3:45 p.m.	<input type="checkbox"/> <i>Is It Possible to Advance Your Program Without Killing Your Faculty?</i> Arnold Siegel <input type="checkbox"/> <i>Directing a Hybrid Program</i> Ruth Vance <input type="checkbox"/> <i>Beyond Technology and Technique: What It Takes To Be a Good Teacher</i> Robin Wellford Stocum
3:45-4:45 p.m.	Break Concurrent Sessions <input type="checkbox"/> <i>Expanding Your Thinking and Gaining a New Perspective: Opportunities for rejuvenation, Rewards, Challenges, and Lessons Learned</i> Linda Edwards, Suzanne Rowe, & Kathleen Vinson <input type="checkbox"/> <i>Teaching the "Heart" of Lawyering</i> Kristin Gerdy <input type="checkbox"/> <i>Creating a Database of American Case Law by Law Schools</i> Ian Gallacher <input type="checkbox"/> <i>Integrating Equity Pedagogy in the Classroom Experience</i> Gail Stephenson, Kirsten Dauphinais, Jose Gabilondo, & Bonny Tavares <input type="checkbox"/> <i>The ABA Site Visit: A Tale of Two Perspectives</i> Becky Cochran & Maria Crist <input type="checkbox"/> <i>What is Primary Legal Authority</i> Amy Sloan
5:00 p.m.	Buses begin to leave for closing dinner at Denver Zoo

#### Registration

Tuition for the 2007 conference is \$ 400. This fee includes participation in all sessions, conference materials, and all meals and events, including two breakfasts, two lunches, the Welcome Reception, dinner at the historic Fort Restaurant along with an optional tour of Dinosaur Ridge and Red Rocks Park beforehand, and the closing dinner at the Denver Zoo along with access to all zoo exhibits. Guests and family members are welcome at the events if space is available. You may purchase additional tickets at the ALWD-sponsored prices indicated on this form.

The registration fee will increase by \$ 50 for any registrations postmarked after 5/17/07. Refund requests must be in writing and received by Lindsay Goldford at the University of Denver Lawyering Process Program address on or before 6/1/2007.

## DRAFT ALWD 2007 CONFERENCE SCHEDULE

THURSDAY, June 14

3:30-5:30 - ALWD Business Meeting for all members

5:30-7:30 - Welcome Reception [sponsored by ASPEN Publishing Co.] & Registration & Check in

7:30-9:00 - ALWD Board Meeting

FRIDAY, June 15

8:30-9:00 - Continental Breakfast

9:00-9:30 - WELCOMING REMARKS

José Roberto Juárez, Jr., Dean, Univ. of Denver, Sturm College of Law

Craig T. Smith, President, ALWD, Vanderbilt University Law School

K.K. DuVivier, Univ. of Denver, Sturm College of Law

9:30-10:30 - PLENARY SESSION

**Sourcebook on Legal Writing Programs**

Ralph L. Brill, Chicago-Kent College of Law

Eric Easton, University of Baltimore School of Law

10:30-10:45 – BREAK

10:45-11:45 - BREAKOUT SESSIONS TO CONTINUE DISCUSSION OF THEMES FROM THE PLENARY

**1. Goals and Content of a First-year Legal Writing Course**

Kirsten K. Davis, Stetson University College of Law

Anthony Niedwiecki, Nova Southeastern University

Marilyn R. Walter, Brooklyn Law School

**2. Pedagogical Methods in First-year Courses**

Kirsten Dauphinais, University of North Dakota School of Law

Mary Barnard Ray, University of Wisconsin School of Law

Nancy Soonpaa, Texas Tech University School of Law

**3. Staffing Models and Other Personnel Issues: Focus on Fulltime, Hybrids, & Fellows**

Mary Garvey Algero, Loyola University, New Orleans, College of Law

Ralph L. Brill, Chicago-Kent College of Law

Jan Levine, Duquesne University School of Law

Sue Liemer, Southern Illinois University School of Law

**4. Staffing Models and Other Personnel Issues: Focus on Tenure Track Programs**

Terry Seligmann, Drexel University College of Law

Ruth Vance, Valparaiso University School of Law

**5. Staffing Models and Other Personnel Issues: Adjuncts and Issues With Transitions from Adjuncts to Another Model**

Lisa Eichhorn, University of South Carolina School of Law

Suzanne Rabe, The University of Arizona James E. Rogers College of Law

**6. Beyond the First-year: Upper-level Programs**

Susan L. Brody, The John Marshall Law School



Terrill Pollman, William S. Boyd School of Law, University of Nevada at Las Vegas  
Michael R. Smith, University of Wyoming College of Law

### **7. ABA Accreditation Standards and Legal Writing**

Bradley G. Clary, University of Minnesota School of Law  
Pamela Lysaght, University of Detroit Mercy School of Law

11:45-12:00 – BREAK

12:00-1:00 - LUNCH

1:00-1:15 – BREAK

1:15- 2:15 - CONCURRENT SESSIONS

#### **1. Creating a Ten-year Strategic Plan for Your Program**

Jo Ellen D. Lewis and Ann Shields, Washington University School of Law

Discussion will focus on the process of drafting a strategic plan, including resources consulted and the topics covered in the plan. The strategic plan involved long-range and short-range planning. Drafting the strategic plan for the Legal Practice program presented an incredible opportunity for us to share the terrific things we are doing in the program with the Dean and to show him how the Legal Practice program is an integral part of the law school.

#### **2. Integrating the Legal Writing Course with a Doctrinal Course**

Amy Dillard, Eric Easton, Amy Sloan, & Dionne Koller, University of Baltimore School of Law

Discussion will examine the justifications for integrating writing and doctrine in upper-level curriculum and how those justifications and others support teaching writing and doctrine in an integrated course to first-year students. Presenters will discuss the need and ways to educate faculty members about the educational benefits of a small class that offers several graded assessments and the integration of skills with doctrine. Presenters will also address ways to assess fairly both student performance and teacher performance in an integrated course.

#### **3. Wearing Many Hats: What are the Best Practices for Managing Multiple Jobs?**

Diane Penneys Edelman, Villanova University School of Law

Bradley G. Clary, University of Minnesota School of Law

Mary Barnard Ray, University of Wisconsin School of Law

Anne Rector, Emory University School of Law

Nancy Soonpaa, Texas Tech University School of Law

Stephanie Vaughan, Stetson University College of Law

Discussion of the pros, cons, and challenges of holding an administrative position (or more) *in addition to* the participant's role as the director of a legal writing program. In recent years, many of us have been asked to assume additional roles as heads of academic support, academic affairs, international studies, writing centers, appellate advocacy and trial advocacy programs, moot court, technology, and other programs. In some cases, the directors' additional responsibilities overlap with the directors' legal writing work. In others, the tasks are entirely different. Issues such as management of multiple responsibilities and compensation, among others, face directors appointed to additional positions. Does holding multiple positions enhance our programs or our individual careers? How can we make the best of these opportunities and challenges without sacrificing the quality of our teaching, scholarship, management tasks and peace of mind?

#### **4. Beyond Technology: Teaching the Substance of State Research**

Suzanne E. Rowe, University of Oregon School of Law

Lisa McElroy, Southern New England School of Law

Pamela Lysaght, University of Detroit Mercy School of Law

Research instruction is more relevant to students if it directly connects to the practice experiences they anticipate in their summer work and in their jobs after law school. For many students, this means they need to learn to conduct state-specific research. The practice of these students and new lawyers is heavily focused on state law issues. But most research texts, and most research and writing courses, concentrate on federal



research. The panelists for this session are authors of research books for Massachusetts, Michigan, Oregon, and Florida. They have experienced the advantages of and the drawbacks to teaching state research.

### **5. The Perils of Unpublished Non-precedential Federal Appellate Opinions: A Case Study of the Substantive Due Process State-Created Danger Doctrine in One Circuit**

Sarah Ricks, Rutgers-Camden School of Law

About 80% of federal appellate decisions are non-precedential. This presentation, based on an article funded by an ALWD Scholarship Grant and published by Washington Law Review, will examine the practical consequences for district courts and litigants confronting inconsistent appellate opinions issued by the same federal circuit. Specifically, I will present the results of a case study comparing the divergent binding and non-precedential opinions applying one frequently-invoked constitutional theory within the Third Circuit, the “state-created danger” theory of substantive due process. The comparison demonstrates that the risks of non-precedential opinions are real.

### **6. The Genre and Practice of Judicial Writing: Reflections on a Multi-Focus Advanced Legal Writing Course**

Andrea McArdle, City University of New York School of Law

The session will address the design and teaching of a course that builds on this premise: imagine a legal system in which courts decide cases but merely announce outcomes. What do we lose if we do not have access to a court’s rationale for its rulings? The session will invite discussion of course themes and methods, including engaging students in a close, active, and rhetorical reading of judicial writings, involving them in the practice of writing from a judicial perspective, and offering them short-term placements with judges as a “real-world” complement to the seminar experience.

2:15-2:30 – BREAK

2:30-3:30 - CONCURRENT SESSIONS

#### **1. Using the Media to Promote Our Worth as Practitioners**

Jean Rosenbluth & Gilien Silsby, USC Gould School of Law

Legal writing professors have long been told that the primary way to boost their status (and stature) is to produce scholarship. This view overlooks something very valuable that many legal writing teachers possess and can offer their schools, something that most doctrinal faculty don’t have: experience as a practitioner. If publicized properly, this untapped resource can bring acclaim to the school and the teacher when we serve as legal experts for the media. It can bring us raises and title changes, and, most importantly, it can make our administrations notice us. Once they see how valuable we are, they are more inclined to make and keep us happy by helping us run our legal writing programs the way we want to.

#### **2. You Call That Scholarship?" The Continuing Denial of Rhetoric in Legal Scholarship**

Linda Berger, Thomas Jefferson School of Law

The goal of this session is to discuss ways that we can persuade the rest of the academy to look beyond traditional values when evaluating legal writing scholarship. Much of the academy values legal scholarship that is doctrinal, abstract and theoretical, normative and prescriptive, impersonal and neutral, linear and conclusive. In contrast to these attributes, legal writing and clinical professors are required through their work with students to favor concrete, hands-on, open-ended, dialogic, and personal processes and approaches. Rather than adapting to traditional values, perhaps we can establish legal writing scholarship as a field with its own intellectual history through our use of authority and our review and publication practices.

#### **3. When the Water Breaks, Be Sure You Have an Umbrella: Handling Unexpected Staffing Emergencies**

Judy Rosenbaum, Northwestern University School of Law

What do you do when a pregnant teacher has to go on bed rest in the middle of the semester or a LRW faculty member needs emergency surgery? How do you deal with a newly hired faculty member when you learn that she is not only failing to communicate with her students but is actually giving them incorrect information? What do you do when, despite mentoring, a member of the LRW faculty fails to learn how to create pedagogically effective assignments? This presentation will address a number of situations where a Director has to do mid-year “damage control” for the overall good of the writing program.



#### **4. Just the Facts, Ma'm: Using the Presentation of Facts to Enhance Students' Analysis**

Karen Sneddon, Walter F. George School of Law, Mercer University

This presentation highlights techniques to effectively present facts to students to combat the transcription of facts and includes criteria for selecting techniques. The techniques include: client interview transcript, newspaper "clippings," visual news "stories," a client "file," and guided role-play. These techniques incorporate technology, such as digital recordings and podcasting. The techniques help students learn lawyering skills like effective listening and gathering information from varied sources. These techniques will engage the students and incorporate different learning styles into the classroom. Samples illustrating the techniques will be included.

#### **5. Teaching Appellate Advocacy with Supreme Court Cases**

Greg Johnson, Vermont Law School

For over two decades, professors at Vermont Law School have used pending United States Supreme Court cases to teach a three-credit writing course called Appellate Advocacy. This creative teaching technique energizes students and faculty alike and causes students to commit to their writing since they care about the case. Discussion will focus on the challenges and rewards of teaching and supervising a course based on pending Supreme Court cases.

#### **6. Self-Assessment: Understanding How Students' Perceptions of Their Writing Strengths and Weaknesses Can Make You a Better Teacher**

Melissa L. Greipp, Marquette University Law School

For several years, I have asked students to email me at the beginning of the semester with an assessment of their individual legal writing strengths and weaknesses. I have noticed recurring patterns in my students' assessments; I will share what I have learned from these self-assessments. The presentation will focus on how identifying students' perceptions of their legal writing skills can help a legal writing professor connect with students' educational needs. The presentation will also explore how students' diverse writing backgrounds affect the way they approach legal writing and how we as legal writing faculty can adjust our teaching methods to best fit these different experiences

3:30-3:45 - BREAK

3:45-4:45 - ROUNDTABLE DISCUSSIONS

##### **1. Converting an Adjunct Program to 405(c) Staffing**

Lisa Eichhorn, University of South Carolina School of Law

Discussion will focus on converting an all-adjunct program to a full-time, 405(c) model, including creating and implementing a transition plan that involves phasing in full-timers. Issues to be discussed include 405(c) job descriptions, voting rights, hiring (and rejecting) applicants, and the politics related to all of the above.

##### **2. Best Practices for Staffing a Program with Adjunct Faculty**

Sonia Bychkov Green, The John Marshall Law School, Chicago

Jean Whitney, William S. Boyd School of Law, University of Nevada at Las Vegas

Mary Barnard Ray & Susan Steingass, University of Wisconsin School of Law

Discussion will focus on running a writing program staffed exclusively or primarily with adjunct faculty. Issues will include training and inspiring adjuncts, turning adjuncts into professional writing teachers, helping adjuncts feel like a part of the institution, creating roles for adjuncts as mentors to new faculty, working with adjuncts who have many years of teaching experience, using adjuncts in an upper-level writing program, and quality control and review of adjuncts.

##### **3. Directing a Tenure Track Legal Writing Program—An Oxymoron?**

Terry Seligmann, Drexel University College of Law

Building a legal writing program and faculty on a tenure and tenure track basis "from scratch" at Drexel Law has engaged us in an exciting and challenging process. What is a "program" when we are all tenure track faculty? How do we make decisions? What role and need is there for a "director"? What happens when we don't agree about something—curriculum, teaching methods, assignment types, sequence, etc.? How are things going at the schools with tenure track programs, with and without "directors"?

##### **4. Management of Difficult Employees**



Christine Nero Coughlin, Wake Forest University School of Law  
Susan Thrower, DePaul University College of Law

A disruptive/ineffective instructor can make employment seem like a bad marriage: how long should the director monitor the situation and hope for improvement (avoidance)? When should she step in (confrontation)? Should another administrator mediate (marriage counseling)? Should she terminate the instructor (divorce) or avoid disruption during the school year (stay together for the children)? Through hypotheticals, exhibits, and participants' experiences, we will explore whether and how a director can anticipate and correct problems, or whether some behavior is so unexplainable that she can only try to minimize its impact once it has happened.

#### **5. Legal Writing Programs and Academic Freedom: Friends or Foes?**

Lou Sirico, Villanova University School of Law

Nancy Schultz, Chapman University School of Law

Discussion will focus on eight scenarios highlighting the sorts of issues that can arise when a legal writing faculty member and a director want to take a program in different directions. Who should control curriculum? Who should control book choice? Who should control problem topics? How much freedom should instructors have in raising issues in the classroom? Who should set political strategy for the program, and does it need to be consistent for all instructors? Does it matter how much experience and talent individual instructors have?

#### **6. Teaching Legal Writing in Another Country**

Marilyn R. Walter, Brooklyn Law School (moderator)

Diane Penneys Edelman, Villanova University School of Law

Anne Enquist, Seattle University School of Law

Steve Johansen, Lewis and Clark Law School

Arnold Siegel, Loyola Law School, Los Angeles

Jill Ramsfield, Georgetown University Law Center (ret.), William S. Richardson School of Law, University of Hawai'i

Panel discussion features panelists who have taught legal writing, legal analysis, or other legal courses in other countries. Panelists' presentations will provide a model for directors who are seeking additional challenges and professional growth.

Evening - DINNER AT THE FORT [Sponsored by LEXIS NEXIS]

SATURDAY, June 16

8:30-9:00 - Continental Breakfast

9:00-10:00 - PLENARY SESSION

#### **On Educating Lawyers: Preparation for the Profession of Law**

Judith Welch Wegner, University of North Carolina at Chapel Hill

10:00-10:15 - BREAK

10:15-11:15 - ROUNDTABLE DISCUSSIONS

#### **1. The Pros and Cons of Directorless Programs**

Alison Julien, Marquette University Law School

Lisa McElroy, Southern New England School of Law

Led by one director and by one member of a directorless program, discussion will focus on the pros and cons of directorless programs. Presenters will consider factors that may lead to the success of these two different models, including the institutional politics and the legal writing professors' level of experience.

#### **2. Stilled Voices: The Future of Legal Writing?**

Jan Levine, Duquesne University School of Law

Molly Lien, The John Marshall Law School

In the past 15 years, many tenured writing directors are no longer teaching legal writing or directing the writing program at the school that tenured them. Very, very few have been replaced by a tenure-eligible director or by tenure-eligible writing professors. We see this as evidence of consolidation of curricular and supervisory



authority in the dean's office, and as success in stilling the only faculty voice who was free to advocate for the program. The multiple glass ceilings for writing faculty may have been moved slightly upwards, but they may have been reinforced with steel bars to prevent further upward movement, and the pressure for future reforms may no longer come from within programs themselves.

### **3. Renewal Issues for LRW Faculty Contracts**

K.K. DuVivier, University of Denver, Sturm College of Law.

Hether MacFarlane, University of the Pacific, McGeorge School of Law

Now that legal writing faculty have made gains with longer-term contracts, the discipline must consider how long these contracts should be and criteria for renewing them. This session is for directors who already have programs with published standards for contract renewals and directors who are considering standards. Topics will include: the benefits of written standards; getting your faculty and dean to support standards; the merits of including or excluding non-LRW faculty in the system; designating a committee or an individual as the "decider"; methods of conducting reviews; the role student evaluations should play; the weight of scholarship or other service; and mirroring the standards to those for tenure-track faculty.

### **4. Getting Connected – For New(er) Directors**

Sue Liemer, Southern Illinois University School of Law

If you are a new(er) legal writing director, you can make your professional life a lot easier, more successful, and more interesting by becoming well-connected. This discussion will focus on the people you need to get to know on the faculty and within the administration, both in the law school and the larger university, and some good ways to do so. In addition, we will look at an information sheet with contact information for the various legal writing organizations and publications. And we will also share ideas for becoming known within the legal writing community.

### **5. Conflicting Roles of the Director**

Anthony Niedwiecki, Nova Southeastern University

Directors in programs with full-time faculty can serve several roles at a school, including acting as an administrator or a cheerleader of the writing program. These roles can sometimes conflict, especially when dealing with personnel issues. The discussion will address the inherent conflict associated with the job and the potential ways of addressing or dealing with the conflicts.

### **6. Beyond Technology and Technique: Liberating the Good Teacher and the Good Writer**

Jill Ramsfield, Georgetown University Law Center (ret.), William S. Richardson School of Law, University of Hawai'i

What is your program's philosophy? How do you bring out the best in your colleagues? your students? Are you ready to try something new? This discussion will offer techniques for lifting your program to the next level. Participants will together generate new approaches to programs, professors, classrooms, and to each student, discovering not just what is happening, but why. Based on principles and philosophies ranging from Emerson to Jung, yoga to Daniel H. Pink, these approaches and techniques can liberate both teachers and writers to discover their best work, even in their first semesters.

11:15-11:30 - BREAK

11:30-1:00 - LUNCH & PRESENTATION

#### **Clinicians' Best Practices Project**

Peter A. Joy, Washington University School of Law

1:00-1:15 - BREAK

1:15-2:15 - PLENARY SESSION (TBA)

2:15-2:30 - BREAK

2:30-3:30 - ROUNDTABLE DISCUSSIONS

#### **1. The Merits & Challenges of Tenure-Track Status for Legal Writing Faculty**

J. Lyn Entrikin Goering, Washburn University School of Law

Andrew Solomon, South Texas College of Law



Linda Edwards, Walter F. George School of Law, Mercer University

Pamela Lysaght, University of Detroit Mercy School of Law

The discussion will address (1) how each of the law schools converted legal writing programs to tenure-track status, (2) the conditions that made the changes possible, (3) the benefits and potential unintended consequences of making the changes, and (4) the unique challenges associated with organizing, staffing, and maintaining a tenure-track legal writing program.

## **2. Challenges and Opportunities: Directing an Effective and Creative Adjunct Legal Writing Program**

Nancy Lawler Dickhute, Creighton University School of Law

Suzanne Rabe & Lee Tucker, The University of Arizona James E. Rogers College of Law

Adjunct-taught programs are a dwindling number (12%) in the academy. Nonetheless, an adjunct program can be highly successful, both in terms of instructor satisfaction and student learning. Directors of adjunct programs face particular challenges in (1) the recruitment, interviewing, orientation, retention, training, supervision, and motivation of legal writing faculty, (2) the creation of teaching materials, (3) relations with the doctrinal faculty, and more. Directors also struggle with choices regarding instructor autonomy. The moderators have a combined 36 years of experience directing and teaching in adjunct programs. Participants will be asked to share their approaches to developing and motivating creative, effective adjunct professors.

## **3. Is It Possible to Advance Your Program Without Killing Your Faculty?**

Arnold Siegel, Loyola Law School, Los Angeles

Improving a program for students seems to mean doing more: more units, more advanced courses, more assignments, more feedback, more conferences, etc. Unless a school finds additional resources, these improvements will mean that faculty will have to work harder and probably not get much in return. Are there other approaches? Can technology help (or hurt)? Can we outsource some of our responsibilities? Should we stick to the basics or include new materials? How can a faculty decide on what to jettison in order to add new content? Does more really mean better?

## **4. Directing a Hybrid Program**

Ruth C. Vance, Valparaiso University School of Law

How can directors of hybrid programs build a cohesive group of dedicated professors of legal writing when the professors have different status? What are the pros and cons of the hybrid staffing model – for the students, the program, and the school? Is it desirable to have a uniform type of job security for legal writing professors in the law school? If so, how might administrative and faculty support be garnered? These and other participant questions will be addressed in the discussion.

## **5. Beyond Technology and Technique: What It Takes To Be a Good Teacher**

Robin Wellford Slocum, Chapman University School of Law

Being a good teacher requires far more than being an expert in our field. It requires an understanding of how novices learn and the ability to help students bridge the gap between theory and practice. It requires that we know how to build relationships of trust and respect so that our students are receptive to constructive criticism. It requires that we develop the interpersonal skills to motivate and inspire students, to encourage the defeated student, and to resolve conflicts with the frustrated student. I would also like to consider the more global question of our mission as teachers. Are we merely to teach our students how to be effective thinkers and communicators, or does our mission also include the idea of being role-models to our students as they begin to visualize themselves as attorneys dealing with real clients?

3:30-3:45 – BREAK

3:45-4:45 - CONCURRENT SESSIONS

## **1. Expanding Your Thinking and Gaining a New Perspective: Opportunities for Rejuvenation, Rewards, Challenges, and Lessons Learned**

Kathleen Elliott Vinson, Suffolk University Law School

Linda Edwards, Walter F. George School of Law, Mercer University

Suzanne E. Rowe, University of Oregon School of Law



As more legal writing professors are devoted to a life-long career in academia, this presentation will explore opportunities for legal writing professors to gain a fresh perspective and focus on their teaching, scholarship, and service, by discussing different experiences and ideas of ways to take a break from the normal routine. Specifically, the panel will describe and discuss the experiences they have gained through visitorships, sabbaticals, and leaves of absence, and the pros and cons of each. In addition, the session will be enhanced by the panelists' compilation of a list, provided for conference participants, describing other opportunities and experiences of legal writing faculty across the country, such as taking a professional development leave, teaching abroad, doing graduate work, or working at a firm or as a law clerk.

## **2. Teaching the “Heart” of Lawyering**

Kristin Gerdy, J. Reuben Clark Law School, Brigham Young University

With the release of the Carnegie Foundation's report on legal education, law school faculties will likely examine their curricula to see how to prepare the students to be practicing lawyers rather than legal scholars. This presents an important opportunity for Legal Writing faculty who already recognize that legal education means more than teaching students how to “think like lawyers.” But, what they may not recognize is that they are also perfectly suited to teach the “heart” of lawyering. Whether helping students to understand clients, helping students realize the importance of character and values for successful lawyers, or helping students appreciate compassion's role in lawyering, the legal writing course is uniquely placed to teach the heart.

## **3. Creating a Database of American Case Law by Law Schools**

Ian Gallacher, Syracuse University College of Law

As we lurch into a future in which court decisions are only available online, what role, if any, should America's law schools play in insuring that everyone has free access to those decisions? In this session, the presenter will argue that law schools have the opportunity and the obligation to engage in the publication of American law, making it available without cost to all with internet access.

## **4. Integrating Equity Pedagogy In the Classroom Experience**

Gail Stephenson, Southern University Law Center

Kirsten Dauphinais, University of North Dakota School of Law

José M. Gabilondo, Florida International University College of Law

Bonny L. Tavares, Temple University School of Law

Discussion by panelists sharing their experiences with implementing equity pedagogy or culturally relevant teaching into the classroom. Through this teaching technique, particular attention is paid to creating a safe, respectful learning environment responsive to students from varying cultural, ethnic, racial, socioeconomic, sexual orientation, age, learning, and geographic backgrounds and steps are taken to insure that we are not trying to pour knowledge into minds that are marginalized into passivity. The group will then be invited to share their challenges and triumphs in implementing this kind of teaching.

## **5. The ABA Site Visit: A Tale of Two Perspectives.**

Maria Crist & Becky Cochran, University of Dayton School of Law

Our concurrent session will address the ABA site visit from the perspective of the inspected school and the site visit team. The session will begin with preparing for a site visit and the importance of LRW faculty involvement in the self-study process, including drafting portions of the self study. Next, the session will explain the site visit itself and what to expect from the site team visitors. Finally, the session will consider the aftershocks of a site visit and its potential impact on the LRW program and its faculty. Our session results from the combined experience of surviving ABA site visits, serving on several ABA site teams, as well as co-chairing a self study committee in preparation of a site visit.

## **6. What Is Primary Legal Authority?**

Amy Sloan, University of Baltimore School of Law

Discussion will focus on defining “primary authority.” Primary authority is “the law,” that is, legal rules, and everything else is secondary authority. Upon closer reflection, however, some legal authorities don't clearly fall into either the primary or secondary authority categories suggested by that definition. For example, what is the status of documents issued by an agency interpreting the statutes and regulations it enforces? What of so-called non-precedential opinions? If they are literally “not precedent,” as several local circuit rules provide, are they still primary authority? And what status do legislative history documents enjoy? The status of federal legislative history documents is especially timely in the wake of the controversy surrounding President Bush's



signing statements that seem to indicate that the executive is not or will not be bound by the legislation he is signing into law.

Evening - CLOSING DINNER AT THE DENVER ZOO [sponsored by WEST PUBLISHING COMPANY]