

PART 1: PROPOSAL DESCRIPTION

Instructions:

Please fill in each portion of the Proposal Description, making certain to ***not include any identifying information (e.g., name, school) in this portion of the application.*** The Proposal Description may not exceed four pages. Note that if you are awarded a teaching grant for this proposal, the Teaching Grants Committee may post to the ALWD website a copy of your Proposal Description, to assist future applicants as an example of a successful application.

1. Working Title of Teaching Idea	Underscoring the Importance of Diversity, Equity, and Inclusion Through a Realistic Legal Writing Case File
2. Short Description of Teaching Idea (limited to 300 words)	<p>Many legal writing professors utilize hypothetical case files in their courses. Throughout the semester, students draft a research memorandum, dispositive motion, or appellate brief as though they represent one of the litigants in this hypothetical case.</p> <p>Case files are available from various sources and run the gamut of different substantive legal topics. Few, if any, situate students in the sort of situation they are likely to personally encounter soon after graduation. Even fewer focus on the importance of diversity, equity, and inclusion in the legal profession. Instead, most case files involve esoteric legal concepts and clients who are wildly unlike the newly minted lawyers students will be after graduation.</p> <p>I propose drafting a casefile that arises from an employment discrimination claim initiated by a recently graduated lawyer at a firm who has encountered explicit and implicit bias issues at her firm. The case file can be used for first-year and upper level writing classes. The case file will afford legal writing professors not only an opportunity to teach important legal writing skills in the context of a case where students can readily identify with the litigants and other characters but also an opportunity to weave important discussions of diversity, equity, and inclusion into the course organically.</p>

<p>3. Teaching Methods Describe your teaching idea, your rationale for it, and how it is significant to the legal writing curriculum. Also discuss its potential to enhance student learning and how you will implement it.</p>	<p>The Council of the ABA Section of Legal Education and Admissions to the Bar has approved Standard 303 which requires law schools provide education on bias, cross-cultural competency, and racism twice during each law student’s career. There are benefits to further training, especially training that occurs in the context of simultaneously learning other critical legal skills. This case file will allow legal writing professors to teach the importance of diversity, equity, and inclusion at the same time as they teach other skills—emphasizing that these core values are as important as other practical skills. The problem will allow truly immersive discussions of bias, cross-cultural competency, and racism rather than “tokenizing” these discussions in trainings set outside the regular curriculum.</p>
<p>4. Best Practices How is the pedagogy of your teaching idea consistent with best practices in higher education (e.g., active learning)?</p>	<p>The materials will include objective grading rubrics as well as more subjective bench briefs and instructor teaching points. These materials will encourage student-faculty contact. Exercises provided along with the materials will encourage cooperation among students and active learning.</p>
<p>5. Timeline & Deliverables What is your timeline to conduct, document, and assess your work? What is the product you intend to produce with this grant (e.g., exercises, rubrics, syllabi, videos, podcasts, conference presentation)?</p>	<p>I have drafted dozens of similar case files in the past, including two case files published in the NYU Law Moot Court Casebook. I am typically able to draft these files over a course of 2-3 months, depending on complexity. I plan to spend approximately two weeks researching the substantive aspects of the case file, three weeks drafting the student materials, and three weeks drafting the associated suggested assignments, grading rubrics, and substantive bench briefs for use by instructors.</p> <p>The finished product will be a complete case file with draft pleadings, discovery documents, and decided court opinions for use by the students. Instructors will be provided with all the necessary materials to use the case file for the drafting of an internal memo, a motion for summary judgment or an appellate brief. In addition to materials designed for evaluation of the student work product, instructors will be provided with prompts designed for in-class writing exercises as well as in-class discussion of the diversity, equity, and inclusion issues in the case file.</p>

<p>6. Benefit to the Legal Writing Community How will faculty and students at other schools be able to access and use your idea? What impact will your idea have on students and faculty at these schools? How will your idea serve as a model and/or inspiration for others?</p> <p>How will your idea contribute to the teaching of legal writing?"</p>	<p>This case file will provide flexible materials that can be used in a variety of classes, from first year legal writing classes to upper-level Appellate Advocacy classes. The case file allows instructors to integrate discussion of diversity, equity, and inclusion issues as much or as little as desired in practical skills classes.</p> <p>The characters in the case file will allow students to view themselves as playing different roles in ensuring diversity, equity, and inclusion in the legal field. The case file will involve a Title VII case brought by a young lawyer arising from conduct occurring in a law firm. In the hypothetical fact pattern, a variety of firm associates will playing different roles. Students will be able to see how firm culture impacts not only firm employees but also clients. The case file will encourage students to consider these and other important issues once they are in practice.</p> <p>Ideally the problem will serve as a model for other legal writing instructors who wish to draft similar problems of their own in the future.</p>
<p>7. Diversity, Equity, & Inclusion Please respond to one or both of the following questions:</p> <ol style="list-style-type: none"> (1) How will your proposed teaching idea contribute to improving diversity in the law school classroom or the legal profession? (2) How will your receipt of this teaching grant assist ALWD in its commitment to contribute to a legal writing discipline that is equitable and inclusive? 	<p>This case file is oriented around issues of diversity, equity, and inclusion in the legal environment. It will allow these issues to be discussed in the context of a legal writing course. The case file will be sufficiently flexible to allow these issues to be raised to whatever degree desired by an individual legal writing instructor. Use of the case file reinforces the critical nature of recognizing and tackling these issues.</p>
<p>9. Innovation How is your idea innovative in our discipline?</p>	<p>To my knowledge there are no widely available case files like the one I propose creating.</p>

PART 1: PROPOSAL DESCRIPTION

<p>1 Working Title of • Teaching Idea</p>	<p>High quality, self-paced, online legal English legal writing lessons/curriculum that is widely accessible to all for no cost</p>
<p>2 Short Description of • Teaching Idea (limited to 300 words)</p>	<p>Over the past year, I and a colleague have been creating free, high quality legal English legal writing curriculum for female judges who have fled Afghanistan as well as for graduate law students in Ukraine, in response to a larger grassroots collaboration between Ukrainian and US (and other countries’) law schools. While we have served as instructors for these courses, we are trying to create engaging, genuinely beneficial, self-paced online legal English lessons and courses so that the lessons/courses can be made to a much wider audience of students from politically disrupted countries as well as from countries where students simply can't otherwise access or afford US-style legal English education.</p> <p>Some students need the legal English training because they are preparing to study at US law schools. Some because they eventually want to take the bar exam in the US. Some because they recognize the need to be able to work and collaborate with the US legal system and culture and US lawyers.</p>
<p>3 Teaching Methods • Describe your teaching idea, your rationale for it, and how it is significant to the legal writing curriculum. Also discuss its potential to enhance student learning and how you will implement it.</p>	<p>There are two components of our teaching methods: 1. curriculum; and 2. platform and delivery.</p> <p>1. Curriculum: We use a genre-based approach that incorporates exam-style essay questions and multiple model answers to each question along with active noticing of discourse and language features to develop comfort and fluency with the expectations and conventions of IRAC-style writing.</p> <p>An underlying principle of our approach is that for non-native English speaking students to develop a writing voice and style that aligns with the expectations of US academic/legal writing culture, the students need to read a significant amount of the kind of writing that they are expected to produce. Hence, we have generated multiple sample answers for each essay question as part of the course materials. And reading all of these sample answers on a topic that is already familiar and using language and vocabulary that is already familiar becomes a form of extensive reading. Additionally, activities require students to</p>

engage with active noticing in the multiple sample essays as a way to become familiar with and identify concrete and objective features of both discourse patterns and language patterns that the students can then absorb into their own writing style.

Another part of our approach is to give students multiple opportunities to write an essay in response to the same question. The idea is to help the students improve writing fluency and speed, and in turn confidence, in their ability to write an essay answer in English under timed conditions.

We in turn give them feedback on content, discourse, and language, incorporating pedagogical principles from applied linguistics.

2. Platform and delivery: Last year we taught our writing curriculum as a 4-week course to a cohort of about 15 students (primarily female judges from Afghanistan in various states of visa limbo in locations around the world.) The course materials are on an online platform we created at our own expense using an LMS plug-in with a Wordpress site. We registered the students on our site so they all had logins and passwords to access the course materials. There was no charge for the course.

We realized we were limited in the number of students we could handle due to the need to review each student's writing assignment each week and the time involved. As a result, we've devised (though have yet to implement) a new approach that we think could serve many more students and also be more convenient for students.

The approach would start with students who register being sent a short fact pattern and asked to write an essay. Students can start at any time. There's no schedule.

Once they submit their essay, they receive access to the first unit, which includes feedback on their essay along with information about US IRAC-style writing plus multiple sample answer essays with activities students do on their own that help them notice features of discourse and language that will help them with their writing. The materials also include written texts, audio texts and videos—created with a non-native English speaking audience in mind—that help with explanations and understanding. The unit ends with students being prompted to write a new essay which they submit. There is no time table for completion of the unit—students can work at their own pace.

When the end-of-unit essay is submitted, the student then receives access to the next unit's materials along with feedback on the essay

from unit #1. And upon submitting an essay at the end of unit #2, the process repeats itself for up to 12 units.

In addition to the self-paced curriculum, there would also be one or two hours/week of Zoom “office hours” where any student can get online and ask questions to a live instructor. Plus the ability to email instructors with questions.

From an instructor perspective, this means the primary role would be providing written feedback whenever new essays are submitted. And being available for online office hours once or twice a week and responding to email questions.

Ideally, the two of us would handle all responsibilities initially. And then eventually we would find and train others to help us with this. Depending on needs we anticipate being able to tap into the community of legal writing, legal English and applied linguistics professionals. We are unsure at present whether we would need to figure out how to compensate new instructors or whether there may be enough people interested in volunteering their time.

The end result, we hope, is that more of these students who eventually enter US law schools—either through LLM programs or as JD students—will be better prepared for the legal writing courses they are required to take. We also hope that it will enable more students to communicate more clearly and effectively in written English in a legal context. And we think this will be particularly important in countries like Ukraine that will need to continue shifting towards a stronger rule of law culture and towards a legal culture that involves more English and more interaction with the US legal system and culture.

Additional context: Both of us are experienced legal English teachers. We both of us have experience as lawyers and as ESL teachers, and one of us has a masters in TESOL. We have also previously collaborated on creating online legal English curriculum for two other law schools and have been experimenting with various forms of online legal English curriculum both for legal writing purposes and for other legal education purposes. So we are experienced with creating online legal English curriculum, but we are relatively new to figuring out how to make legal English legal writing more accessible for those who need it.

<p>4 Best Practices</p> <ul style="list-style-type: none"> How is the pedagogy of your teaching idea consistent with best practices in higher education (<i>e.g.</i>, active learning)? 	<ul style="list-style-type: none"> Our teaching, both online and in-person, has always been focused on student-centered active learning: creating conditions for students to have control and agency in their own learning. We also integrate applied linguistics pedagogy into our teaching, including language scaffolding and use of graded language where appropriate. And our style of feedback integrates both content and language support in ways that go beyond the traditional understanding of grammar by legal writing professors, including understanding of common native language transfer errors by students from different language backgrounds.
<p>5 Timeline & Deliverables</p> <p>What is your timeline to conduct, document, and assess your work?</p> <p>What is the product you intend to produce with this grant (<i>e.g.</i>, exercises, rubrics, syllabi, videos, podcasts, conference presentation)?</p>	<ul style="list-style-type: none"> Deliverable: An online legal English legal writing course that students in need (particularly those from politically disrupted countries but also those from countries where the currency rate or other factors make US legal education inaccessible) can access from anywhere and on their own schedule. Timeline: We are planning to try a beta version of the course starting in March 2023 with a cohort of Ukrainian graduate law students at National Technical University of Ukraine. We're hoping to make it more accessible to students around the world by May or June 2023. We're also hoping to attend the Global Legal Skills Conference in Nottingham, UK from July 30-August 1 in order to present about our work and get helpful input and support and outreach from the global community of legal educators and administrators. In addition to funding that can support the time and costs involved in developing the curriculum, funding that could be used for travel, lodging and conference fees would also be extremely helpful.

<p>6 Benefit to the Legal Writing Community</p> <p>How will faculty and students at other schools be able to access and use your idea? What impact will your idea have on students and faculty at these schools? How will your idea serve as a model and/or inspiration for others?</p> <p>How will your idea contribute to the teaching of legal writing?"</p>	<ul style="list-style-type: none">• Law students/lawyers from other countries will be able to access the course online from anywhere.• International students already in a law school could easily access the course as well if needed.• Law faculty will be able to direct incoming students, or potential applicants, to the course so that the students can be better prepared or so that students can develop a sense of connection to the US legal system, legal education, and culture.• We hope this course will demonstrate a new model for how high quality legal English writing education and skills can be provided and made accessible in a way that factors in the needs of non-native English speakers.• We hope it will also draw awareness to the need and inspire others to figure out larger-scale ways to serve the needs of international students who otherwise wouldn't have access to high quality legal writing instruction and legal education.

<p>7 Diversity, Equity, & Inclusion</p> <p>Please respond to one or both of the following questions:</p> <p>(1) How will your proposed teaching idea contribute to improving diversity in the law school classroom or the legal profession?</p> <p>(2) How will your receipt of this teaching grant assist ALWD in its commitment to contribute to a legal writing discipline that is equitable and inclusive?</p>	<p>Our project will make US legal education accessible to international students from all over the world who represent a wide a range of socioeconomic and sociolinguistic backgrounds.</p>
<p>8 Innovation</p> <p>How is your idea innovative in our discipline?</p>	<ul style="list-style-type: none"> ● It focuses on helping non-native English speakers function more effectively in US legal writing and academic culture. ● It uses online teaching strategies to make legal writing education more scalable. ● It increases accessibility of legal education to a wider range of students. ● It integrates pedagogies of teaching of legal writing and pedagogies of applied linguistics in a student-centered, active learning curriculum.

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<p>1.</p> <p>Working Title of Teaching Idea</p>	<p>A Toolkit for Embracing the Challenges and Promises of Generative AI for Legal Writing</p>
<p>2.</p> <p>Short Description of Teaching Idea</p> <p>(limited to 300 words)</p>	<p>We propose creating a a toolkit of generative AI resources for those who teach legal writing (and other law subjects). The toolkit will help curious teachers without much prior preparation to develop knowledge and skills that will help them to embrace generative AI in a way that enhances rather than deteriorates their sense of competence. Their teaching identity can continue to develop rather than be threatened by an increased tempo of technological change. The guide would suggest some ways to frame teaching objectives that either work around or embrace generative AI. Rather than a compendium of assignments, it would suggest a framework that is adaptable to evolving technologies and would use discrete assignments as examples of how to align teaching objectives with student deliverables.</p>

<p>3. Teaching Methods Describe your teaching idea, your rationale for it, and how it is significant to the legal writing curriculum. Also discuss its potential to enhance student learning and how you will implement it.</p>	<p>Generative AI will change the way we teach. Some professors worry that a sea change is on the horizon - that we will not be able to assess student learning the way we did pre-ChatGPT. Undoubtedly, we will have to adapt. And though generative AI will challenge the way we teach, there is also significant potential for innovation.</p> <p>One of the biggest impediments to the effective use of these new technologies is professional disposition. (Link to source - Purdue). Our professional dispositions affect our attitudes toward teaching and our students' attitudes of learning. Prior knowledge and skills provide the basis for these dispositions, but they will necessarily evolve as our environmental conditions evolve. Our guide will connect the ABA requirement for instruction about professional identity formation with suggested dispositional attitudes that will help both students and faculty remain flexible in the face of changing technologies and changing objectives in the legal writing classroom.</p> <p>We think that the changes necessitated by the new technologies will usher in positives that extend past just adaptation. To that end, we intend to include several writing-to-learn ideas that would be useful teaching tools for any professor(Link to more about writing-to-learn), not just those worried about plagiarism from generative-AI sources.</p>
<p>4. Best Practices How is the pedagogy of your teaching idea consistent with best practices in higher education (e.g., active learning)?</p>	<p>This guide would build upon professional disposition theory and several writing pedagogy theories such as learning transfer and writing-to-learn methods. Most importantly, it would not suggest a prescriptive approach to legal writing instruction nor one-size-fits-all writing assignments. Instead, it would focus on generalizable principles that each professor could adapt for their own purposes.</p>

5.

**Timeline &
Deliverables**

What is your timeline to conduct, document, and assess your work?

What is the product you intend to produce with this grant (e.g., exercises, rubrics, syllabi, videos, podcasts, conference presentation)?

We would need a calendar year to develop the toolkit, deploy it in our classrooms, and then assess its effectiveness.

We will produce a toolkit of open-source materials that law professors can use to educate themselves about what generative AI is and is not, and how it can be used in law school classrooms. The toolkit will include different types of exercises and assignments that professors can use directly or as inspiration for their own materials.

6.

Benefit to the Legal

Writing Community

How will faculty and students at other schools be able to access and use your idea? What impact will your idea have on students and faculty at these schools? How will your idea serve as a model and/or inspiration for others?

How will your idea contribute to the teaching of legal writing?"

The toolkit will be open source and can be available through the ALWD and LWI websites.

These materials will encourage professors to see generative AI as an opportunity to enhance their teaching and better prepare students for the future practice of law rather than as a harbinger of the end of law teaching as we know it. The materials will benefit students through helping them be better prepared for the future practice of law, in which AI will surely have an increasing role.

The toolkit can be a model for future open-source toolkits on a variety of techniques and technologies. And the toolkit will encourage users to develop their own generative AI materials.

This idea will contribute to the teaching of legal writing by giving tools to professors who teach legal writing to once again be leaders on their law faculties in education innovation.

7.

Diversity, Equity, & Inclusion

Please respond to one or both of the following questions:

(1) How will your proposed teaching idea contribute to improving diversity in the law school classroom or the legal profession?

(2) How will your receipt of this teaching grant assist ALWD in its commitment to contribute to a legal writing discipline that is equitable and inclusive?

1. [intentionally left blank]

2. The receipt of this grant will enable us to produce materials that will benefit law professors across the country, especially those whose institutions do not have the resources to support innovation or who choose not to support innovation by legal writing faculty. Professors without the institutional resources to develop teaching materials for generative AI would be able to access the toolkit to benefit themselves and their students.

8.

Innovation

How is your idea innovative in our discipline?

To date, no comprehensive materials exist for teaching law with generative AI.