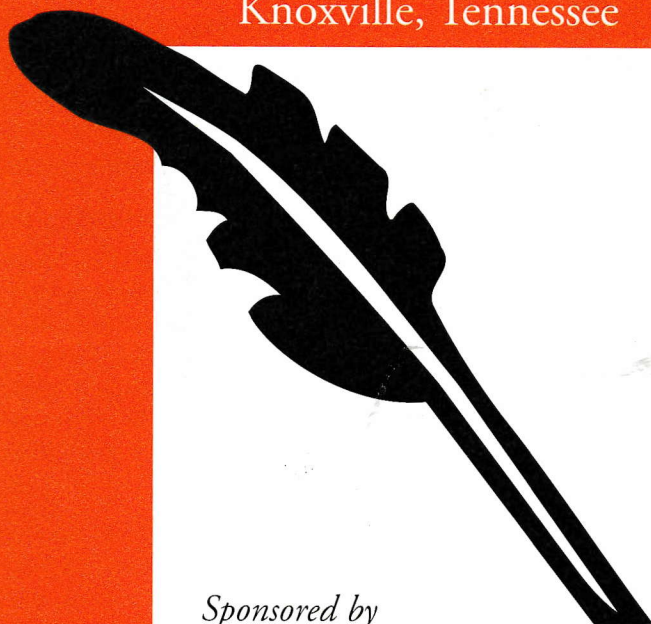


LEGAL
WRITING
INSTITUTE

Reflections and Visions: The Past, Present, and Future of Legal Writing

■ *The Tenth Biennial Conference
of The Legal Writing Institute*

May 29- June 1, 2002
University of Tennessee
College of Law
Knoxville, Tennessee



Sponsored by
The Legal Writing Institute

Conference Schedule

Wednesday, May 29

5:00-8:00: Reception at the Knoxville Museum of Art sponsored by West Publishing.

Thursday, May 30

7:30-8:30 **Continental Breakfast**

8:30-9:15 **Welcome**

Jane Kent Gionfriddo
Boston College Law School,
LWI President, 2000-02

Steven J. Johansen
Northwestern School of Law, Lewis &
Clark College, LWI President, 2002-04

Daniel L. Barnett
Boston College Law School, Co-Chair,
2002 LWI Conference Committee

Suzanne E. Rowe
University of Oregon School of Law, Co-
Chair, 2002 LWI Conference Committee

Carol Parker
University of Tennessee College of Law,
Chair, 2002 LWI Site Committee

Thomas C. Galligan, Jr.
Dean, University of Tennessee College
of Law.

9:15-10:15 **Plenary Session**
Our Past, Present, Future: Three
Scenarios, with music. *Terri LeClercq,*
The University of Texas School of Law.

10:15-10:30 **Break**

10:30-11:20 **Concurrent Sessions**

Alternative Approaches to Designing
Advanced Legal Writing Courses.
Michael R. Smith, Mercer University Law
School, and Amy E. Sloan, University of
Baltimore School of Law.

Integrating a Community Service/Pro
Bono Component into the First-Year
Legal Research and Writing Program.
Julie Ross, Georgetown University Law
Center.

Law and Literature: Using Literary
Texts to Deepen and Broaden Students'
Skills in Writing and Analysis. *Marilyn*
R. Walter, Brooklyn Law School.

Every Journey Begins with a Single Step:
Teaching the First Class. *Suzanne E.*
Rowe, University of Oregon School of Law.

Do Students Need to Know About
Performing Legal Research on the World
Wide Web? **YES.** *Irene Good and Susan*
Sullivan, Boston College Law School.

11:20-11:40 **Break**

11:40-12:30 **Concurrent Sessions**

Putting Theory to Work for Legal
Writers: A Rhetorical Look at Jurispru-
dence. *Linda H. Edwards, Mercer*
University Law School.

Encouraging Transferability and Inde-
pendence: Using a Combination of In-
Class and Take-Home Exams in the First-
Year Legal Writing Curriculum. *Craig*
Hoffman, Georgetown University Law
Center.

Teaching Logic to Non-Linear Thinkers:
Alternative Methods for Mastering Legal
Reasoning. *M H Sam Jacobson,*
Willamette University College of Law.

The Case Against the Case Brief: A Shift
to Process Over Product for Law Student
Readers. *Rebecca A. Cochran, University*
of Dayton School of Law.

Using Real-World Projects to Better
Integrate Print and Electronic Media into
Research Teaching. *Robin Meyer, Kamela*
Bridges, Christy Nisbett, and Wayne
Schiess, The University of Texas School
of Law.

12:30-1:45 **Lunch** sponsored by Aspen
Publishing.

2:00-4:40 Workshop on Teaching Legal
Research Analytically. *E. Joan Blum and*
Karen S. Beck, Boston College Law School
(space limited/pre-registration required).

2:00-3:30 **Concurrent Sessions**

Reality Programming Meets LRW:
Creative Ways to Bring Real-World Cases
Into the Classroom. *Kenneth Chestek,*
The University of Michigan Law School;
Susan Hanley Kosse, University of Louis-
ville, Louis D. Brandeis School of Law; and
Bill Galloway, Seattle University School of
Law.

Legal Writing Hollywood Style: A
Reverent Look at Creatively Infusing
Practical Skills in the Legal Writing
Curriculum. *Christine Nero Coughlin,*
Wake Forest University School of Law, and

Sandy Patrick, Northwestern School of Law, Lewis & Clark College.

Cooperative and Collaborative Learning Made Simple. *Clifford S. Zimmerman, Kathleen Dillon Narko, and Elizabeth L. Inglehart, Northwestern University School of Law.*

Grading - What You Need to Know to Survive (Time Allocation, Anonymity, Consistency, Curve Calculation, Student Evaluations, and Grade Appeals). *Gail Kintzer, Ruth Rickard, Helen de Haven, and David T. ButleRitchie, Appalachian School of Law.*

A Classroom Without Walls: 90 Minutes to Your Own TWEN Site. *Lori Shaw, University of Dayton School of Law.*

3:30-3:50 **Break**

3:50-4:40 **Concurrent Sessions**

Workshop on Teaching Legal Research Analytically, continued. Mentoring Your New Legal Research and Writing Faculty: Walking the Tightrope. *Grace Tonner, The University of Michigan Law School, and Diana Pratt, Wayne State University Law School.*

Persuading Judges: Crafting Persuasive Briefs and Oral Arguments Based on Empirical Research - Not Just Anecdote and Intuition. *David D. Walter, Mercer University Law School.*

Effective Classroom Behaviors for Law Teachers. *James B. Levy, University of Colorado School of Law.*

Creative Use of Samples to Teach the Conversion of Objective Writing to Persuasive Writing. *Judith B. Tracy, Boston College Law School.*

Around the World in 800 Megahertz: A Distance Learning Model for Teaching Legal Research. *Teresa Brostoff, Ann Sinsheimer, and Linda Tashbook, University of Pittsburgh School of Law.*

4:50 Buses begin to leave for Knoxville Zoological Gardens.

5:00-9:00 **Family Dinner** Knoxville Zoological Gardens sponsored in part by LEXIS.

Friday, May 31

7:30-8:30 **Continental Breakfast**

8:30-3:05 **Workshop on Critiquing Student Work.** Led by *Daniel L. Barnett and Jane Kent Gionfriddo, Boston College Law School; and Anne Enquist, Seattle University School of Law* (space limited/ pre-registration required).

8:30-10:00 **Concurrent Sessions**

How to Choose the Legal Research Text That's Right For You. *Kelly Browne, University of Connecticut School of Law; Robert C. Berring, University of California at Berkeley School of Law; Donald Dunn, Western New England College School of Law; Jessie Cranford, University of Arkansas at Little Rock, William H. Bowen College of Law; and Joan Shear, Boston College Law School.*

E=cm2: The Relativity of Content and Method in Teaching Writing. *Mary Barnard Ray, University of Wisconsin Law School.*

Learning Disabilities and Legal Writing: Challenging Us to Teach to All Students. *Tracy Bach and Laurie Kadoch, Vermont Law School; and Michael Santana, University of Montana School of Law.*

Integrating Social Issues Into the LRW Classroom - the Whys, the Why Nots and the How-tos. *Miriam E. (Miki) Felsenburg and Luellen Curry, Wake Forest University School of Law.*

Linking Technology and Pedagogy in an Online Writing Center. *Susan R. Dailey, Quinnipiac University School of Law.*

10:00-10:15 **Break**

10:15-11:05 **Scholarship Workshops**

The Rhetoric of Brief Writing: A Look at How Rhetorical Principles as Used in Literature Offer Insight Into How to Persuade a Court. *Susan Bay, Mercer University Law School.*

The E-Brief: Legal Writing for an Online World. *Maria Perez Crist, University of Dayton School of Law.*

10:15-11:05 **Concurrent Sessions**

The Agony of Failure: Making the LRW Student Repeat the Course. *Grace Wigal, West Virginia University College of Law.*

Assessing Dutch Law Students' Writing Skills: A Critical Evaluation of the Peer-Review Process in Legal Writing Practicals. *Sabine Dierick and Louise Rayar, Maastricht University Faculty of Law, the Netherlands.*

Many Birds, One Stone: How to Teach the Doctrinal Law You Love AND Advance Your Teaching Career. *Brian Glassman, Cleveland State University, Cleveland-Marshall College of Law, and Sue Liemer, Southern Illinois University School of Law.*

Integrating Technology: Teaching Students to Communicate in Another Medium. *Pamela Lysaght and Danielle Istl, University of Detroit Mercy School of Law.*

11:05-11:15 **Break**

11:15-12:15 **LWI Business Meeting**
Chaired by Steven J. Johansen, *Lewis & Clark College, Northwestern School of Law, LWI President, 2002-04.*

11:15-2:00 **Vendor Programs**

12:15-2:00 **Lunch**

2:00-3:05 **Workshop on Critiquing Student Work, continued.**

2:15-5:15 **Opening Windows: Using Your Computer to Teach Legal Writing.** *Jan M. Levine, Temple University, James E. Beasley School of Law, and Kristin B. Gerdy, Brigham Young University, J. Reuben Clark Law School.*

2:15-3:05 **Scholarship Workshops**

Teaching Legal Research, Writing, and Lawyering Skills to Students with Learning Disabilities. *Jessica Elliott, Roger Williams University School of Law.*

Comparing Good Writing with Bad: An Analysis of What Judges, Practitioners and Teachers Emphasize. *Susan Hanley Kosse, University of Louisville, Louis D. Brandeis School of Law, and David T. ButleRitchie, Appalachian School of Law.*

2:15-3:05 **Concurrent Sessions**

Let's Argue about Argumentation. *Terri LeClercq, The University of Texas School of Law, and Anthony Pelosota, Thurgood Marshall School of Law, Texas Southern University.*

Improving Law Students' Editing and Re-Writing Skills: Law Students Can Teach Each Other How to Critique Their Own Work. *Sandra L. Wright and Regina R. Umpstead, Michigan State University - Detroit College of Law.*

Icing the Cake - Legal Writing Consulting, Workshops, and Other Out-of-Law-School Opportunities. *K.K. DuVivier, University of Denver College of Law.*

3:05-3:20 **Break**

3:20-4:50 **Concurrent Sessions**

Beyond GPAs and LSAT Scores: Can Legal Methods Be Used to Predict Success in Law School? *Anna P. Hemingway and Catherine Wasson, Widener University School of Law.*

Best Ideas on Using Levity in the Classroom. *Mary Beth Beazley, The Ohio State University, Michael E. Moritz College of Law; Mary Barnard Ray, University of Wisconsin Law School; Sheila Simon, Southern Illinois University School of Law; Mary Ann Chirba-Martin, Boston College Law School; M H Sam Jacobson, Willamette University College of Law; and Shannon Moritz, University of Illinois College of Law.*

It's Still All About the Facts: How Researching and Understanding the Client's Situation Permits Students to Present the "R" of CRAC in a More Thorough and Sophisticated Manner. *Ruth Anne Robbins and Patricia A. Legge, Rutgers, The State University of New Jersey School of Law, Camden; and Michael M. Abatemarco, Judicial Law Clerk, New Jersey Appellate Division.*

Conducting Effective Office Conferences. *Robin S. Wellford, Chapman University School of Law.*

Saturday, June 1

8:00-9:00 **Continental Breakfast**

9:00-9:50 **Concurrent Sessions**

Finding your Way: A Map for Creating Memorandum Assignments. *Judy Rosenbaum and Helene S. Shapo, Northwestern University School of Law.*

What Was I Thinking? Or How I Came to Run a Three-Semester Program with 32 Adjunct Teachers! *Davalene Cooper, New England School of Law.*

Teaching Arguments: What Works and What Doesn't. *Susan McClellan, Connie Krontz, and Jessica Eaves, Seattle University School of Law.*

Understanding How Readers Think: Using Live Grading Conferences. *R. Joseph Kimble, Thomas M. Cooley Law School; Mark E. Wojcik, John Marshall Law School; and Wanda M. Temm and Barbara E. Wilson, University of Missouri - Kansas City School of Law.*

A Global Perspective on Legal Research and Writing Instruction. *Suzanne Ehrenberg, Northwestern University School of Law.*

Our Laptops are Here to Stay. *Barbara Busharis and Bryan Thomas Pugh, Florida State University College of Law.*

9:50-10:15 **Break**

10:15-11:45 **Concurrent Sessions**

From Panic to Poise: Learning to Shine in Difficult Situations. *Darby Dickerson, Kelly M. Feeley, Ann Piccard, Lawrence D. Rosenthal, and Stephanie A. Vaughan, Stetson University College of Law.*

(Un)Conscious Assumptions and (Un)Intended Messages: Recognizing Bias in Legal Writing, Analysis and Argument. *Lorraine K. Bannai, Anne Enquist, and Ramona Witt, Seattle University School of Law.*

Reading the Law: Learning How Students Do It and Teaching Them How Lawyers Do It. *Susan L. DeJarnatt, Temple University, James E. Beasley School of Law, and James F. Stratman, University of Colorado at Denver.*

Know Your Audience: Teaching Generation X. *Tracy L. McGaugh, South Texas College of Law.*

Cross-Cultural Challenges: Teaching LRW in South Africa - Lessons in International Solidarity. *Brook K. Baker, Northeastern University School of Law.*

11:45-12:45 **Lunch**

1:00-2:30 **Concurrent Sessions**

Using Active Learning Techniques in the Legal Writing Classroom. *Sophie Sparrow, Franklin Pierce Law Center.*

Cultivating Excellence in Moot Court Competition Teams: Opportunities for Legal Writing Professionals. *Randall S. Abate, Darren R. Latham, and Deborah Shore, Rutgers, The State University of New Jersey School of Law, Camden.*

Administrative Law: The Case Study Approach to Teaching State, Federal and International Sources Using Traditional and Computerized Media. *Sharon E. Foster and Kathryn A. Sampson, University of Arkansas, Fayetteville, Leflar Law Center; and Sharon A. Pocock, Quinnipiac University School of Law.*

Playing God: A Criticism of Sua Sponte Decisions. *Adam Milani, Mercer University Law School.*

Learning About How People Learn and Applying it to Our LRW Class. *Kathryn Mercer, Case Western Reserve University Law School, and Nancy Soonpaa, Texas Tech University School of Law.*

2:30-2:45 **Break**

2:45-4:15 **Concurrent Sessions**

Gender Discrimination in Legal Writing: The Empirical Evidence. *Jo Anne Durako, Rutgers, The State University of New Jersey School of Law, Camden; Richard Neumann, Hofstra University School of Law; and Kathryn M. Stanchi, Temple University, James E. Beasley School of Law.*

The Good, The Bad & The Ugly: How to Incorporate Professionalism in Any Writing or Lawyering Skills Class by Looking at What Works and What Doesn't. *Susan Smith Bakhshian and Jean Boylan, Loyola Law School.*

Cultural Influences on Learning: How Accommodating Non-Native Speakers Can Benefit All Our Students. *Jessie C. Grearson, John Marshall Law School.*

4:30-7:00 **Closing Reception**

Registration

Please Print or Type.

Name: _____

Address: _____

Law School/Firm: _____

State/Province: _____ Country: _____ ZIP: _____

Phone: () _____ Fax: () _____ E-mail: _____

Special dietary needs: _____

Registration Fee

- ☐ Early Registration (on or before April 29) \$350
☐ Late Registration (after April 29) \$400

Make checks payable to (credit cards not accepted): **The Legal Writing Institute**

Please send this form with your check to: Micki Fox
Tennessee Law Review
University of Tennessee College of Law
1505 West Cumberland Avenue
Knoxville, TN 37996-1810

Requests for refunds must reach Micki Fox by May 24, 2002.

Please check the appropriate item(s) below:

- ☐ This is my first LWI conference, and I would welcome being contacted by the New Member Outreach Committee.
- ☐ I would like CLE credit, where possible, in _____ (state) for my participation in conference sessions. Board of Professional Responsibility or Bar number for that state (if applicable): _____.

I plan to attend the following social events:

- ☐ Registration Reception at the Knoxville Museum of Art, Wednesday, May 29, 5:00-8:00 p.m.
- ☐ Family Dinner at the Knoxville Zoological Gardens, Thursday, May 30, 5:00-9:00 p.m.
(number of tickets for additional guests at \$5 per ticket to be paid at the conference: _____)
- ☐ Closing Reception on Saturday, June 1, 4:30-7:00 p.m.

Advance registration for Workshops.

Advance registration is required for the Workshop on Critiquing Student Work and the Workshop on Teaching Research Analytically because space is limited. To register for the Workshops, please send an email to Theresa Kachmar at kachmar@bc.edu.

New LRW teachers will be given priority for the critique workshop so please indicate in your e-mail the number of years (0, 1, 2 or 3) you have been teaching LRW. The research workshop will be limited to the first twenty registrants.

Housing

Off-Campus Housing

The Legal Writing Institute has arranged a special room rate of \$80 per night (plus tax: currently 16.25%) at the Hilton Hotel Knoxville, which is less than a mile from the law school. A shuttle bus will run between the Hilton and the law school at the beginning of each day of the Conference. In addition, a free city trolley runs between the Hilton and the University of Tennessee at approximately ten minute intervals during the day. To receive the special room rate, you must reserve your room by April 29, 2002 by calling Hilton Reservations at (877) 6-HILTON; the hotel's main number at (865) 523-2300; or the hotel's direct reservation number at (865) 251-2578 (8:00 a.m. to 5:00 p.m., Monday through Friday). When making your reservation, please identify the group code LEGAL to receive the special rate for the Legal Writing Institute Conference.

On-Campus Housing

The Legal Writing Institute has arranged on-campus housing at Massey Hall, a dormitory located near the law school. All rooms are air-conditioned and furnished with two beds, a telephone, desks, chairs, a closet, a mini-refrigerator, and a microwave. The rooms do not have TVs, radios, or alarm clocks. There are community bathrooms on each floor.

Rates: Single Room \$22/night
 Double Room \$18/night per person

I would like on-campus housing for the following nights:

- | | |
|--|---|
| <input type="checkbox"/> Wednesday, May 29 | <input type="checkbox"/> Friday, May 31 |
| <input type="checkbox"/> Thursday, May 30 | <input type="checkbox"/> Saturday, June 1 |

I would like a (choose one):

- | | |
|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> Single Room | <input type="checkbox"/> Double Room |
|--------------------------------------|--------------------------------------|

I would like to share a room with: _____

If you have a disability or need other special accommodations, please explain those needs below.
The Legal Writing Institute will contact you concerning the accommodations.

Name: _____ (circle one) M F

Address: _____

Telephone: (work) _____ (home) _____

E-mail: _____ Fax: _____

Transportation

Air Travel

Group discounts have been arranged with Delta Airlines and United Airlines. Airfare arrangements can be made directly through the University Travel Center at (877) 210-8189; please mention the University of Tennessee and the Legal Writing Institute. If you prefer to book flights through another agency, you will need to provide the meeting contract number: Delta File Number 180053A or United Meeting ID Code 502KE.

Ground Transportation

Taxis are available at the airport; the one-way fare is approximately \$20. Rental cars are available at the airport and through most hotels.

"Chariots of Hire" will provide shuttle service between the airport and the dormitory and hotels. The price is \$16 for round-trip service and \$12 for one-way. Payment may be made by VISA, MasterCard, American Express, cash, or traveler's checks; refunds are not available. Service from the airport will run every 45 minutes from 10:00 a.m. to 11:30 p.m. on Wednesday, May 29 and Thursday, May 30; trips returning to the airport will run every 60 minutes from 4:30 a.m. to 4:30 p.m. on Saturday, June 1, and Sunday, June 2. Reservations are required: call (800) 287-5934 or e-mail <cohlmo@usit.net>.

Conference Highlights

Basics Track, including the Workshop on Critiquing Student Work.

The 2002 Conference will include a series of presentations addressing the "basics" of teaching legal reasoning, research, and writing. These sessions will be of particular interest to newer teachers. The sessions may also appeal to experienced teachers seeking fresh ideas on creating research problems, holding student conferences, and other issues that challenge every Legal Writing teacher.

Workshop on Critiquing Student Work

Designed by Daniel L. Barnett, the Workshop on Critiquing Student Work will be part of the Basics Track again this year. The workshop will include a panel discussion on providing effective written feedback and small group break-out sessions where participants will work together on critiquing student samples. This workshop is especially designed for newer teachers looking for hands-on suggestions from some of the Institute's most experienced teachers. Participants will receive materials to prepare for the workshop before the Conference. Space is limited and advance registration is required.

Technology Track, including the Technology Workshop.

Update your computer ability in this series of presentations on the latest technological developments for teaching legal research, writing, and analysis. From laptops in classrooms to virtual classrooms to legal research on the web, these programs will provide valuable insights for all teachers.

Technology Workshop: Opening Windows

On Friday afternoon, Jan M. Levine and Kristin B. Gerdy will offer a half-day workshop on using a personal computer to teach legal writing classes more effectively, critique papers more efficiently, and administer legal writing programs more smoothly. The workshop will include three sessions: Basic Techniques for Working with Windows; Modifying and Customizing the Windows Desktop and Shell; and concurrent sessions on Using WordPerfect and Word to Critique Student Papers. Participants are encouraged to bring their own laptops.

Scholarship Workshops.

On Friday, Legal Writing scholars will lead roundtable discussions of their works in progress. Explore the latest developments in legal writing jurisprudence and offer your insights for the authors to incorporate into their next drafts.

Day's End: Evening Fun.

The fun doesn't stop when the program concludes. Meet with friends, old and new, at the conference evening events:

Wednesday Evening—Registration Reception. Pick up your conference materials, meet friends, and enjoy hors d'oeuvres and drinks while viewing the collection at the Knoxville Museum of Art. Sponsored by West Publishing Company.

Thursday Evening—Zoo Dinner. Conference participants and their families are invited to the Knoxville Zoological Gardens for dinner. Admission to the zoo and dinner is included in the conference registration fee for conference participants and is \$5 for each guest of a conference participant. Sponsored in part by LEXIS.

Saturday Evening—Closing Reception. As soon as the last presentation has ended, meet friends, old and new, at the conference closing reception.

Plenary Speaker

Terri LeClercq Professor

Terri LeClercq has taught at the University of Texas School of Law since 1982. Her courses include advanced legal writing, editing for editors, thesis writing for students pursuing advanced law degrees, legal research and writing, negotiations and drafting, and real estate transactions and drafting.

Professor LeClercq has published three books, over sixty articles, poems, short stories, and photographs. She has extensive experience as a writing consultant to law firms, courts, bar associations, and organizations nationwide. She directs



the law school's writing center and is the director of international programs. During summers, she is the law school liaison to numerous pre-law programs. In her spare time, she and her husband, Jack Getman, travel extensively to advance labor and human rights issues.

In 1994, Professor LeClercq challenged members of the Legal Writing Institute to re-invent themselves as "diamonds, the sparkle of the law school curriculum."

The Legal Writing Institute

The Legal Writing Institute is a non-profit organization dedicated to improving legal writing by providing a forum for discussion and scholarship about legal writing, analysis, and research. The Institute promotes its goals in a variety of ways, including a web site at www.lwionline.org; a semi-annual newsletter, *The Second Draft*; an annual scholarly journal, *Legal Writing*; and a national conference that has been held every other year since 1984. This 2002 Conference is the tenth of these biennial conferences.

The Institute has over 1,200 members, representing all ABA-accredited law schools in the United States. The Institute also has members from other countries, as well as from English departments, independent research and consulting organizations, and the practicing bar. Anyone who is interested in legal writing or the teaching of legal writing may join the Institute by contacting Lori Lamb either by mail at The Legal Writing Institute, 900 Broadway, Seattle, WA 98122-4340, or by e-mail at lamb1@seattleu.edu. Seattle University School of Law is the Institute's host school.

About the 2002 Conference

The theme of this tenth biennial conference is "Reflections and Visions: The Past, Present, and Future of Legal Writing." This Conference will celebrate the successes our community has achieved within the academy and examine the challenges that lie ahead. Conference presentations will explore curricular design, the intersection of legal theory and legal writing, advances in technology, scholarship in progress, and much more. Some parts of the program allow experienced teachers to share their insights with the newer members of the profession. Other parts of the program allow directors, writing specialists, and experienced teachers to address the unique challenges they face.

The Conference will be held at the University of Tennessee College of Law in Knoxville, Tennessee. The registration fee includes entrance to all meetings; all social events; breakfast, lunch and dinner on Thursday; and breakfast and lunch on Friday and Saturday. The Conference offers three main social events: a reception at the Knoxville Museum of Art on Wednesday night; dinner for conference participants and their families at the Knoxville Zoological Gardens on Thursday night; and a closing reception, as the conference finale on Saturday evening.