



LWI LIVES

Page 1

Volume III, Issue 1

October 1, 2016

Inside this issue:

Sherri Keene	1-3
Frances Mock	1, 4-5
Jennifer Rosa	1, 6-7
Schedule Change, Statement of Selection and Presentation Process	8
Upcoming Legal Writing Events	8
LWI Lives Committee	8

Contributors to this Edition:

Elizabeth Berenguer
Grace Hum
Jennifer W. Mathews
Rebecca Rich

Feel free to reach out to any one of us if you have questions about this edition.

LWI Lives is a regular electronic publication of the “Faces of LWI” Committee, which explores and communicates the emerging identity of LWI and its members. We have in common the commitment to being the best legal writing professors that we can be. But we are multi-dimensional people with different strengths, interests, curiosities, and gifts. By profiling individuals in our community, we hope to expand and develop our understanding of who we are and what we aspire to be.

Swimming Upstream with Sherri Keene



By Elizabeth Berenguer

When I first met Sherri Keene several years ago, she immediately struck me as a bridge-builder—one of those people who can quickly find a point of connection with another. Her smile is kind and welcoming, and her listening ear is compassionate and tempered. Most obvious about her personality is her warm and curious desire to understand the human story and to meet people wherever they are.

For more about Sherri, see page 2.

Lawyering and Teaching in the Wilderness



By Rebecca Rich

As a 1L at Duke, Frances Turner Mock took legal writing from Diane Dimond (Duke’s director of legal writing from 1998-2013). Confident that her years of experience as a paralegal had prepared her to succeed in legal writing, Frances decided to follow her own organizational approach on her first closed universe memo assignment.

For more about Frances, see page 4.

Rosa “Flips” for New Adventures



By Jennifer W. Mathews

Early-morning mist hovers over the Grand River. Jennifer Rosa’s boat moves smoothly through the water as she pulls at the oars almost soundlessly, causing ripples that catch the light. A nearby egret pauses to watch her pass by, and a swan checks the security of her nest. She rows further, watching a family of deer grazing near the river’s edge in the early morning sun. Later, Jenn leaves the peaceful river for the drive into East Lansing, where she begins her day working with students at Michigan State College of Law.

For more about Jennifer, see page 6.

Sherri Keene, continued



Sherri with LWI Members at LWI Practitioner CLE in Portland 2016

Indeed, Sherri's personality led her to pursue a career in law so that she could positively impact others. Sherri has long invested in public service and attended New York University School of Law as a Root-Tilden-Snow Scholar. After graduating, Sherri clerked for Judge James T. Giles of the U.S. District Court for the Eastern District of Pennsylvania and later worked as a civil trial attorney for the U.S. Department of Justice. But her interest eventually led her to work as an appellate attorney for the Federal Public Defender's Office for the District of Maryland. While Sherri did not enter law school with the goal of becoming a criminal defense attorney, her work in a Public Defender Clinic at NYU sparked her interest. Sherri was inspired by her clinical professor and mentor, Professor Inga Parsons, who engaged with both her colleagues and students on a personal level and treated her clients with dignity and respect while helping them through what was often a quite challenging time in their lives. Professor Parsons struck an excellent balance between academia and practice that Sherri has strived to model throughout her life and career.

While working as an appellate public defender, Sherri began teaching as an adjunct professor at the George Washington University Law School. Later, she joined the faculty at the University of Maryland Francis King Carey School of Law, where she is an associate professor and director of the legal writing program.

Sherri's interest in teaching legal writing was sparked by

another mentor and friend, Department of Justice colleague Gail Johnson. Upon arriving to the DOJ, Sherri realized she had much to learn. The DOJ had a policy of assigning a supervisor to provide guidance to new attorneys working through their first case. Ms. Johnson worked closely with Sherri to mentor her as she became a more effective writer and confident advocate. Many of the skills and processes that Sherri learned from Ms. Johnson continue to serve her well today as a teacher and mentor.

Teaching is one of the most natural fits for Sherri's compassionate personality. Sherri's favorite part of teaching is helping students grow and mature into professionals. She is a curious observer of the human story, so naturally she "likes helping people take the journey to becoming a lawyer" and learning all the ways that people deal with both challenges and successes. Understanding how student attitudes have a significant impact on their success, she marvels at how different students vary in their responses to criticism, and she tries to encourage students to realize that making mistakes is just part of the learning process. Sherri sets an example by welcoming student feedback during the course of the semester and being open to criticism. She often tells her students, "If I am going to give criticism, I need to be able to take it as well."

Her scholarship reflects the same deep contemplation about the human stories of the law. Her latest project looks at the phenomenon of stories that swim upstream—that is, how the various actors in the legal field wrestle with stories that are

Sherri Keene, conclusion



Sherri and her family in North Dakota

Bowling at The White House (Executive Building)



Photo by Sherri

counterintuitive or force us to question what we have always believed. Recently, Sherri and I have had the opportunity to mentor and support each other on our latest articles, and she has been a fount of inspiration. As my mentor, she offered critical insights early so that I was able to streamline my thesis and more clearly articulate my position. As her mentor, I've been inspired by her willingness to expose personal vulnerability in her process. She is a deep thinker who is unafraid to question her own premises. She also valiantly challenges others to question the status quo and the limits of what we might have always believed to be "true." She is not afraid to question the existence of objective truth.

Although it would be easy to get lost in academic solitude, Sherri values the human experience above all else. Sherri grew up in a military family and, like most families in the military, moving was a part of life. She spent her early years in North Dakota, California, and Ohio and comes from a long line of teachers, including her mother and grandmother. Her family instilled in her the importance of education and being of service to others. Sherri works to instill these values in her two children, who are a vibrant centerpiece in her life. They both excel at school and in sports—basketball and soccer—and Sherri (though she claims that she is not much of an athlete herself) loves to study their technique and do a little one-on-one coaching. During the week, you can often find Sherri driving the carpool to school or practice, and on weekends, you will see her cheering for one team or another.

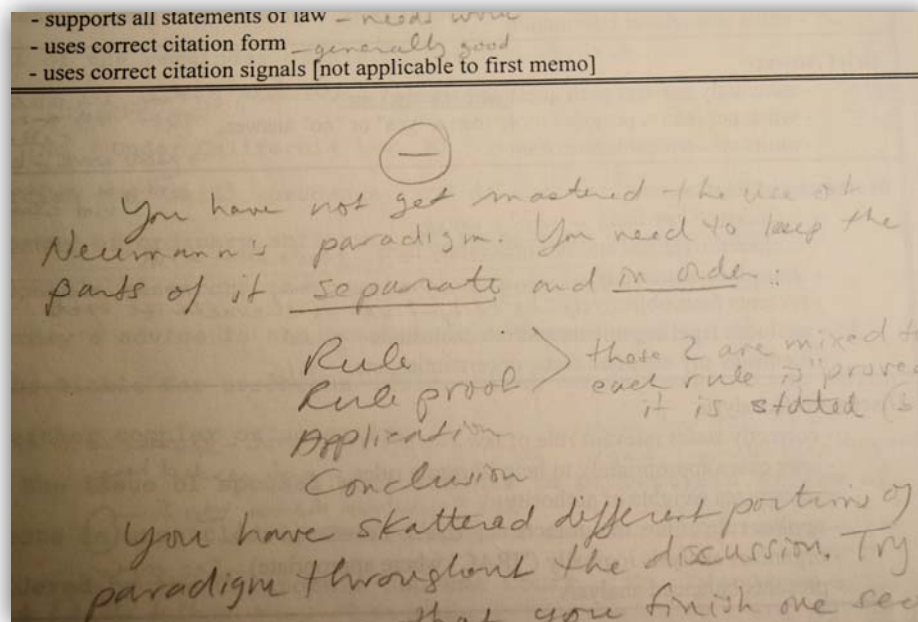
In her little free time, Sherri also indulges in activities that tap into her love of the arts. Throughout high school and college, Sherri took a number of art and art history courses. She dabbled with oils and acrylics and was known for her artistic work while at Spelman, where she regularly designed logos and decorated large bulletin boards to advertise upcoming school events. While Sherri no longer paints, she continues to enjoy visiting museums, observing others' works, and she herself is an avid photographer. When she travels, she loves to study the local art and learn about the cultures of the cities she visits. Sherri also enjoys character-driven stories in books, television, and films about human conflict because she likes to see how people work through moral dilemmas. Often, she takes a meta-cognitive view of these works and considers ways that she can utilize the material to teach her students or to mature her scholarly work.

As a scholar and teacher, Sherri harnesses her passion for studying the human experience in meaningful ways. Because she understands that we are not all motivated alike, she finds unique ways to inspire her students to face challenges, strategize solutions, and develop into capable professionals. She also passionately advocates for finding new ways to expose the human experience in the context of the law—particularly the criminal justice system. If she gets her way, one day there won't be stories that swim upstream. Instead, there will just be stories.

Sherri Keene: skeene@law.umaryland.edu



Frances Mock, continued



Professor Dimond gave Frances a “minus” on the ungraded assignment and the following measured feedback: “You have not yet mastered the use of Neumann’s paradigm.”

Despite this initial rocky start, Frances has translated her passions for writing, for teaching, and for the outdoors into a successful, meaningful professional career. In addition to teaching the 1L legal writing course at Duke, Frances teaches Negotiation and a course she developed called Corporate Counseling and Communication. She also has her own law practice doing risk management and claims management for national and international wilderness education organizations like Outward Bound and is a nationally-recognized expert in recreation law and risk management.

Frances grew up in a family of lawyers. Her grandfather was a lawyer and state senator in North Carolina, and three generations of great-grandfathers before him also practiced law. But when Frances’s grandfather had three daughters and no sons, the lawyering tradition stopped (at least temporarily). Growing up, Frances always heard the story that her mother had wanted to go to law school but wasn’t allowed to because in Frances’s grandfather’s opinion, “a courtroom was no place for a lady.” Perhaps because of this story, Frances never considered the possibility that she might become a lawyer until she took a class in legal argumentation during her senior year at the University of North Carolina-Chapel Hill. She was hooked, and with the encouragement of her professor, Dr. Paul Brandes, she decided to go to law school. Also during college, Frances’s lifelong love of outdoor adventures began when she spent a summer working at Yellowstone National Park.

Frances didn’t go to law school immediately. She moved to California, where she worked as a ropes course instructor, a volunteer for organizations leading cross-country trips for visually-impaired and hearing-impaired children, and a Class V professional whitewater rafting guide on some of the world’s most difficult commercially-run rivers. Frances also worked as a paralegal. One paralegal job she applied for required legal research skills, which she didn’t have at the time. But Frances went to the law school at UC Davis, asked a legal writing professor for her legal research teaching materials, and spent a couple of weeks in the library teaching herself how to do legal research. Eventually, she got the job. (And she got her first exposure to the amazing generosity of the legal writing community!)

Frances returned to North Carolina after nine years in California to attend law school at Duke. After a successful law school career, she clerked for Chief Judge N. Carlton Tilley on the Middle District Court of North Carolina. She then practiced law at Smith Moore LLP (now Smith Moore Leatherwood LLP) in Greensboro. Frances wrote a lot, as young litigators do. Highlights of those early years in practice include writing a 75-page brief to the Fourth Circuit in a death penalty case, which resulted in a unanimous published opinion favorable to the death row prisoner. In addition, Frances assisted with a brief to the

Frances Mock, conclusion

North Carolina Supreme Court arguing that a new fee imposed on indigent defendants was unconstitutional. She argued the case before the court and won.

After staying in touch with Professor Dimond for years and indicating her interest in teaching legal writing, Frances's opportunity arose in 2004, three weeks before the start of the fall semester. She jumped on it, despite having a new baby at home, continuing to practice law at Smith Moore, and commuting almost an hour to teach. Frances soon left Smith Moore to start her own law practice and took her biggest client, Outward Bound, with her.

Frances taught for two years, then took a break to focus on her growing law practice. She developed an expertise in the particular legal challenges facing wilderness education organizations, and additional clients soon followed Outward Bound. Frances provides corporate counseling about risk management as well as representation and counseling when incidents happen and litigation is pending. Frances loves the corporate counseling side of the job; she's often able to propose common sense solutions to help her clients manage the risks that arise in their industry. On the litigation side, she's on the crisis management team when incidents arise and serves as the liaison between her client and local authorities, the family involved, land managers, and local counsel.

The cases she's worked on as an attorney for the outdoor industry include a fierce grizzly bear attack on four students in Alaska that got national media attention, a lion attack on a woman in Africa, the collapse of an ice bridge during a mountaineering excursion in Chile that left an instructor dead and a student hospitalized for weeks, and the presumptive death of a student who fell hundreds of feet into a raging river in India and was never seen again. She has also worked on several pieces of federal legislation related to the outdoor industry, met with government officials to discuss policy issues, and regularly



speaks at national wilderness industry conferences.

While it can be challenging to strike a balance between teaching and law practice, Frances finds that her practice really informs her teaching. While she doesn't write very much in her practice (except for boring liability release forms), she frequently reads and comments on briefs that her clients' local counsel have written. In fact, Frances thinks reading and critiquing briefs is probably the most valuable service she provides to her clients. She often finds that local counsel's first drafts are just not as good as they could be because attorneys are busy and not doing their best work, so she frequently finds herself in the role of diplomatic editor.

Frances and her husband Kevin have been married for 13 years, and they have two sons—Jackson (12) and Quince (10), who are already demonstrating their budding legal argumentation skills at home. This summer, Frances took her kids whitewater rafting for the first time, and they loved it. Before the LWI conference in Portland, Frances and her family joined her friends from her whitewater rafting days in California and did a six-day trip on the Rogue River in southern Oregon. Frances guided one of the boats and had a great time, but found it to be more work than she remembered!

Frances sees real parallels between what she did in her days as a whitewater rafting and wilderness guide and what she does now in teaching first-year law students. In both situations, she's taking people into a wilderness (either the literal wilderness or the just-as-overwhelming wilderness of the beginning of law school) and helping them get comfortable, survive, and eventually thrive. In both situations, people initially might lack confidence or feel insecure or overwhelmed; Frances loves helping them build their confidence by learning the skills they need to succeed.

Frances Mock: Mock@law.duke.edu

Jennifer Rosa, continued



Jenn came late to rowing—she turned to it when she hit a milestone birthday and wanted to try something new. A lively 78-year-old neighbor convinced her to try sculling and got her situated at the local boathouse. Jenn took to it immediately, enjoying both the exercise and the opportunity to find some solitude and serenity.

Given this aquatic connection, you might be surprised to learn that Jenn's athletic beginning was not on the water, but on her toes! Jenn trained for years as a classical ballerina, and while in high school, she was invited to train with a dance company in Dallas. The teenage Jenn was “crushed” when her mother insisted on her passing up the dance company and attending college instead. While attending the University of Michigan, Jenn kept in touch with her dancing roots by participating and directing a student-run jazz dancing organization.

After completing a B.A. at Michigan and earning a graduate degree in communications at the Annenberg School at U.S.C., Jenn decided to apply to law school at the recommendation of a faculty advisor. Although she hadn't been in the deep south before, she ended up attending Tulane Law School. “New Orleans seemed like another country,” she remembers.

During her time at Tulane, Jenn participated in a criminal law clinic, where she enjoyed the chance to link together her interests in law, community, and performance. After graduation, she followed upon on her experience in the criminal law clinic by working as a Deputy District Attorney in Los Angeles for seven years. While working there, she spent some time working with juvenile offenders and had an “epiphany.” “I would see the same kids—they'd show up in court, without any support. The system would rubberstamp them and send them back to the California Youth Authority and then graduate them to the adult system. I

kept thinking, ‘There HAS to be something more that we can do to help these kids.’”

After some time off after the birth of her children, Jenn decided to follow her passion and develop a Street Law program. “I wanted to reach out to kids before they got involved in big gangs—helping them learn about their rights.” She contacted a few law schools about starting a Street Law program but found a “dead end.” Instead, Michigan State University College of Law offered her a position as an adjunct. The class she was offered? “Civil Pretrial Advocacy,” she says ruefully. “I knew nothing about it.”

However, teaching the civil pretrial advocacy class turned out to be a great initiation into Jenn's new career as a law school professor. “Civil trial advocacy was not my area of expertise,” Jenn says. “I had to break everything down and learn it myself. The same thing happened when I started teaching legal writing a year later—there's not a lot of writing in criminal law. Like most of us at that time, my legal writing class in law school had been taught by a teaching assistant. When I started teaching writing myself, I had to immerse myself in what makes ‘good’ writing and learn about best practices for teaching legal writing. It turned out to be a big advantage for me.”

Under a new dean at MSU Law, Jenn finally got support for her Street Law proposal. Although the program is conducted in the form of a student-led organization at some schools, Jenn researched best practices and decided to offer the program as a seminar. “I wanted to teach it as a class to ensure some continuity and use of pedagogy,” she explains. “We covered educational principles, developing lesson plans, how to take advantage of current events, how to engage students without lecturing, cultural competency—and then the law students would go once a week into a high school social studies class in Lansing and work with the students, educating them about legal issues and empowering them with knowledge about their rights.”

The Street Law class was a huge success. “Lansing is diverse in every way,” Jenn says. “Socioeconomic, cultural, racial. We ended up branching out from high school students into more at-risk communities, like foster youth and probationary youth. Some of our law students in Street Law participated in a Black Lives Matter workshop held at a Detroit high school, helping people to break down the legal issues and look more critically at events going on around them.”

During the past few years, Jenn has found new productive avenues to explore in making the classroom a more productive place for students. First, she discovered and immersed herself in the “flipped classroom” model. In 2012-13, Jenn was awarded a fellowship at the MSU Adams Academy for

Jennifer Rosa, conclusion

Instructional Excellence. “The fellowship brought together faculty from all different areas around campus—education, natural sciences, law. It was eye opening. We met to talk about best practices in teaching and learning, and that’s when I really got involved with the ‘flipped classroom,’” Jenn says.

Since discovering how much the flipped classroom enhanced student learning and increased student outcomes, Jenn has done her best to spread the word about the benefits of the “flipped classroom” model. She has given multiple presentations on this topic at local and national legal writing conferences, as well as a TEDx-style talk at the LegalED: Ignite Law Conference, held at American University Washington College of Law.

More recently, Jenn also experimented with another new way to pursue her interest in linking law and community needs—she shifted her legal writing class to a social justice perspective. “It’s been really successful in both expected and unexpected ways,” says Jenn. “I’ve worked to bring other faculty members together to create a community for people interested in social justice issues. For the students, it’s been invaluable for them to find a cohort of like-minded people so early in their law school careers—it’s like a support group, and they feel much more comfortable.” Jenn was not expecting the resulting gender disparity, though. “The social justice section of legal writing ends up being unusually skewed toward women. I typically get 3 or 4 men out of 40 students—it was very surprising to me.”

A persistent theme that ran through my conversations with Jenn is the way she has of throwing herself into new experiences with enthusiasm and hard work. She consistently tackles new challenges head-on and works toward improving processes and results. Just this year, Jenn became head of the externship program at her law school. “It’s interesting, getting involved in a whole new world,” says Jenn. “The externship community is still in its early stages, relative to the legal writing community. Recently I was talking with someone about starting something similar to an Idea Bank for the externship community. I’m grateful for this sense of community and sharing, whether it’s in legal writing, or the externship world.”

Jennifer Rosa: rosaj@law.msu.edu



UPCOMING LEGAL WRITING EVENTS

October 21, 2016
New England Consortium
of Legal Writing Teachers
Boston University School of Law

December 3, 2016
5th Colonial Frontier
Legal Writing Conference
Duquesne University
School of Law

January 3-7, 2017
111th AALS Annual Meeting
Hilton San Francisco
Union Square

Check out these websites for more
information on what's happening!

<http://www.aals.org/aals-events/>
<http://www.lwionline.org/>
<http://www.alwd.org/>

Scheduling Change!

We heard a little secret . . . many of you are saddened about the inability to read about our terrific community over the summer. So we've changed our schedule to relieve you from your sadness. We will now be publishing every other month, including the summer! Now you'll get a new edition every two months throughout the entire year!

Also, from now on, next edition's profiles will be a surprise! No more letting the cat out of the bag!

Selection and Presentation Process: We believe it is important for LWI members to know our process for creating the newsletter. The Committee is organized into three teams, and each team is responsible for selecting, proposing, and writing the three profiles for a particular issue of the newsletter. To ensure a diverse newsletter, the teams propose the names of the selected individuals to the Co-Chairs to ensure that there is a breadth of coverage for each issue. Additionally, the Co-Chairs keep a master list of all the profiles, so that we can ensure a wide range of coverage over time.

The Faces of the LWI Committee exists to allow us to learn about the interesting lives of our colleagues. For that to happen, we want and need a diverse selection of legal writing professors to profile. If you have someone in mind that we should put on the list for a future newsletter, please feel free to email any of the committee members listed below. If you could include a note explaining why you think the individual's profile would be particularly interesting, it will help us in developing priorities.

Committee Members



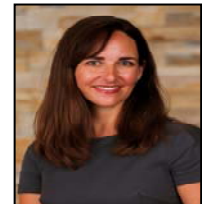
Maureen Collins
Co-Chair, JMLS
7Collins@jmls.edu



Grace Hum
Co-Chair, USF
ghum@usfca.edu



Joan Rocklin
Co-Chair, Oregon
jrocklin@uoregon.edu



**Elizabeth Berenguer
Campbell**
berenguer@campbell.edu



Alexa Chew
UNC
achew@email.unc.edu



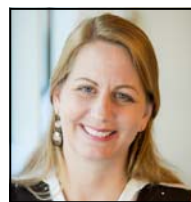
Iselin Gambert
George Washington
igambert@law.gwu.edu



Janis Kirkland
Regent
janikir@regent.edu



Jody Marcucci
DePaul
jmarcucc@depaul.edu



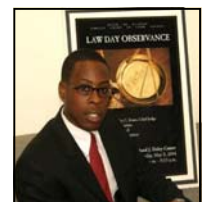
Jennifer W. Mathews
Emory
jmathews@law.emory.edu



Allison Ortlieb
DePaul
aortlieb@depaul.edu



Rebecca Rich
Duke
rich@law.duke.edu



Byron Wardlaw
JMLS
bwardlaw@sbcglobal.net

