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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.

A Message from the President



In late April, two weeks before final exams, the trustees of Whittier College announced that they had decided to close Whittier Law School. The decision had been shared with the law faculty just the night before. Although some faculty members filed a temporary restraining order to prevent the closing, their efforts were unsuccessful. These faculty teach at the second-most diverse law school in the country, according to the 2015 *U.S. News & World Report*. At Whittier, students of color comprise over half the student body, and a majority of the student body are women. This issue of “LWI Lives” features our talented and courageous colleagues from Whittier Law School.



(from left to right) Jenn Mertus, Kelly Mauerman, Robert Somers, Kristen Martin, Andrea Funk, Christine Kelton, and Kelley Poleynard



(from left to right) Kelley Poleynard, Jenn Mertus, Robert Somers, Jill Reza (top), Kristen Martin (bottom), and Andrea Funk

Jennifer Mertus: A Passion for Teaching and Building



By Allison Ortlieb

Jennifer Mertus began her legal writing career at her alma mater in 2004, soon after her graduation. It was a natural fit as she was already a seasoned teacher before attending law school at Whittier. From the start of her law teaching career, it has been apparent that she loves teaching, and she's always taking on new challenges. At heart, Jenn is a builder.

For more about Jennifer, see page 3.

Kelley Mauerman: Sunshine, Sharing, and Scouting in Southern California



By Jodie Marcucci

Professor Kelley M. Mauerman is the Assistant Director of Lawyering Skills and Institutional Assessment at Whittier Law School in sunny Costa Mesa, California. She started as an adjunct instructor in 2000, and she joined the full-time faculty in 2008. She quickly climbed the ranks, becoming the Assistant Director of Whittier's writing program in 2012, and in 2013 she added expertise in Institutional Assessment to her repertoire.

For more about Kelley, see page 4.

Andrea Funk: Proud of Whittier's Service to Students and Community



By Maureen Collins

This year completes Andrea Funk's 20th year at Whittier Law School (See her profile in the March 2015 issue of LWI Lives.) She began in 1997 as a "Legal Skills Instructor." At that time, the program was just a fraction of what it would become. There were three required semesters of legal research and writing, and each was worth only one unit. The program had a director, two full-time instructors, and an army of adjuncts. In 2000, Andrea became the director.

For more about Andrea, see page 5.

Kelley Poleyard: Life as a California Girl



By Nancy Soonpa

Kelley Poleyard remembers her summer as a Disneyland tour guide vividly: widely varied responsibilities, a smattering of French, and a strict dress code. Kelley's summer working at Disneyland was preceded by her frequent childhood visits, as she grew up in Southern California. After a childhood that included doing charity work and delivering meals on wheels with her mom, a former English teacher, she did her undergraduate work at UCLA.

For more about Kelly, see page 6.

Jennifer Mertus

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Jenn is grateful that she was able to build her academic career at Whittier because the school gave her the opportunity to develop new programs for the school. In addition to teaching Lawyering Skills, Jenn developed numerous family law courses, including Comparative Family Law to International Children's Rights and International Adoption Law. Her devotion to both skills education and children's rights made her a natural choice to direct Whittier's Center for Children and Families, a position she has held since 2009. She is very proud of the work that the center does for both students and clients. The Center has produced many passionate advocates and has helped thousands of clients through its special education and kinship care clinics.

Jenn's interests in lawyering skills and children's advocacy extend beyond geographical boundaries. As Director of the Center for Children and Families, she developed a unique study-abroad program. The program, held at the prestigious Nanjing University Law School in China, has grown far beyond courses in children and the law and now includes courses in International Business Law and Trade. As director of this study abroad program, she also developed an externship program that allows students to work in some of China's top law firms.

Jenn's heart for building programs and her dedication to Whittier has made the announcement of Whittier's closure a hard pill to swallow. As she noted, "It's hard to see what you've built for 7 to 10 years be gone." She has been trying to find new homes for clinical programs, journals, and study abroad programming. But rehoming these programs is difficult. Unless a school already has the underlying subject-matter interest and curriculum to support the program, a school is not likely to take one of these programs on. And, sadly, most schools that have the underlying infrastructure to support such programs already have their own programs.

Jenn is not only sad to see Whittier's closure as a faculty member and as an alum, she is worried about the impact Whittier's closure will have on the larger legal community in Orange County. As she noted, the legal clinics have helped countless children in the community. With Whittier's closure, there will be one less resource for special education advocacy assistance, one less clinic to keep children with their extended families and out of foster care.

Jenn notes that the impact of the closure also extends beyond the clinics' clients. Jenn describes Whittier as a "school of opportunity." It has always welcomed students who might not otherwise have been able to attend law school: first-generation law students from meager and modest backgrounds. She worries that those students will no longer have that opportunity to attend law school. But the impact of the closure extends beyond these students as individuals. Jenn notes that many of these students are the students who have gone on to serve their communities and other underserved populations after graduation. Not only is Whittier's closure a lost opportunity for prospective students, it's also a loss for the communities that might have been served by those prospective students after their graduation.

Though she is sad to see Whittier close, Jenn's adventurous spirit and can-do attitude keep propelling her forward. She's an avid traveler who prefers to embed herself in the culture of any culture that she visits. She shies away from well-known tourist areas and would rather enjoy street food than haute cuisine. She's willing to go anywhere "at least once... except maybe Antarctica." Her vacation bucket list includes Africa, where she would like to study children's rights and adop-



Jennifer Mertus and her family



Jennifer Mertus

tion law.

No matter where her travels take her, she always makes time to return to her collegiate roots in North Carolina. Die-hard Tarheels fans, Jenn, her husband, and her two children make it to at least one basketball game and one football game per year. And yes, they made the drive to see North Carolina play in the Final Four.

Despite the changes at Whittier, Jenn Mertus is not ready to step away from the business of training lawyers. She hopes to continue to train new lawyers and to develop future children's rights advocates. If you would like to talk to Jenn about her programs and her work, you can reach her at jmertus@law.whittier.edu.

Kelley Mauerman

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Kelley is a native of Southern California, having grown up in San Diego. Opting for a different climate for college, she chose Northwestern University in Evanston, Illinois. After surviving her share of Midwestern winters (she lost a bet once when it snowed in May!), she returned to San Diego to attend law school. One benefit of her time in the Midwest is that she met her husband, Dave, at Northwestern. When Kelley enrolled at the University of San Diego School of Law, Dave became an officer in the Navy. While Kelley became immersed in the pressures of law school, Dave became immersed in the pressures of a deep-sea submarine.

Kelley and Dave started their family in San Diego, when their now seventeen-year-old son, Christopher, was born. Kelley was clerking for Magistrate Judge Cynthia G. Aaron at the Southern District of California at the time, a job she thoroughly enjoyed. But when Dave's job transferred the family to Orange County, Kelley left the court because the commute to and from San Diego became onerous, especially with a young child. It was then that she began teaching legal writing as an adjunct at Whittier. Soon after, their daughter Shayla, now fifteen years old, joined the family. The family has a fifth member now; Avalon, the family's second rescue Labrador retriever, is a wonderful companion to Kelley during her late nights of grading.

The Mauermans are an active family who take advantage of all that the Southern California climate has to offer. Kelley is an avid runner, and Dave is a triathlete. Christopher is on the cross-country team, and Shayla is a swimmer. They also enjoy camping and traveling. They live like locals when they travel by participating in "home exchanges" and swap houses with other families. They've done home exchanges in Spain,

Canada; and in Toulouse, France, where the family lived when Kelley taught a Whittier summer course there. In fact, the Toulouse exchange turned into more than a house swap when the child the Mauermans hosted took Christopher's spot on his swim team. The Toulouse exchange also had an unanticipated benefit for Kelley's students because the family who hosted the Mauermans was friendly with a local judge who arranged for a special tour of the courthouse.

The Mauermans are also active in scouting and enjoy the service aspect of it. Shayla and Christopher are both scouts, and Kelley and Dave are both scout leaders. Shayla recently earned her Girl Scouts Silver Award by providing services, such as gathering school supplies and serving Thanksgiving meals to the families at Camp Pendleton, the nearby Marine base. Shayla is currently exploring options for her Gold Award project. Christopher recently became an Eagle Scout; his service project assisted the Second Harvest Food Bank of Orange County.

This past spring, the clouds rolled in when the Whittier College Board of Trustees decided not to enroll a 1L class in the fall of 2017. Kelley describes the news as "devastating." She is proud to be part of the Whittier Law community, which she calls a "wonderful place to work." She hopes for a bright future for her "top-notch colleagues," her students, and herself. Contact Kelley at kmaurman@law.whittier.edu



Kelley Mauerman and her family

Andrea Funk

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Her first act was to make a two-page, single-spaced list of all the changes and improvements: a professional “wish” list for the department and for the people in it. Each year, she chipped away at the list. The many improvements in the program include

- The move from an adjunct-driven program to one with eight full-time, dedicated lawyering skills professors.
- Increased units and an expansion of the skills curriculum. About a decade ago, Whittier expanded its second-year course to include an option for students to take either a litigation or a transactional track for their upper-level writing course. The school also offered an honors Certificate in Legal Writing, including an Honors Writing course.
- Better and more secure conditions for those teaching in the program, including changing titles from “legal skills instructor” to “lawyering skills professor” and decreasing the number of sections and students taught. The program achieved 405(c) status in 2005. Faculty members were awarded 5-year presumptively renewable contracts, everyone could vote, and for once, all seemed bright and hopeful.

Andrea was feeling like the lawyering skills department had finally hits its stride. Everyone in the department began developing his or her own interests and specialties. Hers, for example, was assessment. (She just published a book this spring with Carolina Academic Press called “The Art of Assessment.”) The department hosted the Western Regional Legal Writing Conference in 2013 and then hosted an Assessment Conference in 2015, both of which were well attended and well received. And, during its last two ABA site visits (in 2006 and 2013), each team lauded our department as “stronger than usual” and “seamless.” It goes without saying, then, that in 2015 when the wheels started to come off the bus, it was devastating to the whole department.

In describing the legacy of the department, Andrea stated: “When I look back, what makes – or made – our department so special was not just what we achieved, but who we were together, as a group. Each professor is unique and has different strengths; we worked together incredibly well as one unit. We all cared about one another and, after working together for over a dozen years, we were like a family. They were—and always will be—part of me. I respect each of them immensely and am forever grateful for their hard work and dedication to our department. I have been so blessed to know and work with each one of them. There are many tragedies in the wake of the decision to close the law school, but for me, the destruction of our department is chief among them. The last two decades have been an extraordinary gift. I am beyond sad to see it come to an end.”

Nonetheless, Andrea looks to the future. She still enjoys road trips with her husband and daughter and the family remains committed to service in their community. As for her plans, Andrea says, “We are at a turning point in legal education, and I look forward to being a part of the continuing conversation.” Contact Andrea at afunk@law.whittier.edu.



Andrea and her husband at Chapman University celebrating her daughter Grace who was named a finalist in the 2017 Holocaust Art and Writing Contest for her essay honoring a Holocaust survivor



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Kelley Poleynard

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With a physician father and high school teacher mother who emphasized academics, she studied hard and graduated in 1992.

Her first full-time job was as a liquor sales representative. She recalls long days and not-very-glamorous duties that included unloading boxes of liquor and shelving bottles before the stores opened. Her sales job gave her a break after undergrad and offered health insurance, a salary, and a minivan that she used for work and was allowed to take home for personal use as well. (The experience of driving a minivan as a 21-year-old led to her private vow never to drive one again, a vow she has clung to even as a mom.)

Thinking that law school might be an attractive alternative to schlepping boxes of liquor, she took a job as a legal assistant to get a feel for what practice might be like. She learned a lot at that job, both practical skills and as professionalism (or the lack thereof) in the behavior of some male attorneys towards female staff. Around that time, she also witnessed the law in action as she saw her parents through their divorce.

That experience made her “feel better about the process” of the profession that she was considering, and she wrote her law school application essay about what she learned and how it affected her interest in practicing law. Even at that early stage, she considered being an ethics professor (and now teaches Professional Responsibility and Lawyering Skills at Whittier). After graduating from the University of Southern California School of Law in 1997, she practiced for awhile and then moved into teaching. She took a full-time teaching position at Whittier in 2005.

In addition to sharing her practice experiences and hearing her students’ reactions, a highlight of her teaching is watching struggling first-semester students reaching that “click and get it” moment in their second semester. She recalls a stu-

dent who was struggling with organization in the first semester. In the second semester, that same student brought a draft to her for help, but in that discussion, the student explained clearly and accurately how her draft was organized and where its organization needed to be improved. Kelley was filled with pride.

That pride continues as she sees her students off to internships with her lessons firmly in tow. She remembers one student in particular who shared that he felt lost about how to approach an assignment until he calmed down and recalled her telling him, “you can do anything.” Imbued with that confidence, he successfully completed the task.

In her down time, Kelley enjoys camping and travel with her husband Gary and daughter Alexandra. Along with local favorites like the Sierras and Mammoth Mountain, they took a family trip to Bavaria in November, visiting the Christmas market in Nuremberg and a medieval crime museum. Kelley is excited about her upcoming three-generation all-female trip to France with her mother and daughter.

Back in California, Kelley faces an uncertain future as Whittier ends its law-teaching mission. While she is still under contract for the next school year, she is simultaneously pondering the next step in her career, certain that she must find that opportunity in Southern California. With her immediate family in the area, a house in Long Beach, and a lifetime of memories there, going somewhere else is not an option. Resigned to the possibility of not finding another teaching position (“people don’t leave these positions, and there are only so many schools,” she notes), she confidently predicts that “I’ll figure something out.” And just as Disneyland led to college and liquor sales led to law school and law practice led to teaching, Kelley Poleynard waits for the next interesting step in her rooted-in-Southern-California life. Contact Kelley at kpoleynard@@law.whittier.edu



Kelley Poleynard and her family in Long Beach

UPCOMING LEGAL WRITING EVENTS

August 25-26, 2017
7th Annual Western
Regional Legal Writing
Conference
Seattle University School of
Law

**September 15-16,
2017**
Central States Regional
Legal Writing
Conference
Indiana University McKinney
School of Law

October 21, 2017
Capital Area Legal
Writing Conference
Regent University School of
Law

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 contact any of our members at the email addresses below. If you could include a note about why you think the individual's profile would be particularly interesting, it will help us in developing priorities.

Selection and Presentation Process: We believe it is important for the members of LWI to know our process for creating the newsletter. The Committee is organized into three teams, and each 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 are keeping a master list of all the profiles, so that we can ensure a wide range of coverage over time.



Looking Forward to the
New School Year!

Faces of LWI Committee Members



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

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