



LWI LIVES

Inside this issue:

Cindy Archer	1-3
Tom Holm	1, 4-5
Brenda Tofte	1, 6-7
Committee Members	8
Next Month's Profiles	8
Upcoming Legal Writing Events	8

Page 1

April, 2015

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.

Scrappy and Scrapbooking in Los Angeles

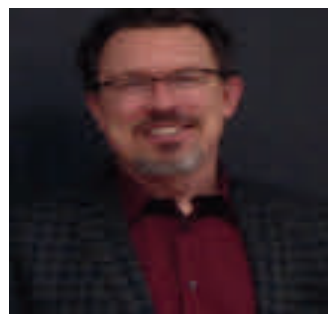


By Olympia Duhart

Cindy Archer has a lot on her plate. But she likes it that way. The mother of four has been very busy at Loyola Law School, Los Angeles as Director of Lawyering Skills and inaugural Director of the Concentration Programs. Still, she carves out time to participate in public service and professional development. And while the Black Women’s Lawyers of Los Angeles and the presentations at legal writing conferences are important to her, she’s got a special place in her heart for another pursuit: Scrapbooking retreats.

For more on Cindy, see page 2

A Director who Quotes ABBA and Can Hit a 3 pointer



By Bob Brain

Tom Holm is the Director of the Lawyering Skills Clinical Program at UCLA School of Law, where he is also the Director of Moot Court Programs. He has co-authored the book, *CRACKING THE CASE METHOD: LEGAL ANALYSIS FOR LAW SCHOOL SUCCESS* (with Paul Bergman & Patrick Goodman) (2012), which is used by several law schools during orientation, and recommended for incoming first year students as an aid to help ease their transition to law school. I caught up with Tom just before UCLA’s Spring Break.

For the interview with Tom, see page 4

Expat, Costume Designer, Roadie, Mother, Wife, Teacher, Quilter, Hiker & Inspiration: Whew!



By Tamara Herrera

World-traveler! Expat!

These are the words that come to mind when I think about my first impressions of Brenda Tofte. I met her at a regional conference several years ago when she was in her first year teaching legal writing at Qatar University, and I could have listened to her stories all night. Imagine my surprise when I learned during our recent interview that Brenda first left the country at the age of forty!

For more on Brenda, see page 6

Cindy Archer, continued

"I have been making scrapbooks since I had my youngest daughter. It is very much a leisure hobby" Archer said. "I do the actual paper, pen, glue and cutting. I don't do anything electronic. I get my therapy out of cutting paper. It's so therapeutic to create something and have something come out of it. If nothing else, I enjoy the chance to sit and think about the special time reflected in the picture."

Archer has made scrapbooks for each of her daughters, family vacations (including her trip to Disneyland for a 45th Birthday celebration) and Christmas holidays. It's a hobby she started 15 years ago. And it's one of several creative outlets this Los Angeles native pursues when she has the time.

Said Archer: "I've always loved doing creative things all my life."

Archer's passion for creativity influences her personal pursuits, but also informs her teaching philosophy. Formerly a commercial defense litigator for financial institutions including Wells Fargo and Bank of America, Archer joined the Loyola faculty 16 years ago. She and her husband Anthony met while she was at Georgetown University Law Center. They are both now in nontraditional legal careers. Archer is teaching law. Her husband works as a hospital compliance officer. In the Q and A below, Archer shares the secrets of a successful scrapbooking retreat, explains how things have changed since she was a law student and reveals why she hopes part of LWI's initial mission will be obsolete in 30 years.

How do the scrap-booking retreats work?

First you tell the husbands to take care of everything; "nobody call me." The people who are sponsoring the retreat rent out a ballroom in a hotel and set up an eight foot table for each guest. Guests arrive on a Friday morning unpacking bags as if they are staying for a week, but it is all scrapbooking stuff. You only pack a few comfortable outfits because the goal is to never leave the table. I have been at the table for 18 hours straight and taken a 6 hour nap to start again. I often go with my youngest sister and we've gone all over California. Big Bear. San Diego. Pretty much anywhere within driving distance. It's so cool. Just the creative process is therapeutic for me.

How has the legal writing classroom changed since you were in law school?

When I think about where we are now and where we were when I was in school, I have to say it's good to see that legal writing has developed so much as a discipline. It is exciting and encouraging that people



The Archer Clan

"I hope that LWI still exists [30 years from now], but that it exists for different reasons. One of the reasons it was created was for people to connect. But a lot of it was status issues. So I hope in 30 years the latter is a non-issue."

are so committed to the pedagogy and schools generally realize that it should be staffed by full time faculty committed to the development of the discipline. [Archer was a student fellow at Georgetown in the legal writing department.] Legal analysis and writing is the foundation to the other things that students and lawyers do. Other fun and funky things I tell my students is that when I went to law school, Westlaw was one huge, stationary terminal in the library. We did everything in books!

LWI is 30 years old now. How do you think it will look 30 years from now?

I hope that LWI still exists, but that it exists for different reasons. One of the reasons it was created was for people to connect. But a lot of it was status issues. So I hope in 30 years the latter is a non-issue. I do hope LWI still exists for us to connect, share and challenge our discipline to grow. This is so important to the community of LWI. Every time I attend a legal writing conference I benefit from getting together, learning and sharing.

Cindy Archer, conclusion

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The Archers at Play

What would you do on your perfect day off?

Reading. My whole life I have loved reading. My favorite genre is historical fiction and political biographies. When grading is finished, I usually have a stack of books I have set aside that I am going to devour. Then there's cooking. I love to cook. It's the creative process again that I love. I get excited about how I can change things – make them a little more interesting. I grew up in LA but my roots are in New Orleans. Over there, all connections happen over food. When I first became legal writing director, I invited the whole group over for shrimp etouffe and bar-b-que shrimp.

“If you are not being creative, I don't understand how you are teaching.”

There's a lot of passion about creativity. Does this impact your work in the classroom?

If you are not being creative, I don't understand how you are teaching. In addition to creative teaching methods, I also want to relay to students how creative lawyering is. “People hired you because of your analysis skills and your ability to see things differently.” The opportunities to be creative should excite students about being a lawyer.

Anything else we should know about you?

My family is extremely important to me. My husband enhances my ability for me to be the best me. My children challenge me to keep growing. Also, having a family and being a teacher to me have a lot in common. My kids and my students represent similar opportunities in my life. They are something I am investing in. I feel like I'm investing in their opportunity to develop their best selves to help others.

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Tom Holm, continued

How long have you been at UCLA?

As we speak, about 18.66 years.

Always as the Director?

No. I became the Director after my third year of teaching.

You grew up in Minnesota, didn't you?

Yes.

Did you learn anything useful there? I mean if we were stranded, could you skin a moose or ice fish or something?

I had a very happy childhood growing up in Minnesota and I love my state, but I probably should have been kicked out of the state at some point. I don't hunt; I don't fish; I don't skate. It's a better fit for me in California.

How did you get out to California?

I had planned to go to college out-of-state but very happy reasons kept me in-state. I decided to move to San Francisco or L.A. after law school so applied for clerkships out there dur-



Tom's Students Help Him Celebrate the Rutter Teaching Award

(They replaced Obama's picture with Tom's on the T-shirt)

I didn't think about teaching much when I was at Morrison & Forester until I saw an ad for teaching legal writing. That was what I wanted. Being in the classroom; focusing on the students; teaching them a skill – a highly practical course .

Tell us something about yourself that we don't know – at least that you are willing to share.

“I was a three year letterman and captain of my high school basketball team, and I was a four year letterman in basketball and Student Athlete of the Year and Captain of the team at Carlton College in Minnesota. . . . Also, I'm a big history buff.”

ing law school. I got a clerkship with Judge Alarcón on the Ninth Circuit. I immediately loved Los Angeles and decided to stay.

Did you join UCLA right after your clerkship?

No. I worked for a few years in the L.A. office of Morrison & Forester, and then applied to teach.

What was it that got you to apply to teach, and to want to teach legal writing at that?

I always wanted to teach. During college, I taught for a summer at the Milton Academy in Boston, in a program that exposed low income students, who were rising seniors in high school, to what college life might be like. I enjoyed it very much. It was doing things I liked – working with small groups of students, and helping people learn new skills. At the time, I was planning on working as a high school history teacher and basketball coach. But then I decided to go to law school; I attended a workshop on how to become a law school professor and they stressed how important academic scholarship was to the job, and academic writing wasn't what motivated me.

So I didn't think about teaching much when I was at Morrison & Forester until I saw an ad for teaching legal writing. That was what I wanted. Being in the classroom; focusing on the students; teaching them a skill – a highly practical course. I applied for a writing position both at UCLA and Loyola. Loyola made a mistake and didn't make me an offer, but UCLA did, and here I have been since.

Tell us something about yourself that we don't know – at least that you are willing to share.

I was a three year letterman and captain of my high school basketball team, and I was a four year letterman in basketball and Student Athlete of the Year and Captain of the team at Carlton College in Minnesota. . . . Also, I'm a big history buff.



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Tom Holm, conclusion

What position did you play?

I played shooting guard primarily, but played some point guard as well.

Any particular periods in history that interest you?

Yes – the history of the American Civil War; the French Revolution; and Medieval English history.

Do you ever use your knowledge of history in class?

I do. I often use metaphors for approaching legal analysis through some historical event or figure. My students don't always understand the references, but they like my explanations.

What do you like to do during your summers?

I read history. When I can, I travel, usually to historical sites. A couple years ago I went to France because I wanted to see the beaches at Normandy for myself, along with where Joan of Arc was tried for heresy, and the Bayeux Tapestry. When I can't get travel, I like to hike a lot in California. And grill. Every Minnesotan loves his or her grill.

Before I met you, I heard about you because of a speech you made when you won a UCLA Teaching Award. Can you tell us about that?

I have won two awards. The first was a University wide UCLA Distinguished Teaching Award, which I won in 2000, about four years after I started teaching. The second was a School of Law award, the Rutter Group Award for Excellence in teaching, which I won in 2010. That was the one with the speech you heard about. I tried to give a thoughtful, yet fun, speech on teaching methods. I love music and I sprinkled in lyrics from rock songs. I like to offer some music during classes. I'll quote a song lyric now and again to make a teaching point or just to riff in the moment. Also, first year is a hard year for



Tom
Celebrates
Turning
50!

I think doctrinal professors would benefit from having a Director for their programs so that they could receive similar training.

students, so I will occasionally suggest they listen to a 70's one-hit wonder to have a moment of mirth. Those songs may not be good, but my position is that they always make you smile.

Give me an example of a one hit wonder you might use in class.

ABBA's Dancing Queen is a song you just can't help but get happy to. The 5th Dimension's Age of Aquarius is another. The list is endless.

[Tom's remarks in accepting the Rutter Group Award were recorded and appear in Thomas Holm, *A Journey of Faith, Love, and Teaching*, 58 UCLA Law Review Discourse 215 (2011).]

One last question. Many of our colleagues celebrate on the listserv when a program goes directorless, in part because it makes the LRW faculty more like, e.g. the contracts faculty which does not have a Director. You have been a Director for 15 years now. What are your feelings on the move to directorless programs?

I think having a Director has a lot of benefits. I have institutional knowledge of what we have tried and what works or not; and I have an official role in mentoring, training and acculturating new LRW professors in how to teach and critique papers and handle student issues. As my professors get more experienced, my role diminishes, but in those first few years, I think it very valuable—I think doctrinal professors would benefit from having a Director for their programs so that they could receive similar training.

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Tom and his parents at Christmas

(Tom's parents are wearing hats his students made with Tom's picture and one of his catchphrases, "Scorch the Earth," on them to commemorate a fun class)



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Brenda Tofte, continued



Brenda and her family on vacation in the Arabian Desert

Brenda grew up in a small town in Minnesota and first left the state at the age of twelve to accompany a friend on a family vacation to Illinois. “I always knew I wanted to travel and wanted a job that would allow me to do that, although I grew up in a tiny town and never actually knew anyone who traveled much, other than people who had traveled ‘back when they were in the military.’” Specifically, Brenda sought out a career in theater arts. Brenda has BFA in theater, and she worked as a costume designer for years. She also did “a tiny bit of ‘roadie’ work, which meant working backstage for concerts and other productions when the Stagehand’s Union was stretched so thin that it had to hire non-union people to cover calls.”

After fifteen years, Brenda decided law school was her calling. Her brother-in-law’s experience weighed heavily in her decision. Her brother-in-law, Steve, died as a result of injuries sustained when he was beaten in his own home by young men aged thirteen, seventeen, and eighteen. These teens were being initiated into a gang. “Although there is no excuse for what these guys did, the story of the thirteen-year-old was especially compelling: he was a ‘throw away kid’ who went on to have a career as a serial rapist after

spending a little time in juvie for beating Steve.” Thus, Brenda chose to attend Hamline University School of Law because of its Children in the Law Program and the ADR program and because the support the school gave to non-traditional students. Specifically, Brenda had a family when she went to law school. “I always joke that I took three and a half years to get through law school—one year for each kid and half a year for the marriage.”

After law school, Brenda clerked for a federal magistrate judge. Although a big corporate law firm was holding a job offer open for her, Brenda got a full-time offer to clerk for an Article III judge, so she decided to stay with the court. “I ended up clerking for the federal courts six years before I started teaching.”

Brenda started her law teaching career in Minnesota at University of St. Thomas School of Law and at her alma mater, Hamline School of Law. “Once I started teaching, I was free to do pro bono work, and worked for the Indian Child Welfare Law Center of Minneapolis representing Indian children in foster care.” But the need to travel soon surfaced. Brenda answered a posting on the LWI Listserv, and after three phone interviews, Qatar University offered her a job. “I have always wanted to live overseas, and this was the only foreign posting I had ever seen, so I was thrilled to get the position.”

At Qatar University, Brenda teaches legal writing to LL.B. students. “I have primary responsibility for teaching Legal Writing II, which focuses on teaching legal analysis and argument from common law precedent.” She also sits on committees, advises students, and helps moot court students with oral argument as needed. When asked about the best part of teaching at Qatar, Brenda has a definitive answer: teaching the students is the best part of the job. “When I make a connection with a student here, the connection makes a big difference. Many of our female students are the first women in their families to attend the university, and some of our students’ families are in war-torn areas of the region such as Syria and Palestine. These students are separated from members of their families and worry about their families every day. It is amazing to watch them focus on their studies when the headlines are so real for them. Their dedication to their education is humbling.”

Despite all that is on her plate, Brenda does have time to get out and be an active part of the expat community. She notes that an instant comradeship develops among people in Qatar and that in the expat community one makes friends even more quickly because most people are away from home and their usual familial support systems; they create support systems among friends. “I go out with friends a lot more here than I do at home.” And she is not without at least one member of her family: her oldest son, Noah, actually lives and works in Qatar too. “One of the detours he took on the way to getting his B.A. in Creative Writing was to learn piano tuning.” Noah is currently the piano techni-



Brenda Tofte conclusion

cian for the Steinway Dealership in Doha and is the only Steinway-trained piano tuner in the Middle East, which means he travels a lot. He also likes to ride bikes, but since Doha is not a great place to ride bikes, he has become a runner and is training for his first half-marathon.

Brenda's other two children live in the states. Her son Luke lives in Detroit, where he is an electrical engineer. He also travels a lot for his work, mostly to China. His niche is robotics, and he "inherited the chef gene from his dad and the gardening gene from one of his aunts, so he is always creating interesting new things in the kitchen." Daughter Emma will graduate from Augsburg College in Minneapolis in May with a degree in International Business and minor in Environmental Science. She has been dancing since she was eight, and just completed four years as a member of the Augsburg dance team, where she was captain her senior year. "Any and all job leads welcome!"

As for Brenda's husband, Scott, he also lives in the states, and they have been "doing long-distance marriage" for the past three years. He intended to make the move to Doha, but he was never able to find a job. Although they are living long-distance now, they met in college and married soon after. In April, Scott will be visiting Brenda in Doha, and they have some fun spring-break plans. They plan on going to Dubai to see the tallest building in the world and the indoor ski slope that everyone talks about. They would also like to go to Oman for some hiking.

Speaking of hiking, Brenda is a walker and hiker. "I'm also a big walker and hiker, which makes me an anomaly here in Doha, which is not a big walking city at all." She also quilts and sews, "which is a great excuse to buy fabric wherever I go." In addition, she and her husband are big mystery readers and share books long-distance. It should come as no surprise, then, that Brenda is never bored! "I almost always have paper and pen with me, so I plan classes, quilts, or articles. If nothing else, I'll write letters to people." She also always has a book with her. "The concept of boredom completely eludes me."

What is elusive, though, is what label fits Brenda best because she has so many: expat, costume designer, roadie, mother, wife, teacher, quilter, hiker, inspiration.

[And, in full disclosure, she will soon add a label personal to the author: colleague. Brenda is returning to the states this year, and she will visit at Sandra Day O'Connor College of Law, Arizona State University in 2015-2016.]

Here are a few more interesting things about Brenda:

Favorite type of music?

My tastes are pretty eclectic, and I am not a huge music-listener. Lately, my daughter has me listening to some newer country stuff. I have classical music on in the background most of the time when I am working; Simon and Garfunkel/Joanie Mitchell-type stuff or Cole Porter-type stuff when I am cleaning, who knows? I love show tunes, the Beatles, and Celtic music. I love Trampled by Turtles, and even if I didn't love it, that band should win every award ever given because it has the best band name—ever.

Favorite band?

My current favorite band is Southwire, my nephew's band. It was named one of the Minnesota Bands to Watch for 2014 <http://minnesota.cbslocal.com/top-lists/best-up-and-coming-minnesota-bands-of-2014/> and is very fun in concert. Check it out on Facebook.

Favorite song?

Currently, it is *Home is Whenever I'm With You* by Edward Sharpe & The Magnetic Zeros, which I know is a hopelessly old song, but I like it because my son and I danced to it at a wedding right before I left for Doha last August. For me, music is a lot about the memories it evokes.

Favorite movie?

Tough call—my daughter and I watch *White Christmas* together every year and that has great memories attached to it.

Favorite book?

Another tough call—I still love *Peace Like a River* by Leif Enger because it's beautifully written, and *Dear Zoo* by Rod Campbell, because I loved reading that with my kids when they were toddlers.

Favorite food?

Cookies—any homemade cookie without nuts is okay with me.

Any advice for legal writing colleagues?

Choose your colleagues well! I have been blessed to work with many collegial and helpful colleagues who have shared ideas, energy, and support. Going to work has always been a joy. I was lucky early in my career to have directors and colleagues who were former professors of mine, and thus naturally fell into mentorship roles, whether they wanted to or not! Having mentors is important. Be bold—do not be afraid to ask someone to be your mentor. The Legal Writing Institute and all its resources and our listserv are extensions of this collegiality and this mentorship. We are fortunate to have these resources—use them. That is my advice—use your resources: both the physical resources within your school and the cyber resources you have as part of this community.

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UPCOMING LEGAL WRITING EVENTS

April 17-18, 2015
Southeastern Regional
Legal Writing Conference
University of Tennessee College of Law

April 24-25, 2015
2015 Northwest Regional
Conference
University of Oregon School of Law

May 15, 2015
2015 Carolinas Legal
Research & Writing
Colloquium
Duke Law School

May 20-22, 2015
Global Legal Skills
Conference
John Marshall Law School and
Northwestern University School of Law

May 29, 2015
Fifth Empire State Legal
Writing Conference
Syracuse University College of Law

August 7-8 2015
Fourth Annual Western
Regional Writing
Conference
Loyola, Los Angeles Law School

MISC.

Upcoming
Events for AALS
<http://www.aals.org/aals-events/>

LWI LIVES

Next month in *LWI Lives*, read about::



Ralph Brill
Chicago-Kent



Mark Strickland
Howard University



Gabriel Teninbaum
Suffolk University

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.

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 on why you think the individual's profile would be particularly interesting, it will help us in developing priorities.

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