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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 the LWI and its members. We have in common the commitment to being the best legal writing professors that we can be. But we are also 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 Novel Writing, Poker Playing, Fiction Teaching, Director Shines at Northwestern



By Tamara Herrera

Michelle Falkoff describes herself an “open book,” but she definitely has a few surprises up her sleeve!

Most of us know Michelle as Director of the Communications and Legal Reasoning Program at Northwestern Law, where she joined the faculty in 2013. As Director, she splits

For more on Michelle, see page 2.

Did You Hear the One About the Writing Professor who is a Stand-Up Comic?: Read On



By Olympia Duhart

He’s really funny.

And that comes as no surprise to the students who sit in Hugh Mundy’s Lawyering Skills class at The John Marshall School of Law. After all, how many law professors can squeeze out a chuckle from students during the dreaded

For more on Hugh see page 4.

A Memo to the President or a Memo Assignment for 1Ls: He’s Done Them Both



By Bob Brain

How was your first day of teaching at Chicago-Kent?
It was my first day of teaching Legal Writing. But I had taught as an adjunct at American University for four years before that, teaching the Law of War and International Law. So I had some sense of what to expect.

For more on Ryan, see page 6.



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Michelle Falkoff, continued



her time between administration and teaching, and she is currently developing a class for students in the new Master of Science in Laws program. She also presents regularly at conferences and recently wrote an article for the Journal of Legal Education: “Using Fiction Workshop Techniques in the First-Year Legal Writing Classroom.” Prior to joining Northwestern, Michelle taught legal writing at the University of Iowa College of Law from 2006 to 2013. So what is her teaching surprise? “I also teach fiction writing classes on occasion at the University of Chicago and in the Iowa Summer Writing Festival.”

Perhaps her love of writing is no surprise to her family, though. As a child, Michelle loved reading and writing, and her parents constantly pointed out that she was argumentative. Michelle’s goal was always to be a lawyer, but her secret dream was to be a writer. She began fulfilling her dream by majoring in English Literature at the University of Pennsylvania. But her pragmatic (and argumentative?) side took over, and she attended law school after getting her degree. Specifically, she attended Columbia Law School and “started out after law school as an intellectual property litigator in Silicon Valley, but firm life wasn’t for me.” So what is her professional surprise? “I went back to grad school for fiction writing” at the University of Iowa “in the hopes of doing something writing-related full time.”

By all measures, Michelle has succeeded in doing something writing-related full-time. Not only has she been teaching legal writing for the past eight years, but she is also a published author of several short works of fiction and non-fiction. “I started teaching legal writing at the University of Iowa College of Law soon after [graduation], and I love this job—it’s a great way of merging my two favorite things.” In fact, Michelle is quick to point out that the people are the favorite part of her job. “I have amazing colleagues and wonderful students who work really hard.” She is also enjoying her time in Chicago. “I’ve been seeing a bunch of plays and trying new restaurants and getting to know new people—there’s a tremendous writing community here that’s very welcoming.” So what is her writing surprise? She has her first young adult novel coming out in early 2015: *Playlist for the Dead*, HarperCollins.

Because her book is coming out soon, her secret life as a writer is secret no more. “I used to try and keep the writing and the law stuff separate, but since the book is coming out this spring, there’s really no way to hide it, so I’ve talked about it a little bit with the students. They seem pretty into it, though it’s very scary to think about the thought of them having

So what is her surprise for relaxing after a long day at work?

“Between the new job and the writing I’m pretty swamped, but I’m making time for my favorite hobby, which is playing poker.”



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Michelle Falkoff, continued

the chance to read my writing and evaluate me!” So what advice does she give her students? “Be open to the process. The students who are the most amenable to letting law school tinker with their brains tend to be the most successful.”

Following are some final pieces of advice and other surprises from Michelle.

Where do you get your writing inspiration?

“So many places—the people and the world around me, really. I keep files of notes with observations about things I see in the news, or things people do that intrigue me, or weird images I see just walking around. You never know how the combination of some random article on the internet combined with a strange comment someone makes can turn into narrative”

Favorite book?

“Too hard! I’m a big fan of Donna Tartt’s *The Secret History* for those who like literary mysteries. For those who are into YA, I just read and loved E. Lockhart’s *We Were Liars*. For people who like short/stories and/or weird stuff, Kelly Link’s *Stranger Things Happen* is fantastic.”

Favorite band/song?

“This changes all the time, but I’ve been very into The Decemberists for a long time. “We Both Go Down Together” is a good gateway song for people who aren’t familiar with the band.”

Favorite movie?

“I can’t just pick one! Favorite old movie: *Roman Holiday*. Favorite comedy: *The Princess Bride*. Favorite suspense thriller: *The Usual Suspects*.”

Favorite food?

“Chocolate, in all its forms.”

And last, but not least, what advice would you give someone who would like to write a novel? In other words, how do you juggle it all?

“Oh, there’s nothing I can say here that won’t sound like a cliché. The most important thing for people who want to write is to write, full stop. That sounds simple, but it isn’t, especially for those of us with full-time jobs. It’s really all about time management and making writing a priority. There are lots of people who talk a lot about wanting to write, but as I tell my students, ultimately it’s all about getting your butt into the chair.”

So what is her surprise for relaxing after a long day at work?

“Between the new job and the writing I’m pretty swamped, but I’m making time for my favorite hobby, which is playing poker.”

Deal us in, Michelle!

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Hugh Mundy, continued

introduction to The Bluebook?

But what his class may be surprised to learn is that Mundy isn't just their LS professor with a sharp sense of humor. He's a stand-up comic with close to 10 years of experience who manages to balance his teaching demands, volunteer work with live clients, a passion for social justice, and love of running with an occasional foray into stand-up comedy. "It's all a lot of work," Mundy said. "But it's work that I love."

Before he started teaching law, Mundy was an Assistant Federal Public Defender for eight years working first in the Middle District of Tennessee and then in the Southern District of New York. He also argued multiple appellate cases in the United States Court of Appeals for the Sixth Circuit. The work was challenging and the experience invaluable. To better develop his advocacy skills, Mundy thought about doing stand-up comedy. "I felt intensely uncomfortable speaking in court, and a friend recommended improv as one way to being less inhib-

ited," Mundy said. "I knew a guy in town who had done some stand up and he I could open for him. I really didn't want my clients to suffer because of my anxiety. It was a way to put myself in a position of vulnerability without the high stakes."

In his trademark self-deprecating humor, he adds: "The only thing that was at risk was my dignity and self-respect." A native of Pennsylvania, Mundy is a graduate of the University of Notre Dame and received a JD degree from Columbus School of Law at Catholic University of America. He explains why it is important to him to stay active in direct client representation and why 1Ls are a tougher crowd than most comedy club audiences.

What is your practice experience?

"I spent a year at legal aid working on impact litigation as it relates to Medicaid care for people in rural areas. Then I was with the federal defenders for

eight years. I represented a variety of people. Primarily firearms, drug crimes and immigration."

What drew you to that line of work?

"The challenge of trying to protect people from government. I stated doing the work at a time when the number of federal indictments had doubled, people were being prosecuted for nonviolent drug-related crimes. I really was trying to respond to that. On its best days, it was rewarding. It is so important to give a voice to people who essentially have none. There were many days that it was fun. And other days it was soul-crushing. It can become emotionally taxing, but I learned to survive by leaning on my colleagues for support. I had a wonderful group of coworkers. I relied on them for expertise, friendship, emotional support and drinks."

How does your practice experience impact your teaching?

"With the help of some students and the



Hugh and Michael Moore

How do you strive to achieve work-life balance?

"Bourbon and running"

Hugh Mundy, continued



What's harder – taking the stage as a stand-up comic or teaching 1Ls?

“To a certain extent, the 1Ls. At least at a comedy club people are ready to laugh and willing to give you the benefit of the doubt the first few minutes”

support of the pro bono clinic, I've been able to work with an actual innocence case. I took the case two years ago and we're working through it. It has been a good opportunity for me because I am staying true to my practice roots, but I also feel there is an incredible opportunity for the students to have some practical experience and build a relationship with a client. It's also a good opportunity to learn about some of the entrenched inequities in the justice system.”

You have so much going on. How do you manage all of these competing responsibilities?

“First, I am passionate about my teaching and I feel lucky to have the institutional support to write on matters that are most interesting to me. And I really feel a responsibility to continue in some way working with direct client representation in a pro bono capacity. There is certainly a need for it.”

How do you strive to achieve work-life balance?

“Bourbon and running. I've made a number of friends through running. It's less about the typical opportunities and more about the chance to meet people and make friendships. More about getting to know people and drink beer afterwards.”

And how does stand-up comedy fit into your life now?

“I still do a stand-up comedy show here and there but it was more of an avenue to help me with my teaching voice. Stand-up comedy gives you the comfort to fail in front of large groups of people. As for topics, there are no jokes about clients and no jokes about students. But everything else is fair game.

What's harder – taking the stage as a stand-up comic or teaching 1Ls?

“To a certain extent, the 1Ls. At least at a comedy club people are ready to laugh and willing to give you the benefit of the doubt the first few minutes. In law school, we are working with a particularly demanding group of students. They are more invested because we are getting more students seeking out legal education. That can make it rewarding but challenging. In stand-up, I learned much more from the tough crowds than I did from the easy laughs. It was about having the confidence to forge ahead. I think I've also become a better teacher by virtue of the students who have challenged me. Which is a good thing.”



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Ryan Vogel, continued



Tell me about your work for the Defense Department – unless it is one of those things where if you tell me, you have to kill me.
“I will try to avoid the latter”!

But this was your initial first year class?

Yes, and it was good; a real challenge. They were looking at me with such expectation. It forced me to go back and approach law school with fresh eyes. Knowing that as first year law students they have such little exposure to the law and with legal writing really made me re-think legal writing in a new way.

By now you must have corrected your first set of memos. How was that?

Actually I've been through two sets of papers with grades already. It's a lot of work. But it is the students' first grade in law school. So I've tried to coach them on what is right, what is wrong, what is better, and help them understand that it is a process. There needs to be growth throughout the year and what they do on their first assignment is not going to be what they do on their last assignment at the end of the year.

It has been fun to see them improve already from their first paper to the second – from a closed memo to an open one. They adapt very quickly and are using legal language pretty well.

I know you worked for the Defense Department in Washington, DC before you joined the faculty at Chicago-Kent. Tell me about your work there – unless it is one of those things where if you tell me, you have to kill me.

I will try to avoid the latter! I worked at the Pentagon and was a senior policy advisor for the Secretary of Defense. I had the opportunity of advising the President, the Secretary of Defense and other senior officials in the defense department on issues related to international law and the law of armed conflict – also known as the law of war. I was involved in international negotiations with our partners in a number of areas, such as international criminal law, international courts, human rights, and detention. I was involved in developing “soft law” agreements and drafting proposed legislation.

Did you have to do much writing?

Absolutely. The domestic side of my work in particular required a lot of writing. There were lots of memos to leadership seeking approval of ideas or changes to existing policies, especially in the areas of detention and detainee review proc-

esses.

What was it you learned about that type of writing?

I had to learn how to write precisely and succinctly, as the memos were directed to very busy people who had little time. Also, I had to know my audience for each piece of writing.

You may have just answered my next question, which was what can you take from your experiences in writing for the Defense Department into the legal writing classroom?

There are principles that I followed in writing for the Department:

1. Read carefully;
2. Research thoroughly;
3. Write succinctly and precisely.

These are principles that are transferable to anyone's writing -- whether they work in big law firms, or in government, or are first year law students.

Ryan Vogel, continued



Did you work for more than one Secretary of Defense?

Yes, I worked for Secretary Gates, Panetta and Hagel.

Did they have their individual preferences?

There were little differences – one wanted note cards with bullet points to go along with your memo so he could take them to a meeting as a kind of cheat sheet – but generally they wanted the same thing: a well considered and well written memo that helped them make a decision.

Why did you want to leave such a high level position and get into academia?

As I mentioned, I taught as an adjunct at American for four years and liked it very much. I had done some legal writing and had a few articles published, and I enjoyed that part of it, too. As the years went on, teaching seemed like the right next step.

Given your teaching and publishing interests, I would think you would be seeking a doctrinal position. What made you go into legal writing?

I really hadn't considered a legal writing position until I interviewed at Chicago-Kent. It is really a great program. I liked the fact that it was multi-year, and I liked that the school was committed to turning out graduates who

could research and write well. It seems like a good fit.

Will you be teaching a substantive class?

Yes, I'm teaching Law of War in the Spring.

I understand that you also are a blogger.

Yes, I occasionally submit pieces to the Just Security blog site [<http://justsecurity.org/author/vogelryan/>] and hope to do more blogging in the future. In the national security area, things happen pretty quickly and with blogs you can get your thoughts out there pretty instantaneously, which is different than in a law review.

Lastly, how do you and your family like Chicago after living in DC for so long?

We are loving Chicago. It was hard leaving DC because it felt like home and is such a great city, but we have really enjoyed getting to know Chicago.

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Ryan at Guantanamo

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Selection and Presentation Process: We believe it 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 profiles in the newsletter are listed in alphabetical order.

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 e-mail addresses below. If you could include a note on why you think the individual would make particularly interesting profile, that will help us in developing priorities.

In *LWI Lives* next month, look for profiles of:



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