LWI One-Day Workshop at Stetson University College of Law
December 3, 2021
Virtual, Eastern Time

Time	Speaker	Presentation
10:00 a.m. – 10:10 a.m.	Michèle Alexandre, Dean (Stetson University College of Law)	Welcoming Remarks and Mindfulness Moment
10:15 a.m. – 10:40 a.m.	Irene Ten Cate (Brooklyn Law School) Concurrent Session Room A	*Growing Pains: Grades and the First-Semester Legal Writing Course* Grading curves in law schools incentivize students to work hard, but they can also induce tunnel vision, cause stress, and impede growth, especially in the first semester. As we all know, this inherent tension poses unique challenges for legal writing professors, who are often the only faculty to provide multiple assessments and individual guidance. My presentation will address tradeoffs that are involved in providing graded legal writing assessments throughout the first

		semester, followed by an open discussion about mitigation strategies such as course design, feedback strategies, and teaching techniques.
10:15 a.m. – 10:40 a.m.	Rachel T. Goldberg (Cornell Law School) Concurrent Session Room B	*Assessing Language Use as a Social Practice* This presentation encourages LRW professors to assess grammar from a rhetorical perspective. Rather than focusing solely on correctness, a rhetorical approach empowers students to see the connection between audience perception and conventional grammatical forms in prestige-English. Such an approach is critical for minoritized students, whose writing is too-often categorized as error-filled and inferior. "Rhetorical" grammar teaches students to make effective linguistic choices and, at the same time, helps them see that there is no right language, only more or less effective choices. This presentation will end by providing practical suggestions for assessing grammar from a rhetorical perspective.
10:45 a.m. – 11:10 a.m.	Melissa H. Weresh (Drake University Law School) Concurrent Session Room A	*Comprehensive Assessment: The Readiness Assurance Process* In a team-based learning classroom, the readiness assurance process (RAP) employs out of class preparation and in-class quizzes to reinforce student understanding of class material. The RAP has the added benefit of enhancing students' interpersonal skills and competencies that employers increasingly emphasize as necessary for practice. During the in-class, group quiz students must cooperate and collaborate to

		ensure comprehensive participation of all group members. The group discussion and immediate quiz feedback provide assessment on their understanding of class material and peer assessment provides powerful feedback on interpersonal skills. Each of these forms of assessment are low effort for the instructor.
10:45 a.m. – 11:10 a.m.	Cindy Thomas Archer (University of California, Irvine School of Law) Jazzirelle Hill (Loyola Los Angeles) Concurrent Session Room B	*I Can't Believe My Eyes* In this presentation, I will discuss my experience with the impact of anonymous grading on my ability to fairly and equitably assess student work. I have taught in programs which required anonymous grading and in a program where the choice to grade anonymously is an option. Grading anonymously is often lauded for being "more fair" because it allows professors to "objectively" grade the end product and not the effort. But is that the best way to engage in the learning process or to prepare for practice where there is no "anonymous" assessment? And ultimately, can I trust my eyes in "open grading" or do my biases blind me, making process less equitable? Does it make a difference if I am grading a final assignment or a draft to be discussed in a conference? Is there a way to grade an assignment where seeing the student is required, e.g., interview or conference? I will share experiences and my initial research on this important issue. Having recently transitioned from practice, Prof. Hill will also be address how to prepare students for feedback and assessment in practice.

11:15 a.m. – 11:40 a.m.	Alissa Rubin Gomez (University of Houston Law Center)	*From the Master's Table: The Trouble with Grammar* In 2019, Teri McMurtry-Chubb published *Still Writing at the Master's Table: Decolonizing Rhetoric in Legal Writing for a "Woke" Legal Academy*, arguing that legal writing is taught as an elite and closed discourse, without critique of the formal rhetorical structures that have dominated American law since colonization. She got me thinking, as a White legal writing professor, am I complicit in perpetuating norms that drown out diverse voices? Does insistence on "perfect" grammar when grading elevate an elitist structure? Or is "perfect" grammar part of clear communication? My presentation will examine the tension between these ideas and propose ways to consider a broader range of English usage and style in legal writing.
11:40 a.m. – 11:50 a.m.	Break	During Breaks, break-out rooms will be open so that you can mingle with others who are attending the conference, if you like. To help you choose a room, we will assign themes to guide the general tenor of the conversation. Please do not feel obligated to jump into a breakout room if you need some time alone.
11:50 a.m. – 12:00 p.m.	Lance Long (Stetson University College of Law)	Introduction of Keynote Speaker and Responsive Panel
12:00 p.m. – 12:25 p.m.	Teri A. McMurtry-Chubb, Keynote Speaker (University of Illinois, Chicago Law School)	*Assessing Antiracism or Antiracist Assessment?: Strategies & Critiques for Inclusive and Equitable Writing Communities*

		The Keynote Address is co-sponsored by The Institute for the Advancement of Legal Communication and Stetson University College of Law's Diversity, Equity, and Inclusion Committee.
12:25 p.m. – 1:25 p.m.	Dean Michèle Alexandre (Stetson University College of Law) Elizabeth E. Berenguer (Stetson University College of Law) Sha-Shana Crichton (Howard University School of Law) Lucille A. Jewel (University of Tennessee College of Law) Brian N. Larson (Texas A&M University School of Law)	Responsive Panel and Interactive Q&A
1:30 p.m. – 1:55 p.m.	Sandra L. Simpson (Gonzaga University School of Law) Concurrent Session Room A	*No Law Student Left Behind: Ameliorating NCLB's Devastating Effect on Cognitive Adaptability* Teaching current law students, who are products of No Child Left Behind Act ("NCLB"), illustrates the need for ongoing adaptation of law school teaching. The long-term effects of federal education policy, which culminated in NCLB and its progeny, has created holes in the education and skills of the students educated in this modern era. These underdeveloped professional skills are the exact skills current law students need

		to be successful as a practicing lawyer, and these are the exact skills employers are demanding be developed and possessed by these new lawyers. To ameliorate skill deficits, law schools can differentiate the curriculum, utilize appropriate assessment techniques, and adapt teaching methods in both skills and doctrinal classrooms.
1:30 p.m. – 1:55 p.m.	Brooke Ellinwood McDonough (The George Washington University Law School) Natalia V. Blinkova (The George Washington University Law School) Concurrent Session Room B	*Innovating Assessment: The Short (Thus Far) History of GW's Fundamentals of Lawyering Program* Three years ago, GW Law transitioned from an adjunct-taught 1L legal writing class to an innovative Fundamentals of Lawyering Program taught by full-time faculty. Our presentation will compare the different approaches to grading we've taken over the past three years—grading interim assignments versus only the final, capstone assignment—students' reactions to the different approaches, and best practices for maximizing student engagement and performance under each approach. We will also discuss our use of rubrics to promote transparency among students and faculty alike, equitably assess traditionally "ungraded" skills, and incorporate those assessments into students' final grades.
2:00 p.m. – 2:25 p.m.	Jane E. Cross (Nova Southeastern University, Shepard Broad College of Law) Concurrent Session A	*Get Into the Groove: Using Inclusive Assessments to Evaluate Pedagogical Effectiveness* This presentation will discuss the use of inclusive assignments to assess the effectiveness of teaching a particular class and will

		explore the utility of those assessments for in-person versus online classes. The presentation will also explore the information gained from using frequent small assignments early in the class to address students' issues with time management, subject mastery, and following instructions and guidelines. More importantly, this presentation will explore why assessments are necessary to evaluate pedagogical effectiveness across classroom settings.
2:00 p.m. – 2:25 p.m.	Alison Stites (University of Wisconsin Law School) Concurrent Session Room B	*More Than Just a Grade— A New Strategy to Ensure Students Can See Their Own Improvement* Students are often frustrated with the grades they earn in Legal Writing. As the semester goes on, the assignments become more complicated and my expectations increase. Thus, a student may dramatically improve their legal writing and researching skills, but may nevertheless receive a similar (or even lower!) grade on each consecutive assignment. I have developed a system to track student performance on key skills throughout the semester. I would like to get feedback on this new assessment reporting strategy before I go-live to students.
2:30 p.m. – 2:55 p.m.	Catharine DuBois (Brooklyn Law School) Concurrent Session Room A	*Stop Sweating the Small Stuff: How exclusive focus on substantive rhetorical skills in lieu of sentence structure and word-choice (even errors) can improve learning objectives in LRW classes and minimize inequity in grading and learning*

		Legal communication and legal rhetoric are complex skills rooted in effective legal analysis and argument organization; professors should assess these skills exclusively in early assignments, leaving the small stuff—syntax, usage, and even proofreading—to later. Early assessments that include—or worse, focus on—the small stuff shift focus from the complex skills. And a professor could miss the development of complex skills, which could create inequitable results among diverse students. The program suggests progressive assessment that focusses on the complex skills before the small stuff to better measure relevant learning, protect against inequity, and prepare students for practice.
2:30 p.m. – 2:55 p.m.	Wendy Shea (Mitchell Hamline School of Law) Erica Stohl (Mitchell Hamline School of Law) Concurrent Session Room B	*The Right Rubric* Over the past two years, we have experimented using different rubrics for different assignments. For example, we might use single-point or narrative rubrics for early, no-credit, or low stakes assignments; analytical rubrics for early drafts of memos or trial briefs; and summative or holistic rubrics for the final memos and briefs. Across our live, HyFlex, and Blended programs, we've had successes and challenges with each of these, including the time they take to build and how students react to them. During the presentation, we will discuss how and why we use different rubrics.
3:00 p.m. – 3:25 p.m.	Michelle Zakarin (Touro College, Jacob D. Fuschberg Law Center)	*From Zero to Forty: Legal Writing Assessment Points that Just Make Sense*

	Concurrent Session Room A	When I began teaching Legal Writing in 2003, I had two assessments. Today, I have eight, ranging in point value from zero through forty. My one zero-point assessment is a first draft of legal analysis using a format specified in class. Students re-write after receiving my feedback, and this new assessment is worth five points. On my final assessment, the point value increases to forty points. I'd like to explain why lower stakes work best sometimes and why increased stakes work better at other times. I can also discuss how I use Canvas for electronic grading and rubrics.
3:00 p.m. – 3:25 p.m.	Catherine Cameron (Stetson University College of Law Ashley Chase (Stetson University College of Law) Concurrent Session Room B	*Inclusive Technology in the Legal Research and Writing Classroom* Often technology is used as a novelty in the legal writing classroom, but some of the effectiveness of traditional classroom instruction can be lost if technology is not used in a thoughtful way. This presentation will demonstrate ways technology can be used to increase inclusivity in legal writing and research instruction in and outside the classroom. Attendees will be provided specific instructions on how to use specific technologies to improve their students' research and writing skills and how to assess student growth in these areas.
3:25 p.m. – 3:30 p.m.	Carmen B. Johnson, Esq., Executive Officer for Diversity, Collaboration, and Inclusion (Stetson University College of Law)	Gratitude and Closing Remarks