



LegalWriting
institute

LWI One-Day Workshop on Improving Legal Writing Faculty Status
Co-hosted by LWI's Professional Status Committee: Advice & Support and



December 1, 2023

8:30 – 3:00 Pacific, 11:30 – 6:00 Eastern

Virtual (register through [LWIOnline.org](https://www.lwi-online.org) to receive Zoom Link)

Time (PST)	Speaker	Presentation
Part I: Focus on ABA Standard 405(d) and Proposal to Eliminate It		
8:30 – 8:50 PST	Amanda Stephens (St. Mary's University School of Law)	<i>The Intersection of Race, Legal Writing Professor Status, and ABA Standard 405(d)</i> While there is extensive research on the gender-based hierarchy that leads to women being predominantly placed in non-tenure track legal writing positions, which are often considered less prestigious compared to doctrinal positions,

		there is limited research on how this hierarchy intersects with race. This paper aims to collect and analyze data on the status of legal writing professors of color to examine how their status may be influenced by their race as well as ABA Standard 405(d).
8:50 – 9:30 PST	<p>Bob Brain (Loyola Law School, Los Angeles)</p> <p>Mary Bowman (Sandra Day O'Connor College of Law at Arizona State University)</p>	<p><i>Unpacking the ABA's Proposed Changes to Standard 405</i></p> <p>On November 17, 2023, the ABA's Standards Committee voted to propose changes to accreditation Standard 405 that would improve job security and faculty governance rights for legal writing faculty. The ABA's proposal accepted the changes proposed by ALWD/LWI and went even further, covering all full-time faculty rather than just legal writing faculty. In this session, we will discuss what the ABA has proposed, what it would mean for job security and faculty governance rights, and the importance of weighing in on the proposal during the notice & comment period in December 2023.</p>
<i>Break from 9:30 – 9:40 PST</i>		
9:40 – 11:10 PST	<p>Laura Graham (Wake Forest University School of Law)</p> <p>Melissa Weresh (Drake Law School)</p> <p>Richard Neumann (Hofstra University Maurice A. Deane School of Law)</p>	<p><i>Advice & Support Panel & Discussion Groups on 405(c)</i></p> <p>For the first hour, panelists will explore various issues regarding transitioning from 405(d) to 405(c) status.</p> <ul style="list-style-type: none"> • Laura Graham will talk about standards for qualifying for the first presumptively renewable contract and how that relates to workload & faculty governance • Melissa Weresh will talk about transitional issues re. moving to 405(c) track, including credit for prior work and the possibility (but not necessarily requirement) of taking on scholarship • Richard Neumann will talk about making “presumptively renewable” meaningful, both re. process and standards

	Bernadette Gargano (Buffalo University School of Law)	<ul style="list-style-type: none"> Bernadette Gargano will talk about options for faculty and schools regarding the transition, including varying staffing models and why schools should not use a fellowship model <p>After the panel, we will have two 15-minute breakout room sessions where attendees can discuss these issues, offer suggestions, and get advice/mentorship.</p>
11:10 – 11:30 PST	Bob Brain & Mary Bowman	<p><i>Next Steps re. Responding to Proposed Changes to Standard 405</i></p> <p>Bob and Mary will wrap up discussion of the ABA proposal with more information about options and logistics for expressing your views on the proposal to the ABA. This session will also include time for Q&A/discussion.</p>
<i>Break from 11:30 – 11:40 PST</i>		
Part II: Improving Status Beyond the ABA Proposal		
11:40 – 12:05 PST	Karin Mika (Cleveland State University Law School)	<p><i>The Danger of the Long Road to Where We Began</i></p> <p>I intend to talk about the status battles of my lengthy career and discuss what the future may look like given various changes in legal education. These include the emphasis on skills training, Next Gen bar skills, but also the online classroom. I intend to discuss the potential pitfalls of a future that, status-wise, seems to be looking brighter than ever.</p>
12:05 – 12:30 PST	Rosa Kim (Suffolk University Law School)	<p><i>Pursuing Equity Through Controlling Our Courseloads</i></p> <p>One gauge of equity among law professors is the ability to propose and teach new courses outside of meeting curricular needs. Legal Writing faculty have limited ability to teach non-legal writing courses on-load, but doing so periodically can be valuable for intellectual growth. I have looked into how some legal writing programs approach this issue, and would like to explore the</p>

		topic with the goal of learning from each other and gaining insights that will be helpful to our community.
12:30 – 1:05 PST	Irene Ten Cate & Brittany Persson (Brooklyn Law School) Megan Davis (University of Houston Law Center)	<i>Status and the Intra-Skills Divide</i> The continuing progress in the fight for status improvements for legal writing professors is cause for celebration and deep gratitude to those who are leading the charge. It also provides an occasion to reflect on our position vis-à-vis academic support and research faculty, who enjoy no protection under the ABA Standards and often rank below legal writing professors in law school hierarchies. Our presentation brings together legal writing, academic support, and research professors for a frank conversation about the intra-skills divide.
<i>Break from 1:05 – 1:15 PST</i>		
1:15 – 2:05 PST	Kathy Stanchi, Mary Beth Beazley, & Nantiya Ruan (UNLV)	<i>Status Issues When Changing Jobs Mid-Career</i> We will discuss, from both the employee and hiring employer standpoint, how to negotiate a mid-career job change. This session will include: how to discern the status of legal writing at an institution and other considerations; what is the real difference between unitary tenure and other forms of job security: the importance of titles, voting, and other benefits; how to negotiate a step-up in status and other perks if you get the offer; as well as the costs and benefits of making a move mid-career.
2:05 – 2:35 PST	Craig Smith (University of North Carolina School of Law)	<i>How Openness, Wise Boundaries, and Exemplary Citizenship Can Foster Progress</i> Changing disadvantageous rules tends to be hard work. Let’s discuss the equally hard, and equally important, daily work that makes change attractive by (1) clarifying how the rules are disadvantageous and (2) articulating and emphasizing possible improvements, even incremental ones. Such work can include, for example, serving our faculty, students, and others exceptionally

		well – and speaking forthrightly about challenges posed by faculty status distinctions, successes despite those challenges, and opportunities that beckon beyond those distinctions.
2:35 – 3:00 PST	<p><i>Final Discussion Groups</i></p> <p>Attendees will have the opportunity to engage with each other and with members of the LWI Professional Status Advice & Support Committee on these and any other status issues that people want to discuss.</p>	