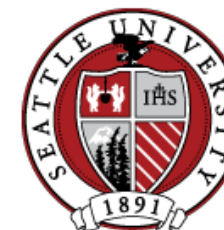




LegalWriting
institute

LWI One-Day Workshop
Hosted by Seattle University School of Law
Saturday, December 10, 2022

Teaching Values in the Legal Writing Classroom



SCHOOL OF
LAW

Program Overview		
Time (PST)		
7:40 to 8:00 a.m.	Zoom Room Open: Networking, Chatting, and Catching Up	
8:00 to 8:10 a.m.	Welcome: Katy Boling & Janet Dickson	
Session 1: 8:10 to 9:00 a.m.	Plenary: <i>Teaching the Value of Values</i> , Katya Cronin & <i>Legal Writing's Hidden Moral Curriculum</i> , Ezra Ross	
Session 2: 9:05 to 9:30 a.m.	<i>Professionalism and Self-Reflection in a Remedial Writing Class</i> , Nicole Chong	<i>Using Legal Writing Problems to Reveal the Complexity of Race, Gender, and Identity Under the Law</i> , Andrew Turner
Session 3: 9:35 to 10:00 a.m.	<i>Exploring Antiracism in the First Year Legal Writing Classroom</i> , Amanda Stephen	<i>Lawyering Skills and Professional Identity</i> , JoAnne Sweeney & Shavonnie Carthens

10:00 a.m. to 10:40 a.m.	Break	
Session 4: 10:40 to 11:05 a.m.	<i>Using Self-Reflection for 1Ls</i> , Kirsten Williams	<i>Diligent, Competent, and Prepared: Helping Students Define and Develop Professionalism in the Legal Writing Classroom</i> , Mary Largent Purvis
Session 5: 11:10 to 11:35 a.m.	<i>De-Biasing [Through] Peer Review: Checking and adjusting for implicit bias through peer-review exercises</i> , Leslie Callahan & Natalia Blinkova	<i>Letters to the Editor</i> , Kim D. Ricardo
Session 6: 11:40 a.m. to 12:05p.m.	<i>The Three "Rs" Revisited - Fostering Self Reliance Through Reflection and Reverse Outlining of a Memo Assignment</i> , Christine Lofgren	<i>The Value of Artistic Expression in Legal Education</i> , Flora Midwood
Session 7: 12:10 to 12:35 p.m.	<i>The Gentle Art of Letting Go: How I Changed My "Type A" Approach to Teaching</i> , Meredith Geller	<i>Using Quotes & Self-Reflection Assignments to Teach Values</i> , Marlene M. Krousel
12:35 to 12:50 p.m.	Closing Remarks and Feedback Survey: Katy Boling & Janet Dickson	

Detailed Program (all times in PST)

Teaching Values in the Legal Writing Classroom

Many legal writing programs teach values as part of their curriculum. These values may include professionalism, cultural competence, self-reflection, anti-racism, the rule of law, or others. This program explores assignments, exercises, or other best practices for teaching values in the legal writing classroom.

7:40 a.m. to 8:00 a.m.: Zoom room open for networking, chatting, and catching up

8:00 a.m. to 8:10 a.m.: Welcome, Katy Boling and Janet Dickson, Seattle University School of Law

8:10 to 9:00 a.m.: Plenary Session

Teaching the Value of Values, Katya Cronin, George Washington School of Law

While teaching professional values in law school is becoming the norm, considering our students' personal values still feels unimportant. After all, what do students' values have to do with the impartial, rational, and client-centered practice of law? Everything. Research shows that the only way to train well-adjusted, fulfilled, and productive lawyers is by directing them to careers that most closely match their own values. Through a series of short exercises interspersed throughout the year, I aim to show my students that their own values have tremendous importance in shaping their careers, benefiting their clients, and contributing to society.

Legal Writing's Hidden Moral Curriculum, Ezra Ross, UCI Law

Much of the discussion about values and legal education understandably concerns whether to teach moral values in the classroom and, if so, how best to do so. In this talk, however, I challenge the underlying premise that legal writing instructors can choose whether or not to communicate moral principles to our students. Instead, I contend

that ostensibly uncontroversial actions—like discussing approaches to legal writing—can implicitly convey stances on moral questions. Ultimately, I will try to marshal support for a counterintuitive notion about values instruction: that what we don't teach can have as much impact as what we do.

9:05 to 9:30 a.m.: Session 2

Room A: *Professionalism and Self-Reflection in a Remedial Writing Class*, Nicole Chong, Penn State Law (University Park)

Students who struggle often do so because of more than inadequate writing skills. Those students also have problems with being able to self-reflect on analytical and writing deficiencies and understanding the professional nature of lawyering. Ultimately, they are unable to truly understand their deficiencies, leading to the inability to implement feedback. They have trouble transferring skills from one assignment to the next. Finally, they struggle with understanding why remedying their deficiencies is so important to professional writing. In my remedial upper-level class, I use an exercise to teach the importance of self-reflection, which helps both writing and professionalism skills.

Room B: *Using Legal Writing Problems to Reveal the Complexity of Race, Gender, and Identity Under the Law*, Andrew Turner, University of Wisconsin

Achieving goals such as reducing segregation, combating discrimination, and promoting equity and inclusion under the law require more difficult and nuanced legal choices and tradeoffs than many new law students realize. Challenges include how to define identity, how to deal with tradeoffs between inclusion and clarity, and how to navigate conflicts between conflicting rights. In this talk, I will discuss three specific writing prompts that I've used over the last two years, how those prompts both succeeded and failed in challenging students to think about these issues, and some principles I suggest considering when designing such problems.

9:35 to 10:00 a.m.: Session 3

Room A: *Exploring Antiracism in the First Year Legal Writing Classroom*, Amanda Stephen, University of Washington

In my first-year legal writing class, I tell students on the first day of school that antiracism is a value that is important to me. Rather than siloing discussions of bias and racism into a single lecture, I try to incorporate them in logical places throughout the year. In this presentation, I will share some of the specific assignments and activities I have used to address racism and bias in legal writing and lawyering. I invite attendees to share the ways in which they are addressing the value of antiracism within their classrooms, too.

Room B: *Lawyering Skills and Professional Identity*, JoAnne Sweeney & Shavonnie Carthens, University of Louisville

This presentation will detail how we are incorporating concepts of professional identity into the first-year lawyering skills curriculum. What we think of as “lawyering skills” involves much more than research and writing; as professors teaching law students’ first experiential class, we have a unique opportunity to help them develop a wide variety of skills that we have fit into three categories: Professionalism, Investigation, and Communication. By honing in on these three concepts, we have found a way to help our first-year students begin to form a professional identity in a way that easily translates into their upper-level experiential courses.

10:00 to 10:40 a.m.: Break

10:40 to 11:05 a.m.: Session 4

Room A: *Using Self-Reflection for 1Ls*, Kirsten Williams, U.S. District Court for the Southern District of Texas

First-year law students returning for their second semester experience a range of emotions after receiving their fall-semester grades. Many will not have performed as well as they had hoped and may be at a loss—mentally and emotionally—on how to improve. Legal writing professors are in a unique position to aid in the process of self-reflection and improvement because they are more likely to be able to provide individualized attention and feedback to students. This seminar would promote the values of and provide techniques for self-reflection, both as a tool for improving in the classroom and in future jobs.

Room B: *Diligent, Competent, and Prepared: Helping Students Define and Develop Professionalism in the Legal Writing Classroom*, Mary Largent Purvis

Professionalism is a complex concept that encompasses a set of skills reflecting both personal and collective values. Merriam-Webster defines “professionalism” as: “the conduct, aims, or qualities that characterize or mark a profession or a professional person.” Helping students identify those qualities and how they are reflected by lawyers in practical ways can enhance student understanding of the potentially vague concept of professionalism. In our Legal Reasoning course, we dedicate some time during each class meeting to discuss professionalism and utilize a series of exercises to help students identify these qualities and explore how they are practically exemplified by lawyers.

11:10 to 11:35 a.m.: Session 5

Room A: *De-Biasing [Through] Peer Review: Checking and Adjusting for Implicit Bias Through Peer-Review Exercises*, Leslie Callahan & Natalia Blinkov, George Washington University School of Law

Giving, and receiving, feedback is an essential lawyering skill. At GW, we have about 50 Writing Fellows in our Writing Center who comment on student drafts submitted electronically and then meet with students in 1-on-1 conferences. As Writing Fellows know little about the specific student writer, it's easy to rely on bias and incorporate assumptions about that student writer into the feedback. We developed an exercise to allow Writing Fellows to recognize implicit biases and examine the impact of bias on their own feedback which, in turn, impacts the student writer's self-perception. This could also be easily adapted to the 1L classroom.

Room B: *Letters to the Editor*, Kim D. Ricardo, UIC Law

This year, I shared an op-ed for The Guardian describing the new Constitution Chileans had proposed to replace the 1980 document imposed by the dictator Augusto Pinochet. This 21-century constitution would have expanded basic human rights in key areas—self-determination for Indigenous communities, universal public health services, housing, abortion, collective bargaining for workers, and the right to a clean environment. The Letter-to-the-Editor exercise introduces the students to a current event, allows them to form their own opinions (i.e., values), and become aware that different writing genres have different conventions. It also eases them into understanding memo writing as a genre.

11:40 a.m. to 12:05 p.m.: Session 6

Room A: *The Three "Rs" Revisited - Fostering Self Reliance Through Reflection and Reverse Outlining of a Memo Assignment*, Christine Lofgren, Southwestern School of Law

An important practical skill for future legal writers is assessment of the writer's own work. As students leave the legal writing classroom and move into real-world legal work, they may not have the same opportunities for feedback from supervisors. This presentation will review an asynchronous exercise that builds students' self-reliance after submitting their first full draft of a predictive legal memo. The exercise has students highlighting, labeling, and reverse-outlining their memo and answering reflection questions to build self-reliance and confidence.

Room B: *The Value of Artistic Expression in Legal Education*, Flora Midwood, Brooklyn Law School

Particularly now, when law students often feel harassed – beholden to disembodied expectations – it is important to find appropriate ways to encourage them to develop their own value structures. Virtue ethics as a normative framework can help to explain why art is essential to this endeavor, and more broadly, to an education in justice. Unlike deontological or consequentialist approaches, virtue ethics' emphasis on the development of character, rather than on the rules one must follow or the consequences one must suffer, stresses social interaction and human relationships. When students are prompted to engage in creative activity, reflect, and reimagine their goals, they display deeper intellectual engagement, emotional maturity, and self-assurance.

12:10 to 12:35 p.m.: Session 7

Room A: *The Gentle Art of Letting Go: How I Changed My “Type A” Approach to Teaching*, Meredith Geller, Northern Illinois University College of Law

I always prided myself on being available to my students, often working nights and weekends to respond to students’ emails in a day or less. However, between the pandemic and personal issues, I was unable to do what I used to. As a result, I’ve had to adapt my teaching to meet my and my students’ needs. This presentation will discuss strategies I’ve adopted both inside and outside the classroom, how I’ve connected those strategies to the practice of law, and provide suggestions for those who would like to take a step back but aren’t sure how to do so.

Room B: *Using Quotes & Self-Reflection Assignments to Teach Values*, Marlene M. Krousel, Louisiana State University Paul M. Hebert Law School

The presentation will focus on the use of quotes at the beginning of class to teach values such as self-reflection, self-care, anti-racism, diligence, and perseverance. I include these quotes in my posted teaching notes so that students can refer to them and reflect on them. Also, I use an in-class self-reflection exercise regarding self-value before giving feedback on students’ writing assignments. Students have thanked me for these practices.

12:35 to 12:50 p.m.: Closing Remarks & Feedback Survey, Katy Boling & Janet Dickson, Seattle University School of Law