



**ELEVENTH ANNUAL ROCKY MOUNTAIN
LEGAL WRITING CONFERENCE
MARCH 25-26, 2011
BOYD SCHOOL OF LAW
UNIVERSITY OF NEVADA LAS VEGAS**

FRIDAY, MARCH 25, 2011

1:00 – 2:00 p.m.	REGISTRATION (LAW SCHOOL LOBBY)
2:00 – 2:50 p.m.	
Moot Court	<p><i>Using the Mind/Body Connection in the Legal Writing Classroom, Deborah Gordon (Drexel) – 25 mins.</i> Recent studies have documented the link between physical exercise and brain function. At the same time, law students frequently sacrifice their physical pursuits (sports, exercise, and leisure) to devote any "extra" time to their studies. Building from the premise that some of the most satisfied and successful lawyers integrate both mind and body into their daily lives, this program will present some ideas for using physical pursuits to enhance students' writing, research, and analysis. Examples will include team sports, a Mount Everest climb, high intensity interval training, and multisport (e.g. triathlon) training (among others).</p> <p><i>Metacognition and Mountain Goats: Preparing Students for the Challenges of Learning Legal Analysis, Madisun Browne (Saskatchewan) – 25 mins.</i> In the first few weeks of teaching LRW, I use a slide show of a mountain-climbing expedition to Mount McKinley to prepare students for some of the challenges in first year legal writing, and in first year law, more generally. The story begins with the sometimes- idealistic decision to climb Mount McKinley; then we travel through blinding blizzards, across ominous crevices, past lazy grizzly bears and agile mountain goats, to the euphoria of the summit. The expedition gives us a common, neutral language to prepare for and, later, discuss the typical cognitive and emotional experiences of first year law students.</p>
Room 112	<p><i>Using Exams as Assessment Tools in First-Year Legal Writing Courses, Andrea Funk (Whittier) – 25 mins.</i> This presentation will provide an example of an exam that addresses grammar/punctuation, citation, and IRAC. The exam is an easy and efficient way to take the pulse of the class and assess whether the students have learned what we think they should have, or whether we need to go back and do more.</p> <p><i>Motivating Students to Succeed, Tracy Turner (Southwestern) – 25 mins.</i> Motivating Students to Succeed. This session will discuss how to incorporate motivation into your course plan from the first day of class through the last. It will present specific teaching ideas designed to orient students toward a focus on learning rather than on grades, to demonstrate your commitment to their success, and to instill the hope they need to commit to learning.</p>

Room 110	<p><i>Naming and Knowing: Statutory Definitions, Jeanne Price (UNLV) – 25 mins.</i> The article considers the nature of statutory definitions and the functions they purportedly serve. Drawing from the literature of cognitive science, linguistics, and communications, the article discusses factors that impact the utility of a statutory definition. and means of measuring the success of individual definitions. The article concludes by suggesting what types of definitions best serve particular legislative purposes and what methods might best be employed by drafters in developing definitions and incorporating them into statutes.</p> <p><i>I Did Not Mean To: Helping Our Students to Avoid Plagiarism in This Digital Age, Sha-Shana Crichton (Howard) – 25 mins.</i> In this digital age, the temptation to copy and paste is easy, the consequence is dire - plagiarism. This presentation will focus on providing tips and tools for legal writing professors to better assist our students to prevent plagiarism.</p>
Room 106	<p><i>A Different Kind of Group Work: Using Focus Groups to Learn from Legal Employers, Susan Wawrose, Victoria VanZandt, and Sheila Miller (Dayton) – 25 mins.</i> What strengths and weaknesses do legal employers see in their recent hires? What would they like new law graduates to bring to the table? We ran focus groups with legal employers to learn the answers to these questions so we could evaluate our 1-L legal research and writing curriculum. In this presentation, we will discuss the process and strategy for using focus groups. Participants will walk away with resources, materials, and tips so they can “try this at home.”</p> <p><i>Two Worlds Collide: Teaching “Real World” Professionalism and Accountability in the World of Legal Writing, Wendy Humphrey, DeLeith Gossett (Texas Tech) – 25 mins.</i> First year law students often struggle with making a connection between their legal writing course and the “real world” practice of law. Why do deadlines matter? Why do rules matter? This presentation provides several ready-to-use ideas to bring the “real-world” into your classroom so students will gain an understanding of deadlines, rules, and professionalism in general.</p>
Room 101	<p><i>Reverse Engineering a Memo: From Sample to Outline to Finished Product, Megan McAlpin (Oregon) – 25 mins.</i> Students should dedicate the same energy to organizing their writing as they do to mastering analysis. Often, though, after grappling with analysis, they don’t have the energy—or the tools—to effectively organize their writing. This presentation will offer one idea for teaching students to use sample memos to create outlines as they learn to organize their analysis. Participants will also be encouraged to share ideas about teaching and encouraging students to organize their writing.</p> <p><i>Identifying the Thread: Using the Persuasive Legal Paradigm, StREAC, to Teach Predictive Writing, Kevin Shelley and Sandra Simpson (Gonzaga) – 25 mins.</i> This presentation will demonstrate the benefits of using what might be considered a "persuasive" legal paradigm to teach predictive writing. These benefits include getting the students to understand not only the issue for each StREAC (CREAC) but also the underlying reasoning or thread running through the authorities for each issue. Predictive writing is, thereby, enhanced by a focused presentation of the issue, an identification of the courts' underlying reasoning, and a statement of the way a court likely would decide on that issue. This information is presented in the first sentence of the StREAC (CREAC) and is repeated throughout the rule, expertise, analysis, and conclusion. The students also benefit from this approach because they are provided with a complete breakdown of what each part of the StREAC should contain. This helps the students fully understand what an effective proof paradigm looks like. Those who attend this presentation will get the opportunity to delve into the practice of utilizing this legal paradigm by seeing the StREAC breakdown, by seeing student work, and by practicing finding the thread and expressing it themselves.</p>

3:00 – 3:50 p.m.

Moot Court

Less Talk. More Teach”: Creating Effective and Incremental Writing and Research Exercises Designed to Maximize Student Learning and Confidence, Leslie Wallace and Allison Cato (California Western) – 50 mins.

This presentation demonstrates how to create and effectively use three writing and research exercises to maximize student learning and confidence. These exercises are: 1) Writing Components, 2) Oral Research Reports, and 3) Analogical Reasoning Exercises. First, Writing Components teach students to spot legal issues, enumerate legal rules and draft explanation and application paragraphs. Second, the Oral Research Report combines written research with persuasive oral communication, and can supplement or replace written outlines. Finally, Analogical Reasoning exercises enhance the development of explanation and application sections in memos and briefs.

Room 112

Freeze! Using Improvisational Theatre Games to Prepare Students for Oral Argument, Deborah Borman and Dana Hill (Northwestern) – 25 mins.

The mere thought of oral argument evokes fear and trepidation in first-year law students. Moot court presents the first opportunity for students to speak extemporaneously on legal issues and answer questions from a panel of judges. Our exercises, based on improvisational theatre games, alleviate the fear of oral argument and prepare students to think and speak on their feet. We will discuss and demonstrate one exercise that you can use to ease your students’ fears.

Self-Learning Nonverbal Persuasion: Body Language, Video Clips, and Simultaneous Modeling, Bruce Ching (Valparaiso) – 25 mins.

Nonverbal persuasion can be enhanced by simultaneously viewing and imitating a speaker's video clip. My students find and summarize online clips of good and bad presentations – providing links for clips, noting time periods for useful segments, and explaining what they learned about body language in those segments. I will show pre-assignment clips that I displayed in class, as well as some student-identified clips and comments.

Room 110

Bringing the United States Supreme Court Bar to a New England Village: Vermont Law School’s Annual Appellate Advocacy Panel, Greg Johnson (Vermont) – 25 mins.

Every year, the Legal Writing Program at VLS brings attorneys who have argued cases before the Supreme Court to campus for a panel discussion. Participating attorneys have spanned the spectrum, from those who have never argued before the Court to well-known Supreme Court practitioners. The attorneys share stories and ideas about Supreme Court practice with our students. This presentation will describe the mechanics of the panel and its benefits for the students and the program.

Incorporating the Concepts of Professionalism and its Boundaries into First Year Research and Writing Curriculum, Katerina Lewinbuk (South Texas) – 25 mins.

It is critical for students to understand that lawyers take pride, as well as responsibility, in the quality of their work product and representation they offer to their clients. The speaker proposes initiating this discussion in first-year legal research & writing classes by giving the students an overview of development of an attorney grievance claim and using a writing assignment that involves drafting documents in preparation of an attorney’s disciplinary hearing.

Room 106	<p><i>Dr. Strangeread: Or How I Learned to Stop Worrying and Love Live Critiquing</i>, David Cleveland (Nova Southeastern) – 25 mins.</p> <p>Live critiquing: mutually assured destruction or a reasonable part of the legal writing arsenal? This presentation tells of one professor’s transition from fearing the idea of live review of student work to embracing the practice as an extremely useful assessment and communication tool. Ideas about how to take small steps toward live critiquing will be offered and input from audience members who use the practice will be solicited.</p> <p><i>Live Conferencing: A View From the Trenches</i>, Janet Peterson (BYU) – 25 mins.</p> <p>Have you ever wished for an alternative to hours of commenting on student papers? Learn about live conferencing (no prior comments required) and whether it could benefit you or your students, including (1) the pros and cons of live conferencing from the perspective of both the professor and the student; (2) the type of assignments that work well with live conferencing; and (3) suggestions for planning and conducting an effective live conference.</p>
Room 101	<p><i>Teaching Legal Analysis and Writing with Factually-Rich Simulations</i>, Jeanne Merino (Stanford) – 25 mins.</p> <p>It is challenging to sustain student engagement in the first-year legal writing course. After the initial excitement of law school wears off, some students become so overwhelmed with work in other courses or distracted by extracurricular activities that they lose focus on legal writing. In this workshop, I advocate teaching first-semester legal writing as a realistic simulation to sustain student motivation and provide a platform for introducing the fundamentals of rhetoric and persuasion.</p> <p><i>The Ultimate Crash Course in Real Life Lawyering</i>, Susan Chesler (ASU) – 25 mins.</p> <p>Intensive Research and Writing: twenty-nine assignments, four weeks, six students, one professor. While the workload for this course is intense, it presents a unique opportunity to immerse students in practical research and writing assignments through individual instruction, and provides numerous unexpected benefits for the professor. This presentation will provide all of the necessary information for professors interested in creating a similar course at their schools.</p>
4:00 – 4:50 p.m.	
Moot Court	<p><i>Emerging Theories of Interstitial Hermeneutics and Normative Globalization: The Phenomenological Heuristics of Neocontemporary Rhetoric</i>, Mary Beth Beazley (Ohio State), Lyn Goering (Arkansas), Pamela Lysaght (Detroit), and Richard Neumann, Jr. (Hofstra) – 50 mins.</p> <p>Ignore the panel title. We're not going to do any of that. We don't even know what it means. Instead, we'll talk about subjects too incendiary to publish in the conference program. There will be no handouts, Power Point slides, or other written evidence.</p>
Room 112	<p><i>To Report or Not To Report: That is the Question</i>, Lisa McElroy (Drexel) – 50 mins.</p> <p>This presentation will ask participants to discuss whether or not the students in several hypothetical situations violate typical honor code or plagiarism rules. Participants will discuss which “violations” they would report to the Academic Dean or honor code committee, discussing the pros and cons of making such reports. The presentation will include an overview of empirical research about how/why students violate honor codes and how law schools might work to discourage such violations.</p>

Room 110	<p><i>Toddlers, Teenagers, and Table Tennis: Simple Ideas for Helping Students Improve Rule Application, Joi Pearson (BYU) – 25 mins.</i> This presentation will offer several simple exercises designed to help students improve the effectiveness of their rule application sections. In particular, these exercises focus on helping students identify weaknesses in their analysis such as unsupported legal conclusions, inadequate explanations of reasoning, and missing predictions. Students may use these exercises either on their own or during in-class workshops.</p> <p><i>How to Avoid Writing Like a Loser: The Theory of Argumentative Threat, Lance Long (Oregon) – 25 mins.</i> After years of research, I have developed a theory suggesting that when a lawyer writes a brief for a losing argument, or when a judge writes a dissenting opinion, they both subconsciously sabotage their respective briefs or opinions by adopting "poor" writing styles. This presentation shows the highlights of that research, using SCOTUS as an example. I will also suggest some simple procedures you can use to help your students avoid "writing like a loser."</p>
Room 106	<p><i>Reflecting on Student Reflections, David Austin and Lisa Black (California Western) – 25 mins.</i> Professors Austin and Black will share with you their ideas on how to create student reflection assignments, integrate them into your syllabus, and use them to your advantage. Student reflections can help you stay sane, make grading memos easier, and provide you with ammunition when your contract is up for renewal. And did we mention how much they can help your students? Sprinkle liberally with metacognition, shake and stir: a recipe for a successful assignment.</p> <p><i>Reviving Peer Editing: A Comprehensive Approach to Align with Learning Outcomes and Maintain Our Sanity in This Increased Assessment Era, Cassandra Hill (Thurgood Marshall) – 25 mins.</i> This presentation highlights collaborative peer editing through the lens of student learning outcomes and assessment measures. To meet the ABA's proposed requirements for specific student learning goals and increased assessment, law professors must find efficient techniques to measure students' performance. Peer editing presents such an opportunity. Professors can design an assessment-focused peer editing assignment by systematically approaching the assignment in stages: (1) planning, (2) the "pitch" and training, (3) implementation, and (4) assessment.</p>
Room 101	<p><i>Using Moodle in a Legal Writing Class, David Sorkin (John Marshall) – 25 mins.</i> Moodle is an open-source course management system. In a legal writing class, it can be used to distribute course materials, collect and return written assignments, schedule student conferences, conduct online discussions, and guide students through research exercises while providing immediate feedback. As a relatively new user of Moodle, I will talk about my experiences with it and demonstrate how I have been using it in my classes.</p> <p><i>How the Internet is Changing the Way We Read and What Legal Writers Should Do About It, James Levy (Nova Southeastern) – 25 mins.</i> Research shows that we read differently depending on whether the text is electronic or hardcopy. Comprehension, speed, eye-movement and focus change depending on the format. As electronic filing becomes increasingly mandatory in many jurisdictions, lawyers need to consider whether, and how, they should alter their writing style to accommodate the electronic reader. This presentation will discuss the research on how readers respond to electronic versus hardcopy text and the implications for the legal writing classroom.</p>
5:00 p.m	RECEPTION SPONSORED BY LEXISNEXIS (SECOND FLOOR ROTUNDA)

SATURDAY, MARCH 26, 2011

8:30 – 9:30 a.m.	BREAKFAST SPONSORED BY WOLTERS KLUWER – ASPEN PUBLISHING (SECOND FLOOR ROTUNDA)
9:30 – 10:25 a.m.	<p style="text-align: center;">PLENARY (MOOT COURT FACILITY)</p> <p><i>The Ethics of Storytelling, Teresa Godwin Phelps (American)</i> Lawyers—along with many other professionals, including doctors, anthropologists, and human rights activists—have embraced storytelling as a means of enriching and even better achieving their work. The world and the legal system are, frankly, awash in stories. Yet even as we have come to recognize and celebrate the power of stories, both as tellers of them and as their audience, there is much we do not understand about narratives. In many ways, we have unquestioningly accepted them as a positive force. This unquestioning acceptance gives rise to some unsettling and unsettled questions: What are the ethical implications of all this storytelling? Is storytelling always a good thing? Are some stories better than others? In this talk, I will try to unpack some of the ethics of storytelling to provide legal scholars, professors, and practitioners with a more nuanced way of thinking about storytelling and its implications for justice.</p>
10:25 – 10:35 a.m.	PRESENTATION OF ROCKY MOUNTAIN AWARD (MOOT COURT FACILITY)

10:45 – 11:35 a.m.	
Moot Court	<p><i>What? Take a Gamble on a Legal Research and Writing Exam?: Yes, You Can Bet on It!, Kirsten Davis (Stetson) – 50 mins</i> Have you ever considered giving your students a legal research and writing exam? What would you hope to accomplish? What would you test? Can you give an exam to test writing and research skills that doesn't actually require a student to research or write anything? This session will answer these questions and discuss how to assess students' writing and research skills in a testing format. Join me if you are a novice to testing or have views to share on using tests in the legal research and writing course.</p>
Room 112	<p><i>When 90% Will Have To Do OR How to Cut Corners Without Cutting Quality: Finding Work-Life Balance by Stilling the Inner Perfectionist, Nancy Soonpaa (Texas Tech) – 25 mins.</i> Each of us wants to offer the theoretical best to our students. But when the 24-hour day is not enough to achieve that theoretical best, we face tough choices: not easy when many of us are perfectionists with high expectations of ourselves. Compounding the challenge are the self-defeating behaviors that many perfectionists engage in. This presentation will address ways to cut corners without cutting quality and hence, seemingly, find more hours in the day.</p> <p><i>Worst-Case Scenario Survival Tips: How to Outrun a Grizzly Bear in the Legal Writing Classroom, John Mollenkamp and Michelle Whelan (Cornell) – 25 mins.</i> Though you may never lose your only set of critiqued papers the day before they are due back to the students or lose an entire year's worth of teaching materials, wouldn't you like to know how to handle similar situations? We will discuss what to do when "the worst happens" and when less disastrous situations (which are more common) occur in the legal-writing classroom.</p>

Room 117	<p><i>Legislative Drafting Exercises in the First Year Writing Course – Opportunity & Example, Lori Johnson (UNLV) – 25 mins.</i></p> <p>When legal writing instructors discuss statutory interpretation, we often overlook an opportunity to teach students to improve the drafting of statutes to alleviate ambiguity. This presentation will provide discussion and an example of how to deepen a statutory interpretation lesson by adding an in-class exercise in statutory drafting. By being forced to confront and correct ambiguity in statutes, students gain a fuller understanding of the nuances of statutory interpretation, and learn a valuable drafting skill.</p> <p><i>Hooks and Happy Endings, Jane Wise and Mary Jensen (BYU) – 25 mins.</i></p> <p>This presentation uses images, stories, and film clips as metaphors to teach students about different aspects of legal writing. The legal writing classroom will travel to the behavioral science lab, art school, and international landmarks to discover new meaning in writing structures. We will cover visual comprehension, rule application strategies, and how recognize CREAC when it is outside of the box.</p>
Room 106	<p><i>Legal Writing Without a Net: Live Drafting in the Legal Writing Classroom, Susie Salmon (Arizona) – 25 mins.</i></p> <p>Have you considered experimenting with live drafting in your classroom? Worried that the logistical challenges and risks outweigh the educational benefits? This presentation will provide a possible framework and helpful tips for incorporating a live-drafting exercise into your legal writing course, and will discuss the theories behind such an activity.</p> <p><i>The Lost Art of Letter Writing, Jerry Rock (Albany) – 25 mins.</i></p> <p>In the era of e-mail, Facebook, and Twitter, the number of law students who have ever written a formal letter is dwindling rapidly. And yet for the practicing attorney drafting letters is an important daily exercise. This program will discuss how to introduce letter writing as a professional tool with a focus on opportunities to instruct students on setting the proper tone and providing practical tips for successful letter writing.</p>
Room 101	<p><i>Assessing Research Skills – Stepping Beyond a Research Exam, Wanda Temm (Univ. of Missouri-Kansas City) – 25 mins.</i></p> <p>Each law school's outcomes and assessment plan undoubtedly includes basic research skills. This presentation focuses on an assessment tool designed to truly assess skills, rather than knowledge. The assessment is a timed research exercise in the library involving both print and online sources. In addition, the logistics of taking timed exercises by an entire 1L class (170 students) and the scoring of the exercises will be explained.</p> <p><i>Designing and Teaching Assessable Programs & Courses: Using Faculty Excellence Grants and Teaching/Tutorial Logs to Incorporate Effective Assessment into Course Planning, Anthony Palasota (Thurgood Marshall) – 25 mins.</i></p> <p>Based on work from the Center for Legal Pedagogy, this session provides attendees with the methodology and tools to incorporate effective formative/summative assessments into their programs and courses. It shows how to use a three-step process to create student learning outcomes and course objectives. And, it shows how Teaching/Tutorial Logs can be used to help visualize and articulate what competent performance looks like in order to effectively teach it and to capture information for assessment.</p>

11:45 a.m. – 12:35 p.m.

Moot Court

The Myth of Redemptive Violence, Linda Edwards (UNLV) – 50 mins.

One of our most common cultural stories is the Myth of Redemptive Violence. An evil villain wreaks havoc until a brave hero fights and kills him, thus restoring order. This myth is the foundation for nearly every brief filed by the government in a criminal appeal. This session will explain the myth's power, identify its two most insidious characteristics, and suggest several responsive counter-strategies.

Room 112

Think It, Draft It, Post It: Creating Legal Poster Presentations, Samantha Moppett (Suffolk) – 25 mins.

Poster presentations are a great opportunity for authors to present their research or innovative teaching ideas in an informal manner. Despite these the benefits, a limited number of poster proposals are submitted. To encourage people to submit poster proposals, this presentation will provide insight into the poster creation process. Specifically, it will address the benefits of creating a poster, how to take an idea and present it effectively, and the submission and selection process.

How to Find the Time and Support for Scholarship, Tamara Herrera, Amy Lagenfeld, and Judy Stinson (ASU) – 25 mins.

Scholarship can be challenging for many reasons, but, for some of us, finding the time and support to start writing -- then finding the time and support to stay motivated and productive -- is by far the largest hurdle. We are pressed for time during the school year, and many of us are relatively new to scholarship whether we are new professors or seasoned professors who are embarking on a new phase of our careers. As such, we need to think creatively about how to get the time and support we need to write. The purpose of this presentation is to have an open discussion about creative ways to find this time and support, including "writing days," lunchtime workshops, and interschool scholarship exchanges.

Room 117

Imagine: Students as Allies in Building Support for Legal Writing Programs, Suzanne Rabe (Arizona) – 25 mins.

This presentation will discuss ways in which we nurture law-student support for our legal writing programs. How can we encourage students to become allies in our legal writing endeavors? Students can be effective partners in our efforts to lower class size, raise faculty salaries, expand programs, and promote instructor autonomy. Professor Rabe will propose several methods to build student support for legal writing programs. She will then open the floor for more ideas and discussion.

From Frog to Prince: Changing Students' Perspectives about Legal Writing, Heather Zuber (Duncan) – 25 mins.

Many students do not see the value in their legal writing courses. They allot significantly more time, energy, and positive thoughts towards their casebook courses than their legal writing courses. This presentation will provide tips, tools, and tales to help students realize that the perceived "ugliness" of legal writing is a façade of their own making that is preventing them from building towards their future.

Room 106

Feel the Burn: Helping Students Stretch Their Legal Writing Muscles Using Short Focused In-Class Exercises, Marcia Goldsmith (St. Louis) – 25 mins.

When teaching legal writing, the use of in-class exercises provides the variety and repetition that help students practice the techniques introduced in lecture form. The presentation will include a discussion of the pedagogy behind the use of short classroom exercises, a presentation of sample exercises as well as strategies for when in the semester to use the different exercises. Finally, the presenters will run a simulation of one of the short exercises.

Room 101	<p><i>Why We Need to Re-Examine the Foundations of Legal Research and Writing Pedagogy, Mark Osbeck (Michigan) – 25 mins.</i></p> <p>This program is designed to encourage a constructive dialogue on how best to teach legal research and writing in the first-year class. My premise is that the models we have developed over the preceding decades have served us well, but have grown a bit stale and can be improved upon. I will focus in particular on the need to teach a more strategic approach to legal research, and a more goal-oriented approach to legal writing.</p> <p><i>Scaling Back: Doing More with Less, Maureen Collins (John Marshall) – 25 mins.</i></p> <p>How much information is too much? Lately, I am scaling back, not in what I do, but how I do it. This presentation will address my streamlining process, share examples of pared down syllabi and handouts, and facilitate a discussion of the merits of a more measured approach to how we provide and manage information in our teaching.</p>
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12:45 – 1:50 p.m.	LUNCH SPONSORED BY WEST (SECOND FLOOR ROTUNDA)
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	2:00 – 2:50 p.m.
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Moot Court	<p><i>Using Discrimination Topics to Teach Basic First Year Skills by Emphasizing the Reciprocal Relationship of Law and Culture, Julie Spanbauer (John Marshall) – 25 mins.</i></p> <p>Civil rights law provides opportunities to teach basic skills through the lens of culture. For example, early civil rights legislation can be contrasted with contemporary legislation to teach statutory analysis while revealing the transformative and heuristic effect of law on culture. A civil rights debate between Senators Strom Thurmond and Hubert Humphrey can be used to illustrate oral advocacy techniques while demonstrating how language reflects cultural norms and how cultural events also drive legal change.</p> <p><i>Lighting a Fire: Using a Student's Passion for Social Justice to Teach Legal Writing, Anthony Renzo (Vermont) – 25 mins.</i></p> <p>The union of doctrine and legal writing in the context of social justice is at the heart of the required three semester writing program at Vermont Law School. The lynchpin course is <u>Legal Writing II: Theory & Practice</u>, which offers first-year students a choice of seven different doctrinal areas, ranging from civil rights law to natural resource law. My presentation will focus on how this course builds on a student's passion for social justice to teach legal writing.</p>
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Room 112	<p><i>(Still) Teaching Traditional Office Memoranda in an Age of E-mail Memos, Charles Calleros (ASU) – 25 mins.</i></p> <p>The 2011 LWI Biennial Conference featured three presentations addressing streamlined e-mail memos, one of them questioning whether the traditional office memorandum is obsolete in both the law office and the first-year curriculum. Professor Calleros will explain his belief that the office memorandum is still the best vehicle for teaching legal writing and analysis in the first semester of instruction. He will reserve roughly half of the session for sharing the experiences and views of participants.</p> <p><i>Incorporating Electronic Communication in the LRW Classroom, Ellie Margolis (Temple) – 25 mins.</i></p> <p>Electronic communication is supplanting hard-copy writing. The formal memo is on the decline, and lawyers and clients are asking for answers to their questions via email, reading them on computer screen and smartphones. I will present my efforts to address this change in professional communication by incorporating an email assignment into my first-semester legal research and writing class. I will describe how I worked the assignment into an already packed semester, and report on its success.</p>
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Room 117	<p><i>Grading Along the Way: Numbers or Letters?, Debby McGregor and Joel Schumm (Indiana) – 25 mins.</i> Most LRW programs award a letter grade to students at the end of the course, but how should work be evaluated throughout the semester? The presenters have assigned letter grades or points on each assignment, and this presentation will discuss the merits of each approach.</p> <p><i>Writing Seminars for Law Firms, Government Agencies, & Bar Associations, Mark E. Wojcik (John Marshall) – 25 mins.</i> Legal writing professors know how to teach in the classroom but few of us have experience in doing writing seminars for law firms, government agencies, or bar associations. This session will examine personal and professional reasons for presenting a seminar, provide tips on how to create useful and engaging seminar materials, and share practical advice on how to present an effective writing seminar. Audience members will be encouraged to share their own experiences and expertise.</p>
Room 106	<p><i>Culture Shock! Acclimating Law Students to the Culture of Law through Legal Writing, Mary Trevor (Hamline) and Kimberly Holst (ASU) – 25 mins.</i> Through classroom teaching and required assignments, legal writing professors play a central role in helping students acclimate to the culture of law. This presentation will show how common ESL techniques and methodology can be used to acclimate all students (not just non-native English speakers) to the law and highlight how what we do in the classroom helps shape student understanding of legal culture.</p> <p><i>Current Trends in ESL Writing Theory: What are They and Can They Help Us Teach Legal Writing? Diane Kraft (Kentucky) – 25 mins.</i> As more international students attend U.S. law schools, legal writing teachers confront new challenges. Legal writing scholarship is beginning to address the issue of how we can help non-native-English-speaking law students. Yet little interdisciplinary work exists in ESL and legal writing scholarship. This presentation will provide an overview of recent scholarship on ESL writing theory, and suggest ways these theories might inform our teaching of both ESL and native-speaking law students.</p>
Room 101	<p><i>Why a Course in Legislation & Statutory Interpretation is a Natural Fit for LRW Programs and Faculty, George Mader (UNLV) – 25 mins.</i> The Carnegie report has raised anew the old issue of whether Legislation should be a required course. When the wheel of curricular change next brings this issue to your school, make a pitch for LRW faculty to teach a required legislation course; it is a natural fit. Depending on the class design you choose, pedagogical efficiency and/or pedagogical expertise allow you to strengthen your LRW program, integrate LRW faculty into the broader curriculum, and provide students with an important course.</p> <p><i>The View from the Staff Office: Appellate Briefs from the Perspective of Staff Attorneys and Judicial Law Clerks, Lorraine Gin (Arizona) – 25 mins.</i> This presentation will discuss judicial decision making from the perspective of judicial staff. Professor Gin will speak about the evolving role of judicial staff in the appellate court system and various staffing models. She will also discuss the division of labor among judges and staff members, as well as the efficacy, from the perspective of judicial staff, of some of the techniques taught in legal writing programs.</p>

Room 102	<p><i>No Shirt, No Shoes, No Service: Interpreting the Academic Dress Code</i>, Allison Martin (Indiana) and Susan Smith Bakhshian (Loyola LA) – 25 mins.</p> <p>Geography, weather, gender, school culture, and countless other variables all play a role in determining proper classroom attire. Our presentation will involve a discussion of these variables and the potential effects that attire choices may have on both students and professors. We will also explore the lessons that social scientists suggest we should consider when making our decisions what to wear and how professors can use attire as a teaching tool.</p> <p><i>CREAC from Classroom to Courtroom: Using Judicial Opinions to Teach Written Legal Analysis</i>, Christina Frohock (Miami) – 25 mins.</p> <p>Judicial opinions illustrate and dignify the writing structure of Conclusion, Rule, Explanation, Application, and Conclusion (“CREAC”). While law students may initially dismiss CREAC as formulaic and suitable for the classroom only, they gain respect for the structure—and develop stronger persuasive powers—when they learn that judges write opinions following CREAC. In this presentation, I explain the benefits of using judicial opinions to teach CREAC, highlighting each teaching step in a published opinion.</p>
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3:00 – 3:50 p.m.

Moot Court	<p><i>Disney, The Boss, and Mozart for Legal Writers; Using Entertainment Conventions to Write like a Star</i>, Lisa Black, Kathryn Fehrman, and Ruth Hargrove (California Western) – 50 mins.</p> <p>Lisa Black, Kathryn Fehrman, and Ruth Hargrove will show how they each use wildly different media to teach Legal Writing. Professor Hargrove will demonstrate how to use rock and roll, gospel, and blues to teach persuasive writing and excellent syntax. Professor Fehrman will demonstrate how to use the basic Disney formula, sonata form, and voices from literature to teach form, flow, resonance, and theme. Professor Black will demonstrate how to use The New York Times to teach plain language and format. Learn how to teach parallel structure with Bo Carter and Allison Kraus; listen to and examine the lyrics of Van Morrison and Bruce Springsteen. Learn how to teach how to set the reader’s expectations and fulfill them with theme and structure formulae from great entertainers, composers, novelists, and poets. And a special edition of “All the News That’s Fit to Print.”</p>
Room 112	<p><i>Going Beyond the Good and the Bad: Using Current Events to Interest and Motivate Students to Further Develop Policy Arguments in Upper-Level Writing Courses</i>, Twinette Johnson (St. Louis) – 25 mins.</p> <p>As students transition from objective writing, they often experience difficulty in creating effective policy arguments. Some treat policy arguments as simply stating that a potential court ruling would be good or bad without providing a recognizable basis on which a court could agree with them. This presentation demonstrates how current events can provide a vehicle for teaching students to use their opinions as the foundation for creating judicially recognizable (and thus more effective) policy arguments.</p> <p><i>Seeing What I Didn’t See</i>, Heidi Holland (Gonzaga) – 25 mins.</p> <p>As many times as we tell students to edit and proofread their papers, they don’t OR don’t do it well. I use a series of in-class exercises with my 1L students to check IREAC organization, common citation and quotation errors, and mechanical issues. The result is that the students come away with a better paper AND a new skill that they can apply long after they have completed their legal research and writing class.</p>

Room 117	<p><i>Legal Communication in the New Millennium: Ethics & Professionalism in Cyberspace, Kelley Mauerman (Whittier) – 25 mins.</i></p> <p>Law firm websites are an increasingly common means of communication between lawyers and prospective clients. This presentation will address what law students need to know about communicating professionally via the Internet and how to handle the ethical dilemmas that may arise regarding communication of confidential information. The presentation will explore some issues raised by the use of websites by lawyers and provide ideas for incorporating this subject area into an advanced legal writing course.</p> <p><i>The iPad as a Presentation Tool in the Legal Writing Classroom, Dustin Benham (Texas Tech) – 25 mins.</i></p> <p>The iPad is a dynamic classroom presentation tool. Its wireless slate capability allows a presenter to project and control PowerPoint presentations, wirelessly annotate .pdfs and other documents, review and manage lecture notes, and incorporate instantaneous classroom feedback into digital visual aids. This presentation will focus on the role of the tablet computer in the modern legal writing classroom. Attendees will learn basic wireless tablet projection, real time object manipulation, and feedback integration techniques.</p>
Room 106	<p><i>Why Susie Strives Harder and Kimberly Crumbles after Receiving Feedback and How to Arm Kimberly with Susie’s Resilience, Carrie Sperling (ASU) – 25 mins.</i></p> <p>Legal writing professors are in complete agreement: feedback is essential to the learning process. However, not all students embrace professors’ comments. Why do so many students react to feedback by becoming defensive, hostile, dismissive, distracted, or despondent? I will discuss research from social psychology to explain how students’ implicit beliefs about their intelligence create different reactions to critical feedback, and I will suggest ways to turn recalcitrant students into willing and eager learners.</p> <p><i>“Board” by Legal Research? Bring Your Best Game, Jamie Abrams (Hofstra) – 25 mins.</i></p> <p>Engaging students in legal research instruction is a perpetual challenge for LRW teachers. This presentation will describe and demonstrate techniques for teaching introductory research skills using some of our most beloved board games. Using board games as an instructional tool helps increase students’ engagement, reinforces strategic research principles, and underscores the stakes of research.</p>
Room 101	<p><i>What Can “The West Wing” Teach Students About Using Negative Authority? Jenny Darlington-Person (Pacific McGeorge) – 25 mins.</i></p> <p>Problem: Why do my students deal with negative authority by either ignoring it or grossly distorting it? Solution: Attendees will learn a fun approach to teaching students how to effectively use negative authorities by drawing on the students’ knowledge of popular media (advertising, television, movies, etc.). Attendees will leave with the ability to use my exercise that teaches students techniques for addressing negative authority, and the knowledge to create their own exercise.</p> <p><i>Inspire, Motivate, and Appreciate, Gretchen Franz (Pacific McGeorge) – 25 mins.</i></p> <p>As they begin the most intimidating year of their academic life, students need inspiration. By the middle, students need motivation to carry on – to remind them that it is “worth it.” And when near the end, tired and questioning the prior ten months, they need to appreciate how much they have learned and grown. This presentation is designed to share easy to incorporate ideas to inspire, motivate and help students appreciate their legal skills course</p>

Room 102	<p><i>The Legal Writing Onion: Creating Multi-Layered Legal Writing Problems to Teach Professionalism and Ethics, Elena Langan (Nova Southeastern) – 25 mins.</i></p> <p>The first-year legal writing and research curriculum provides an often untapped resource for teaching practical lessons in professionalism and legal ethics. This presentation will discuss ways that professionalism and ethical considerations can be incorporated as secondary issues into writing and research problems, and will give examples from the presenter’s objective memo writing assignments.</p> <p><i>Beyond the Brief: Preparing Students for Ethical Pitfalls of Practice, Nicole Negowetti (New Hampshire) – 25 min</i></p> <p><i>Beyond the Brief: Preparing Students for Ethical Pitfalls of Practice</i> invites a dialogue regarding why and how legal writing professors should incorporate legal ethics lessons into their LRW courses. The presentation will offer examples and suggestions for teaching students to recognize and resolve ethical problems as they learn the fundamentals of legal research and writing.</p>
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4:00 – 4:50 p.m.

Moot Court	<p><i>Rethinking “Thinking Like a Lawyer:” Towards a New Paradigm, Robin Wellford Slocum (Chapman) – 50 mins.</i></p> <p>Paradoxically, our strategy of teaching students to “think like lawyers” by appealing solely to the analytical mind limits our effectiveness in helping students to “think like lawyers.” Modern neuroscience reveals that the “emotional” brain is so intertwined with the “thinking” brain that we literally cannot think or problem-solve without it. This presentation suggests new ways to help students counteract the emotional brain’s hidden agendas that so often hijack their efforts to think clearly and dispassionately.</p>
Room 112	<p><i>Incorporating Transnational Legal Issues into Traditional Legal Research and Writing Assignments, Jennifer Gibson (Pacific McGeorge) – 25 mins.</i></p> <p>Transnational practice is becoming increasingly prevalent. With the expansion of commerce, travel, and outsourcing to other countries, ordinary legal problems in the American legal system are no longer limited domestically. Increasingly, resolving these issues requires application of international treaties and laws. This presentation shares not only the approach we use in our Global Lawyering Skills Program, but also provides samples of assignments we use to introduce transnational research and writing skills to first-year law students.</p> <p><i>Preparing for the Globalized Law Practice: How and Why to Bring International Law into LRW, Susan DeJarnatt (Temple) – 25 mins.</i></p> <p>International and comparative law are no longer just for the specialist. Our study of the Philadelphia Bar Association shows that ordinary lawyers regularly need to use international and comparative law to resolve legal problems. LRW pedagogy should respond to this reality and include international and comparative law research and analysis in the toolkit we help the students develop. This presentation will explore possible LRW problems that can raise these issues in useful and creative contexts.</p>
Room 117	<p><i>Making Your Writing Diagnostic Do Double Duty, Sarah Bensinger (Loyola LA) – 25 mins.</i></p> <p>This presentation will cover ways to get more out of a writing diagnostic. Not only should a diagnostic enable the writing professor to see the level of writing skills in the class, it can also teach students important legal writing concepts, such as the ethical duties confronting lawyers, the emotional power of facts, and the importance of examining both sides of an issue before reaching a conclusion.</p>

	<p><i>The Vital Importance of Accenting Policy as Part of Rule Explanation during the First Semester of Legal Writing, Peter Bayer (UNLV) – 25 mins.</i></p> <p>Many legal writing professors teach an organizational <i>paradigm</i> such as CREAC, Conclusion --Rule -- Rule Explanation (RE) -- Rule Application -- Restated Conclusion. RE, in turn, nicely divides into two general types: plumbing RE, <i>how</i> the rule works and policy RE, <i>why</i> the rule works. I argue that teachers must not postpone policy for second or later semesters. Appreciating policy is necessary to instill from the outset habits of thoroughness, intellectual inquisitiveness and comprehension.</p>
Room 106	<p><i>Advanced Legal Writing as Advanced Civil Procedure: Complaint Drafting Incorporating Twombly, Iqbal, and Tellabs, Clare Keefe Coleman (Drexel) – 25 mins.</i></p> <p>The trend toward more skills-based learning has led a number of law schools to require advanced legal writing classes, many of which are being taught by LRW faculty. This presentation introduces one approach to developing a Litigation Drafting course: one that treats drafting as a practical application of theory learned in first-year Civil Procedure. I will present materials that teach students to draft a three-count complaint incorporating the new federal court pleading requirements.</p> <p><i>Teaching Students How to Interview, Doug Godfrey (Chicago-Kent) – 25 mins.</i></p> <p>Lawyers must gather information constantly. The primary way people learn about an event is talking to each other; yet, this vital skill is not taught in law school. While law students are taught how to interrogate a witness on a stand or counsel a client, they are not taught how to effectively interview people. Psychologists are making great strides in showing how to do this effectively. Accordingly, I will present these techniques while making the case that this skill should be taught.</p>
Room 101	<p><i>Legal Writing as Performance Art: Teaching Student Writers to Develop Audience Awareness, Ann Nowak (Touro) – 25 mins.</i></p> <p>Most first-year law students incorrectly regard legal writing as a solitary activity rather than as a social one. To write an effective memo or brief, writers must engage in a dialogue with their audience. A highly effective way to teach the concept of audience in legal writing is to engage law students in audience-awareness exercises designed for theater students. This presentation will demonstrate exercises that can be used in the legal writing classroom.</p> <p><i>Hosting a Blue Workshop: Teaching the Differences Between ALWD and Bluebook Citations, Brooke Bowman (Stetson) – 25 mins.</i></p> <p>Don't be blue! Come and learn how you too can host a "blue" workshop and teach the students the minor substantive and technical differences between ALWD and Bluebook citations in court documents. Participants will receive "blue" treats—both edible and educational!</p>
5:00 – 5:15 p.m.	CLOSING (MOOT COURT FACILITY)