

**SIXTH ANNUAL ROCKY MOUNTAIN
REGIONAL LEGAL WRITING CONFERENCE
THE UNIVERSITY OF ARIZONA,
JAMES E. ROGERS COLLEGE OF LAW
DETAILED CONFERENCE PROGRAM**

Friday, March 17, 2006:

3:15 - 3:30, Room 140: Welcome

3:45 - 4:45: Concurrent Sessions

201: Humor as a Practice Skill

Michael Dinnerstein, Texas Tech University School of Law

Humor is vital part of what makes us human and yet a skill that law school curricula have long overlooked. This presentation will explore the use and misuse of humor by lawyers and judges, various approaches for teaching students how to tell the difference, and the means by which humor can advance relations with colleagues, clients, witnesses, adversaries, juries, judges, and the press.

Make 'em Laugh: Using Humor to Teach Difficult Writing Concepts

Julie Oseid & Leah Christensen, University of St. Thomas School of Law

Research has shown that students learn more when they are having fun. This presentation offers examples of how humor can enhance your teaching of difficult legal writing concepts including: time management ("the dog ran away with your swimsuit"), court hierarchy ("you are not the boss of me"), thesis sentences ("I hate law school because. . .") and IRAC ("good old lasagna").

202: Writing "Ice Breaker": The Use of Journal Entries on a TWEN Website

Maggie Barton, James E Rogers College of Law (University of Arizona)

This 25-minute presentation will discuss the use of student writing in a non-legal context. Students are given a writing opportunity in their own comfort zone, and professors are able to identify basic grammar concerns that may need to be addressed before teaching legal analysis and writing.

Leveraging TWEN to Teach Legal Research and Writing Skills and Manage Your Courses

Kurt Gruebling, Thomson-West

Kurt Gruebling, TWEN Faculty Liaison, will discuss the latest enhancements, reveal how other Legal Writing professors effectively use TWEN, and answer your questions about West's popular courseware.

LexisNexis CourtLink® - Researching Court Materials

Suzie Easter, LexisNexis

LexisNexis CourtLink offers three types of strategic profiles that allow faculty to understand general litigation trends in various jurisdictions for class preparation or authorship. In addition, it helps students get a competitive edge in job interviews.

Friday, March 17, 2006 (Continued):

203: Plagiarism: What It Is and How to Avoid It By Using Correct Quotation Techniques

Lisa Bradley & Joe Hnylka, Gonzaga University School of Law

This presentation will be a 25-minute, energetic, hands-on presentation about plagiarism and how students can avoid it when drafting legal documents or scholarly papers. It is a great pre-packaged workshop for legal research and writing professors to use with their first-year students when covering the angst-ridden topic (for both students and professors) of plagiarism.

"I Meant What I Said and I Said What I Meant": Incorporating Ethics Lessons into Legal Writing Classes

Lisa Mazzie Hatlen, Rebecca Blemberg, & Melissa Greipp, Marquette University Law School

In this presentation, you will learn how to incorporate into your classroom activities some ethics rules student can and should learn in a first-year course, and how to develop exercises drawn from real-life scenarios that correspond with each lesson. The ethical topics covered include well-crafted and well-edited writing as an example of professionalism, attorney failure to meet deadlines, omissions/misstatements in Statements of Fact, misuse of authority in Arguments and frivolous lawsuits.

5:00 - 6:00:

Concurrent Sessions

201: Reconceptualizing the First-Year Legal Writing Course as a "Legal Literacy" Course: Is it Time to Rethink What We Do and Why We Do It?

Kirsten Davis, Arizona State University College of Law

Thinking of first-year law students' experiences in the legal writing classroom as their first attempt at entry into a discourse community allows us to retheorize legal writing as an "apprenticeship" in "legal literacy." The purpose of this session is to explore our pedagogical choices through the lens of "new literacy" theory: to learn what new literacy theory is, to expose some problems that a literacy orientation might help us better address, to understand the principles it can provide to guide our teaching, and to consider some ways in which our teaching might change (or if not change, be re-purposed) as a result.

202: Teaching Assistants: Why You Can't Live Without Them and How to Use Them Effectively

Laurie O'Neal & Deb McIntosh, University of Idaho College of Law, & Erik Ryberg, Biological Diversity

From getting funding for, to selecting, training, managing, and explaining how best to use teaching assistants in legal writing classes, this session will focus on the benefits to you, your students, and to teaching assistants themselves. Yes, there are a few downsides and we will discuss those also. Presenters include an actual, live former teaching assistant to provide his unique insight as well.

Friday, March 17, 2006 (Continued):

203: Representing Harry Potter: Teaching Exercises Using Heroic Archetype

Ruth Anne Robbins, Rutgers School of Law -- Camden

The presentation will focus on teaching students to think of themselves as authors or movie directors, literally "casting" the character roles of a lawsuit by using the hero's story as a paradigm for conceptualizing the client's story. How is their client like Harry Potter or Dorothy Gale or Frodo or Luke Skywalker? What role is then assigned to the judge? To the opposing party?

Tell Me a Story: The Practical Application of Storytelling Techniques in Persuasive Writing

Ken Chestek, Indiana University School of Law -- Indianapolis

Legal writing professors frequently teach students to "tell a story" in writing the fact section of a brief. This session will go deeper, and suggest ways that legal writers can take advantage of all of the elements of a story (including setting, conflict, character, point of view, theme and plot) to inform the writing of the entire brief, starting with the fact section and continuing through the argument section.

6:00 - 7:30, Upstairs Lobby: Opening Reception, Sponsored by LexisNexis

Saturday, March 18, 2006:

8:00 - 9:00, Upstairs Lobby: Breakfast, Sponsored by Aspen Publishers

9:00 - 9:50, Room 140: Plenary Session

Attention Deficit Disorder, Dyslexia, and Legal Writing

Richard Neumann, Hofstra University School of Law

More and more students are entering law schools after having been diagnosed with dyslexia or attention deficit disorder (sometimes called attention deficit hyperactivity disorder). And still other students have one of these conditions but are unaware of it. Legal Writing stresses organization, deadlines, and precise and careful work with details, which strongly encourages us to penalize and ostracize behavior caused by these conditions. At the same time, we are usually the law school teachers who first see students and their work individually. For the student who has ADD or dyslexia, do we typically do more harm than good? How can we help and avoid causing harm?

Saturday, March 18 (Continued):

10:00 - 11:00:

Concurrent Sessions

201: Becoming the Best Advocate in the World: Tips from the World Champions

Stephanie Vaughan, Stetson University College of Law

Lance Long, J. Reuben Clark Law School (BYU)

This presentation explains how the top rated advocacy law school in the nation inspires student excellence in oral advocacy and moot court skills. A coach of the team that won the Willem C. Vis International Commercial Arbitration Moot Competition this year in Vienna, Austria (and her amusing sidekick) will offer tips on winning techniques applicable to any legal writing program that includes an oral advocacy component.

Developing Oral Communication Skills in the First Year

Joel Schumm, Indiana University School of Law - Indianapolis

This presentation will explore ways beyond the traditional trial or appellate oral argument that I have used to help develop students' oral communication skills in the first-year LRW course. I also hope to discuss briefly the importance of oral communication and other skills reported in published surveys of new lawyers as well as discuss my own tentative project on the subject.

202: Integrating Clinical Experience into your Legal Writing Program

Sarah Schrup, Northwestern University School of Law

This presentation will include a discussion on formal and informal methods of bringing the courtroom into the legal writing classroom, including live-client brief problems, using pro bono work as a teaching tool, and creating an actual clinical practice within a legal writing program.

Writing Balanced, Realistic, and Engaging Appellate Brief Problems

Jim Dimitri, Indiana University School of Law - Indianapolis

In this program, Professor Dimitri will discuss practical tips on writing effective appellate brief problems for use in LRW courses and moot court competitions. The topics discussed will include: (1) methods for selecting a problem topic; (2) tips on achieving the appropriate "balance" in the problem so that it is evenly weighted toward both sides of the case; and, (3) tips on constructing a problem that reflects the realities of appellate practice.

Saturday, March 18 (Continued):

203: Empowering Your Audience: Removing the Mental Gymnastics from the Reading Process

Samantha Moppett & Kathleen Elliott Vinson, Suffolk University Law School

Most legal writing reflects the writer's ability to think like a lawyer, focusing on the law, yet it leaves the mental gymnastics to the reader because it fails to clearly express how the law pragmatically affects the audience. Focusing on examining the reader's perspective, the presentation will provide professors concrete tools to improve their students' writing.

Teaching Policy for Fun and Profit

Kirsten Dauphinais, University of North Dakota School of Law

This interactive PowerPoint presentation will highlight three techniques I use to involve students in the process of learning how to integrate consideration of policy into persuasive writing in the second semester of the first year or in a third semester Appellate Advocacy Course. I will review all three exercises - Dead Greek Philosophers, Truth, Justice and the American Way, and My Favorite Justice - and then run the second one with the group.

11:15 - 12:15:

Concurrent Sessions

201: Another Role for LRW Faculty: Casting LRW Faculty as Doctrinal Faculty

Becky Cochran, University of Dayton School of Law

Survey results suggest that LRW faculty have always and will continue to teach "doctrinal" or "casebook" courses. This is a first effort to consider how teaching doctrinal courses may influence LRW faculty status and pay, as well as their teaching practices in both LRW and casebook courses.

Unraveling the Riddle of the Job Talk

Susan Thrower, DePaul University College of Law

You have an interview, and the hiring committee has said that you will have "about an hour for your job talk," but you don't have the faintest idea of what to talk about or what to expect. Come find out how--and how not--to present a successful job talk (tip number one: avoid the dreaded "death by PowerPoint").

202: Looking at Legal Writing From Both Sides Now: Using Two Problems Simultaneously in an Advanced Legal Writing Class

Myra Orlen, Western New England College School of Law

In this presentation, I will discuss the benefits of using two problems in an Advanced Legal Research and Writing Class. This structure gave each student the opportunity to write both a petitioner's brief and a respondent's brief in a setting that simulated real-world appellate practice.

Persuasive Advocacy: Extracting and Stating a Favorable Rule of Law

Suzanne King, University of Arizona, James E. Rogers College of Law

A persuasive Argument in a motion or brief includes a persuasive statement of the law – that is, a statement of the law that is favorable to the client's position. Through in-class exercises, we can teach students to state existing rules of law in ways that are favorable to their clients and to extract additional rules from cases.

Saturday, March 18 (Continued):

203: Teaching Students to Collaborate and Enjoy It

Melody Daily & John Mollenkamp, University of Missouri--Columbia School of Law

In addition to providing a bibliography regarding the pedagogy in the area of collaborative learning and giving a very brief introduction to the subject (including the difference between cooperative and collaborative work), this presentation will share our experience at Mizzou by describing the assignments we use in engaging our students through group or pair work, as well as the techniques we use to keep the students happy no matter who their partner might be. We will also share the results of our survey showing students' responses to our efforts.

Teach Them Like It Is: A Brief-Writing Exercise in Teams

Amy Montemarano, Rutgers School of Law -- Camden

Hear about one professor's experience with a collaborative brief-writing exercise in a 1L moot court class. As a prelude to their final, graded appellate brief, the students (working in groups of three) wrote a ten-page brief on a Fourth Amendment issue involving the constitutionality of a roadside strip search. This presentation will discuss what the students, and the professor, found valuable about the collaborative process.

12:15 - 1:30, Upstairs Lobby: Lunch, Sponsored by Thomson-West

1:30 - 2:30: Concurrent Sessions

201: ABA Accreditation: Standards and Politics

Suzanne Rowe, University of Oregon School of Law

Understanding ABA accreditation standards is the first step to using them to improve your program. After an overview of the standards affecting legal writing, we'll discuss the politics that can work to your advantage and the pitfalls to avoid.

202: The Legal Reasoning of John Dewey

David Ritchie, Mercer University School of Law

John Dewey's views on legal reasoning are an application of his pragmatist epistemology, and as such play a crucial part in his overall philosophical disposition. In this talk I lay out his method of human reasoning, and explain the specific application of this method to legal reasoning (an ultimately legal writing).

203: Too Much, Too Little, or Just "Write": What is the "Right" Approach to Critiquing Student Drafts?

Alison Julien, Marquette University Law School

Lisa McElroy, Southern New England School of Law

Nancy Soonpaa, Texas Tech University School of Law

Susan Smith Bakhshian, Loyola Law School – Los Angeles

The panel members each critiqued the same student paper and will discuss the process used to grade it, the goals behind grading, and explain the level and types of feedback used. Each panelist is from a different school with different experience teaching legal writing in different types of legal writing programs.

Saturday, March 18 (Continued):

2:45 - 3:45: Concurrent Sessions

201: Law School Writing Without Teachers

Linda Edwards, Mercer University School of Law

Marking all those papers is indispensable, but student learning can also happen in ways more fun and less draining for teacher and student alike. This session will describe some ways Peter Elbow's groundbreaking work on writing communities can be adapted to the law school setting.

From Shania Twain to Ishtar: Using Pop Culture to Teach Basic Principles of Legal Research and Analysis

Michael Higdon, William S. Boyd School of Law (UNLV)

Because students can process new ideas more easily if they can tie it to something they have already learned, this presentation focuses on a variety of pop culture references and exercises that I use to introduce first year students some of the more complicated aspects of legal research and writing, such as analogical reasoning and weight of authority.

202: The Conference Conundrum

Mike Koby, Washington University School of Law

Certainly, effective student conferences are vital to developing students' skills and are a hallmark of a good legal writing program. This session will be a discussion of some of the challenges that individual student conferences present. Specifically, it will focus on giving students enough feedback and guidance to make good decisions while instilling a sense of self-reliance and confidence in their own decision-making ability.

Fitting It All In: Skills Instruction in the Five Semester Option

Maria Crist, Vicki VanZandt, & Susan Wawrose, University of Dayton School of Law

This presentation will describe the challenges and innovations involved in integrating skills instruction within our new curriculum that allows students to complete their law degree in two years. We will describe key components including: a "track-based" 6 credit first year LRW sequence; required skills "intra-sessions"; required externships; and a re-vamped upper level writing requirement using capstone courses.

203: Using Quizzes to Shore up the Base of Bloom's Taxonomy Pyramid

Sheila Miller, University of Dayton School of Law

Bloom's taxonomy has been a useful tool for understanding how students move from rote knowledge to synthesis or creation. I will show how I use quizzes to check on each student's understanding of basic information, so that I can help them climb to the higher levels of the Bloom taxonomy pyramid.

Correcting Impaired Vision: Ways to Help Students See the Weaknesses in Their Own Writing

Patricia Montana, St. John's University School of Law

This presentation will describe a series of exercises that will help students objectively evaluate the structure and completeness of their own writing. The exercises require the students to read their legal memoranda with a specific goal in mind so that they can "see" the weaknesses in their writing before submitting a final draft.

Saturday, March 18 (Continued):

4:00 - 5:00: Concurrent Sessions

201: The Law School Word List

John Haberstroh, Northwestern University School of Law

International students need to expand their vocabularies, most sensibly with the several hundred words most common in the law school discourse community. I will explain how I am developing such a word list, what I have found, and why the results may be useful.

Materials Development Using Corpora of Legal Documents: Writing Effective Holdings and Developing Legal Vocabulary Skills

Sue Reinhart, English Language Institute, The University of Michigan

The purpose of this presentation is to introduce two sets of materials that were developed for the English for Legal Studies summer program at the English Language Institute (ELI), University of Michigan using ELI's legal corpus and Westlaw. The first set is aimed at helping international students write effective holdings and the second set is aimed at increasing their ability to use legal vocabulary in oral and written work.

202: Using "Lightning Rounds" to Implement the "Articulation" Teaching Method from Cognitive Apprenticeship Learning Theory

Carol Wallinger, Rutgers School of Law-Camden

This presentation explains a very simple in-class exercise, and using cognitive apprenticeship learning theory, provides a theoretical basis for why the exercise helps students learn legal analysis.

What is Synthesis -- Really?

Judy Rosenbaum, Northwestern University School of Law

What are we really doing when we ask our students to synthesize cases? Should they come up with a black letter rule, or should they come up with a common set of facts? This presentation will address something I have wondered about for years: is there more than one type of synthesis and if there is, how do we define the differences and teach them to our students.

203: The Authority Exercise: A Really In-Depth, Hands-On Examination of Types of Legal Authority

Lorri Unumb, Charleston School of Law

Although most first-year law students will vow that they understand the difference between primary and secondary authority and between mandatory and persuasive authority, most benefit from this exercise which helps students develop a more sophisticated understanding of these concepts. This lesson requires students to pick up, examine, and describe various books, cases, and documents in an effort to label the type of authority.

Using Storytelling to Better Teach IRAC

Jim Levy, Nova Southeastern University Shepard Broad Law Center

Effective teaching involves the ability to make difficult concepts understandable. This presentation will discuss how to use the technique of storytelling to make IRAC much more accessible to our students.

5:00 - 5:15, Room 140: Closing