

PROCEEDINGS

VOLUME 1

ISSUE 3

“PANDEMIC PROCEEDINGS”

The pandemic has disrupted so many aspects of our lives—including the ability to attend conferences, make presentations, and publish. This issue, “Pandemic Proceedings,” includes essays that reflect this reality. Two essays result from conferences that were canceled or moved online. Three others explore ideas that the authors might have presented at a virtual conference if they hadn’t been mastering the art of teaching remotely or home-schooling children. The issue begins with three authors sharing their individual writing processes, which might inspire you to turn your presentation idea into an article or book, whether or not you presented it during the pandemic.

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WRITING AS PANDEMIC HEALING: REGARDING OURSELVES AS ARTISTS

HEIDI K. BROWN¹

A New York City sound jolted me awake...again. I glanced at the clock. 3:26 a.m. *What on earth is driving this new iteration of chronic insomnia? Has the pandemic finally taken its toll on my psyche?*

On May 1, 2021, as I scrolled through countless emails from individuals already pressing me to make decisions about the fall semester, it finally hit me: I am completely and utterly burned out. Like *epically* fried, to my utter core. Not since 2001, when divorce and 9/11 trauma brought me to my knees, did I feel this raw.

The first week of May, I pushed myself to finish grades earlier than usual, and then I did the only thing I knew would breathe fresh life into me as a human and as a writer. I researched every location around the globe that would accept vaccinated Americans. Then I booked a one-way ticket to Croatia, a gift to myself for surviving this year. And a rebellious declaration that I needed to begin treating myself like a writer again. Navigating COVID PCR test timing (absurdly long waits for results bumping up against 72-hour travel validity windows) added a smidge more to my stress level. But the moment I held a KLM boarding pass in my hand, I knew everything was going to be okay. I reminded myself, *You're a writer. Now go write.*

I muse at the irony that a person whose well-being is, putting it mildly, currently precarious is embarking on an adventure to write a third well-being book for law students and lawyers. But I know that

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the act of writing, though obviously a slog at times even for those of us who love the process, can be therapeutic and healing. My hope in writing this essay is that you too will feel encouraged to find your writer voice again (or perhaps for the first time) this summer, though by no means do you need to be as theatrical as booking a one-way ticket to Europe.

It took me a while to develop a workable process for shaping and nurturing a writing idea from initial inkling to final published creation. But now I have a system that works for me. This writing practice unfailingly provides motivation, reassurance, and a level of trust that I can and will finish another project. I hope some of the following suggestions will inspire you to embrace your inner artist and create. I'm rooting for us!

Regard Yourself as a Writer or Artist

As you may know if you've read some of my prior publications, I'm somewhat obsessed with the band U2. (I annoy my legal writing students with countless examples of lyrics that model storytelling, analogy, and persuasion.) In 2015, during U2's iNNOCENCE + eXPERIENCE tour, each time Bono introduced the song *Iris*, he credited his mother (named Iris), who died when Bono was fourteen. Each night during the tour, Bono whispered into the microphone, "She left me an *artist*." Those five words gripped me. At first, I felt a twinge of jealousy; I wished my parents had nudged me to pursue art instead of the paths of least imagination and most safety. But then I realized, *Wait, I am an artist. I'm a writer.*

And so are you.

This past February, I enrolled in my friend Sarah's online workshop on somatic (bodily) awareness as exploratory research for my new well-being book. In the first session, Sarah led us through a body scan and asked us to give ourselves *regard*, which she defined as "one of the most healing things we can offer ourselves; it's saying to ourselves, *I see you*." I like the word *regard*.

Something shifts when we begin to *regard* ourselves as “real” writers and artists. Writing becomes less something we feel obligated to do as a requirement for status (my least favorite word in legal academia); instead, writing becomes our essence, our self-identity, our soul, our oxygen.

Tip #1: Experiment with self-identifying as a writer. Say *I’m a writer* out loud to strangers who ask you what you do for a living. A few years ago, when prompted to list my profession on various forms, I stopped using fancy labels like “law professor” and started inserting “writer.”

Create a Protected Writer or Artist Space

I’ve always romanticized cool, bohemian writers sitting in Parisian cafés, sipping coffee, smoking Gauloises cigarettes, penning profound literature. However, I can’t write in public spaces. Loud conversations, dogs barking, any genre of music, and people who don’t mute their phone alerts rile my inner writer into an enraged misanthrope. To write, I need a quiet space with a positive, artsy vibe and zero human intrusions. A designated writing space can be small. We only need room for our bodies, a laptop, maybe a legal pad, a pen or two, and a few talismans to remind us we are *artists*. I like curating a writing space with a candle, a journal, and a few travel treasures: sea glass I collected in Sicily, a postcard from a Picasso museum in Barcelona, a rock from a volcanic black sand beach in the Canary Islands.

Tip #2: Create a personalized writer space vibe. If you share living accommodations with other humans, gently let them know that this space needs to be as protected as an environmental habitat, a UNESCO historical site, or Fort Knox. Because majorly important things are going to happen here.

Nurture Seeds of Ideas

A guy named Tom Sturges wrote a book called *Every Idea Is a Good Idea: Be Creative Anytime, Anywhere*.² In the idea germination phase of our writing process, *there are no bad ideas*. Write that down on a colorful Post-It Note and stick it in a prominent place in your writing space. There. Are. No. Bad. Ideas.

Speaking of Post-Its, when a nugget of a new writing idea pops into my head and I feel a little jolt of, *Oh, THAT would be kinda cool to write about*, I jot the idea on a large (6X8 inch) orange or pink Post-It and stick it on a window in my Manhattan apartment. In the mornings, after I've finished writing my Morning Pages—three pages of longhand journaling practice recommended by author Julia Cameron in her book about the creative process, *The Artist's Way*³—I sip coffee and stare at the lone Post-It. The singular idea usually percolates and transmutes from there. Cameron explains that three pages of longhand journaling every morning (no editing, no re-reading, no judgment) nudges ideas out of the corners of our brains into the universe. Connections among thoughts, notions, and concepts begin to sprout. The Post-It process has guided tiny seeds of ideas to publication of my two well-being books, and the third I'm writing now. One idea captured on a colorful Post-It leads to another Post-It and yet another. I now know and trust that when I have 10-12 major Post-It ideas dotting my Manhattan window (and smaller Post-Its capturing sub-ideas beneath the major ones), I'm looking at the arc of a new book's Table of Contents. This process works.

Tip #3: If you haven't read it, I highly recommend Cameron's *The Artist's Way*. Start doing Morning Pages. Three long-hand pages of journal writing take no more than 15 minutes each morning but can completely kickstart a creative practice; they clear out brain

² Tom Sturges, *Every Idea is a Good Idea: Be Creative Anytime, Anywhere* (2014).

³ Julia Cameron, *The Artist's Way: A Spiritual Path to Higher Creativity* (1992).

clutter, allowing great ideas to bloom. Order large, colorful Post-Its. Jot *all* your ideas. There are no bad ideas in this phase. Sip your morning coffee and stare at your Post-Its. Watch your ideas percolate and grow.

Oust the Critics

Our new writer life needs to be a no-critics-zone. Last year, during my tenure application process, I self-imposed a rule: *Under no circumstances will you read the internal scholarship reviews in your tenure packet.* And then what did I go do? I slumped into a shame spiral when I read that one of my colleagues had referred to my work as “pablum.” Honestly, I had to Google the word to make sure I fully grasped the insult. Ouch. Over the past decade, I’ve also received unpleasant typewritten letters from (always male) readers of some of my *ABA Journal* articles, critiquing my ideas, grammar choices, etc. Worrying about criticism is natural, but to get actual writing work done, I like to invoke novelist Paulo Coelho’s ethos: “Haters are confused admirers.” I also like to tell myself, *If you reach literally one person with this piece of writing, you’ve done your job.*

Tip #4: To keep your writing space a no-critics-zone and get words on the page:

- Start by writing what you know
- Write about what excites you, not what you think will impress people or sell
- Consider beginning with writing a short piece about your idea—a blog or an essay
- Who cares if someone has already written on the same topic; realize that no one will write about the topic with your same voice or perspective
- Getting words on paper is the most important part of the initial writing process; you can edit, workshop, fine-tune, and adjust tone later.

Set Up a Realistic System

Ritual and routine are the key to getting words on the page. Choreographer Twyla Tharp wrote a great book called *The Creative Habit: Learn It and Use It for Life*⁴, in which she emphasizes the importance of ritual for setting aside hesitation or trepidation about starting a new project. She says that establishing a creative habit reminds us, “I’ve done it before. It was good. I’ll do it again.” I also love author Steven Pressfield’s advice from his motivating book on the creative process, *Do the Work*⁵: “Get the first version of your project done from A to Z as fast as you can. Don’t stop. Don’t look down. Don’t think.”

I can’t write for more than two hours a day or I get a migraine. So, when I launch a new writing project, I commit to a routine of waking up, brewing a pot of coffee, doing my Morning Pages, and then writing for two straight hours. At the end of the two hours, I close the laptop and go about my day. I do my two hours every single day, including weekends, for as many days in a row as it takes to get the first (horrifyingly bad) draft done. And then I start from the beginning again and set a daily page quota for editing. And then I start from the beginning yet again and set another daily page quota for editing.

For my past two book projects, I conducted research first by collecting stacks of articles and books, highlighting excerpts, and then typing up the selected passages. It’s highly motivating to start a project with a substantial hunk of raw material sitting in a Word document, ready to be shaped and molded. Then, when I was ready to hunker down and write, I wrote for two hours a day for two months straight (no skip days), and the pages added up into a 300-

⁴ Twyla Tharp, *The Creative Habit: Learn It and Use It for Life* (2005).

⁵ Steven Pressfield, *Do the Work: Overcome Resistance and Get Out of Your Own Way* (2011).

page manuscript. Then I started at the beginning again and edited ten pages a day for thirty days. And then again. This process works.

Tip #5: Every writer is different, obviously. You might find you do your best work late at night or midday, instead of mornings like me. The important thing is to discern the right time of day and a realistic daily goal that works best for you, whether that is a time limit, or page count or word count quotas. Establish your system, set boundaries for intrusions (family, email, social media). Give yourself the gift of routine and the pages will add up.

Reward Yourself for Sticking to your System

Let’s face it: writing can be mentally, emotionally, and physically exhausting. When I emerge from a two-hour writing groove, I look like I’ve just hiked Mount Etna. My hair looks like Medusa; my eyes are wild; I’m famished. I also realize that I’ve just experienced what psychologist Mihaly Csikszentmihalyi describes as a state of *flow*⁶: when time and space disappear and we become fully immersed and absorbed in an activity, finding equipoise between challenge and skill. Each time we follow through with our routine, we deserve a reward. Julia Cameron’s *Artist’s Dates*—solo excursions with one’s inner artist—suggested in her book are marvelous rewards. Each day after I finish my two hours writing pages of my new book, I’m going to go explore something cultural in Croatia as my post-writing reward.

Tip #6: Establish a writing reward system. What post-writing activity sounds fun to you? What types of *Artist’s Dates* would replenish your creative soul: Making a collage? Baking? A virtual gallery visit? A walk in a botanical garden? Emerge from your writing groove and take your inner artist on a well-deserved date.

⁶ Mihaly Csikszentmihályi, *Flow: The Psychology of Optimal Experience* (1990).

Trust your System, Hear Positivity, and Lift One Another Up

Writing is simultaneously exhilarating and terrifying. One of U2's lyrics describes how I feel when I pour my soul onto the page: *Where poets speak their heart then bleed for it*. Yes, we are in a tough profession chock full of (often gratuitous) critique and judgment. But we also have something to say and deserve to say it in our authentic voice. Here's the best advice I can give on how to make sure your important message becomes memorialized in writing and reaches the people who need to hear it:

- Establish and trust your writing system; the words and pages will add up.
- Forget trying to please everyone; it's impossible. When I stress out about so-and-so faculty member thinking my work is too touchy-feely or not intellectual enough, I remind myself: *They are not your audience!* Think about who your audience really is. I know my audience is anxious and fearful law students and lawyers, so I write solely for them (and myself).
- When you receive positive feedback from a reader, immediately stop everything else you are doing and read or listen to that priceless gem again. Like, really hear it and let it sink in. Keep a positivity folder. Respond to every single communication from a reader telling you that your work spoke to them. Those moments and connections are why we write.
- Let's lift each other up. Let's help each other get words on the page. My legal writing colleague, Professor Maria Termini, launched an incredibly helpful Writing Days initiative at our school in which we convene (online) in small Writing Pods of 3-4 writers and write for three hours and then report our progress.

So, dear writer, let's get to it. I can't wait for us to get started. If you need a nudge to set up your protected writing space or establish a workable routine or brain-storm Artist's Dates, I've got your back. I can't wait to read your work. Our profession needs your voice. Happy writing.

SHA-SHANA AND SHERRI'S SECRET SAUCE FOR SUPER BUSY SCHOLARS

SHA-SHANA CRICHTON¹
SHERRI LEE KEENE²

Introduction

Producing scholarship makes legal writing professors better teachers.³ Yet, many of us find that it is difficult to devote time to writing with an already packed schedule of preparing for class, constant grading, weekly office hours, regular student conferences, and heavy service requirements.⁴ Even when we find time to present our ideas at conferences, we can still struggle to turn those presentations into articles, essays, or books.

As law professors and directors of our respective legal writing programs, the two of us had a standing monthly meeting to talk “shop” (share best practices for teaching, strategies to meet the challenges we faced as legal writing professors and administrators, and ideas for running our programs). During one of our meetings, as we lamented not having time to produce scholarship, we decided to extend our monthly hour-long meeting to one and a half hours,

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² Sherri Lee Keene is Associate Professor of Law, Legal Practice at Georgetown Law. Previously, she directed the Legal Writing Program at the University of Maryland Carey School of Law.

³ See Terrill Pollman & Linda H. Edwards, *Scholarship by Legal Writing Professors: New Voices in the Legal Academy*, 11 *Legal Writing: J. Legal Writing Inst.* 3, 14-18 (2005) (discussing justifications for academic scholarship and their application to the legal writing field).

⁴ See Susan P. Liemer, *The Quest for Scholarship: The Legal Writing Professor's Paradox*, 80 *Or. L. Rev.* 1007, 1014-19 (2001) (describing real challenges that legal writing faculty face to producing scholarship).

saving thirty minutes to talk about our scholarly agendas, how to approach scholarship, and making time to write.

Engaging in scholarship requires a clear mind and time to think. Despite our best efforts, we have found this nearly impossible during the semester given the demands of our work.⁵ As a result, we do most of our writing in the summer and winter breaks. Typically, we prepare to write during the semester by jotting down notes and ideas, doing research, and planning for our scholarly writing.

In this essay, we will share our collective wisdom—and some of our secret sauce—on how we keep our scholarship going during the school year and position ourselves to write productively when we have the time. We chose to write this essay in the first person using an interview style, welcoming you to our monthly conversations about scholarship, as we have similar ways of approaching our scholarship but each employ some of our own strategies.

1. What is your writing process? Do you research, then write, or move between the two?

SHA-SHANA:

For the most part, I move between the two. For some topics, I think about what I want to say, create an outline and then do the research. I use this formula a lot, especially when working on interdisciplinary issues where I rely on newspaper articles for some of the information I need. For other articles, and moreso for those involving legal writing pedagogy, I will write a quick draft, do the

⁵ See Anna P. Hemingway, *Accomplishing Your Scholarly Agenda While Maximizing Students' Learning (A.K.A. How to Teach Legal Methods and Have Time to Write Too)*, 50 *Duquesne L. Rev.* 545, 550-51 (2012) (describing the demands of legal writing teaching and the resulting problem that legal writing professors have little time to write during the school year, and sometimes even in the summer).

research and then move between researching and writing until I complete a solid first draft.

SHERRI:

I also like to get my ideas down on paper sooner rather than later. This approach helps me to stay anchored and focused on what I want to write about. That said, my early writing process is mostly about jotting down ideas. When I first started writing, I was often frustrated in the winter and summer breaks when I would finally sit down to write but would have a hard time remembering some of the ideas that I had come up with over the school year. At different points in the year—after I read a case, attended a talk, read a law review article or news story, or engaged in a compelling discussion—I would want to write and would have a lot of sparks of ideas. But, when I would finally have more time to engage with my scholarship, I often could not remember exactly what they were; I found it difficult to tap into my earlier thinking and pick up where I had left off. I now take copious notes until I have time to write, jotting down every scholarship idea, discussion point, and source that I hear about or run across during the school year.

I used to try to write down my ideas in a notebook but would forget before I could get to it or not remember all the places where I took notes. I now keep a running Google doc and treat it much like I treat my calendar—I write down everything immediately even if I am not sure if what I am writing is important. To make the Google doc easier to navigate, I include a date before each note.

SECRET SAUCE: I prefer to keep my notes on a Google doc because I can access the document easily on my phone as well as my computer, and thus always have ready access to it. If an idea hits me in the faculty meeting, I have my document there. And if I am in a line at the grocery store or out for a walk, odds are that I have it with me, too.

It is also easy to share a Google doc and embed links, and this makes it a useful tool. And yes, I know that there are probably other technologies, and that you may find them more useful or even that putting your thoughts in a notebook works for you. The point, of course, is not about the platform that you use, but the importance of building a habit that you can stick to. In this pandemic year, this practice has allowed me to enter the summer with a twenty plus page Google doc full of scholarly ideas and sources.

Once I have more time to write and have gained some familiarity with my topic, I try to get my main ideas down in an outline or quick draft. I usually try to immerse myself in my writing and find weeks where I can devote a few hours each day to the task. At that point, I often refer to my notes and usually find some good content there that I can incorporate right into my draft. My first draft has few footnotes, and the longest part for me is adding the sources and building out the content after I have a solid first draft that explains my thesis. Then, I do a close read of a lot of sources and try to further develop my ideas. My notes also help me with this part though I also rely on research reports from my research assistants (RAs) and the sources they cite as well as others I find on my own.

2. Do you create notebooks for your research or work electronically?

SHA-SHANA:

I do both. I love to write in a notebook and create research binders, but I have found that keeping my research electronically is more portable, which makes it easier to work at any time and from anywhere. I am still getting up to speed with effectively organizing my electronic folders. My research binders are nicely tabbed and organized.

SHERRI:

I also like both but found that, when I requested that my RAs create research binders, I often received hard copies of articles that turned out not to be that useful. Admittedly, I still have several old research binders with articles that I have not read yet. My current process is to have my RAs produce research reports and include links to sources in the report. I find it easy enough to review the sources described and linked to the report and print out the articles or parts of articles I need.

3. Can you explain more about how you use RAs?

SHA-SHANA:

My RAs are invaluable. I have been fortunate to have had talented, committed, and hardworking RAs. As mentioned above, RAs help me with the initial research for my scholarship. We also talk about the ideas I am working on or thinking about, they edit the article, and importantly they help to keep the information organized. I typically do the citations in the article because I find that process relaxing.

SHERRI:

In the past, I have used RAs in much the same way as Sha-Shana, though they have primarily assisted with research and citation. For my current project, my RAs and I meet regularly and have a lot of discussions. In this way they are helping me to develop my ideas, keeping everyone engaged in the project. I spent more time in the beginning talking to my RAs about my scholarly project and letting them know what I am trying to achieve. We then worked together to develop an effective system of reporting, which they are doing on a shared Google doc.

SECRET SAUCE: In the RAs reporting, they include the proper citation and summarize the content of the useful sources they find, homing in on useful parts or language. Even more important, they clearly articulate the takeaway or how they think I can use each source in my scholarship.

I also have the RAs comb the footnotes of good sources for additional sources. They provide links to most of the sources in the Google doc, rather than print the sources themselves, to conserve on paper. If a source is particularly good, they may share a marked up copy for me to review. I have found that this process makes it much easier for me to review the students’ research, stay up to speed on what they are finding, and later find specific articles when I need them.

4. Do you have a set time for writing each day or week?

SHA-SHANA:

I cannot say that I have a set time each day for writing. I started off with a goal of putting aside 30 minutes each day to write, but inevitably that gets pushed aside to either grade, address “emergency” student issues, work on administrative tasks, or fit in a meeting for a service project.

SECRET SAUCE: Now, I have found that a more realistic goal is to plan for two hours of research or writing time per week during the semester and fit it in whenever my schedule permits, but I must complete two hours. This works better for me.

SHERRI:

I do not set a time to write every day, but I do set aside blocks of time (weeks) to write once I feel ready (e.g., have an outline or

quick draft, and know the general direction of my arguments and how I will support them). That said, I regularly devote time to scholarship, though it is more of a natural process and not something I plan. As I teach, discuss, read, and just experience life, I am always engaging with my scholarship. I can gain an idea from reading a book and my book club discussions, as well as in discussions at work and as I watch the news. Sometimes I disagree with what someone has stated or feel like an analysis is incomplete. The connection between my different ideas is often not all that clear. But it does not really matter. What is important, I have found, is that I solidify these ideas and save them by putting them down on paper (so to speak).

After I have reviewed my notes, researched my topic a bit, and determined how I plan to organize my paper, I usually feel that I am finally ready to sit down and hammer out my draft. At that point, I set aside as much time as I can. I like to write my first full draft over a few weeks and then keep working to perfect it from there, so I look for a block of time where I can write a few hours (or more) every day. I never plan to write for more than a few hours as planning for more can feel pretty daunting, but when I get writing the time usually just flies.

5. How do you workshop your papers?

SHA-SHANA:

My colleague at Howard, Matt Bruckner, organizes a works-in-progress small group where I also workshop my papers. Last year, I wrote a symposium piece for Nova Law Review with Dr. Ramona Biholar of University of the West Indies, Mona Law. It was a wonderful experience. It was also my first joint piece. Ramona and I created a timeline to produce the article, did the research, wrote our sections, made suggestions to each other's section, and did holistic

edits of the article. We were each other’s coach, critic, and cheerleader, which made the process enjoyable.

SECRET SAUCE: I also workshop my papers at Writing as Resistance (WAR), a scholarship workshop for legal writing professors of color. I rely on the WAR retreat to do the homestretch on my article. During the retreat, I do focused work on my article, and I receive great feedback from my colleagues.

SHERRI:

I also workshop my papers with WAR, and I make use of a lot of other resources. I have participated in a number of scholarship workshops, including what is now the Sirico Scholars’ Workshop, and have even hosted a few myself. I also have a group of criminal law professors with whom I workshop my scholarship as they often can provide different feedback, and I learn a lot from providing feedback on their work. Like Sha-Shana, I have also taken advantage of opportunities to workshop my papers at my law school, but I usually only share my written drafts with the broader faculty once I feel that I already have a solid draft. In addition to participating in formal workshops, I have also workshopped papers with colleagues who are writing on a similar topic; I have found it beneficial to exchange papers and to offer one another a really thoughtful critique.

6. How many people read your work before you send it out to publications?

SHA-SHANA:

This is hard to say. I ask family, friends, research assistants, and colleagues to read my work before sending it out for publication. I will make a list of who to target for initial or final drafts depending

on the topic. I am very protective of the initial draft because I am still working through the ideas. Sherri and I typically talk about the topic, and she will look at an initial draft. I think the members of the legal writing community are special and unique. They always say yes to my request for feedback on my articles. My husband and mother give excellent feedback but are very liberal with the red pen. I talk with them about my ideas before and while writing the article or essay, but they only see the final draft or the closest to the final draft.

SHERRI:

A lot! And sometimes I have folks who read the paper even after it has been accepted for publication. I feel fortunate that people rarely say no when asked to read a given paper. I have some good friends in the legal writing community, including Sha-Shana, who regularly read early drafts. I send later drafts to other professors who have written on the topic I am writing about, including criminal law professors. I have a friend from my prior office at the Federal Public Defenders' Office who also teaches legal writing and regularly reads my drafts when I write on criminal law topics. I also often present at conferences on my scholarly topics and get a lot of feedback from attendees as well. Like Sha-Shana, my family members also read my close to final drafts, and they are excellent editors.

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WINDOW WITH A VIEW: INTRODUCING 1LS TO SCHOLARLY WRITING

REBEKAH HANLEY¹

During the pandemic, I discovered two perfect windows.

I stumbled upon the first while wandering the grounds of a mostly shuttered summer resort on a cold spring day. Curious about the pool, I located the building containing the locker room for swimmers. But that building serves a different purpose as well: it includes a large opening that spotlights a distant mountain peak. Before a visitor even notices the pool, she approaches a wide rectangular arch. And centered in that arch is a magnificent mountain. The pool and structure were shuttered until summer, but I didn't have to enter the building to appreciate its effect as a frame for the ultimate attraction: an unmatched view of Mt. Washington in the Cascade mountain range. This window brings the dramatic mountain into sharp focus, at nine miles away.

In my spring syllabus, I found a second, similar window.

At the end of my 1L LRW class, an awkwardly short period of time looms beyond my students' oral arguments, just before the spring term ends. The students are generally spent at that point; this year, I expected that they would be especially fried. (My prediction was correct.) Extracting value from our final two weeks together seemed particularly unlikely as Zoom and pandemic fatigue surged. I typically use this small window to reinforce the skills that the 1Ls have worked on all year and to introduce a bit of new information as well. This gives the students reminders about all they have learned over the course of the year so they can effectively and

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confidently draw on that knowledge while completing summer projects.²

This year, I took this two-week syllabus window and used it to frame scholarly legal writing, which students ordinarily do not have a chance to create until their second or even third year of law school. The students have written emails, memos, and briefs. They are preparing for final examinations. The academic writing they will do in the coming years feels nine miles away.

I used this two-week window to bring academic writing closer. “Look at this big, exciting project you will have the opportunity to create,” I told my students. “You’ll be thinking about topics, researching and writing sooner than you think. And though it’s a challenging undertaking, you already have the tools you need to tackle it. You can climb that mountain. You can, and you will.”

And they did.

Students reviewed a brief reading on scholarly writing before selecting a topic of interest. That was intimidating but even more exhilarating, as this was the first time all year that they controlled the substance of their research and written work. They then identified a narrow(ish) question to explore. Many learned that they ought to have gone narrower. Yes, through experimentation, they learned about the depth and breadth—specificity and scope—in framing a question.

Some worked alone; others collaborated with a partner, gaining additional experience with delegation, compromise, and professional communication.³ They all developed confidence, relying on less instruction and guidance than they do through most

² I have designed various exercises to achieve this; they generally involve independent or small-group practical research assignments followed by a short predictive email to a supervisor or client. I’ve introduced new topics and new research tools, but, until this year, never a new genre.

³ Collaboration on LRW projects is generally quite limited; those who partnered up for this activity seemed thrilled to have a chance to work in tandem with a peer from start to finish on a project.

of the year to independently apply—and reinforce—their research, analysis, organization, writing, and editing skills. They wrote brief summaries of their tentative arguments. They included academic footnotes to place their ideas in context. And, in speed “works in progress” panels mimicking speed dating and speed networking events, the emerging scholars educated each other about their research, further improving their online oral presentation skills. The panel presentations filled my Zoom screen with student faces that morphed from tired to animated while presenting their arguments.

In their final writing, I saw independent thinking and growth; in their presentations, I heard passion.

The novelty of generating scholarship helped motivate the students to work hard at a time when normal burnout, exacerbated by COVID-19, threatened to extinguish their fading embers. This project revived their fires. Students remembered the pressing issues that prompted them to apply to law school, like their concerns about civil rights and environmental justice. Sure, we reviewed familiar core lawyering skills, but the effort didn’t feel like busy work. It wasn’t just retrospective. It was, instead, a preview of how they would apply their 1L lessons to the challenges on the horizon. It brought the scholarly writing in their future into sharp focus, helping it feel both proximate and possible. It’s really not all that far away. And they are more prepared than they had realized to summit that mountain.

The late spring introduction to scholarly writing helped to clear the pandemic fog. I predict that students will remember what they learned through this exercise, just as I still remember the profile of Mt. Washington and the pool house that frames it.



Photo credit: Rebekah Hanley and her iPhone

PROCEEDINGS

VOLUME 1

ISSUE 3

TRUMP; OR, THE MODERN VOLDEMORT¹

IAN GALLACHER²

In J. K. Rowling's Harry Potter books, most of the characters decline to say the name of the arch-villain Voldemort. Some appear to be dissembling: either they are committed supporters of Voldemort or fellow travelers of his movement. Most of the characters in the books, though, are simply afraid of Voldemort and are concerned that invoking his name will somehow conjure him back into being and power. It's one of the hallmarks of the stories' hero, Harry, that he is at all times unafraid to say the name, first because he doesn't know anything about Voldemort and later because of defiance and repudiation of all that Voldemort stands for.

I've noticed recently a similar restraint in using the name of Donald Trump. Friends of mine have taken to using various elisions to replace his name in conversation, and even late-night talk show host Stephen Colbert avoids the use of Trump's name. I haven't yet heard Trump referred to as "he who must not be named," the avoidance technique practiced often in the Harry Potter books, but I suspect that time is not far off.

This decision to avoid using Trump's name flows apparently from the same distaste and concern displayed by most Potter characters; to name Trump is to somehow give him legitimacy and

¹ Apologies to Mary Shelley for the misappropriation of her title "Frankenstein; or, The Modern Prometheus." This sketch of an outline represents a whiff of an idea that might be expanded upon but which would have been the basis of a conference presentation that had to be abandoned in these Covid times. Thanks to the editors for their willingness to let it see the light of day. As always, this is for Julie McKinstry, and is also for TM, who was my sounding board for much of what I've written over the past thirteen years and who was here for the beginning, but not the end, of this piece. She is much missed.

² Ian Gallacher is a Professor of Law at Syracuse University College of Law.

power, to recognize him as a living and powerful entity. By denying him his name, those opposed to him seek to deny him reality.

This essay is not a vehicle for expressing a personal political position, but is instead a contemplation of the power we give to words. This power is not something that words possess inherently. Rather, it is a power that is willingly, and bewilderingly, granted to words by us. In the law, I fear, too often the dominion words have over us is harmful, causing us to misinterpret texts and misunderstand written communications. It is a power we can, and should, resist.

Textualism and the Privileging of the Word

The animating principle behind legal textualism, the disambiguating interpretative move in vogue with many conservative judges in this country³ is that the meaning of texts inheres in the words selected by the text's drafter. One merely looks for the "meaning" of the words in order to understand the meaning of the text and no interpretation of the text that goes beyond the "meaning" of the words is legitimate or permissible.

At the heart of textualism, then, is the fundamental premise that it is the word that controls meaning, not the thought that gave rise to the use of the word as a medium of communication. Textualists will proudly proclaim that they don't want to know what a legislator thought, they want to know what the legislator wrote. So textualism, as its name honestly suggests, privileges text over intent, and word over meaning. And that is the strategy's downfall. If I write that humans are crepuscular beings, because I misunderstand the meaning conveyed by "crepuscular" and mistakenly use it instead of "diurnal," a textualist will say that the sentence conveys my belief that humans only come out at twilight.

³ Let's not get bogged down in a sterile and pointless debate about whether or not textualism is, at its core, a conservative approach to textual interpretation. Of course it is, and conservatives shouldn't shy away from openly celebrating it for what it is.

It doesn't. Rather, the sentence conveys my incomplete understanding of the language. My meaning—as any reasonable person could tell—is that humans are generally active by day and sleep at night, even though the key word I used to convey my meaning was incorrect. But a textualist would fail to apply my intended meaning and would insist on the meaning conveyed by my incorrect use of language. By ignoring intent and focusing only on the words, textualists misunderstand, or ignore, the nature of communication.

Textualism fails as a strategy for discerning meaning for this and any number of additional reasons articulated more cogently elsewhere. But the problem central to textualism's failure is its exclusive reliance on words, but words are only, and can only ever be, proxies for meaning and not meaning itself. To rely exclusively on words to reveal meaning gives them more power than they are due. It is a failing shared by superstitions and religions as well. We know, for example, deep within us, that there are no jinxes in real life—that saying in October 2020 that Joe Biden would win the Presidential election would not “jinx” Biden and “cause” Donald Trump to win it instead. The mere uttering of words does not call the result—desired or feared—into being.

Meaning Making Goes Both Ways

There is a famous riddle about a tree falling in the forest with no one to witness it and whether it makes a sound. The riddle is presented as if this was an impossible-to-solve conundrum, but the answer is easy. “Sound” requires both initiation and reception, and while the tree's falling initiated the activation of sound waves that travelled out from the point of initiation, the lack of a receiver to sense those waves means that they remain potential sound and never become actual sound. The sound waves are information conveyed between the initiation and reception, and without reception they fail to convey the message. Similarly, words convey

meaning between a speaker, or writer, and a listener or reader. Like the sound waves, the words themselves have no meaning but are merely the medium by which meaning is conveyed.

Donald Trump has accomplished something most would have predicted was impossible: he has united the right and left in their reification of the word as meaning. The right shows its devotion to the word by treating it as the embodiment of meaning, while the left shows its fear of the word as the embodiment of someone they despise and fear. Both are wrong. Words are just words, ephemeral aggregations of twenty six letters that combine, separate, and recombine to form words to which we attach definitions in order to convey meaning from one person to another. Just as my saying Donald Trump's name will not summon him into power, as those opposed to Voldemort fear, so the words I write here do not "mean" anything. All they can do, and surely it is enough, is convey my meaning to you. It's time for us to treat words with the respect they deserve, but only that respect and no more.

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VOLUME 1

ISSUE 3

THE RIGHT TIME TO LEARN

RACHEL H. SMITH¹

In the fall of 2019, I went to a St. John's basketball game, right down the hill from my office in the law school. For me, the "Red Storm" is a charming part of working at St. John's, and I was excited to see Mike Anderson, St. John's new basketball coach. As the game started, I found it hard to look away from Iron Mike. He has charisma. And he was so engaged, so in the moment. In my memory, during the timeouts, he had this little whiteboard that looked like a basketball court and was describing plays in detail with a marker. But I may have added that from watching a lot of sports movies. Either way, there was shouting and pointing and pats on the back. The players were rapt—completely focused on what he was saying.

This moved me. It might have been because I had come to the game from class or because I was on the appointments committee and had spent a lot of time that week talking with potential law professors about pedagogy. But I couldn't get over it. They were in the game! Hours and hours of practice must have preceded this moment. And these players had probably been playing basketball for much of their young lives, mastering new skills, and learning more challenging plays. And yet, the Coach was teaching and the players were learning. In the game!

That night, I decided on a teaching motto: It is never too late to learn. I started repeating this to myself like a mantra when I might otherwise feel exasperated. When a student sheepishly asks a

¹ Rachel H. Smith is a Professor of Legal Writing and Associate Dean for Experiential and Skills-based Education at St. John's University School of Law.

question in class twelve about something we covered in class one? It is never too late to learn. When a student apologetically emails me incredibly specific questions in the hour before an assignment is due? It is never too late to learn.

This motto shook up how I thought about teaching legal writing. My class was built on a progression, and since I keep the same students all year, each assignment would build on the one before. And the tasks would get increasingly complex and sophisticated as we moved from early fall to late spring. I would expect the students to build their skills in the way I had planned, learning each part step-by-step.

But that doesn't really work when "it is never too late to learn" is your motto. So I started to be open to students jumping ahead on some things and lagging behind on others. And I began to doubt whether it was even possible for my students to learn the same things in the same order at the same time. They were all so different. Why not let them learn differently? Why not let them learn at different times?

I have long been proud that I default to teaching as a "guide on the side," rather than a "sage on the stage." But letting go of certain ideas I had about when students should be learning revealed that I was maybe acting like a "my way or the highway" kind of guide. I was like a sheepdog, trying to herd my students together so they moved as one, rather than letting them find their own way in their own time. It required a fair amount of faith to believe that the learning would happen, even if I didn't control the timing the way I was used to doing.

As we shifted to online teaching in March 2020, and have continued to teach online since, this question of when students should be learning has been constantly on my mind. Online teaching is all about time and progress. Synchronous and asynchronous—"time" words that I had never really thought about before—have come to dominate my class planning. And online teaching has

required me to accept that when exactly students are going to learn something I have tried to teach them is largely out of my control.

Teaching legal writing fully online this past year really tested whether I can accept that it is never too late to learn. Online teaching, even when done synchronously with everyone’s cameras turned on, deprived me of seeing my students’ “lightbulb” moments. I would peer into their tiny squares, but I could never really tell what was going on in there. And when I put them in breakout rooms and then popped in with my microphone and camera off to observe, I always felt like they were performing for me, rather than engaging with the exercise and each other. I tried to use low-stakes formative assessments throughout the year to identify students who were struggling or falling behind, but it was always hard to discern whether some students were actually confused or just not spending much time on low-stakes assignments.

Missing the lightbulb moments has been hard. It made me realize how much I liked seeing the students learn, how much it meant to me to be the person who facilitated and sparked that learning. I want to be the basketball coach with the whiteboard and the marker. I want all the eyes on me. I want to pat my students on the back and encourage them. I want to wave my arms around and do a lot of pointing. It just doesn’t feel the same for me that these moments happen when my students are in their apartments, watching my asynchronous videos at 2:00 a.m. or when I am in my apartment as my kids are doing kindergarten and third grade on their iPads in the next room and the cat is scratching at the door.

Living and teaching during this pandemic has disabused me of any ideas I had about how time should work or when things should happen. But I can absolutely say that since I saw that basketball game (St. John’s won by 30 points), I have learned to think about time in a new way. I guess it wasn’t too late to learn.

PROCEEDINGS

VOLUME 1

ISSUE 3

THE BUILDING BLOCKS OF LEGAL CORRESPONDENCE¹

MARY ANN ROBINSON²

Often, the hardest part of a writing project is getting started. This is true for a new lawyer writing a letter to a client or another attorney, or a law student writing a letter to a potential employer.

To help new lawyers get started writing letters, the attached chart identifies the basic “building blocks” for any letter. The chart connects these blocks to several specific types of letters that lawyers write, showing how to use the blocks to quickly “construct” a letter. There are four separate blocks – the Formalities (which can be found on the Purdue Owl website³); the Introduction; the Main Message, which delivers the primary content; and the Closing, which invites follow-up. The visual display of this block-by-block construction demonstrates the commonalities and the differences between the various types of letters. Professors can share this chart with students as a quick reference to get started writing any letter.⁴

Below are explanations of when and why lawyers write the five types of letters outlined in the chart, along with some additional ways to use the information in the chart. It may be helpful to refer to the chart descriptions⁵ for each type of letter as you read the illustrations below.

¹ The chart accompanying this essay was accepted as a poster presentation for the Legal Writing Institute’s Nineteenth Biennial Conference at Georgetown Law Center (Summer 2020), and this essay’s introduction is drawn from the poster’s explanation. Poster presentations from that virtual conference are archived on the LWI website at <https://www.lwionline.org/2020-lwi-biennial-conference-poster-presentations>.

² Mary Ann Robinson is a Professor of Law at Villanova University Charles Widger School of Law.

³ www.bit.ly/legalformalities (This link is also in the chart.)

⁴ The chart complements many legal writing texts that address client letters.

⁵ See the chart on page 36.

1. Transmittal Letters

Transmittal letters are a very common form of correspondence. Many students have already written transmittal letters to send resumes to potential employers, but students need to know there are many other kinds of transmittal letters as well. Lawyers use transmittal letters to send documents to clients, for example, copies of leases or drafts of wills. They also send documents to opposing counsel, like responses to discovery requests or drafts of contracts.

2. Letters Requesting or Sending Information

Letters requesting information can go to many different people, including clients, but others as well. Lawyers working in criminal justice could be writing to police officers or laboratory personnel, seeking evidence or results of forensic testing. In any kind of litigation, whether civil or criminal, lawyers may write to witnesses. For corporate clients, a lawyer may be requesting information about some aspect of a deal they are doing or some aspect of the client’s business that is relevant to the current matter.

The flip side of a letter requesting information is a letter sending information. This is not one of the example letters on the chart, but the letter requesting information provides a good model to follow because it is similar. Lawyers begin a letter sending information in the same way as a letter requesting information, by identifying themselves if necessary and then clearly stating the information being sent. It might be something as simple as sending a client a court date or something more complex, like explaining the next steps in a court proceeding or a negotiation.

The format for a letter requesting information also can be used for any kind of letter that involves making a request. Litigators regularly correspond with opposing counsel and various courts regarding scheduling, extension requests, and exhibit and discovery

requests. Those requests and any kind of request letter follows the same basic pattern of the letter requesting information. Instead of identifying the reason for asking for information, the writer identifies the reason for the specific request and adapts the rest of the letter along those lines.

3. Advice Letters

Advice letters are sent only to clients. In advice letters, the lawyer is giving a client advice about the client's problem. This advice may involve telling the client how the law applies in the client's circumstances. Or the client may have a decision to make, in which case the advice may take the form of outlining the client's options and explaining the pros and cons of each option.

4. Demand Letters

Lawyers write demand letters to get someone to do something. For example, a demand letter might tell a debtor to pay a certain amount of money or insist that someone stop infringing on a copyright. Demand letters include the same parts as any other correspondence but also have some additional requirements. They must include the specific demand being made, the consequences for refusal, and a deadline to comply.

5. Instruction Letters

Letters giving instructions are just what they sound like. These letters often go to clients. Perhaps the client needs instructions about an upcoming court date or deposition. In this type of letter, the lawyer must give clear instructions about each step the client must take.

6. Combination Letters

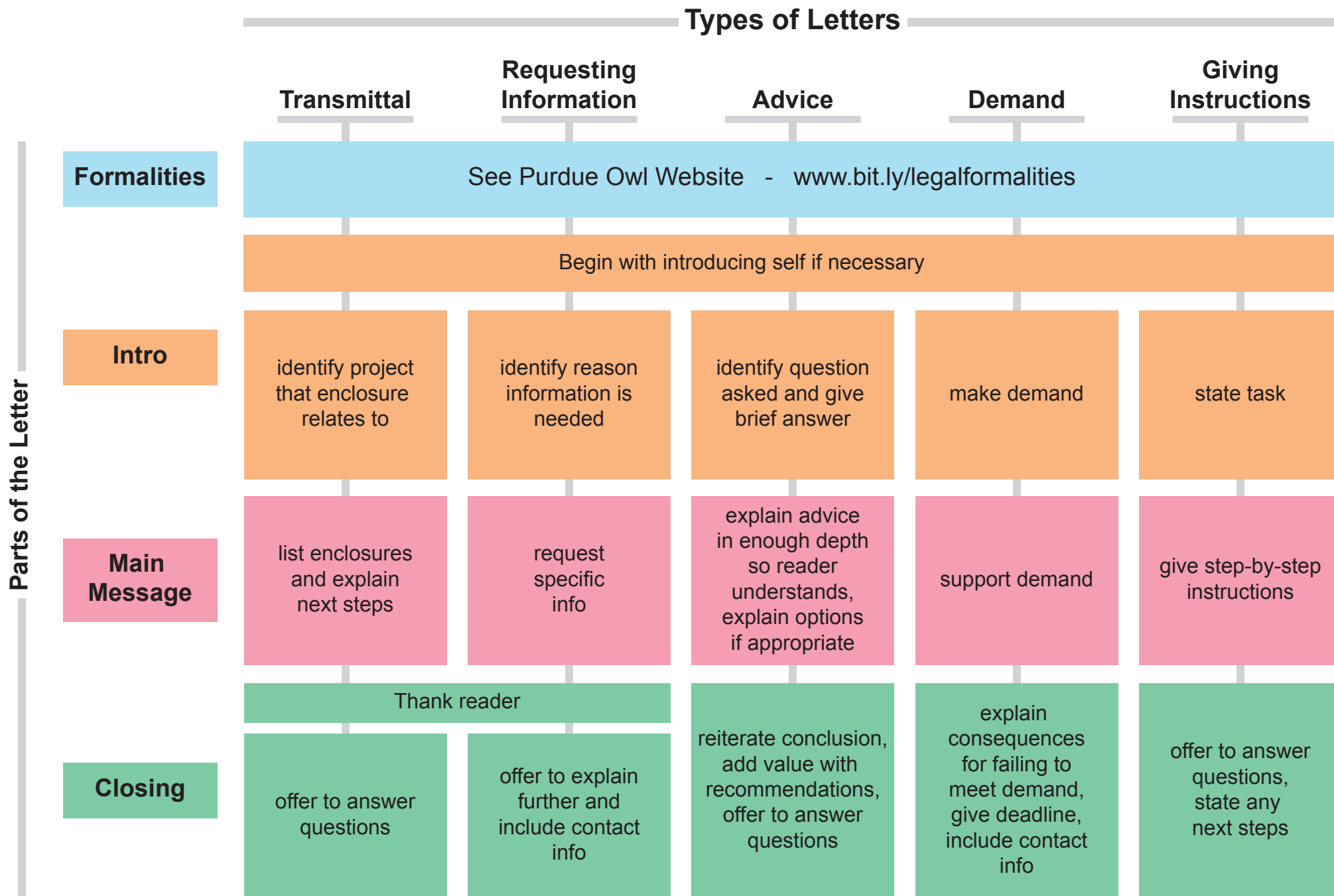
Sometimes these different types of letters combine. For example, a transmittal letter might include instructions, such as

sending the client something that needs to be signed and returned, so it is both a transmittal letter and a letter giving instructions. It is easy to combine the different components of both types of letters by using all the relevant blocks.

Lawyers also write other kinds of letters that are not specifically listed on the chart, but all letters include the same building blocks of following appropriate formalities and including an intro, the main message, and a closing.

The Building Blocks for Legal Correspondence

Use these building blocks to construct any type of letter



THE POWER OF THE PACK: HOW TO CLAIM YOUR INDIVIDUAL POWER AND UNITE YOUR PACK¹

MATTHEW CORDON, RACHEL CROSKERY-ROBERTS,
CASSANDRA HILL, SARAH MORATH, SUZANNE ROWE²

Introduction

In her bestselling book *WOLFPACK*,³ Abby Wambach identifies eight rules for leading that apply not only to soccer but also to leading a legal writing program. Rule 8, Find Your Pack, simply means you are not alone. You've got your pack.

If you are a new legal writing director or coordinator who is feeling alone and overwhelmed, we invite you to join our pack! The following suggestions come from new and experienced legal writing directors, as well as a former associate dean who is now a law school dean. These are strategies new directors can use to advocate for your program as you hire and mentor your colleagues; balance expectations and responsibilities; and effectively work with diverse constituencies.

¹ This presentation was selected for the Rocky Mountain Legal Writing Conference that was to be held at University of Arizona in March 2020. For many of us, this was the first event of many cancelled due to the pandemic. We are grateful to the organizers of the conference and to Tienielle Fordyce-Ruff for creating this group of presenters in her role as chair of ALWD's New Directors Committee. We still regret that we were not able to gather.

² Matthew Cordon is Director of the Legal Writing Program and Professor of Law at Baylor Law. Rachel Croskery-Roberts is Associate Dean for Lawyering Skills at University of California, Irvine School of Law. Cassandra Hill is Dean and Professor Law at Northern Illinois University College of Law. Sarah Morath is an Associate Professor of Legal Writing at Wake Forest University School of Law. Suzanne Rowe is the James L. and Ilene R. Hershner Professor and Director of Legal Research and Writing at University of Oregon School of Law. Each of us took the lead on one section of this essay, and the introduction is drawn from the presentation proposal, written by Professor Morath.

³ Abby Wambach, *WOLFPACK: How to Come Together, Unleash our Power, and Change the Game* (2019).

1. Hiring and Mentoring

SARAH MORATH

As a director, hiring for the writing program is one of your most important responsibilities. Encourage your institution to conduct a national search. Consult other LRW directors and cast a wide net to get a diverse applicant pool. Educate your non-LRW colleagues about the legal writing discipline. Require each candidate who visits the school to give a job talk. The candidates might talk about an issue they addressed in practice, which could become an article or simply bridge the academic-practice divide. If there is no publication requirement for LRW professors, consider having candidates conduct a mock class instead of a job talk. Encourage full participation from non-LRW colleagues during call-backs.

Once the new hire is on campus, make sure onboarding is thorough and timely. Communicate early and often. Share materials including syllabi, exercises, and textbooks, and make clear that the new colleague is encouraged to use them (it's not cheating but economizing valuable time). As the new hire becomes comfortable with various logistical considerations, such as learning management systems, connect the individual to legal writing resources and national organizations. Encourage membership on committees and participation at conferences.

Hiring, mentoring, and leading a successful program will take an enormous amount of your time. So before taking on any additional responsibilities, consider how such a role aligns with your professional goals and is treated at your institution. Negotiate for additional pay, course releases, or smaller classes. Realize that you may quickly become responsible for various 1L events, such as orientation, and may be involved in year-end assessments.

In many ways, being a director is like being a dean. You are a first among equals and your team only works well when there is buy-

in. Encourage your LRW colleagues to be involved in the things that they are interested in; avoid “making” anyone do anything. Keep lines of communication open, be a good listener, and request feedback often. Share accomplishments broadly, including social media, faculty listserves, and your communications office. Run meetings efficiently. Have an agenda and end meetings on time.

Expect that much of your hard work will go unnoticed. Expect to take burdens for the team that go unseen; no one will appreciate that you took the 8:00 a.m. class so that everyone else can teach at 10:00. But as a director, you will develop many valuable leadership skills.

2. Thinking Like a Servant Leader

CASSANDRA HILL

As mentioned above, your role as a legal writing director is often similar to the position of a dean or associate dean. As a new legal writing director, you may not realize the projects you undertake and duties you fulfill are developing and honing the very skills needed to be a successful leader of a law school. Law school deans tackle a number of varied tasks daily, but there are three areas of responsibility that are pretty consistent across all institutions: (1) setting goals, (2) solving problems, and (3) finding resources. By engaging in each one of these activities as a legal writing director, you will add value to your institution and strengthen your relationship with your dean.

Setting Goals

As servant leaders, we work on behalf of our students, our colleagues, and the institution. Before assuming a new administrative role, ask yourself how you can contribute to the organization and its constituents to produce meaningful and sustainable change. We all desire to use our talents to better the

institutions in which we work, and this should be your goal as legal writing director. Think big picture about where you want the program and your team to be today, tomorrow, and in the next five or ten years.

And, don't identify your goals in a vacuum, as they should align with your dean's vision for the institution and any accreditation requirements. Study the relevant Standards issued by the American Bar Association (ABA) for academic programs and law faculty and the guidance offered in the ABA Legal Writing Sourcebook. Read articles on assessment, learning styles, and teaching methodologies. Consult with your legal writing colleagues on professional status matters and participate in conference discussions on the future of legal education. Become the resident expert on curriculum requirements and best practices for legal writing programs. Your assistance on these matters will be invaluable to your dean.

And last, but not least, identify measurable targets for the program and your team, as the targets will likely be added to the list of institutional goals and included as part of any strategic plan. Moreover, you will need to check your progress and celebrate any milestones achieved.

Solving Problems

Seasoned administrators are well versed in crisis management. And although every situation does not result in a full-blown crisis, as a legal writing director, you will sometimes face challenges in accomplishing goals and implementing new ideas. These difficulties can be overcome if you think and work like a problem solver—listen to your team and constituents, remain flexible, and be creative.

We've all experienced this situation before: Your law school needs an assessment plan or project for the university's regional accreditation review and the legal writing team has been asked to

contribute a measurable program assessment. And, it was due yesterday. As a legal writing director who is in constant communication with your colleagues, you know your team has no bandwidth to grade yet another assignment; they are exhausted. But, you also know the institution must meet this demand. Rather than overloading your team with a brand-new assignment, you find a compromise and identify a current shared project in the legal writing curriculum for which grading can be normalized fairly easily across the sections and students’ competency can be measured. You have thus solved a problem for both your institution and your team and can plan for future program assessments in advance.

Another recurring difficulty is maintaining a high level of feedback on assignments as the number of students per section increases. When faced with this problem, think creatively. Feedback comes in different forms: faculty, group, and peer. Perhaps you have talented students who could serve as writing fellows or advisors and provide constructive feedback on students’ assignments. These fellows also could meet with students individually to answer any questions. This extra layer of instruction or guidance allows your legal writing faculty to focus on teaching and providing feedback on larger graded assignments. It also gives talented students an accolade for their resumes.

Finding Resources

What if one of your short-term goals is to raise the legal writing program’s profile or to increase your colleagues’ participation in national conferences, but you are facing budget constraints? As the director, you always serve as an advocate for your program and team, but you can add value to the institution by adopting a resourceful mindset. Be willing to find the funding or information you need. Seek funding for professional development by encouraging your team to apply for external grants, such as those offered by the Association of Legal Writing Directors (ALWD) and

the Legal Writing Institute (LWI) for teaching and scholarship. Partner with local and regional law schools to host a joint legal writing conference or guest lecturer. Share innovative fundraising ideas with your dean. For example, one campaign could target former legal writing fellows or judicial clerks for donations to enhance the legal writing program through additional writing fellow positions or new initiatives, such as a “best brief” award. Tap your networks to invite legal writing scholars to speak to your faculty or organize a sitting judicial panel at your school. If you want to improve your curriculum so that it is culturally competent but don’t have an expert on your faculty, look at the resources available in our legal writing community. We have curriculum specialists who have published articles and books on this topic and often share their ideas at conferences. Be resourceful.

Your work as a legal writing director places you in a prime position to impact and serve your institution in ways that may not have been readily apparent. As a servant leader, you will set goals, problem-solve, and find resources for the benefit of the program, students, faculty, and the institution. With each new task, you are further developing valuable leadership and administrative skills and thinking like a servant leader.

3. Balancing Administration, Teaching, and Scholarship

RACHEL CROSKERY-ROBERTS

One challenging aspect of directing a legal writing program is balancing the time the time spent on teaching and scholarship with the time devoted to administrative tasks. Calendaring is key. First, if you have regular, predictable administrative duties (which could range from attending weekly administrators’ meetings and running legal writing program team meetings to hiring and managing adjuncts and visitors), schedule time well in advance. Second, consider calendaring time every day for responding to more time-

sensitive issues that arise. Having pre-determined time built in for unexpected tasks can help you avoid a complete derailment of your day.

Just as you block out time for administrative tasks, protect time for scholarship. In weeks that are lighter, plan for larger blocks of time. In busy administrative or teaching weeks, consider setting just 15 or 30 minutes aside to do smaller, more mundane tasks related to your scholarly work. Those small tasks can keep you moving forward, and they will add up.

Another challenge is finding time to work on more imaginative big-picture projects in the face of limited time and resources. If you are not careful, you may find that days, weeks, even months slide by during which you are so overwhelmed with the day-to-day administrative aspects of managing a program that you cannot find time to think about larger programmatic or curricular changes. Set clear boundaries and expectations regarding what your big picture goals are and how you are prioritizing your time. And as with every other task, calendar time in advance where possible. Set aside larger blocks of time in the summer to devote to these big picture items. Consider annual retreats to involve your team in the bigger-picture issues.

Finally, don't be afraid to put your foot down when necessary to keep the students at the center of what you do. We are teachers first and administrators second. Others may occasionally need a polite reminder that your focus in a given week has to be teaching rather than non-urgent administrative tasks.

4. Working with Multiple Constituencies

MATTHEW CORDON

As a legal writing director, you will need to work effectively with constituencies beyond your legal writing colleagues and your students. Within a law school itself, you will need to develop

working relationships with a range of other faculty and administrators, including deans and associate deans, doctrinal faculty, clinicians, and librarians. Moreover, you will likely need to work with various departments within the law school, such as career services/development, communications/public relations, and development/alumni relations. The work may extend even more broadly than the law school and require you to interact with university departments such as human resources or a provost's office. Both within the law school and within university departments, you will likely work with support staff. The staff's work can be the key to your success.

Collaborating with these different constituencies can create some challenges that you will need to understand to be able to adapt. Members of these groups will be diverse in every sense of the word. In some instances, you may be working with those who are not only unfamiliar with legal writing but also unfamiliar with legal education. Even within departments inside a law school, you may be competing for resources in terms of both financial resources and human capital. You will likely need not only to articulate the goals of the legal writing faculty but also to align and synthesize those goals with other departments or the larger university organization. These collaborations, though, can also create opportunities for your legal writing program. Remember that while you are the first among equals within the legal writing program, those outside the program will typically view you as the face of the program. They will want your input, and, in turn, you will want to provide a voice for your legal writing program. You will have the chance to promote and advocate for your program and those involved with your program.

5. Connecting with the National Pack

SUZANNE ROWE

Serving as the leader of legal writing at your school can make you feel like a lone wolf. Engaging nationally with other leaders can help. And although devoting time to national organizations might seem to run counter to our suggestions to guard your time and calendar carefully, you need colleagues who have walked your path.

Early in my time as a director, I attended a national conference where I was surrounded by other directors; the support and guidance I received sustained me for years. These colleagues listened to my lamentations about budgets and stodgy old professors who voted against my every recommendation. Then those same national colleagues offered me insights from their experiences, shared memos they'd already written to their deans, and brainstormed for solutions that would work at my school. Now that I've been directing for over twenty years, I enjoy mentoring new directors. I might not have a solution, but I can listen, share memos, brainstorm, and connect you with other resources or friends.

Your national pack is filled with mentors. ALWD's New Directors Committee offers ongoing mentoring; just write to the committee chair or an ALWD board member and ask to be added. LWI's Professional Status Committee has “toolkits” to address many of the status-related issues that directors face; its website is filled with information and committee members can offer confidential advice. And legal writing continues to be a collegial community. You can write or call just about anyone whose name you see on a listserv message, and you're likely to get a helpful response.

Conclusion

Being a director of a legal writing program is incredibly rewarding, but also incredibly demanding. Seasoned wolves are

ready to support you. Regardless of your title or theirs, we all want to foster mentorship and promote the power of the pack.