

WINDOW WITH A VIEW: INTRODUCING 1LS TO SCHOLARLY WRITING

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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

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have learned over the course of the year so they can effectively and 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,

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.

relying on less instruction and guidance than they do through most 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.



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