



THE ASSOCIATION OF AMERICAN LAW SCHOOLS

AALS SECTION ON TEACHING METHODS

NEWSLETTER

Volume 2006

Section on Teaching Methods
Executive Committee: 2006-2007

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Message from the Chair

Victor B. Flatt

One might think after thousands of years of experience that all “teaching methods” had been fully explored. But as we know, they have not. This is because “teaching” is as different as any two people who engage in the role of teacher and

Chair's message – continued.

learner, and because people continue to come in varied forms. When I think of this complexity, I wonder how both my grandfather, and later my mother, effectively taught eight grades in a one-teacher, one-room schoolhouse.

Fortunately, we have two things that can help us master each of the unique engagements we have with students. The first is ourselves. Generally, anyone who goes into the teaching profession has a love of what she does and an excitement in sharing a particular subject matter. Finding the optimal way to do this is a matter of knowing yourself and your own style. My advice to any new teacher who asks what “teaching method” she should use is to “play to your strengths,” to use what you do best, because I believe that the root of all good teaching is excitement in what one is teaching and confidence in one’s ability to explain it. Some people may be wonderful lecturers, some may produce superb power point presentations that inherently reinforce the style of visual learners, while others may have a real skill at listening and questioning, and thus may prefer to use the Socratic method. Even experienced teachers can often find a refreshing excitement by stopping and thinking about *why* they teach what they do and *how* they would most enjoy doing it.

The second thing we have is each other and the sum total of our experiences. The ability to discuss and explore various ways of transmitting knowledge can help us all be better teachers, and that is this section’s purpose. Sometimes the section explores the teacher directly, as did last year’s program on the “whys” of pedagogical choices. At other times, the section explores teaching environment and a teacher’s substantive choices, as does this year’s program on “Materials for the Classroom: the Usual Suspects and New Ideas.” But all topics come back to the teaching experience itself: how do we best transmit information?

This year’s program explores the roles of our classroom materials in teaching, how we can select appropriate materials, and the new kinds of materials technology has made available to us, and hopefully provides some insight into how these choices may enhance our students’ learning experience. Because the kind of materials used in the classroom is particularly important for new teachers, who have not themselves been able to experiment with different options, our program is co-sponsored by the New Law Professor’s Section.

The program will be divided into four parts. The first two parts address the use of currently-available materials. The first part will look at our traditional teaching material, textbooks, and explore how we can best select particular textbooks or make the choice to use other materials. Janet Ainsworth of Seattle University will discuss the results of a project undertaken by the Seattle Law Review to have many well-known professors in core subject matters write articles about why they selected particular textbooks or materials and how they used them. This project provides a rarely-seen window into the process of selecting a textbook and how it relates to particular kinds of teaching or style. Professor Ainsworth will highlight several interesting ideas one can draw from examining this wide variety of writers.

Chair's message – continued.

The second part will look at how interactive technology, such as CALI, relates to traditional textbooks and whether and how interactive technology should be used with, or ultimately replace, the more traditional textbook. Steve Bradford of Nebraska, who has authored fourteen CALI lessons, will present this part of the program.

Our third and fourth parts examine the issues surrounding a choice to create one's own classroom materials. The third part will look at the process of writing one's own textbook. What prompts a professor to write her own textbook– the need for materials that better mesh with the professor's teaching style or money? How does one go about producing a textbook? Do you want or need co-authors? What is the process like overall? Lewis & Clark's Bill Funk, the author of several best selling textbooks, will present this part of the program.

The fourth part will examine some alternatives to traditional textbook publishing, such as self-publishing, that are becoming more readily available. It will also explore the advantages and disadvantages of using these materials. Is self-publishing easier than traditional textbook publishing? Is it different from photocopying materials for one's class? Is it a first step to a "real" textbook or a final product in itself? What advantages do self-published textbooks have to students in terms of cost? And finally, from an administrative viewpoint, are new university policies governing the assignment of one's own materials particularly hard on self-publishing? I will be presenting this last section with reference to new attempts by central universities (based on perceived ethical problems) to control the assignment of one's own textbook and materials.

I hope that you will join us for an outstanding program that should be helpful to all.

***PLEASE ATTEND
THE SECTION ON TEACHING METHODS PROGRAM
AT THE AALS 2007 ANNUAL MEETING***

Thursday, January 4, 2007, 4:00 – 5:45 P.M.

***“Written Materials for the Classroom:
The Usual Suspects and New Ideas”***

The following distinguished presenters will speak at the Section program:

Janet Ainsworth, Seattle University School of Law

Janet Ainsworth is the Dean's Distinguished Scholar and Professor of Law at Seattle University School of Law. She joined that faculty, then the University of Puget Sound, in 1988. For several years, she was Associate Dean for Faculty Development, charged with facilitating the faculty's professional growth in teaching and scholarship. She has taught contracts, torts, and criminal law in the first-year curriculum, and criminal procedure, children and the law, and Chinese law in the upper-level curriculum. Her research interests include criminal procedure, linguistics and law, juvenile law, and imperial Chinese law.

C. Steven Bradford, University of Nebraska College of Law

C. Steven Bradford is the Earl Dunlap Distinguished Professor of Law at the University of Nebraska College of Law. He teaches primarily in the Securities Regulation/ Business Associations area. He is the author of an introductory book on accounting, *Basic Accounting Principles for Lawyers*, and numerous law review articles. He has also written fourteen CALI lessons, and is on both the Board of Directors and the Editorial Board of CALI. He received his B.S. degree in 1978 from Utah State University and a J.D. and M.P.P. in 1982 from Harvard University.

Victor B. Flatt, University of Houston Law Center

Victor B. Flatt is the A.L. O'Quinn Chair in Environmental Law at the University of Houston Law Center. He teaches and does research primarily in the areas of environmental and administrative law. He is a co-author of *Legal Protection of the Environment*, has written many law review articles, and has appeared on several teaching panels. He is currently the Chair of the AALS Teaching Methods Section.

William Funk, Lewis & Clark Law School

William Funk is Professor of Law at Lewis & Clark Law School. Professor Funk is a co-author of one of the leading administrative law casebooks, *Administrative Procedure and Practice: Problems and Cases* (3d ed.), and of a newer environmental law casebook, *Legal Protection of the Environment*, both published by West Group. He has agreed to write a new Constitutional Law casebook for West Group, too. He is also co-author of *Administrative Law: Examples & Explanations*, published by Aspen, and the *Federal Administrative Procedure Sourcebook*, published by the ABA Press. In 2004-05, Funk was a Senior Fulbright Scholar at the University of Heidelberg, where he taught both American constitutional law and environmental law. Funk writes regularly on administrative and environmental issues and has chaired both the Administrative Law and Natural Resources Law Sections of the AALS. He is active in the ABA and chaired its Administrative Law and Regulatory Practice Section.

2007 SECTION BUSINESS MEETING

We will conduct the Section business meeting immediately following the program session. During the business meeting, we will elect the Section Treasurer for 2007-2008. The Treasurer also serves on the Section Executive Committee. If you are interested in serving as Treasurer, please email Victor Flatt at vflatt@central.uh.edu.



2007-2008 Section Officers and Executive Committee

At the end of each AALS Annual Meeting, the Chair-elect succeeds to the office of Chair, the Secretary succeeds to the office of Chair-elect, and the Treasurer succeeds to the office of Secretary. In accordance with this line of succession, it is my pleasure to introduce the Section officers for 2007-2008. They are:

Chair: James B. Levy, Nova Southeastern School of Law

Chair-Elect: David Simon Sokolow, The University of Texas School of Law

Secretary: Louis J. Sirico, Villanova University School of Law

Treasurer: [to be announced at the upcoming Section meeting]

Under Section Bylaws, the officers and immediate past Chair comprise the Executive Committee. For 2007-08, the members are James, David, Louis, the Treasurer, and Victor B. Flatt (University of Houston), the immediate past Chair.

Other Programs of Interest at the Annual Meeting

Here is a listing of other programs that may be of interest to Section members:

Section on Student Services, Co-Sponsored by Section on Professional Responsibility.

Expanding Our Knowledge to Serve the Modern Law School Community: Emerging Challenges for the 21st Century Law Student.

Wednesday, January 3, 2007, 9:00 a.m. to 5:00 p.m. (extended program)

Section on Academic Support.

Integrating Academic Support Across the Curriculum.

Thursday, January 4, 2007 at 8:30 a.m.

Section on Clinical Legal Education.

Introducing International Law, Treaty-Law and Other International Law Concepts in Domestic Cases – A Teaching Demonstration.

Thursday, January 4, 2007 at 8:30 a.m.

Section on Legal Writing, Reasoning and Research.

When Worlds Collide: Exploring Inter-Relationships and Collaboration Between Clinicians and Legal Writing Teachers in Teaching and Scholarship.

Thursday, January 4, 2007 at 10:30 a.m.

Section on Pre-Legal Education and Admission to Law School, Co-Sponsored by Section on Student Service.

Student Debt: A Case Study.

Thursday, January 4, 2007 at 10:30 a.m.

Section on Graduate Programs for Foreign Lawyers.

Serving Our International Students: Supporting Excellence and Success.

Friday, January 5, 2007 at 8:30 a.m.

Open Source Program.

Wal-Mart: A Case Study in Interdisciplinary and Inter-Doctrinal Approaches to Legal Problems.

Friday, January 5, 2007 at 3:30 p.m.

Section on Graduate Programs for Foreign Lawyers, Co-Sponsored by Section on International Legal Exchange.

Best Practices in International Programs.

Saturday, January 6, 2007 at 9:00 a.m.

News from Section Members

Professor Charles Calleros of the Sandra Day O'Connor College of Law at Arizona State University published the fifth edition of his textbook, *Legal Method and Writing* (Aspen). Forthcoming are an article comparing American and French approaches to the enforcement of penalty clauses in contracts at 32 *Brooklyn J. Int'l L.* 1 (2006); two articles on free speech rights in public schools in the new *Encyclopedia of Civil Liberties*; and two articles to be published in volume 43 of the *Case Western Law Review*: an essay on law school admissions after *Grutter*, and an essay on the need for K-12 and college pipeline programs to ensure racial diversity in law school and the bar. Professor Calleros is active in organizing and participating in pipeline programs across the nation with the Hispanic Bar Association and through joint programs sponsored by the ABA and LSAC.

Professor Paul L. Caron of the University of Cincinnati College of Law authored two articles on teaching: *Are Scholars Better Bloggers?*, 84 *Wash. U. L. Rev.* ____ (2007) and *Teaching with Technology in the 21st Century Law School Classroom*, in *The Future of Law Libraries* 10 (Thomson 2006).

Professor Paula A. Franzese of Seton Hall University School of Law, immediate Past Chair of the Teaching Methods Section, received the New Jersey Bar Foundation's highest honor, the Medal of Honor, in June. She was also awarded the Alain Daniels Civic Responsibility Award in May. Last January, she was appointed by New Jersey Governor Jon Corzine to serve as Chair of the State Ethics Commission.

Professor Michael M. Greenfield of Washington University School of Law has assumed the lead role on Benfield & Hawkland's casebook on Sales. The fifth edition, recently published under the name Benfield and Greenfield, contains different cases and many more problems than its predecessor, all selected for their usefulness in teaching the substance and methodology of the Uniform Commercial Code's Article 2.

Professor Joan MacLeod Heminway of the University of Tennessee College of Law published *Caught in (or on) the Web: A Review of Course Management Systems for Legal Education*, 16 *Alb. L.J. Sci. & Tech.* 265 (2006) and *The Feminist Pervasion: How Gender-Based Scholarship Informs Law and Law Teaching*, 15 *S. Cal. Rev. L. & Women's Stud.* 3 (2005) (with Ann Bartow, F. Carolyn Graglia and Deseriee Kennedy). Professor Heminway also received the University of Tennessee, Knoxville, Chancellor's Award for Teaching Excellence for 2006.

News from section members – continued.

Professor Vincent R. Johnson of St. Mary's University School of Law is working as an International Resource Fellow at the law school of the National University of Kyiv-Mohyla Academy in Kiev, Ukraine, under a grant from the Open Society Institute. His focus is on teaching methods and curriculum development. In January 2006, Professor Johnson received the Administration of Justice Award from the Supreme Court Fellows Association at a dinner in Washington attended by Chief Justice Roberts and Justice Ginsburg.

Professor James B. Levy of Nova Southeastern University published *As a Last Resort, Ask the Students: What They Say Makes Someone an Effective Law Teacher*, 58 *Maine L. Rev.* 50 (2006). The article summarizes the results of a survey asking law students to identify classroom behaviors and personality traits of an effective teacher. Professor Levy was also elected Editor-in-Chief of the *Journal of the Legal Writing Institute*, a peer-edited scholarly journal devoted to the study and practice of effective legal writing and research.

Professor Natalie Mack of the University of Colorado Law School received the school's newly-created Outstanding Legal Writing Professor Award in April. First-year students honored her for her "exceptional teaching ability, enthusiasm and initiative both inside and outside the classroom."

Professor Kevin McMunigal of Case Western Reserve University School of Law published an article, "Using Graphics to Teach Evidence," last summer in the *Saint Louis University Law Journal* as part of a symposium on teaching evidence.

Legal writing instructors Jennifer Murphy Romig and Karen Cooper of Emory University School of Law presented "Seeing the 'Big Picture': Using Diagrams to Facilitate Learning in Legal Writing Classes" at the June 2006 Legal Writing Institute Biennial Conference. The presentation discussed different kinds of diagrams, the benefits of using diagrams in legal writing courses, and the basics of constructing both course and presentation diagrams.

Professor Suzanne E. Rowe of the University of Oregon School of Law writes a monthly column for the *Oregon Bar Bulletin*. The articles are designed to provide practitioners with a humorous refresher on grammar, punctuation and writing style. Recently published articles in her column, *The Legal Writer*, include *Unblocking Writers Block* (October 2006), *Six to Nix: Grammar Rules to Leave Behind* (November 2006), and *Perfect Proofing* (December 2006). The articles are available at <http://www.osbar.org/> under the OSB Bulletin link.

Professor William Slomanson of the Thomas Jefferson School of Law published two books, *Fundamental Perspectives on International Law* (5th ed. Thomson 2006) and *California Civil Procedure in a Nutshell* (2d ed. Thomson

News from section members – continued.

2006), and edited the American Society of International Law Newsletter on the UN Decade of International Law, Issue No. 35, June 2006. Professor Slomanson also gave presentations on “Alien Detainee Cases: U.S. Balance of Power Struggle between the President and Congress Versus the Supreme Court” at the Moscow Academy of Foreign Trade and the Moscow State University Tunkin Conference in October.

Professor David Simon Sokolow of The University of Texas School of Law published an article entitled The Not-So-Uniform Commercial Code in 80 Australian L.J. 646 (2006), about the recent amendments to Article 1 of the Uniform Commercial Code and the possible consequences of their patchwork adoption. In a rather different capacity, Professor Sokolow won a gold medal at the World Bridge Championships in Verona, Italy, in June, for captaining his wife’s team to victory in the World Women’s Knockout Teams, contested for the McConnell Cup.

Professor Nancy Wanderer of the University of Maine School of Law was chosen as Outstanding Alumna of the Year by the school’s Women’s Law Association. Professor Wanderer was also named a Fellow of the Maine Bar Foundation, an honor reserved for members of the legal profession who have demonstrated “an uncompromised dedication to integrity and high personal and professional ethical standards” and made “outstanding and recognized contributions to the legal profession and the public good.” Professor Wanderer also published an article: "E-mail for Lawyers: Cause for Celebration and Concern," in the Maine Bar Journal, Volume 21, Number 4, Fall 2006.

Professor Stephanie Wildman of Santa Clara University Law School was named the recipient of the Great Teacher Award by the Society of American Law Teachers. This honor is bestowed on Professor Wildman for having “inspired countless students and colleagues through her teaching, her activism, her scholarship and her unique ability to build institutions and coalitions.” The award will be presented at the Annual SALT Dinner in January in Washington, D.C.

2007 Conferences and Programs on Teaching

The following is a list of conferences and programs for the coming year that may be of interest to Section members:

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| June 2007 | The 13 th Annual Conference of The Institute for Law School Teaching (Gonzaga School of Law).
Boston, Massachusetts. |
| June 28-30 | AALS Workshop for New Law Teachers
Washington, D.C. |
| June 30- July 1 | AALS Workshop for Beginning Legal Writing Teachers
Washington, D.C. |
| January 2-6, 2008 | AALS Annual Meeting
New York, New York. |

Section on Teaching Methods Listserv

The Section on Teaching Methods is online with a Listserv for announcements and information. But you need not fear the prospect of inbox-clogging emails. Our Listserv is for ANNOUNCEMENTS ONLY; it is not a discussion list.

How does it work? The Listserv has a moderator; all replies to postings are forwarded only to the sender of the message. Replies are *not* posted on the Listserv.

The Listserv is designed to provide a mechanism for the executive committee to communicate with the membership via the annual newsletter and for members to share information. We welcome postings on teaching and teaching methods that provide information (e.g., on conferences, job announcements, teaching tips, publications or “shameless self-promotions”); and queries.

Those interested in joining the Listserv should email Professor Vernellia Randall at Vernellia.Randall@notes.udayton.edu and state in the header: “Please add me to the Section on Teaching Methods Listserv.” It’s that simple!

New Opportunities for Section Members

**By David Simon Sokolow
The University of Texas School of Law**

Several weeks ago, I got an email from Chair-elect Jim Levy suggesting a revolutionary idea for the Section on Teaching Methods: forming committees to increase participation in planning the annual program and other Section activities. With the Executive Committee's support, Jim solicited interest from Section members. Lo and behold, more than 20 people expressed interest in serving on a committee! The applicants were assigned to four committees. The Poster Committee is charged with selecting posters touting the scholarship of Section members. Each AALS section is allowed to present up to three posters, which are prominently displayed at the AALS Annual Meeting. The Web Site Committee is charged with developing a website and creating content that is responsive to our members' needs. The task of the Program Committees is self-evident.

The Executive Committee will be developing procedures for future committee appointments and service. We are even considering creating a "Committee on Committees" that will develop procedures, selection criteria and term limits to ensure widespread participation by members in Section activities. Thanks to all who volunteered for this new initiative. The rest of you will have an opportunity to be involved next year.

2007 Program Committee [for January 2008 program]: **Barbara Glesner Fines (chair); Meredith Conway; Doug Haddock; Lynn Malley; Sophie Sparrow.**

2008 Program Committee [for January 2009 program]: **Andrew Beckerman-Rodau; Laurie Kadoch; David Nadvorney; Charles Senger; Michelle Simon; Roy Stuckey** [they'll elect their own chair].

Poster Committee: **Melissa Weresh (chair); Paul Baier; Kristin Dauphinais; Deborah Schmedemann.**

Web Site Committee: **Kristin Gerdy (chair); Steve Bradford; William Byrnes; Joe Grohman; Kevin McMunigal.**

Call for Volunteers

If you have ideas for the January 2008 Teaching Methods Section Program to be presented at the AALS Annual Meeting in San Francisco, please email the chair of the Program Committee, Barbara Glesner Fines, at glesnerb@umkc.edu.