

AALS Section on Teaching Methods



2010-2011 Newsletter
January 3, 2011

From the Chair

Greetings Colleagues,

This is an exciting time for the Section. With the ABA Accreditation Standards revision process well underway, there has been a tremendous focus on assessment in legal education. Under an assessment model, law schools will need to be more deliberate, varied, and transparent with regard to evidence of student learning. Formative assessment mechanisms will likely become more prevalent, and educators will have opportunities to utilize different tools to determine whether student learning is taking place. I find this challenge interesting and rewarding, and consistent with the emphasis of this Section.

The theme of the upcoming annual meeting is **AALS Core Educational Values: Guideposts for the Pursuit of Excellence in Challenging Times**. As noted in the promotional materials for the meeting, “[t]he core values emphasize excellent class room teaching across a rigorous academic curriculum.” In keeping with this theme, the Section’s Program is titled *Velvet Hammers, Oral Skills, and Grades: Teaching Methods for a Rigorous and Dynamic Law School Experience*. The program description is as follows:



Consistent with the value of providing “a rigorous academic program built upon strong teaching in the context of a dynamic curriculum that is both broad and deep,” students need intellectual challenge as well as support and a firm grounding in oral communication. Students and faculty must also deal with contrasting abilities and grades. This program will address each of the following challenges. First, students learn best when their teachers have high expectations, coach them to reach those expectations, and convey their confidence and respect for their students. Second, with an increased focus on practical skills within the context of theoretical legal doctrine, students need to leave law school ready to practice substantive law. For students to be ready to practice law from the day they graduate, they must be able to communicate orally as well as in writing. While law school curriculum has traditionally emphasized oral communication in the context of oral argument or Socratic questioning, it has largely ignored oral communication in other contexts. Finally, every teacher has encountered students who perform well in doctrinal exams while struggling on written assignments, or vice versa. This panel of experienced faculty will engage participants in maximizing these learning opportunities.

The program will take place on Saturday, January 8 from 1:30-3:15. In light of the labor dispute in San Francisco, the Section Executive Committee has requested that the program be relocated from the San Francisco Hilton. At this point we do not have information about the alternate venue.

In addition to the work of the Program committee, there were several other active committees. The Poster committee selected several informative posters for the annual meeting. We also formed two new committees. The committee on Awards and Recognition has developed procedures to begin featuring some of the efforts of our colleagues, and the Outreach committee was populated to increase the visibility of the Section to other AALS members. I encourage you all to become involved in these ongoing efforts.

My best wishes for a happy holiday, and I look forward to seeing you all in San Francisco.

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2011 Annual Meeting of AALS
Section on Teaching Methods
A Guide to Programs on Teaching & Curriculum

A number of excellent programs at this year's AALS meeting will focus on Teaching, and Learning. Here is a quick overview:

Wednesday January 5

2:00-3:45 PM "Sex" in the Classroom: Teaching Gender as a Core Value
Section on Women in Legal Education, Co-Sponsored by Section on Teaching Methods
Cyril Magnin II, Fourth Floor Level, Parc 55 Wyndham San Francisco Union Square

Moderator: Lolita K. Buckner Inniss, Cleveland State University Cleveland- Marshall College of Law

Speakers: Cheryl Hanna, Vermont Law School; Melissa E. Murray, University of California, Berkeley School of Law; Leslie M. Rose, Golden Gate University School of Law; Kerri Stone, Florida International University College of Law; Cheryl L. Wade, St. John's University School of Law; Joan C. Williams, University of California Hastings College of the Law
One or more presenters were selected from a call for papers.

2:00-5:00 pm "Beyond Humanizing: Can – and Should – Law Schools Strive to Graduate Happy Students?"
Sections on Academic Support and Balance in Legal Education Joint Program,
Co-Sponsored By Section on Student Services
Embarcadero Room, Third Floor Level, Parc 55 Wyndham Union Square Hotel

Moderators: Michael Hunter Schwartz, Washburn University School of Law; Emily L. Scivoletto (formerly Randon), University of San Diego School of Law Catherine Glaze, Stanford Law School
Speakers: Deborah L. Rhode, Stanford Law School; Richard Delgado, Seattle University School of Law; Jean Stefancic, Seattle University School of Law; Nancy Levit, University of Missouri, Kansas City School of Law; Corie Rosen, Arizona State University, Sandra Day O'Connor College of Law; Paula Manning, Western State University College of Law; Russell McClain, University of Maryland School of Law; Rebecca Flanagan, University of Connecticut School of Law; Andrew Faltin, Marquette University School of Law; Paula Lustbader, Seattle University School of Law; Laurie Zimet, University of California, Hastings College of Law; Larry Krieger, Florida State University School of Law

Thursday January 6

9:00 AM-12:00 PM "The Past, Present and Future of Interdisciplinary Legal Education"
Sections on Law and Economics and Law and Social Sciences Joint Program
Imperial B, Ballroom Level, Hilton San Francisco Union Square

Moderator: Francesco Parisi, University of Minnesota Law School

Speakers: Henry N. Butler, George Mason University School of Law; Joni Hersch, Vanderbilt University Law School; Daniel E. Ho, Stanford Law School; Andrew D. Martin, Washington University School of Law; Jonathan Klick, University of Pennsylvania Law School; Thomas Ulen, University of Illinois College of Law; David E. Van Zandt, President, The New School, New York, New York

9:00 AM-12:00 PM How Legal Writing Faculty Can Contribute to Their Law School's Assessment Plan
Section on Legal Writing, Reasoning and Research
Golden Gate, Twenty-Fifth Floor, Hotel Nikko

Moderator: David Thomson, University of Denver Sturm College of Law

Speakers: Pamela Lysaght, University of Detroit Mercy School of Law; Lori E. Shaw, University of Dayton School of Law; Sophie M. Sparrow, Franklin Pierce Law Center

AALS Programs, continued

Thursday January 6

**2:00-2:45 PM Committee on Curriculum Issues Program – The Importance of Student Assessment
Part I: Why Student Assessment Matters**

Sutro, Second Floor Level, Parc 55 Wyndham San Francisco Union Square

Moderator: Elizabeth M. Schneider, Brooklyn Law School

Speakers: Aderson B. Francois, Harvard Law School; Meredith J. Harbach, The University of Richmond School of Law; Gregory S. Munro, University of Montana School of Law

**2:45-5:00 PM Committee on Curriculum Issues Program – The Importance of Student Assessment
Part II: Improving Learning and Student Engagement Through Assessment**

Sutro, Second Floor Level, Parc 55 Wyndham San Francisco Union Square

Moderator: Peggy Cooper Davis, New York University School of Law

Speakers: Mary P. Byrn, William Mitchell College of Law; John Burwell Garvey, Franklin Pierce Law Center; Barbara A. Glesner Fines, University of Missouri-Kansas City School of Law; Joan M. Heminway, University of Tennessee College of Law; Steve Sheppard, University of Arkansas, Fayetteville Leflar Law Center

**3:30-4:45 PM “On the Chopping Block: Hard Choices in Teaching First-Year Criminal Law”
Workshop on Criminal Justice: New Challenges and Persistent Controversies**

Cyril Magnin III, Fourth Floor Level, Parc 55 Wyndham San Francisco Union Square

Moderator: Susan D. Rozelle, Stetson University College of Law

Speakers: Samuel W. Buell, Duke University School of Law; Cynthia Jones, American University Washington College of Law; Camille A. Nelson, Suffolk University Law School

**2:30 – 3:30 PM Innovative Teaching: Law and Socio-Economics in Seminars and Course • Modules
Section on Socio-Economics**

Golden Gate 4, Lobby Level, Hilton San Francisco Union Square

Moderator: Lynne L. Dallas, University of San Diego School of Law

Speakers: Margaret Friedlander Brinig, Notre Dame Law School; Kenneth G. Dau-Schmidt, Indiana University Maurer School of Law; Orly Lobel, University of San Diego School of Law; Charles Pouncy, Florida International University College of Law

Friday January 7

**2:15-4:00 PM Presidential Program I - Teaching Excellence: Integrating Knowledge, Skills, Values and Assessment
Plaza A, Lobby Level, Hilton San Francisco Union Square**

Co-Moderators: Alison G. Anderson, University of California, Los Angeles School of Law; Gerald F. Hess, Gonzaga University School of Law

Speakers: David B. Babbe, University of California, Los Angeles School of Law (formerly of Morrison & Foerster); Rory D. Bahadur, Washburn University School of Law; Ingrid Michelsen Hillinger, Boston College Law School; Sophie M. Sparrow, University of New Hampshire School of Law

Saturday January 8

8:30-10:15 AM Exploring the Options for the Future of Legal Education
Section on Continuing Legal Education, Co-Sponsored by Section for the Law School Dean
Market Street, Third Floor Level, Parc 55 Wyndham San Francisco Union Square

Moderator: Kellye Y. Testy, University of Washington School of Law

Speakers: Daniel Mc Carroll, University of Missouri-Kansas City School of Law; Gary A. Munneke, Pace University School of Law; Nancy B. Rapoport, University of Nevada, Las Vegas William S. Boyd School of Law; Ellen Y. Suni, University of Missouri-Kansas City School of Law

10:30 AM-12:15 PM Best Practices Beyond Externships and Clinics for Integrating Access to Justice Education
Section on Pro Bono and Public Service Opportunities
Market Street, Third Floor Level, Parc 55 Wyndham San Francisco Union Square

Moderator: Cynthia F. Adcock, Charlotte School of Law

Speakers: Mary Bowman, Seattle University School of Law; Kimberly C. Emery, University of Virginia School of Law; Gregory L. Germain, Syracuse University College of Law; Susan Maze-Rothstein, Northeastern University School of Law; Laurie A. Morin, University of the District of Columbia David A. Clarke School of Law; David B. Oppenheimer, University of California, Berkeley School of Law; Susan B. Schechter, University of California, Berkeley; Susan L. Waysdorf, University of the District of Columbia David A. Clarke School of Law; *One or more presenters was selected from a call for papers.*

1:30-3:15 PM Velvet Hammers, Oral Skills, and Grades: Teaching Methods for a Rigorous and Dynamic Law School Experience
Section on Teaching Methods
Cyril Magnin III, Fourth Floor Level, Parc 55 Wyndham San Francisco Union Square

Moderator: Kristin B. Gerdy, Brigham Young University J. Reuben Clark Law School

Speakers: Julia Belian, University of Detroit Mercy School of Law; Denise Z. Field, Washington University School of Law; Karen McDonald Henning, University of Detroit Mercy School of Law; Gerald F. Hess, Gonzaga University School of Law; Jo Ellen D. Lewis, Washington University School of Law; Jane Moul, Washington University School of Law; Michael H. Schwartz, Washburn University; School of Law; Ann D. Shields, Washington University School of Law; Sophie M. Sparrow, Franklin Pierce Law Center; Pamela Vesilind, Vermont Law School

Consistent with the value of providing "a rigorous academic program built upon strong teaching in the context of a dynamic curriculum that is both broad and deep," students need intellectual challenge as well as support and a firm grounding in oral communication. Students and faculty must also deal with contrasting abilities and grades. This program will address each of the following challenges. First, students learn best when their teachers have high expectations, coach them to reach those expectations, and convey their confidence and respect for their students. Second, with an increased focus on practical skills within the context of theoretical legal doctrine, students need to leave law school ready to practice substantive law. For students to be ready to practice law from the day they graduate, they must be able to communicate orally as well as in writing. While law school curriculum has traditionally emphasized oral communication in the context of oral argument or Socratic questioning, it has largely ignored oral communication in other contexts. Finally, every teacher has encountered students who perform well in doctrinal exams while struggling on written assignments, or vice versa. This panel of experienced faculty will engage participants in maximizing these learning opportunities.

1:30-3:15 PM Fostering Justice and Public Service: Preparing Students to be Active Participants in Developing the Law, Legal Processes, and Legal Systems
Sections on Clinical Legal Education and Poverty Law Joint Program
Embarcadero, Third Floor Level, Parc 55 Wyndham San Francisco Union Square

Papers to be published in the Georgetown Journal on Poverty Law and Policy)

Moderator: Juliet M. Brodie, Stanford Stanford Community Law Clinic East Palo Alto, CA

Speakers: Douglas L. Colbert, University of Maryland School of Law; Rebecca Sandefur, Professor, Stanford University, Department of Sociology, Stanford, CA; Linda F. Smith, University of Utah S. J. Quinney College of Law; Jessica Steinberg, Stanford Law School; Deborah M. Weissman, University of North Carolina School of Law

Innovations in Teaching Materials

The impact of calls for reform in legal education generated by *Best Practices for Legal Education* (2007) and the Carnegie Foundation's *Educating Lawyers: Preparation for the Practice of Law* (2007) are producing innovating and engaging teaching materials. Two new casebook series edited by long-time members of the teaching methods section are good examples of the attention to engaging teaching and authentic assessment.



Context & Practice Series, Carolina Academic Press

Michael Hunter Schwartz, Professor of Law and Associate Dean for Faculty and Academic Development, at Washburn University School of Law is the Series Editor for the Carolina Academic Press Context and Practice Series. The series not only provides problem-solving in simulated law practice contexts across a wide range of practices, including both advocacy and transactional practices and guides students in self-directed learning, the extensive teachers' manuals make it easy to use multiple methods of instruction and to emphasize active learning. Professor Hunter Schwartz's Contracts casebook with Denise Riebe is the first in the series. See more on the series at http://www.cap-press.com/pdf/CAPSeriesFlier_Sept2010.pdf.

The newest casebook in the series is *Current Issues in Constitutional Litigation: A Context and Practice Casebook*, by Sarah Ricks (Rutgers-Camden) which focuses on the constitutional and statutory doctrines necessary to litigate 4th, 8th, and 14th Amendment claims. Evelyn Tenenbaum (Albany) contributed chapters on 1st Amendment religion claims that arise in prison and the 11th Amendment defense. Casebooks in this series attempt to implement Carnegie and Best Practices recommendations by integrating the teaching of doctrine and practice skills. The Teacher's Manual includes notes, exercises, and sample multiple choice and essay exams.



Skills & Values Series, Lexis

David Thomson, LP Professor and Director of the Lawyering Process Program at Sturm College of Law, University of Denver is the series editor of the Skills & Values Series from Lexis. His text, "Skills & Values: Discovery Practice (LexisNexis/Matthew Bender 2010)" is a fine example of what the series hopes to accomplish. It is a skills-focused book and a true hybrid book. The print portion is only 115 pages, while the rest - double that amount - is online. The print portion contains hands-on exercises, while the online component has case files, links to resources, and a wiki discussion forum. As such, it can be more flexible for the adopting professor, and more interactive for the student. More info here: <http://www.discoveryskills.com>

Law Stories Series, Foundation Press

The Foundation Press Law Stories series is yet another example of innovative teaching materials. One of the latest texts in the series is offered by Elizabeth M. Schneider (Brooklyn) and Stephanie M. Wildman (Santa Clara): *WOMEN AND THE LAW STORIES*. The book examines landmark cases establishing women's legal rights. Each chapter discusses a case and examines the litigants, history, parties, strategies, and theoretical implications. Subject areas covered are common to many women and law casebooks, including history, constitutional law, reproductive freedom, the workplace, the family, and women in the legal profession, domestic violence, and rape. Contributors to this volume include: Katherine T. Bartlett, Cynthia Grant Bowman, Patricia A. Cain, Martha Chamallas, Rhonda Copelon, Zanita E. Fenton, Rebecca Hall, Angela P. Harris, Tanya Kateri Hernández, Lisa C. Ikemoto, Sylvia A. Law, Stacy L. Leeds, Jean C. Love, Serena Mayeri, Martha Minow, Elizabeth M. Schneider, and Stephanie M. Wildman. The book can be used as a supplement to any law school course, as a text for courses in gender and law and feminist jurisprudence, and could also serve as an undergraduate or graduate textbook in women's studies or in other interdisciplinary fields. For further information, see the website on the book at <http://law.scu.edu/socialjustice/women-and-the-law-stories-book.cfm>. To request a complimentary copy, call: 1-800-313-9378; email: westacademic@thomsonreuters.com or visit: www.westacademic.com. Individual stories will also be available for students through the law school exchange.



Member News

On June 30th, at the Legal Writing Institute conference in Marco Island, Florida, theater professional Becca Fishel and lawyering skills professor **Sue Liemer**, Southern Illinois University School of Law, lead a session on *Beyond Text: Non-Verbal Communication Training*. It was so well received, they've decided to offer a fuller version, as a workshop starting the day before the Global Legal Skills Conference in Chicago in May. The skills needed for effective non-verbal communication are important to many facets of our work as law professors. We use these skills as teachers in the classroom, in committee meetings, and in our conference presentations. And we can teach these skills as we train our students how to conduct client intake interviews, negotiate or mediate legal disputes, and give oral arguments in court. The Non-Verbal Communication Training workshop will take place the afternoon and evening of Wednesday, May 4th, and continue the morning of Thursday, May 5th, at the John Marshall Law School in Chicago. So save the date!

Louis J. Sirico, Jr., Villanova University, published *Stopping Nuclear Power Plants: A Memoir*, 21 Villanova Environmental Law Journal 35 (2010). And he and Nancy L. Schultz have a new edition and a new publisher for their text, *Legal Writing and Other Lawyering Skills* (5th ed. Aspen) (new edition, new publisher). Finally, Louis is a contributor to a New Blog: The Legal Skills Prof Blog http://lawprofessors.typepad.com/legal_skills/#tp. The blog editor is Jim Levy, a former chair of this section.

David M. Becker, Washington University, published *Teaching Teachers About Teaching Students*, 87 Washington University Law Review 1105 (2010)/

Hillary Burgess joined the Charlotte School of Law in August 2010, where she will teach Property, and later environmental law courses related to the intersection of environmental law, agricultural law, health policy, and security. Professor Burgess also authored *Deepening the Discourse Using the Legal Mind's Eye*, which is forthcoming in Quinnipiac 2010. The article discusses the research that evidences how using visual deepens student's understanding of complex material while allowing students to remember more over a longer period of time. Professor Burgess applies this research to the law school setting and discusses teaching methods for legal classrooms.

TEACHING METHODS SECTION COMMITTEES

The Teaching Methods Section provides many opportunities to become involved, including a variety of committees. The current committees and their chairs are:

Awards and Recognition *Chair* - Marlow, Melissa mmarlow@lw.siu.edu

Poster *Chair* - Moppett, Samantha Moppett@suffolk.edu & Shaffzin, Katherine Traylor ktschffz@memphis.edu

Program *Chair* - Gerdy, Kristin gerdyk@law.byu.edu

Outreach *Chair* - Backus, Mary Sue msbackus@ou.edu

Become involved in your section by joining us at the business meeting or contacting one of these chairpersons to expand the work of the section.

TEACHING ESSAYS

PERSUASIVE SPEECH AND PERSUASIVE LEGAL WRITING REQUIRE THE SAME SKILLS: SO WHY AREN'T WE USING ORAL ARGUMENT TO TEACH PERSUASIVE WRITING?

By Shaundra Kellam Lewis, Assistant Professor, Thurgood Marshall School of Law, Texas Southern University

Upon graduation, I (like most disillusioned law students graduating in the top five percent of their class) thought I was an exceptional legal writer. It was not until I was preparing for my first oral argument as a criminal appellate defense attorney that I came to the sobering realization that my arguments in my brief were not as cogent and compelling as I thought they were at the time of drafting. Perhaps this was because when I wrote the appellate brief, I was under the false impression that the judges would draw the same inferences and conclusions that I did from reading the precedents and the record and similarly conclude that a lot of explanation was not required. I expected the judges to be a friendly audience, wholly receptive to my ideas, like my wonderful law school professors. Boy, was I in for a treat at oral argument! As the Appellant seeking a reversal, my arguments were subjected to intense scrutiny. It was not until oral argument, when I was forced to defend my position, that I perfected my arguments. I thought to myself, it would have been great if I had this epiphany when I was preparing my brief.

Then it dawned on me. The next time I prepare a brief, I am going to do so with oral argument in mind. This strategy helped me write better briefs because it forced me to not only think like a lawyer but also like a judge. In other words, I began writing proactively. I anticipated the court's concerns and addressed them.

Later, as a law school professor at the University of Houston Law Center, I again experienced the benefits of thinking about oral argument before brief writing. At that University, students were introduced to appellate brief writing and oral argument in the first-year legal writ-

ing course in the spring semester. Before the students turned in their briefs, they were required to give an oral argument. At first, the practice of giving oral argument before writing the brief seemed peculiar to me. I thought to myself, shouldn't the students submit their briefs beforehand and then receive our feedback? After all, submitting a brief before having oral argument was more realistic, and legal writing is a practice-oriented course. While the timing seemed counterintuitive, the results of holding oral argument first were astounding. My students' briefs were much better than their predictive memoranda they had submitted in the fall semester. I would have liked to believe that their improved prose was due to my good teaching, but knowing I was a first-year law professor, I knew this was unlikely.

After giving it some thought, I realized why their legal writing had greatly improved. The chief deficiency in most legal writing is not due to poor writing but poor thinking; preparing for oral argument before completing the brief cures this defect because it forces you to think critically about the issues. Accordingly, I started incorporating simulated oral argument exercises in class before a major legal writing assignment was due.

The parallels between persuasive writing and oral persuasion are obvious. Both have the same audience—the court. Both serve the same purpose—to educate and persuade. Just as you want to develop a theme, focus on the crucial issues, and streamline your Argument for oral argument, you should do the same in persuasive writing. For both, you should articulate only the most salient arguments, not every conceivable one. Finally, both require precision and accuracy in word choice.

The most valuable component of an oral argument exercise is the judicial questioning. For it is during this stage that weak arguments are exposed. Students readily identify faulty arguments when they cannot make them with a straight face; hence, the well-known “laugh test.” If you cannot make the argument without smiling, then it has no place in writing. The orator is also forced to think beyond their case when confronted with varying hypotheticals. Judicial questioning also helps students perfect the governing rule of law and decide whether it should be construed broadly or narrowly. Undergoing judicial questioning also reinforces the idea that judges are skeptical readers; thus, it is important to fully explain why what you desire is not only within the court's power, but required.

In sum, the benefits of simulated oral argument exercises are clearly evident and should not just be limited to legal writing classes. Doctrinal professors can use such an exercise to discuss a complex area of law. Students seem to enjoy oral argument exercises since it makes the material come to life. So the next time you want to try something new in the classroom, I suggest you try an oral argument exercise.

All Hands on Deck: Maximizing Existing Resources to Improve Students' Basic Writing Skills

by Cassandra L. Hill

Director of Legal Writing and Assistant Professor of Law, Thurgood Marshall School of Law; J.D. 1997, Howard University School of Law; B.A. 1994, University of Virginia.

At most legal writing and teaching conferences, there is at least one panel or presentation on the deficiencies with law students' grammar and punctuation skills, the reasons for the weaknesses in their writing, and a call for faculty to help improve students' basic writing abilities. Many recognize one of the main challenges to teaching grammar and punctuation in law school—there is very little time to cover doctrine and legal analysis, let alone provide instruction on subject/verb agreement, gerunds, comma splices, and the like. Despite this obstacle, however, we must be proactive in addressing our students' needs and identify creative ways to use existing resources to better their basic writing skills. As Aida Alaka noted in her recent article in the *Journal of Legal Education*, *The Grammar Wars Come to Law School*, “[t]he failure of practicing attorneys to write clearly, concisely, and precisely can adversely affect their clients' interests and their own credibility. The consequences of poor grammar, improper spelling and punctuation, and wordiness can range from public rebuke to unintended interpretation of written documents.”

At Texas Southern University Thurgood Marshall School of Law, we have adopted a number of teaching strategies to help our students master grammar, punctuation, and style. These methods include a comprehensive first-year legal writing program, the addition of grammar and writing supplemental resources, and partnerships with the English Department on the university's main campus. Any institution, writing program, or doctrinal course seeking to target students' basic writing skills should consider the following or similar teaching ideas.

Our first-year legal writing program consists of three graded components: (1) basic writing and grammar skills (the writing module), (2) legal analysis and writing, and (3) legal research and citation. Students attend a separate class for each component. A writing specialist, who is a full-time faculty member, teaches the writing module. Students meet for the writing module one hour per week and learn about basic writing mechanics in addition to the writing process, outlining, drafting, rewriting, and the importance of audience. The grade for the writing module is based on students' performance on writing exercises and multiple-choice examinations. By including a separate writing module in the program, we impress upon students the value in producing a well-written and effective legal document.

In the legal analysis and writing class, faculty supplement the work of the writing specialist by using two grammar textbooks as part of the course, the *Redbook* by Bryan Garner and *A Writer's Reference* by Diana Hacker. I, along with five other professors, teach the legal analysis and writing class. We assign readings from these grammar textbooks and require students to complete a number of online grammar exercises throughout the semester. The *Redbook* covers mechanics, grammar, usage, and editing. It is well known for its sections on “stuffy words and legalese” and “troublesome words.” *A Writer's Reference* has a companion website with a variety of grammar exercises available to students. The website program records students' performance on each exercise and provides students with the reason why their selection is either right or wrong. We can access our students' scores and other writing resources on the site. In addition to the companion website for *A Writer's Reference*, we share other online grammar and writing resources with our students, such as the Purdue Online Writing Lab (OWL) and the Grammar Handbook posted by the Center for Writing Studies at the University of Illinois at Urbana-Champaign.

At the end of the semester, after students submit their last substantive legal writing assignment, they take a graded final examination on grammar and punctuation. Moreover, like most other legal writing faculty, we grade students' grammar, punctuation, and writing

style on every major assignment. By grading and commenting on these writing mechanics, we encourage students to examine their writing carefully and to consider the presentation as well as the substance of their work. As a result, a number of students complete additional online exercises to prepare for the final and to hone their writing abilities.

Also as part of the legal analysis and writing component, we have second and third-year students who serve as writing advisors. Professors assign each writing advisor a group of first-year students to work with throughout the academic year. The advisors also staff the department's writing center. The advisors assist students with smaller assignments, such as case briefs and discrete legal analysis exercises, and provide students with feedback on drafts of certain larger writing assignments. The advisors provide a much-needed second set of eyes to review students' work products for grammar and punctuation errors. With the writing advisors program, we emphasize to students the importance of honing their writing skills. Furthermore, by serving as an advisor, upper-class students refine their own basic writing skills and become better legal writers, as they edit their assigned students' written work and teach and explain lawyering skills and concepts to their students.

In addition to the strategies used in the writing program, we have established a partnership with the university's undergraduate English department. Throughout the year, the English professors lead grammar and punctuation workshops at the law school for our students. They do this on a volunteer basis. Each session lasts approximately one hour and the professors use a variety of methods to engage the students, such as Power Point presentations, worksheets, handouts, and problem sets. The workshop topics range from comma and semicolon usage and dependent and independent clauses to subject/verb agreement and pronoun case. One year, several of the English professors led a two-hour grammar review session to prepare students for their summer jobs.

As an added bonus to our partnership, our law students may take a graduate level English course in writing, grammar, and rhetorical constructions. The English department offers this course during the summer term. The course focuses on critical reading and thinking and logical grammatical writing. To teach these skills, students are required to read writings grounded in examples that point out legal situations and choices. For example, for one assignment, students read selections on euthanasia and wrote a paper that outlined their position on the practice and provided support for their arguments from relevant authority. In this summer writing course, students also complete a series of grammatical modules. Through all of these exercises, the students' competency in writing improves.

"[L]egal analysis, no matter how brilliant, is only useful if it is communicated well." Michelle Simon, Dean of Pace Law School, wrote this statement in her article *Teaching Writing through Substance: the Integration of Legal Writing with All Deliberate Speed* (found in volume 42 of the DePaul Law Review). This short, but powerful, sentence is one of my favorite quotations and serves as a constant reminder of the need for law faculty to target the development of students' basic writing skills. Law students may not understand the labels or the intricacies of grammar and punctuation rules but can come to recognize and use proper sentence structure, grammar, and punctuation with constant practice and writing. Although we have instituted a number of strategies at Thurgood Marshall School of Law to address students' basic writing skills, there is still a need for us to do more. And we are not alone. Students struggle with grammar and punctuation at law schools at every tier and employers constantly lament graduates' writing abilities. To achieve a level of mastery in law students' writing and to make sure students are practice-ready, all law faculty must take an interest in bettering students' written communication skills.