



Using an Attorney Mastery Scale

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We’ve all heard the argument: “You’re holding me to too high a standard! You can’t actually expect me to write like a lawyer! I’m just a first-year law student!”

No, we don’t expect our students to write like lawyers – at least, not from the first day of law school. But critical to the students’ professional development is a true understanding of how their writing compares to that of real lawyers.

When I began teaching, I graded on a classic A/B/C/D/F scale. The students liked this grading system because they understood it – it was familiar to them, and it corresponded to the semester-end grade they’d eventually receive. For me, however, this grading system created two major problems: the students who received the A’s thought that they were writing even better than many real lawyers, and, by virtue of the

grading curve, all of the students compared themselves to their colleagues (other first-year law students), rather than to lawyers. They thereby lost sight of the progress they needed to make to pass the bar and become competent attorneys.

Because professionalism has always been an important component of my course, I created a new grading scale. The Attorney Mastery Scale includes scores of 1-10, with explanations accompanying each score and explaining how a supervising attorney would likely evaluate this writing if it were submitted by a junior attorney.

At the beginning of the semester, students receive a copy of the scale. I grade all assignments according to this scale and weight the scores at the end of the semester.

Attorney Mastery Scale

- 10 – Perfect: needs no revision.
- 9 – Near perfect: needs almost no revision.
- 8 – Truly excellent: at the level of a seasoned attorney.
- 7 – Excellent: at the level of a quality junior associate; needs revision and reworking as marked on paper.
- 6 – Excellent: at the level of a top first-year student; needs revision and reworking as marked on paper.

- 5 – Very good: obvious attention to detail, good analytical and research skills; needs revision and reworking as marked on paper.
- 4 – A good first effort: lacking in research, analytical, or writing skills, or any combination of these; needs revision and reworking as marked on paper.
- 3 – Needs significant improvement: displays some obvious effort, but is seriously lacking in research, analytical, writing skills, or any combination of these; needs revision and reworking as marked on paper.
- 2 – Poor: evidences poor effort, poor understanding of the concepts, or both; is seriously lacking in research, analytical, or writing skills, or any combination of these; needs revision and reworking as marked on paper.
- 1 – Very poor: evidences extremely poor effort, poor understanding of the concepts, or both; is very seriously lacking in research, analytical, or writing skills, or any combination of these; needs revision and reworking as marked on paper.
- 0 – Needs to start research and writing from scratch.

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2008 LWI Conference

June 2008, Indianapolis, IN

Regional Conferences

The Seventh Annual Rocky Mountain Legal Writing Conference will be held at University of Las Vegas Law School, Las Vegas, on March 9 -10, 2007

Chicago-Kent College of Law is pleased to again welcome legal skills faculty and law librarians to a conference on May 18 & 19, 2007, to continue the discussion that we began at "The Future of Legal Research" conference in May, 2005.

2007 ALWD Conference

The Association of Legal Writing Directors' 2007 Conference will be held at the University of Denver, Sturm College of Law, on June 14-16, 2007

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The scale works particularly well because:

1. Students consistently see how their writing stacks up to that of practicing attorneys;
2. Students understand that first-year writing skills vary considerably but need to improve in almost all cases in order to satisfy professional and ethical standards of competence, diligence, and zealous representation;
3. Students are motivated to earn higher and higher scores on the scale as the year progresses; they take real pride in earning better scores and in writing like "real lawyers;" and
4. The group as a whole moves up the scale over the course of the year, and students see evidence that they have learned a great deal in only a few months.

The scale does have drawbacks, including:

 1. At the beginning of the year, students understandably receive 1's, 2's, and 3's on the scale. They often become disheartened until I explain two important concepts. First, they are graded on a curve. Therefore, in the grading context, their score has more meaning in relation to the mean than in relation to real attorneys. Second, no one, including me, expects students in their first weeks and months of law school to be able to write like seasoned attorneys!
 2. Some students fail to understand the expectation that they will move up the scale. When they earn strong early scores, they think that they have "figured it out," and they rest on their laurels. It comes as an unpleasant surprise to many to find that their colleagues have surpassed them on the mastery scale, and therefore in the grading curve; and
 3. Students complain that it is impossible to earn much above a 7 on the scale. I agree with them. I tell them that I probably would not receive a 9 or 10. However, I hope that they'll strive for 7's and 8's.