“So It’s Like We’re Really Lawyers?”
Linda C. Fowler, Southern University Law Center

This spring semester was my first time teaching advanced legal writing at the Southern University Law Center. This course is a one-hour class, taught during the second year, with a focus on client letters and pleadings. This is also the last required legal writing class.

Southern is one of a small number of historically black law schools in the United States and is the alma mater of many civil rights pioneers. One of the reasons I was attracted to teaching at Southern was that so many of our graduates will open their own law practices upon graduation. As many of my students will be, I was a solo practitioner for six years before beginning teaching nine years ago. I know the problems associated with being out there alone, trying to help people in areas such as family and juvenile law, and feeling there is not a lot of guidance available.

What should I teach during this last opportunity to sharpen their writ- ing and improve their skills? What should I say that helps them the most to carry on the proud tradition of Southern’s law school?

I took the approach that these were my junior associates in a law firm, and we were collaborating in representing our clients. I held a mock client interview in which the sites partic- ipated, asking questions of the “client” as they would in practice. I shared forms from my practice—days’ client interview forms, timesheets, etc. I showed them how much information is available on-line; our state bar association web site has helpful forms such as retainer agree- ments and letters of representation. All the forms required for the local family court are on-line. These are some of the resources that will help them get started prac- ticing law.

After thorough review of the weekly classes, one of my students raised her hand and said, “Oh, so it’s like it’s a real law firm—lawyers—and these are our clients!”

Yes! About that time, I noticed an increased interest among the students. During in-class drafting exercises and reading out of class, students were anxious for feedback even though their work would not be graded. They had a lot of questions about the on-line materi- als, and they asked for copies of my forms. When I realized that my stu- dents were “getting it,” that this would help prepare them for practice, I couldn’t help but think that this was my best class! ≠

Keeping Students Interested While Teaching Citation
Ann Hemingway, Widener University School of Law
The Second Draft’s call for submissions stated “your best class might be on analysis, research, persuasion, writing mechanics, or even citation.” A best class on citation? Is that even possible? Well, as it turns out, yes. For me, one of my best classes was on the dreaded topic of citation.

I have always had a love/hate relationship with teaching citation. I love it because the topic is rather con- crete. Citation is one of the few topics taught in law school in which the answer to students’ questions is “it does.” On the other hand, I hate it because it is not nearly as straight forward. Citation is one of the few topics in law school in which the answer to students’ questions really is “that’s right” or “that’s wrong.”

The mechanical quality of citation makes it a challenge to teach. The material itself really is not that diffi- cult, but the process can be intimidating to students because of its meticu- lous nature. In the past I have spent an unbelievable amount of time trying to come up with innovative techniques to make citation interesting for stu- dents. I would draft exercises involv- ing superheroes, Star Trek characters, and even a Nonograms puzzle for the result? Confused, disengaged stu- dents. My students just did not seem to care very much about Mark McGwire v. Sue Lane v. Clark. Rather, they found the process frustrating and uninteresting.

One day a few years ago, I walked in to my advanced legal writing class for my students to read my latest creative exercise. I was not looking forward to the class; I had an uneasy feeling that, despite efforts, the students would once again have an adverse reaction to citation. As I was opening the door to the classroom I had an idea that I thought might work. The students had been working on a closed memo assignment involv- ing a statute and three state cases. At that point I decided to take the stu- dents’ work, reduce it to citation, and have them put together simple citations involving the authority for their closed memos. I then broke into small groups and draft citations in both full and short form. I even had them try “Id.” The result? Interested, engaged stu- dents.

By presenting citation in the con- text of their own memo problem, I was able to get the students’ full attention. I knew they were invested in the process because they knew that the work done in class would help them write their memos and trial briefs, I did not want to worry that I was doing the work for them by giving students the right answers. I knew that proper citation form would vary depending on how they were using the cases and statute in their memos. Through this exercise, students got a good foundation for citation basics because they worked together to come up with the “right” answers. As for McGwire v. Sue Lane v. Clark, I deposited that exercise in the recycle receptacle on my way out of class. ≠

Teaching Students How to Receive an Assignment
Michael Higham, William S. Boyd School of Law, University of Nevada, Las Vegas

My best class was a trial advocacy class I developed and taught last this semester. I put this class together that there might be a quiz of some sort.

The students are instructed to raise their hands if they know the answer to a question. If less than 13 (out of 20) students raise their hands, then I put a point in the “sub- tract time” column. (Each “point” is worth two minutes of time to be added or subtracted to the time I already overcharge them.) When my students raise a hand, then they potential- ly get a point in the “add time” col- umn. Only once did I have a student raise her hand, and that student tells me the wrong answer when I call on her/she, then I get double points in the “subtract time” column for that ques- tion.

Having done this for several years, I’ve found that, for most questions, between 10 and 13 students usually raise their hands, which always makes for a lot of fun with the students who are on the fence when only eleven or twelve hands are in the air.

A few sample questions (I usually ask 25):

Are reporting arranged chrono- logically or by topic?

T/F: All appellate court opinions are published.

A case citation contains seven things. Name of 5 of them.

In what reporter would you find a syllabus on a general division?

In what reporter would you find this case: 112 N.E. 543.

What is the meaning of the abbre- viation “Ex rel.”?

After the questions, I total up the additions and subtractions. (The results vary, but normally only a few minutes are either added or subtracted.) I go over the answers at the end, usually to a chorus of “Oh, yeah!” to the ones the students missed. I use the game questions as a springboard for the rest of my discussion on Reporters and ALWD, and I’ve always found that the exercise turns students on in answering and asking questions—hits its highest level of any prior class.

Even though students come into class uninterested and glossy eyed, “Add Time/Subtract Time” engages them in a form of active learning that really draws them into the subject matter. Moreover, students genuinely enjoy the class. The exercise gives them their first sense of working together, of getting away from the competitive law school environment. For one, it is not a competitive game of making oneself, but students vs. the professor. It is the first time I see them bonding as a class. As an added bonus, it is a great way to make a joke about the abyss of merriment we all call grading.

For more information on this exercise, you may contact Chad at Chad.Norelli@asu.edu. ≠

All Rise
Julie Oosid, University of St. Thomas School of Law

I really can’t call it “My Best Class” because I didn’t teach the class. I can only claim credit for having the good sense to ask Minnesota Supreme Court Justice Paul Anderson to speak to my class. Justice Anderson spent 50 min- utes with my class of 30 students.

Without a doubt, it was the best 50 minutes of my first year of teaching. As you might suspect, Justice Anderson made many of the same points I emphasized all year. So why did I see the light in my students’ eyes that I see in my teenagers’ eyes when someone else tells them something I have been preaching? That old legal writing adage—think about the weight of the authority! In this case, Justice Anderson was binding, on point, and current. Plus, Justice Anderson was captivating. He had great stories, a great delivery, and a great presence. It doesn’t get any better than that.

Justice Anderson started by men- tioning Dean Garner’s division of the legal writing process into three parts: brainstorming (the mad scientist part), organizing (the architect and builder part), and creating (the artist part). He then explained that judges write opin- ions not only because of stare decisis, but because writing is the best way to test the soundness of reasoning. By writing, the drafter is forced to think about the issues and make sure every- thing holds together. He told us that he reducts his opinions to 25 times and reads them out loud at least three times before publication.

My students find it hard to believe that all the details really matter. Justice Anderson converted them. He explained that the rules of Minnesota Supreme Court require a specific type of binding for briefs. He admitted that this might seem like a minor rule, but he then asked the students to imagine him up late at night reading a brief that is inappropriately bound in a way that makes something that seemed like an arbitrary, picky rule has a real life context.

I was particularly fond of his last comment, which was about writing in the drafting, writing advice; it was good life advice. He urged the students to take advan- tage of opportunities. I smiled to myself, and I took advantage of the opportunity to invite Justice Anderson to my class. Oh, I know I can’t have a distinguished judge teach my class every day, but I plan to invite a judge to visit my class every year so I can repeat “My Best Class.” ≠

Recognizing Bias in Legal Language and Argument
Mimi Samuel, Seattle University School of Law

Our first-year curriculum includes a class to help students explore some of the biases inherent in making choices about language and legal arguments. While I have tried this class different ways, I was particularly pleased with the results of this year’s class, which I held in the first semester, while we were also the first year students were working on a memo problem involving an issue of religious discrimination in jury selec- tion.

At the outset, I explained that we would explore the biases that all of us—students, faculty, lawyers, and judges—do to our view of legal problems.2 But I also told the students that the class was not about being “politically correct” or about telling them what they should or should not think or say.

To start, we returned to our first memo problem of the year, which

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