

5-2010

Introduction to The Legal Writing Institute: Celebrating 25 Years of Teaching & Scholarship

Kristin B. Gerdy

Follow this and additional works at: https://digitalcommons.law.mercer.edu/jour_mlr



Part of the [Legal Writing and Research Commons](#)

Recommended Citation

Gerdy, Kristin B. (2010) "Introduction to The Legal Writing Institute: Celebrating 25 Years of Teaching & Scholarship," *Mercer Law Review*: Vol. 61: No. 3, Article 4.

Available at: https://digitalcommons.law.mercer.edu/jour_mlr/vol61/iss3/4

This Front Matter is brought to you for free and open access by the Journals at Mercer Law School Digital Commons. It has been accepted for inclusion in Mercer Law Review by an authorized editor of Mercer Law School Digital Commons. For more information, please contact repository@law.mercer.edu.

Introduction to The Legal Writing Institute: Celebrating 25 Years of Teaching & Scholarship

by Kristin B. Gerdy*

The Legal Writing Institute (LWI), which was founded in 2004,¹ is a professional organization dedicated to improving legal writing through teaching, discussion, and scholarship about legal writing, analysis, and research, both in law practice and in the academy. LWI boasts a membership of more than 2500, including members from more than thirty-eight countries, and it is the second largest organization of law professors in the United States. LWI also sponsors *Legal Writing: The Journal of the Legal Writing Institute*, a peer-reviewed scholarly journal established in 1988 as a forum for exchange of scholarly ideas and opinions about legal writing.²

As part of the ongoing celebration of the Legal Writing Institute's twenty-fifth anniversary, the editors of *The Journal of the Legal Writing Institute* and the *Mercer Law Review* organized a day-long symposium to reflect on the history and look toward the future of both LWI and the discipline of legal writing. This invigorating and insightful Symposium brought together national leaders in the legal writing profession spanning the past twenty-five years.

* Teaching Professor and Director, Rex E. Lee Advocacy Program, Brigham Young University, J. Reuben Clark Law School. Brigham Young University (B.A., 1992; J.D., cum laude, 1995).

1. For a detailed history of the Legal Writing Institute, see Mary S. Lawrence, *The Legal Writing Institute—The Beginning: Extraordinary Vision, Extraordinary Accomplishment*, 11 J. LEGAL WRITING INST. 213, 213 (2005).

2. Legal Writing Institute, *Journal of the Legal Writing Institute*, http://www.lwionline.org/journal_of_the_lwi.html (last visited Mar. 24, 2010).

The Symposium began with a panel reflecting on the history of LWI and the professionalization of legal writing. Professors Laurel Oates, Jill Ramsfield, and Mary Beth Beazley provided attendees with glimpses of the vision that has blossomed into the dynamic and inventive field of legal writing pedagogy. Professor Oates told the fairy tale story of the beginning of the Legal Writing Institute as a place for those who love legal writing and value its place in the profession. Professor Ramsfield built on that history and highlighted the importance of empirical surveys to assess legal writing teaching in American law schools, which has become an important contribution of both LWI and its sister organization, the Association of Legal Writing Directors (ALWD). Finally, Professor Beazley spoke about how LWI and legal writing faculty have been able to help overcome the common misconceptions that writing cannot be taught, that there is no need or possibility for the development of expertise in legal writing, and therefore, no need for scholarship or a legal writing profession. Professor Oates finished the session with an exciting glimpse at the international outreach that LWI members have undertaken in recent years, including her extensive work in Africa. She emphasized the empowering nature of legal writing for those who have been repressed and underrepresented, and she encouraged us to reflect upon the opportunities that legal writing faculty—and indeed all law faculty—have in bringing about good in the world. Ultimately, the panel enabled participants to focus on the important leadership opportunities that legal writing faculty encounter in the academy, in the legal profession, and in society at large. The panelists were insightful and their messages thought-provoking.

Building on the history and vision for the future, the second panel of the day focused on effective teaching. The three panelists, Professors Marilyn Walter, Sam Jacobson, and Carol Parker, are all renowned teachers and each shared exciting information that helped participants expand their concepts of what makes an excellent teacher. Professor Walter encouraged legal writing professors to use peer review as a way to teach students how to act professionally in collegial relationships and to be good editors of their own work by editing the work of others. Professor Jacobson, an expert on learning theory and its application to teaching law, spoke next, giving attendees a fascinating look at their abilities to pay attention and focus in a multi-media world. Bringing in neuroscience and other research, she focused on the challenges raised for both students and teachers. Finally, Professor Parker took the challenge

posed by the Carnegie Foundation Report on Legal Education³ and defined a “signature pedagogy” for legal writing.

The Symposium’s luncheon speaker was Professor J. Christopher Rideout, a founder of the Legal Writing Institute and the LWI journal’s first editor. Professor Rideout’s address, “Individuals and Community, Discipline Building, and Disciplinary Values: The First Twenty-five Years of the Legal Writing Institute,” was an engaging journey through concepts of community and professionalism and left the audience eager to think about and discuss the ideas he presented.

The afternoon began with a panel on the scholarship of legal writing, featuring three of the most prolific and influential scholars in the legal writing academy: Professors Linda Berger, Linda Edwards, and Terrill Pollman. Professor Berger spoke about the role of rhetoric in legal writing scholarship. She began with an analysis of why we write and why legal writing faculty should be engaged in scholarly conversations with one another about the substance of legal writing. After a discussion of the history of legal writing scholarship, Professor Berger challenged the audience to focus scholarship on legal rhetoric. Professor Edwards focused her remarks on the concept of voice in legal writing scholarship. She shared her thoughts on the purposes of legal writing scholarship and how legal writing faculty might think about scholarship as a shared enterprise—a scholarly conversation. Finally, Professor Pollman reflected on the audiences for legal writing scholarship, focusing on both the inside and outside audiences.

The day concluded with a panel focusing on the development of legal writing as a profession within the legal academy. Professors Suzanne Rowe, Susan Duncan, and Eric Easton shared informative and insightful comments on issues of professionalism, status, and standards. First, Professor Rowe gave the audience an overview of the vast empirical surveys that LWI and ALWD have performed to assess the teaching of legal writing in American law schools. She challenged the organizations to revise future surveys to address key challenges in the academy. Next, Professor Duncan summarized key developments in the standards governing American law schools, focusing on those that directly impact the teaching of legal writing. Finally, Professor Easton helped participants think outside the box about program design and teaching models.

We hope that as you read the transcripts of the sessions that follow, you will feel the excitement present in Macon, Georgia on that beautiful November day. We hope that you will catch the vision of legal writ-

3. WILLIAM M. SULLIVAN ET AL., *EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW* (2007) (presenting a comprehensive study conducted for the Carnegie Foundation for the Advancement of Teaching).

ing—its teaching, scholarship, and professionalism—and in whatever way you can, build on the energy and intellectual rigor that we were all able to experience together. Enjoy.