



9-2002

# Law Schools Explore Three-Semester Writing Programs

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## Recommended Citation

Law Schools Explore Three-Semester Writing Programs, 34 Syllabus 8 (Sept. 2002)

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# Law schools explore three-semester writing programs

By Professor Eric Easton, Co-director Legal Skills Program, University of Baltimore School of Law  
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The annual survey of legal writing programs, conducted jointly by the Association of Legal Writing Directors and the Legal Writing Institute, invariably contains a wealth of information about trends in legal research and writing education. This year's survey, released at the Tenth Biennial LWI Conference in Knoxville this summer, was no exception. Professors Jo Anne Durako of Rutgers-Camden and Kristin Gerdy of Brigham Young, who co-chaired the survey subcommittee, reported that 154 law schools responded this year—an 83 percent response rate.

Among the many interesting developments noted in the survey is the steady growth in three-semester programs. While the so-called “traditional” model—one semester of predictive writing, usually in the form of office memos, and one semester of persuasive writing, typically culminating in an appellate brief—still predominates, 22 percent of responding schools now require at least one additional semester of writing instruction in their introductory sequence. That phenomenon was explored in the May 2002 edition of LWI's *The Second Draft*, and I've taken much of the information below from that bulletin.

The three-semester model can take a variety of forms. My own school, the University of

Baltimore, inserts a pretrial lawyering skills semester between the two traditional semesters. In that course, students are exposed to pleadings, discovery documents, client letters, negotiations and settlement agreements, and dispositive motions. Our third semester is a traditional appellate advocacy course, which about one-third of our students take in the summer.

Vermont Law School Professor Tracy Bach, who teaches in a similar sequence, points out that, by their third semester, students have a much more developed understanding of appellate decision making. Other schools have preferred to add a trial-level skills course at the end of the traditional two-semester program. Ave Maria Professor Pamela Zauel notes that her students will use the knowledge and skills gained in the third semester during their crucial second-summer employment.

Still other schools have exploited the three-semester model in different ways. Professors Sonia Bychkov Green and Maureen Straub Kordesh say their program at John Marshall combines predictive and persuasive writing in the first two semesters, with the third semester reserved for a variety of drafting options. As Rutgers-Camden Professor Randall Abate and his colleague Professor Ruth Ann Robbins explore the feasibility of adding a third semester, they suggest giving students choices of courses related to particular skills or doctrinal areas.

On the other hand, Mercer University Professor Linda

Edwards uses the added course time to “deepen” the teaching of critically important skills already in the syllabus rather than introduce other kinds of documents or lawyering skills. Seattle University also devotes the first two full semesters to objective writing, says Professor Susan McClellan, with advocacy presented in the third. Seattle also offers upper-level electives in advanced writing, research, drafting and appellate advocacy.

Why three-semester programs? Professor Abate argues that the traditional model provides “insufficient training to prepare students for the rigors of legal writing in practice.” Western State University Professor Constance Hood says the third course in the sequence can “pull together” all of the skills learned in the first two semesters. Arkansas-Fayetteville Professor Terry Jean Seligman adds that the third semester is an opportunity to assist those students for whom the first-year program did not “click” by providing additional practice and feedback. And Texas Tech Professor Nancy Soonpaa notes how much students forget over the summer and how much more they value legal writing after their first law-related job.

Whatever the rationale, whatever the course sequence, the three-semester program is clearly an option to be considered as we all grapple with the need to prepare our students for practice. The May issue of *The Second Draft* will be available at [www.lwionline.org](http://www.lwionline.org) and the 2002 Survey Results will be posted at [www.alwd.org](http://www.alwd.org). ☛



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