

**Scholarship by Legal Writing Professors
2007 AALS New Law Teacher's Workshop
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I. Why Write?

Write because you are serious about your academic role.

- To enjoy a vibrant, dynamic life of the mind;
- To participate in the scholarly conversation;
- To practice what you teach;
- To sharpen your analytical ability;
- To expand your own knowledge and the knowledge of others;
- To help build the exciting young discipline of legal writing;
- To enhance your teaching;
- To satisfy the requirements of your present position;
- To prepare for a future position;
- To develop relationships with local faculty colleagues outside legal writing;
- To build relationships with law teachers at other schools;
- To create opportunities for speaking engagements and conference presentations;
- To increase your salary through scholarship grants or a higher base salary;
- To have the pleasure of doing a difficult thing well.

II. Joining the National Legal Writing Community

Key Organizations

- The Legal Writing Institute (LWI)*
- The Association of Legal Writing Directors (ALWD)*
- The AALS Section on Legal Writing, Reasoning, and Research*

Newsletters

- The Second Draft (newsletter of the Legal Writing Institute)
- AALS Section Newsletter
- The Law Teacher (published by the Institute for Law Teaching at Gonzaga)

Peer-Edited Journals

- The Journal of the Legal Writing Institute (J. Leg. Writing)
- The Journal of the Assn. of Legal Writing Directors (J. ALWD)
- The Journal of Legal Education (J. Leg. Educ.) (published by AALS)
- The Journal of Appellate Practice
- Scribes
- Perspectives (published as a service by West Publishing (shorter pieces))

Law Reviews With a Particular Interest in Legal Writing

Mercer
Stetson

III. What You Can Write

Getting Your Feet Wet (shorter pieces)

Newsletter article
Perspectives or Scribes article
Bar journal article
Book review

Articles

Law reviews
Peer-edited journals

IV. Kinds of Topics

Traditional doctrinal analysis
Interdisciplinary article
Empirical article

Legal Writing Topics

Topics related to the substance of legal writing
Topics exploring the underlying theory of the substance of legal writing
Topics about the teaching of legal writing
Topics on the institutional choices affecting the teaching of legal writing

Non-Legal Writing Topics

V. Finding Topics

Topics you are curious about
Topics at the intersection of law and something else about which you have knowledge (e.g., your undergraduate major or masters degree area)
Topics related to your prior law practice
Topics related to one of the legal writing assignments you'll give your students
Topics you encounter through reading other articles, attending or giving presentations, or teaching your own classes
Topics on which the federal circuits are divided (review U.S. Law Week)
Topics on which the U.S. Supreme Court has recently ruled
Browse a list of articles by legal writing professors at www.legalwritingscholarship.org
Start a file of possible topics with clippings and notes about sources and what interests you about that topic

VI. Finding Time to Write

One approach: disciplined weekly work throughout the year

- Treat writing as part of your job. Schedule it on your daily calendar.

A second approach: mostly a summer activity

- Realistically, only about 8 available weeks
- Be ready to start writing when you turn in the grades
- Schedule each week and stick to the schedule

VII. Finding Mentors

Senior colleagues at your school (casebook faculty and legal writing faculty)

Other new faculty at your school

Attending faculty colloquia and job talks by others

Anyone in this room

Anyone on the list of legal writing professors who have written

Your former law professors

Your colleagues and supervisors at your former positions

Officers and presenters from the relevant AALS section

Join or form a writing group

Attend the annual LWI Writer's Workshop

Review materials prepared by Linda Berger and Michael Smith for their LWI 2004 conference presentation, available at

<http://www.lwionline.org/publications/bibliographies2004.asp#4> (provides tips from many experienced scholars)

VIII. What Makes an Article Good?

Widely researched with ample citations

Not merely descriptive

Identifies a question that matters

Presents and supports a thesis about that question

Well written

IX. Miscellaneous Suggestions

Don't be afraid to start small.

Narrow the topic to something you can do thoroughly and well.

Develop a scholarly agenda.

Find ways to recycle articles for different audiences and different purposes.

Ask at least 10 colleagues to read and comment on your draft (some legal writing colleagues and some casebook faculty).

Make the article as perfect as you can before you submit it for publication.

Decide whether to write on a "Legal Writing" topic.

Writing a book review as a starting point for writing your own article.

Avoid limiting yourself and your sources to the legal writing world.

Use student research assistants.

X. Money

Research grants from your own school (\$8,000 to \$12,000)

Research grants from ALWD and LWI (roughly \$2,000 to 5,000)

XI. Bibliography

Books

Elizabeth Fajans & Mary R. Falk, *Scholarly Writing for Law Students*, Thompson 2004).

Eugene Volokh, *Academic Legal Writing: Law Review Articles, Student Notes and Seminar Papers and Getting on Law Review*, Foundation Press 2003).

Articles

Mary Beth Beazley & Linda H. Edwards, *The Process and the Product: A Bibliography of Scholarship About Legal Scholarship*, 49 Mercer L. Rev. 741 (1998).

Erwin Chemerinsky & Catherine Fisk, *In Defense of the Big Tent: The Importance of Recognizing the Many Audiences for Legal Scholarship*, 34 Tulsa L.J. 667 (1999).

Roger C. Cramton, *Demystifying Legal Scholarship*, 75 Geo. L.J. 1 (1986).

Christian C. Day, *In Search of the Read Footnote: Techniques for Writing Legal Scholarship and Having it Published*, 6 J. Leg. Writing 229 (2000).

Linda H. Edwards, *Suggestions For New Scholars*, Fall 2002 AALS Section Newsletter, Legal Writing, Reasoning, and Research, p. 4.

Toni M. Fine, *Legal Writers Writing: Scholarship and the Demarginalization of Legal Writing Instructors*, 5 J. Leg. Writing 225 (1999).

Colin P.A. Jones, *Unusual Citings: Some Thoughts on Legal Scholarship*, 11 J. Leg. Writing 377 (2005).

Jan M. Levine, *Some Concerns About Legal Writing Scholarship*, 7 Perspectives 69 (Winter 1999).

Jan M. Levine and Grace C. Tonner, *Legal Writing Scholarship: Point/Counterpoint*, 7 Perspectives 68 (Winter 1999).

Sue Liemer, *The Quest for Scholarship: The Legal Writing Professor=s Paradox*, 80 Or. L. Rev. 1007 (2002).

Heather Meeker, *Stalking the Golden Topic: A Guide to Locating and Selecting Topics for Legal Research Papers*, 1996 Utah L. Rev. 917 (1996).

Mitchell Nathanson, *Taking the Road Less Traveled: Why Practical Scholarship Makes Sense for the Legal Writing Professor*, 11 J. Leg. Writing 329 (2005).

Terrill Pollman & Linda Edwards, *Scholarship By Legal Writing Professors: New Voices in the Legal Academy*, 11 J. Leg. Writing 3 (2005) (with bibliography).

Louis J. Sirico, Jr., *What the Legal Writing Faculty Can Learn from the Doctrinal Faculty*, 11 Perspectives 97 (Spring 2003).

William R. Slomanson, *Legal Scholarship Blueprint*, 50 J. Leg. Educ. 431 (2000).

Michael R. Smith, *The Next Frontier: Exploring the Substance of Legal Writing*, 2 J. ALWD 1 (2004).

Symposium, *The New Legal Writing Scholarship*, 20 Legal Stud. F. 1 (1997).

Kathleen Elliott Vinson and David S. Romantz, *Who Will Publish My Manuscript?*, 7 Perspectives 31 (Fall 1998).

Eugene Volokh, *Writing a Student Article*, 48 J. Leg. Educ. 247 (1998).

Donald J. Weidner, *A Deans= Letter to New Law Faculty About Scholarship*, 44 J. Leg. Educ. 440 (1994).

Tracey George Vanderbilt University Law School. Albert Yoon University of Toronto. *Journal of Empirical Studies*, Forthcoming. This paper can be downloaded without charge from the Social Science Research Network Electronic Paper Collection: <http://ssrn.com/abstract=2332073>. Electronic copy available at: <http://ssrn.com/abstract=2332073>. The Labor Market for New Law Professors. Tracey E. George and Albert H. Yoon^a. Law school professors control the production of lawyers and influence the evolution of law. Understanding who is hired as a tenure-track law professor is of clear importance to debate Rutgers School of Law 217 North Fifth Street Camden, New Jersey 08102 (609) 225-6403 email: bosniak@law.rutgers.edu. ACADEMIC EMPLOYMENT. RUTGERS UNIVERSITY Distinguished Professor of Law, 2009-present; Associate Member, Graduate Faculty, Dept. of Political Science, New Brunswick, 2017 – present. Previous: Professor of Law, 1997-2009 Associate Professor of Law, 1995-1997 Assistant Professor of Law, 1992-1995. INSTITUTE FOR ADVANCED STUDY, School of Social Science, Princeton, NJ Visitor, 2016-2017 Member, 2015-2016. UNIVERSITY OF GRAZ, FACULTY OF LAW Visiting Professor, Spring 2015.