

AALS

New Law Professor Section

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Message from the Section Chair

Professor Linda Jellum
Mercer University School of Law

This section, the AALS New Law Professors Section, is run by and for new(er) law professors to help encourage professional networking, offer mentoring and advice, and provide scholarship opportunities. We are no longer a new section; we've been around for eight years. Moreover, many of us in leadership within the section are no longer new to the profession; however, we all remember what it was like to be new. And it is our goal to help make those early years more enjoyable for our members. We try to accomplish this goal in a number of ways.

First, we have our website. One way to begin your journey with New Law Professors Section is to get on our communications platform provided by the AALS (<https://connect.aals.org/li/if>). To join our section, you begin on your AALS member page and then select our section. That small step will automatically enroll so that you receive

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Section Officers

Chair, Linda Jellum
Mercer University School of Law
jellum_l@law.mercer.edu

Chair-Elect, Stephen I. Vladeck
American University – Washington College of Law
svladeck@wcl.american.edu

Treasurer, Marcia L. Mc Cormick
Saint Louis University
mmccor20@slu.edu

Secretary, Keith Blair
UDC – David A. Clarke School of Law
kblair@udc.edu

Executive Board

Alex Geisinger
Drexel University Earle Mack School of Law

Doug Moll
University of Houston Law Center

Mike Allen
Stetson University College of Law

Robert Chesney
The University of Texas School of Law

Sergio Pareja
University of New Mexico School of Law

Joe Morrissey
Stetson University College of Law

Karen J. Sneddon
Mercer University School of Law

Tiffani Darden
Michigan State University

Michelle Slack
University of Pittsburgh

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messages from the officers about what the section is doing. More importantly, on the website, we have resources, including a link to Professor Susan Rozelle's "Teaching Materials Network," (www.law.stetson.edu/teachingmaterialsnetwork), a resource that is open to all law professors, not just our section members. This website includes the names and contact information of other professors who have said they would be happy to share teaching materials. I have turned to it regularly for help with new preps. It was truly a godsend! You can also add your name and information to become a resource for others, either now or later in your career.

This newsletter is a great example of our commitment to offer mentoring and advice. The articles inside it were written by section members, sharing their advice and experience during the early years. The topics are always right on point and often humorous. I encourage you to glance through them and, if you like an article, let the author know. It's such a pleasure to learn that someone has actually read something that you have written. We truly appreciate all of the contributions, and I'm sure you will enjoy reading them.

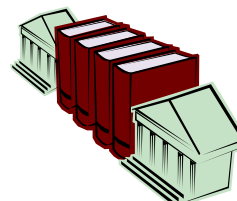
This year, our section will be hosting a terrific panel at the AALS Annual Meeting in San Francisco. *Please note that our panel was relocated to the hotel Nikko due to the strike at the Hilton.* The panel will take place on Thursday, January 6th, from 2:00-5:00 PM, at the Golden Gate, Twenty-Fifth Floor, Hotel Nikko. As for topic, typically, our panels offer tips and strategies for surviving the early years. This year, is no different. Our panel is titled: *Getting to No: Law Professors and the Work-Life Balance*. Speakers include Professors Dorothy Andrea Brown, from Emory University School of Law; Elizabeth Chamblee Burch, from Florida State University College of Law; Linda D. Jellum, from Mercer University Law School; and Dean Blake D. Morant, from Wake Forest University School of Law. Marcia McCormick, from Saint Louis University School of Law, will moderate this lively and informative program.

Our group of expert panelists will discuss topics related to the work-life balance of law professors such as the following: Why law professors need to say "no" throughout their careers; when they should say "no" and when they should say "yes," both pre and post tenure; how they can say "no" without alienating colleagues and administrators; how they can enlist the help of their colleagues and administrators to say "no;" how they can take ownership of their post-tenure career; and, finally, how they can manage their time when they say "yes." Along the way, our panelists will offer tips and tricks that have proven effective in managing their own careers. Panelists will keep their remarks relatively brief to ensure that there will be ample time for audience interaction. Please join us for what should prove to be an informative, lively, and incredibly useful panel.

As we wind this year down, I want to thank my officers for their help and support throughout the year. Amidst all of their other commitments, Chair-Elect Steve Vladeck, Secretary Keith Blair, and Treasurer Marcia McCormick were always ready to help and offer advice. I would like to offer a special thank you to Marcia McCormick. She handled the lion's share of the work of having the section's panel relocated from the Hilton. And, thank you to Keith Blair for putting together this newsletter during the busiest time of the year.

I hope to see as many of you as possible at our program this year. Until then, I hope that you survive grading and have a happy holiday!

Linda Jellum
Chair, New Law Professors' Section
Associate Professor of Law
Mercer University School of Law
Macon, GA 31207
478-301-5689
jellum_l@law.mercer.edu



Is That A Committee Recommendation?

Professor Karen J. Sneddon

Mercer University School of Law

With a discrete peek at the wrist watch and a suppressed sigh of exasperation, a diligent doodle is scratched onto a crisp white page. One may imagine these as the antics of a student in a late afternoon class, yet they can also be the actions of a faculty member during a committee meeting.

Committee meetings reveal the inner machinations of a law school. Committee meetings also welcome junior faculty members into the fold of faculty governance. And yet, the benefits of committee service can be diminished by the impenetrability of committee meetings. Although not intentional, committee meetings can make a junior faculty feel alienated. Allusions to the actions of a law school administrator from the 1950s permeate meetings. The blistering retort of the applicability of Robert's Rules of Order squelches conversation. And the inevitable compilation of a report that weighs as much as a stack of U.S. Reports eclipses the best of intentions. Too, the maxim that "a junior faculty should be seen and not heard" tempers the enthusiasm of any new faculty member. Nevertheless, committee service is a privilege that junior faculty should take advantage of. (Repeat this refrain as necessary to ward off the temptation to update Facebook, tweet, or send an email in the self-consciously obvious manner of one who is trying to hide use of a digital device during a meeting.)

So, how does a junior faculty member successfully run the gauntlet of committee meetings? First, always attend committee meetings. This applies even when the line of students outside your office door resembles the line of eager shoppers in front of a big box store on the Friday after Thanksgiving. Budget your time to be present and engaged in all committee meetings. Second, seek to discover connections

between the committee's work and the work of the law school. Ask questions that help remind other committee members that this is new to you. Questions that foster conversation include the following: "How will this effect day-to-day life at the law school?", "What are the ramifications to the curriculum?", "How does this relate to our mission statement?", "Does this implicate resources?", and "Do we need to consider the changes to the practice of law?" Third, volunteer to be a compiler of those voluminous committee reports. Reading the paragraphs written by fellow committee members and integrating the paragraphs into one document (with multiple appendices) will provide insights into the work of the committee's work and its place in the law school community.

So school your facial features into one of interest and bring a pad of paper and pen to take advantage of your next committee meeting.

Teaching Materials Network

Teaching a new class next term? Check out the Section's **Teaching Materials Network**, available at www.law.stetson.edu/teachingmaterialsnetwork. Kind souls in every discipline have offered to share their teaching notes, PowerPoints, handouts, and other precious gems with fellow law profs who are putting together a new prep. Searchable by course and casebook, the database contains contact information for faculty members offering to share materials in over 100 different courses. Questions about the Teaching Materials Network? Contact Susan Rozelle at Stetson University College of Law at srozelle@law.stetson.edu.

The Blawgosphere at Middle Age

Professor Marcia L. McCormick
Saint Louis University

To blog or not to blog, is that still a question? It was one of the big ones in 2004, when I was on the tenure track market. The conventional wisdom at the time seemed split between whether bloggers were headed for infamy and ignomy or fame and riches. On the one hand, blogs were seen as frivolous, the posts too short to make any real contribution to scholarly debate. At best they were novel timewasters, at worst, dangerous opportunities to say things or even be associated with things that your tenure committee would surely hold against you. On the other hand, blogs were seen as the way to reveal to the world our brilliance, unbound by the status-laden judgments of the second and third-year law student gatekeepers to the journals we publish in. And as a bonus, they were going to make their contributors rich.

Now that blogging is pretty comfortably in technological middle age, it is a good time to reflect on what experience has taught us about blogs and whether to write for them. I've been blogging for a few years in a variety of forms, and the lessons I have learned might be useful for others considering whether or how to blog themselves.

The biggest lesson we have all learned, besides that blogging will not make you rich, nor even likely provide any sort of income at all, is that not all blogs are the same. Like any other form of communication, blogs have different styles, different functions, and different target audiences. And so any decision about whether to blog has to take into account those differences. You need to keep your goal in mind—what is it that you hope to accomplish?

The second lesson we have all learned is that blogging takes time, and with little of that as it is, we ought to be sure we're spending that time in a way that benefits the work that will advance our

careers.

And the third lesson I think we have all learned is that blogging is not fraught with many more dangers than traditional scholarship or speaking up at faculty meetings. People, and by people I mean me, can sometimes say or write things that are stupid or poorly thought out, but we can do that anywhere. It's true that blog posts or even comments can make those stupid things easier to find, but with all of the information out there about us already, it may be easier to bury blog posts than other writing or speaking we have done.

Overall, blogging can be a great way to engage in debate and to reach a wider audience of lawyers and academics than going to conferences, and it can be a great way to engage students in how what they learn is playing out in the world. A blog post can also provide a very useful forum to try out ideas that you are still forming. But even with these benefits, at least early in your career, you should be sure to use blogging as a supplement to or step in your scholarship or teaching, or otherwise cabin it to time you would normally spend networking. It's just fine to dabble only and to be selective about how you participate. To help figure out whether blogging is right for you and what kind will serve your goals, it might help to categorize the types of blogs that are still around. These categories overlap a bit, but it seems that most blogs fall into primarily one or another.

1. The general or legal news and commentary blog.

These blogs do pretty much what they say. They usually offer lots of links to news stories, court opinions, blog posts, or articles, with sometimes a sentence or two of commentary. Blogs like Instapundit or How Appealing are examples of this type of blog. There are not very many of these that lawyers or legal academics run any more. It turns out that traditional media outlets have more

resources for news, most of the time, and that Twitter may be a better medium for the kind of short blurb-with-a-link expression. The blogs that remain are those that really did it well and who firmly established a niche that was not something traditional media outlets could or would reproduce.

2. The focused subject matter blog.

These blogs tend to focus on a particular doctrinal area of the law. They tend to offer some links to news articles, recent scholarship, court opinions, or other blog posts with longer commentary and deeper analysis from the perspective of an expert on the subject matter of the blog. They tend to focus on understanding the doctrine, evaluating trends in the field, and engaging in the theory underlying the doctrine. All of the Law Professor Blog network of blogs fall into this category, and many law professors have participated in these. There are also a number of blogs in this category run by law firms or attorneys in practice.

3. The common interest blog.

These blogs tend to provide more in-depth commentary and analysis of legal developments, scholarly works, or things going on in society viewed through the lens of a broader discipline or theory. The Conglomerate, which focuses on business and economics, and Feminist Law Profs are two examples of this kind of blog. Others might be Larry Solum's Legal Theory blog and Moneylaw and the other Jurisdynamics network of blogs. There are many of these kinds of blogs written by legal academics and there are a number of academic blogs from other academic disciplines that I find really useful to read as an introduction to issues in those disciplines.

4. The general law/legal academic blog.

These blogs provide a mix of legal commentary and analysis with sometimes lighter topics likely to be of interest to the audiences they cater to. Examples of these kinds of blogs are

PrawfsBlawg, Concurring Opinions, and the Faculty Lounge. Many of these blogs have a core group of contributors but a larger stable of guests at any given time, and occasionally lively comment exchanges.

5. The personality driven blog.

These blogs tend to have been the most successful of the early adopters of blogging as an outlet. They often provide in depth analysis of issues that interest the bloggers, and are driven by outspoken folks with strong personal and political views on the subjects they cover. Examples of these include Althouse, The Volokh Conspiracy, and Balkanization. Significant amounts of debate occur for these blogs in the comments. More so than for other types of blogs.

6. The narrow purpose/narrow audience supplement to classes or mostly for folks who know you blog.

This last category of blogs is likely the most numerous, but the least known of the blogs written by law professors. The primary audience for these tends to be the professor's students or colleagues and friends. Examples are all of the CALI classcaster blogs, and a number of lesser known blogs by individual profs. The content of these blogs varies widely from being closely linked to work going on in classes, to an op-ed kind of forum for the writer, to hobbies and fun that might or might not be related to the law.

With this taxonomy, let me give you a few other things to think about. Being a regular contributor can be very time consuming. You might want to figure out what it is that you have to say and try guest blogging on one of the general legal academic blogs or a blog in a doctrinal area that you regularly read.

You might also try it out on a small audience first. If you are one of those people who reads a headline, and just wants to tell somebody

about it, the news and commentary format (or Twitter) might be for you. You might want to link it with your classes or share the blog with friends, but it probably won't be a big networking or scholarship-driving force for you. Still, if it is what you would do anyway, blogging (or tweeting) instead of e-mailing or calling people, might actually save you time and accomplish your goals just as well.

In the end, it's important to market yourself, to get the word out about your work and who you are. You can do that at conferences and workshops, but a good way to go beyond your field and to engage in debate, whether scholarly or pragmatic, is to do it via blogs. Similarly, if what you want is to provide more resources and context for your students, your blog can be there when you can't.



Advice for the New Clinician

Professor Keith S. Blair

University of the District of Columbia

Included in the corps of new law professors are those whose primary responsibility is clinical teaching. Professors that teach clinical skills courses have considerations that are unique to clinical courses that they might not have thought about when they started their teaching career. This article will give advice on things to be aware of if you are a new clinical teacher. Despite the unique characteristics of these considerations all new law professors can gain valuable tips from this piece.

I. You are running a law office

Yes, you left practice because you wanted to teach and stop practicing law. But, in exchange for the actual practice of law you now are running a law office. You might have a clinic administrator that helps with the setting up of your clinic. The clinic might be an established clinic that has procedures already in place. But you are now the person that has to run the clinic (assuming you are the only faculty member in the clinic) and this is the chance to put in place the procedures that you wished were in place when you were actually practicing law. This is a double-edged sword however. While you get to decide how the office is run, you actually have to **decide** what those procedures will be.

Law firms constantly complain that new hires do not have practice management skills. This is your opportunity to instill in your students good practice management skills. It will make your life easier as you run your clinic and will make your students better prepared for the workplace after they graduate.

II. The students are practicing law not you

For most new professors that teach in clinic this can be a hard thing to get your head around.

“How can I be sure my students [fill in the blank] correctly?” You can’t ever be sure. This is where you’ll need to develop good supervision skills in a hurry. You can’t be familiar with all of your student’s cases the same way you knew your cases when you were practicing. But by having supervision sessions that are thought out in advance you can keep an eye on things.

You cannot do the actual casework because you feel you can do the work better or faster than the students. While there is some value in students modeling the behavior of seasoned attorneys that is not the best way for them to learn lawyer skills. The best way for them to learn is for them to do the work and you being there as a safety net. While there may be an emergency that necessitates your stepping in those occurrences should be few and far between.

III. The students work product is not as good as the work you would produce

While the majority of students you teach will work hard and do great work their work product will not be as good as yours. You cannot expect second and third year law students to produce the polished work product that you would produce. You intellectually know this but in the heat of trying to get something accomplished it can be forgotten. Once you understand and embrace this truth you will better be able to teach your students the lawyering skills that they need to know. Until then, you will have many frustrating days.

IV. Manage your time

This is especially important for clinical teachers that are on a unified tenure track. If you have the same scholarship and service requirements as your colleagues that do not teach in clinic then you really need to be efficient. You generally will spend a lot of time in your office if you teach in a clinic. Not as much as when you were practicing but more than

most of your other colleagues. Because of that, you sometimes will have to tell your students “no” when they come to see you with case related questions if it’s not an emergency. Don’t feel as if you’re not doing your job when you do this—you are just doing a different aspect of your job that might be more important for your long-term survival as a teacher.

You obviously can’t let questions about cases linger to the point of neglect—that would be malpractice. But you can’t neglect the other aspects of your job that don’t have the immediate consequences that neglecting cases would. Teaching your students time management skills is part of what clinical teachers do—make sure your practicing what you teach.

V. Get to know you colleagues

At some institutions, the clinic offices are apart from the other faculty offices. This makes it hard for clinicians to get to know their non-clinical colleagues. Take the time to visit your colleagues especially if your office is in another building. Not only is that important because you want to be a good colleague but you want your colleagues who will be deciding your future to know how great a person you are. It would be a shame to have a colleague cast a negative vote against your continued employment because “I just don’t know what type of person she is.”

Don’t be phony about developing relationships but do try and develop relationships with people. Surely there are some that you have things in common with the people you work with. You will be spending many years with your colleagues—learn to enjoy them.



