




Spring 2015

## How to Have an Effective Student Conference

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# Section on Legal Writing, Reasoning, and Research

Spring 2015 Edition

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## From the Chair

On April 27, 2015, Professor Greg Lastowka of Rutgers-Camden passed away. He was a husband and father, and also an IP scholar and author of publications such as *Virtual Justice: The New Law of Online Worlds*. I met him at the 2014 Annual Meeting of AALS. Greg is the starting point for this column because he was a wonderful person and professor who deserves remembrance as well as emulation. His colleagues at Rutgers such as Ruth Anne Robbins have shared their great sadness at his loss, alongside so many stories of his generosity.

Meeting Greg at an AALS Annual Meeting is emblematic, for me, of one of the special strengths of AALS involvement. Greg spoke on a panel, “Legal Scholarship Beyond the Law Review: Books, Briefs, Letters, and Other Avenues of Influence.” I went to that panel out of interest in the topic and to support my colleague Mary Dudziak, a historian and legal scholar. (The opportunity to learn from and support your own colleagues from various parts of the law school is another special strength of AALS.)

Afterwards I congratulated my colleague on a job well done. And then, like the proverbial law-school gunner I never was, I approached Greg for a sidebar conversation about some ideas for legal-writing hypotheticals about bitcoin. Greg thoughtfully shared some ideas, also instantly categorizing

them into beginner and advanced, and connecting them to other areas of law. He was later kind enough to take part in a follow-up conversation by e-mail as well. By all accounts, Greg was a pretty special guy. Not everyone is so gifted at creating a sense of collegiality, nor so willing to share and translate expertise with an amateur in the doctrinal area of interest. The conditions that made that conversation possible were primarily Greg’s generosity. But I’m really not sure what other professional context could have made that conversation possible, other than the AALS Annual Meeting.

That year and every year, the Annual Meeting offers numerous opportunities to learn from, enlighten, and generally mingle with professors from across the spectrum of legal education such as Greg Lastowka, and including a hearty contingent of legal writing professors. Intertwined with the meeting’s strength is the fact it is huge and can be unwieldy. Luckily this Section’s Outreach Committee and Committee on Committees are focused on making the Annual Meeting as accessible and rewarding as it can be for our Section members able to attend. Friendly faces can be seen and collegial conversations experienced at every program and meeting of the Legal Writing, Reasoning and Research section, as many observers of the Section have noted. As Daisy Gatsby once pointed out, “Large parties are so much more intimate.” (Thanks to Ruth Ann Robbins for pointing out that connection.)

This year marks some new directions in the way AALS Annual Meetings are planned. The deadlines for organizing the program have been extended to June of the preceding year, Also the opportunities for each section to offer a variety of programs have been expanded. Seizing these new



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## How to Have a Great Conference, by Joel Atlas & Estelle McKee

Without question, a professor's own conferencing skills can significantly impact the quality of conferences. But, students' performance at conference matters too. Indeed, the professor should treat the ability to conference effectively as a lawyering skill to be taught in the course.

Thus, early in the course, we introduce students to the role, goals, and values of conferences and to the importance of conferencing skills to students' success. We teach that, to conference effectively, students should do the following:

1.) Thoroughly prepare for conferences by, for example, reading the assignment, conducting background research, and, if helpful, outlining the analysis.

2.) Think independently – i.e., before a conference, carefully evaluate the matter and attempt to resolve any concerns without assistance.

3.) Create targeted questions – i.e., determine precise concerns and formulate specific questions to address them. If a professor agrees to review a portion of a student's draft, the student should understand that the professor will do so only to address a particular concern (e.g., whether the text is precise or concise) rather than to determine whether the draft is flawless.

4.) Devise a realistic number of questions, and prioritize them. If a professor doubts whether the student has properly prioritized the questions, the professor may wish to review all of the

questions before answering any of them and to help the student to prioritize them.

5.) Bring hard copies of any text about which the student has questions. If the professor allows students to bring laptops to a conference, students should expect that the text may be reviewed on the laptop. In this instance, students should disable email and other alerts and should ensure that their documents are open and in an easily legible font. Students should also highlight the text at issue to avoid the need to scroll through the document.

6.) Understand that, to encourage independent thinking and problem-solving, a professor may provide guidance rather than a direct answer.

## How to Have a Great Conference, by Karin Mika

The core mission of any student conference is getting through to the student and seeing the proverbial light go on. Making the light go on, however, is often the challenge.

I believe the key to a great student conference is following the advice that we give to our students when they do writing assignments – know your audience!

We all relish in the student who arrives for a conference with revisions that are spot on as well as intelligent questions, but the students who most need our help are students who arrive either with no preparation, or are so lost that they do not know what to do with draft comments, or how to even begin

a redraft. It would be easy to write off these students as not worth our time, but in many situations, the students themselves need to be taught how best to use the comments on the draft for purposes of a rewrite and also, how best to make use of the conferencing time.

There are various ways to attempt to engage the unengaged student. Personally, I think the worst way to begin a dialogue is to remind or reprimand the student for (perhaps) not following directions in terms of preparing for the conference by reviewing your comments and/or formulating questions about their drafts. I think the best way to engage the student is to determine

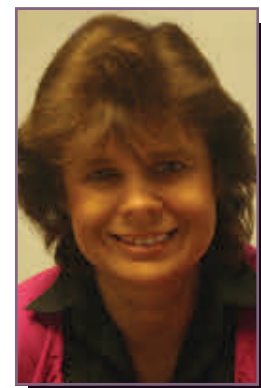
what the student's level of understanding is about his/her writing issues and then figure out whether there is a way that the student can be made to understand what steps can be taken toward improvement that do not necessarily involve the comments made on the draft. In other words, sometimes the best thing to do is to start from scratch – for you, in terms of how content is communicated, and for the student, in terms of his/her understanding about how to grasp what is being taught. The most important concept, however, is to make sure you do your best to figure out how best to connect to each student, even if the student seems unwilling or unable to connect with you.



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