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FAMILIAR BATTLES YIELD NEXT-GENERATION VICTORIES

Karin Mika*

One of the things that inspired me about attending the 2018 LWI Biennial Conference this year was the zeal of the “next generation” working on salary and status issues. I have been working in the field of legal writing since 1988, which was the year the second biennial LWI conference was held. I did not attend, and I was not approved by my school to attend until 1992, when the conference was held at Puget Sound, the original home of LWI.

As I recall, there may have been less than 250 of us at the conference, and less than 200 who considered teaching legal writing to be our careers. There may have even have been less than seventy-five of us who were singularly devoted to legal writing as a discipline. There were so few of us that, by the end of each legal writing conference, we knew everyone in attendance . . . very well, in fact. We spent an awful lot of time talking about our respective “plights” concerning status, mostly. Salary wasn’t really even discussed. We were pretty much all paid very poorly, with only a handful of people having tenure, including Marjorie Rombauer, Ralph Brill, Mary Lawrence, and Richard Neumann. I’m not sure too many of us even dreamed of future tenure. The issue of the day for some of us was arguing against having capped contracts—a system where legal writing teachers were hired to teach no more than two or three years and then moved on to a different school if they wanted to continue teaching. For other programs, this was not even an issue, because their schools had no full-time legal writing teachers. As a result, program directors attended the conferences attempting to gain insight into putting together a curriculum for their all-adjunct programs.

At that time, I was on a year-to-year contract using “soft money.” I had originally been hired as the program “assistant director” who was responsible for unifying the curriculum and assignments for our twelve adjunct professors; however, in part because of student

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complaints about part-time instruction, Director Deborah Klein was able to convince our dean to increase our number of full-time teachers to four people. This included me, writing specialist Sandra Kerber, and, a year later, Barbara Tyler. Even though we had a department with four full-time teachers, three of us were on soft money and, to many at the school (including the Budget Director), considered temporary. We taught fifty to sixty students each and had retained four of the twelve adjunct professors. During my first two years as a full-time member of the department, I was not allowed in the faculty lounge or at faculty meetings. I was not allowed to have my own faculty-issued computer, or even a phone that had the brand new technology of “voice mail.” In fact, when initially hired, for a year, I shared an office with the Director of Legal Writing and all twelve adjunct professors.

At that time, the entire legal writing profession relied heavily on just a handful of people with security of position to fight the fights for all of us. The same people rose to the occasion time and time again, winning battle after battle that enabled the profession to grow and flourish. With each victory came the chance for one more person to be added to a position where he or she could fight battles that enabled the success of others that followed.

It is always easy to look back upon those years as the glory years. All of those teaching legal writing often did very much with very little. Our profession had a handful of “leaders” always in the thick of the battle, with a small army of those willing to throw themselves on their swords for the future of the profession. I wouldn’t trade those years for anything.

But now, as I look upon what is occurring in legal writing with the organized fight for equality and the overall competence and coordination by those waging it, I am awestruck. The panel presentation done by LWI’s Professional Status Committee was particularly impressive.¹ Our profession is no longer a handful of people waging war in what were often losing battles (and pardon these military analogies), but an entire battalion of immense intellectual weaponry. Those who are working toward the improvement of status, security, and even salary are taking on the status quo with a level of courage and tenacity that is impressive to watch. And they are winning the war. The number of tenured programs and professors is

¹ Mary Bowman, Mel Weresh, Heidi Brown, Lucy Jewell, and David Austin, *Protecting and Improving LRW Status as Law School Faculty—An Update from the Professional Status Committee*, LWI Biennial Conference, Milwaukee, Wisconsin (July 14, 2018).

almost staggering in relation to what was even hoped for thirty years ago, and we are seeing more legal writing professors as deans and associate deans. We have developed a scholarly community that enables us to claim ourselves a true intellectual profession that is often more influential than what the status quo intellectual elitists had previously claimed as their birthright. In short, the members of this profession are now steamrolling over the academy that often worked so hard to exclude them from its segregated ivory tower.

There is, of course, still a lot of work to do. Not everyone has been able to share in the victories that have been achieved; however, what is occurring now is a hope that did not exist thirty years ago, or perhaps even twenty years ago. It is a great thing to see, and whenever I watch this “next generation” in action, I can’t help but think that the profession is in great hands. It is accomplishing so much more than I could ever have dreamed.