

**2001 SURVEY RESULTS
ASSOCIATION OF LEGAL WRITING DIRECTORS/
LEGAL WRITING INSTITUTE**

This 2001 ALWD/LWI Survey Results Report includes responses from over 140 law schools in the United States. The respondents answered questions about the operation of their legal research and writing programs during the 2000-2001 academic year. This report is a snapshot of these programs. It is an admittedly inexact composite picture of many unique programs of great variety and complexity. Nevertheless, the survey results show common practices, trends, and other valuable insights about the state of legal writing training in American law schools.

For the first time, this year's survey was on the web. This allowed the data to be generated from the web-based responses. This process made the data analysis far faster and more accurate. Unfortunately, there are a few questions for which we do not have reliable data this year because of technical difficulties. This has been noted in the survey report, and data from the 2000 Survey was inserted instead, where that would be helpful. These problems will be resolved before the 2002 Survey is launched next year.

This survey report also includes data from the 2000 survey. You will see the left-hand column by each question includes the number of responses in each category from the 2000 survey, where available, and the 2001 survey. Averages and other relevant data from the 2000 survey are also included throughout this report, where available, to allow rough comparisons. Please realize, of course, that some variations measure real changes in LRW programs from last year, while other reflect changes in the respondent group.

Thanks go to all who participated in this survey. Thank you all for your patience as we work out the kinks in the new web-based survey. Next year, this process will be easier and more refined. We appreciate your feedback on the web-survey. Your time and effort are valuable to all of us. Thank you.

Jo Anne Durako
Survey Committee Chair

The definitions of terms used in this survey are listed below. For your convenience, some definitions are repeated later in the survey as part of the questions to which they relate.

Clinical tenure means the type of tenure given to clinical faculty.

Current Academic Year means the 2000-20001 academic year.

Director means the person charged with responsibility for the required legal writing program.

Doctrinal course means a course other than a clinic, seminar, or advanced writing course.

Elective course means a course that is not part of the required sequence that all law students must take, such as legal research, and legal writing.

Faculty member means a full-time teacher at the law school and includes a person who is paid on an administrative line but directs a writing program.

Major assignment is one in which the final product is equal to or > 5 pages. Graded assignments do not include those evaluated with a check, check +, check -, but do include those assignments factored into the final course grade.

Required legal writing program and **required program** mean the course of study of legal research and writing courses that all law students must take to graduate. This generally means LRW courses in the first-year required program, but at some law schools, this covers required courses in the second or third years.

Tenure track means that the director is on a scheduled time-table for being considered for tenure — not that the director has been promised conversion to tenure track at some unidentified time in the future.

Writing assignment means an assignment other than a written traditional examination — either in-class and take-home.

I. SUBMITTER PROFILE

1. Are you:

2000 **2001**

112 115

4 1

2 0

17 14

4 8

- a. Director of the required program?
- b. Associate or assistant director of the required program?
- c. Director of the upper-level appellate advocacy program, drafting program, or other upper-level program?
- d. A teacher in a program without a director?
- e. None of the above.

2. Please indicate your gender and race.

2000 **2001**

138
99
38
138
132
2
1
2
1

- a. Gender:
Female (72%)
Male (28%)
- b. Race:
White
African-American
Hispanic
Asian-American
Other

3. As of now, how many years have passed since the director earned a J.D. degree?

2000 **2001**

113 129

Years. **(average) 17.55 (min 5; max 41)**
2000 Survey: (average) 17 (min 5; max 33)

4. As of now, how many years has the director been teaching in law school on a full-time basis?

2000 **2001**

113 131

Years. **(average) 10.85 (min 1; max 31)**
2000 Survey: (average) 11 (min 0; max 30)

5. How many years has the director directed the writing program at the present law school?

2000 **2001**

113 130

Years. **(average) 6.13 (min 0; max 20)**
2000 Survey: (average) 7 (min 0; max 22)

II. LAW SCHOOL INFORMATION

6. Following (and slightly modifying) the model developed by the Society of American Law Teachers, we have divided the country into eight regions. Please identify the region where your law school is located.

2000 **2001**

24 26
4 3
19 17
28 28
17 17
21 21
17 17
6 8

- a. Region I: Far West - AZ, CA, HI, NV, OR, UT, WA.
b. Region II: Northwest & Great Plains - ID, MT, NE, ND, SD, WY.
c. Region III: Southwest & South Central - AR, CO, KS, LA, MO, NM, OK, TX.
d. Region IV: Great Lakes/Upper Midwest - IL, IN, IA, MI, MN, OH, WI.
e. Region V: Southeast - AL, FL, GA, KY, MS, TN, WV.
f. Region VI: Mid Atlantic - DE, MD, NJ, NC, PA, SC, VA.
g. Region VII: Northeastern - CT, MA, ME, NH, NY (excluding New York City and Long Island), RI, VT.
h. Region VIII: New York City and Long Island.

7. What is the setting of your law school?

2000 2001

<u>106</u>	<u>94</u>	a. Urban.
<u>21</u>	<u>22</u>	b. Suburban.
<u>10</u>	<u>9</u>	c. Rural.
	<u>17</u>	d. No response.

8. What type of institution is your law school?

NOTE: Because of a technical problem with the construction of the Survey, there are no reliable results for 2001. This question is being redesigned for 2002.

2000 2001

<u>55</u>	<u>✖</u>	a. Public.
<u>79</u>	<u>✖</u>	b. Private.

9. What was the size of your first-year J.D. class for 2000-01?

2000 2001

<u>7</u>	<u>6</u>	a. 100 or fewer students.
<u>22</u>	<u>21</u>	b. 101 to 150 students.
<u>36</u>	<u>38</u>	c. 151 to 200 students.
<u>29</u>	<u>26</u>	d. 201 to 250 students.
<u>16</u>	<u>14</u>	e. 251 to 300 students.
<u>27</u>	<u>32</u>	f. 301 or more students.

III. STAFFING MODEL

10. Following the model used by the authors of the *Source Book on Legal Writing Programs*, we have identified eight basic staffing models for first-year writing programs. Please identify the model that most closely resembles the format that your school uses. *Note: Do not consider the director's status if that differs from the status of other LRW teachers.*

2000 2001

<u>5</u>	<u>5</u>	a. Tenured or tenure-track teachers hired specifically to teach legal writing.
<u>5</u>	<u>4</u>	b. Tenured or tenure-track teachers hired to teach legal writing and other courses.
<u>0</u>	<u>0</u>	c. Tenured or tenure-track teachers who teach legal writing as part of their first-year doctrinal courses.
<u>1</u>	<u>1</u>	d. Many tenured or tenure-track teachers teaching legal writing to small groups of students where the teacher has no other responsibilities with respect to legal writing and where the teacher's primary responsibilities lie with teaching other courses.
<u>73</u>	<u>66</u>	e. Full-time nontenure-track teachers with long-term contracts or short-term contracts.
<u>25</u>	<u>25</u>	f. Adjuncts.
<u>1</u>	<u>0</u>	g. Graduate students.
<u>2</u>	<u>0</u>	h. Students (<i>only if these upper-level students provide a substantial portion of individualized feedback on papers or have a substantial responsibility for classroom teaching</i>).
<u>33</u>	<u>34</u>	i. A complex hybrid of the above models or some other model.
	<u>5</u>	j. Not answered.

11. If you checked answer i. (hybrid model) in the preceding question, which of the following elements are part of your program? *(Please circle all that apply.)*

2000 **2001**

4 3

13 8

1 2

3 4

20 24

21 21

1 3

14 10

- a. Tenure-track teachers hired specifically to teach legal writing.
- b. Tenure-track teachers hired to teach legal writing and other courses.
- c. Tenure-track teachers who teach legal writing as part of their first-year doctrinal courses.
- d. Many tenured or tenure-track teachers teaching legal writing to small groups of students where the teacher has no other responsibilities with respect to legal writing and where the teacher's primary responsibilities lie with teaching other courses.
- e. Full-time nontenure-track teachers with long-term contracts or short-term contracts.
- f. Adjuncts.
- g. Graduate students.
- h. Students *(only if these upper-level students provide a substantial portion of individualized feedback on paper or have a substantial responsibility for classroom teaching).*

IV. CURRICULUM

12. How many credit hours are awarded each semester of the required program?
Responses of 0 were excluded from the averages.

	First Year		Second Year		Third Year	
	Fall	Spring	Fall	Spring	Fall	Spring
2001 (average)	2.38	2.06	2.10	2.00	2.40	2.67
<i>(min)</i>	1	1	1	1	2	2
<i>(max)</i>	4	4	4	4	4	4
<i># of responses</i>	129	125	31	22	5	3
<i>2000 (average)</i>	2.14	2.08	2.20	2.00	1.33	3.00

13. When is the first required advocacy course taught (typically an introductory appellate advocacy course taught in the spring of the first year) and how many credits are awarded for it? *(Please indicate the semester in which it is taught by writing the number of credit hours in the appropriate space. If necessary, estimate the number of credit hours.)*

	First Year		Second Year		Third Year	
	Fall	Spring	Fall	Spring	Fall	Spring
2001 (average)	2.14	1.95	2.00	2.31	2.14	0
<i>(min)</i>	1	1	1	1	1	0
<i>(max)</i>	4	4	3	5	3	0
<i># of responses</i>	53	22	26	13	7	0
<i>2000 (average)</i>	0	1.91	2.15	2.14	0	0

14. Does the number of credit hours awarded for the required program equal the number of weekly scheduled classroom hours?

2000 **2001**

99 108

21 19

11 4

- a. Yes.
- b. No, we teach **(average) 1 (min .05; max 1) more** classroom hours, on average.
2000 Survey: (average) 2.5 (min 1; max 10)*
- c. No, we teach **(average) 1 (min 1; max 1) fewer** classroom hours, on average.
2000 Survey: (average) 2.7 (min 1; max 10)*

*NOTE: *Four responses of >10 for b. and c. have been excluded from the averages. This question was intended to determine the difference between the number of hours of teaching each week and the number of credit hours. Some respondents may have answered with the number of hours taught each semester thus inflating the average.*

15. How is your required course graded?

2000 **2001**

113 111

2 3

12 11

6 7

4 5

5

- a. Grades that are included in the students' GPA.
- b. Grades that are not included in the students' GPA.
- c. Honors, pass, fail (or some equivalent).
- d. Purely pass/fail.
- e. Other method.
- f. Not answered.

16. Is the required program graded on a curve or with a required mean and distribution?

2000 **2001**

56 56

26 28

16 6

38 46

- a. Yes, it's graded the same way as all first-year courses.
- b. Yes, it's graded on a curve specifically for LRW.
- c. Yes, it's graded on some other curve or mean.
- d. No.

17. Are the major writing assignments in the required program graded anonymously?

(Note: A major writing assignment is one in which the final product is ≥ 5 pages.)

2000 **2001**

55 48

9

9

6

57 63

- a. Yes, all major writing assignments.
- b. Yes, over approximately 75% of major assignments.
2000 Survey: % varied too widely to report. 23 reported some major writing assignments.
- c. Yes, over approximately 50% of major assignments.
- d. Yes, over approximately 25% of major assignments.
- e. No.

18. How do you teach legal research in your program?

2000 **2001**

103 101

33 32

64 67

54 55

18 23

- a. Integrated with writing.
- b. Taught separately from writing.
- c. Taught by LRW Faculty.
- d. Taught by Librarians.
- e. Other.

19. What research assignments are covered in the required LRW course?
(Please choose the appropriate instructional model for programs with research instruction integrated or taught separately.) (Please check ✓ all that apply.)
NOTE: Because of a technical problem with the construction of the Survey, there are no reliable results for 2001. This question is being redesigned for 2002.

2000 Data:

A program with research instruction integrated w/ writing.	A program with research instruction taught separately.	
78	28	a. Research exercises unrelated to writing assignments
38	17	b. All closed universe research for writing assignments
43	9	c. All open library research for writing assignments
78	24	d. Combination of closed and open universe research
36	15	e. Legislative histories
45	14	f. Administrative law research
60	13	g. Limited Westlaw/Lexis training in the first semester
20	5	h. Unlimited Westlaw/Lexis training in the first semester
82	21	i. Unlimited Westlaw/Lexis training in the second semester
17	5	j. Other

20. What writing assignments are assigned in the required LRW course? *(Please mark all that apply.)*
NOTE: Because of a technical problem with the construction of the Survey, there are no reliable results for 2001. This question is being redesigned for 2002.

2000 2001

<u>134</u>	<input checked="" type="checkbox"/>	a. Office memoranda.
<u>67</u>	<input checked="" type="checkbox"/>	b. Client letters.
<u>60</u>	<input checked="" type="checkbox"/>	c. Pretrial briefs.
<u>32</u>	<input checked="" type="checkbox"/>	d. Trial briefs.
<u>104</u>	<input checked="" type="checkbox"/>	e. Appellate briefs.
<u>3</u>	<input checked="" type="checkbox"/>	f. Law review articles.
<u>28</u>	<input checked="" type="checkbox"/>	g. Drafting documents.
<u>6</u>	<input checked="" type="checkbox"/>	h. Drafting legislation.
<u>21</u>	<input checked="" type="checkbox"/>	i. Other.

21. What speaking skills are covered in the required LRW course?

(Please mark all that apply.)

NOTE: Because of a technical problem with the construction of the Survey, there are no reliable results for 2001. This question is being redesigned for 2002.

2000 2001

<u>39</u>	<u>✗</u>	a. Pretrial motion.
<u>15</u>	<u>✗</u>	b. Trial motion.
<u>101</u>	<u>✗</u>	c. Appellate brief argument
<u>34</u>	<u>✗</u>	d. In-class presentations.
<u>16</u>	<u>✗</u>	e. Oral report to senior partner.
<u>9</u>	<u>✗</u>	f. Other.

22. Are legal writing assignments coordinated collaboratively by the faculty in two or more courses with reading or writing assignments in other first-year courses?

2000 2001

<u>9</u>	<u>2</u>	a. Yes. The topics are coordinated and taught.
<u>26</u>	<u>33</u>	b. Somewhat. The topics of the assignments are coordinated, but not the teaching.
<u>99</u>	<u>102</u>	c. No.

23. Do you require rewrites of major writing assignments in the required program?

(Note: A major writing assignment is one in which the final product is ≥ 5 pages.)

2000 2001

<u>38</u>	<u>46</u>	a. Yes, <u>all</u> major assignments require at least one rewrite.
<u>73</u>	<u>61</u>	b. Yes, but <u>not all</u> , approximately (average) 51% (min 22%; max 85%) of major assignments require rewrites. <i>2000 Survey: (average) 49% (min 10%; max 80%)</i>
<u>22</u>	<u>28</u>	c. No.
<u>7</u>	<u>7</u>	d. Not answered.

24. For those major writing assignments on which LRW faculty comment, what is the extent of the comments? (Please mark all that apply. This applies to comments written in pen or pencil on paper, or to feedback provided in similar fashion via computer.)

2000 2001

<u>133</u>	<u>133</u>	a. Comments written on the paper itself and in margins.
<u>87</u>	<u>91</u>	b. General feedback memo addressed to all students.
<u>64</u>	<u>72</u>	c. Feedback memo written specifically for the individual student.
<u>104</u>	<u>108</u>	d. Short comments written at the end of the paper.
<u>117</u>	<u>114</u>	e. Comments in person during conference.
<u>21</u>	<u>81</u>	f. Grading grids or score sheets.

25. What percentage of major writing assignments in the required course are graded?

(Note: A major writing assignment is one in which the final product is ≥ 5 pages. Graded assignments do not include those evaluated with a ✓, ✓+, ✓-.)

2000 2001

<u>9</u>	<u>9</u>	a. 0-25%.
<u>10</u>	<u>12</u>	b. 26-50%.
<u>17</u>	<u>17</u>	c. 51-75%.
<u>102</u>	<u>96</u>	d. 76-100%.
<u>8</u>	<u>8</u>	e. No answer.

26. For writing assignments with more than one required draft, are drafts other than the final draft graded?

2000 2001

<u>56</u>	<u>56</u>	a. Yes.
<u>67</u>	<u>64</u>	b. No.
	<u>22</u>	c. Not applicable.

27. Which citation method do you plan to teach for the 2001-02 academic year?

(Please note: This is the only question relating to the upcoming academic year instead of the 2000-01 academic year.)

2000 2001

<u>48</u>	<u>66</u>	a. ALWD Citation Manual only.
<u>38</u>	<u>52</u>	b. Bluebook only.
<u>21</u>	<u>14</u>	c. Both ALWD Citation Manual and Bluebook.
<u>18</u>	<u>3</u>	d. Other. (Note: Respondents answered either ALWD or Bluebook, choice left to each teacher.)
	<u>7</u>	e. No answer.

28. Which of these services does your law school provide for first-year students? (Please mark as many as apply.)

2000 2001

<u>11</u>	<u>10</u>	a. Writing Specialist, full time.
<u>29</u>	<u>33</u>	b. Writing Specialist, part time.
<u>22</u>	<u>29</u>	c. Tutorial.
<u>91</u>	<u>86</u>	d. Student teaching assistants helping students.
<u>98</u>	<u>103</u>	e. Academic support program.
<u>8</u>	<u>0</u>	f. Other.

29. If your law school employs a writing specialist, what is that person's status, training, salary, and gender?

NOTE: Because of a technical problem with the construction of the Survey, there are no reliable results for 2001. This question is being redesigned for 2002.

2000 Survey:

		WRITING SPECIALIST #1	WRITING SPECIALIST #2
STATUS	a. Full-time	10	2
	b. Part-time	26	4
	c. Tenured	4	0
	d. Long-term contract	4	1
	e. Short-term contract	20	4
TRAINING	f. J.D.	16	2
	g. Ph.D. in English	14	1
	h. Other relevant advanced degree	14	4
	i. Other	0	0

Gender	j. Female	31	5
	k. Male	5	0
	j. Salary	Full-time: (average) \$48,917 (min \$7,500; max \$75,000) Part-time: (average) \$12,444 (min \$2,215; max \$36,000)	Full-time: (average) \$44,000 (min \$44,000; max \$44,000) Part-time: (average) \$6,000 (min \$4,000; max \$8,000)

30. If your law school employs a writing specialist, what responsibilities does that person have and approximately what percentage of time is allocated to each responsibility? (Please mark as many as apply.)

NOTE: Because of a technical problem with the construction of the Survey, there are no reliable results for 2001. This question is being redesigned for 2002.

2000 2001

- 34 a. Holding student conferences **(average) % (min %; max %)**
2000 Survey: *(average) 73% (min 10%; max 100%)*
- 26 b. Training LRW faculty **(average) % (min %; max %)**
2000 Survey: *(average) 3% (min 0%; max 20%)*
- 32 c. Providing workshops **(average) % (min %; max %)**
2000 Survey: *(average) 19% (min 0%; max 100%)*
- 25 d. Training law review and advanced moot court students **(average) % (min %; max %)**
2000 Survey: *(average) 1% (min 0%; max 10%)*
- 25 e. Teaching upper-level writing courses **(average) % (min %; max %)**
2000 Survey: *(average) 8% (min 0%; max 65%)*
- 27 f. Reviewing upper-level seminar papers **(average) % (min %; max %)**
2000 Survey: *(average) 5% (min 0%; max 50%)*
- 24 g. Publishing scholarly articles and books **(average) % (min %; max %)**
2000 Survey: *(average) 4% (min 0%; max 25%)*

31. Do you have a formal writing center in your law school for your program?

2000 2001

- 13 19 a. Yes, established **(average) 6.53 (min 2 ; max 12)** years ago.
2000 Survey: *(average) 6 (min 1; max 10)*
- 9 8 b. Yes, staffed by **(average) 3.63 (min 1; max 6)** professionals .
2000 Survey: *(average) 2 (min 1; max 7)*
- 6 10 c. Yes, staffed by **(average) 2.5 (min 1; max 4)** teaching assistants.
2000 Survey: *(average) 9 (min 5; max 15)*
- 4 7 d. Alternative to formal writing center.
- 47 42 e. No, but the university writing center is available to law students.
- 63 66 f. No.