

Legal ANALYSIS, RESEARCH, and WRITING Program



#13

Legal Writing

By *U.S. News
& World Report*

washburnlaw.edu/larw



WASHBURN UNIVERSITY
SCHOOL OF LAW

The Legal Analysis, Research, and Writing Program provides a strong foundation in lawyering skills for first-year law students.



All first-year students complete six hours of graded Legal Analysis, Research, and Writing. Washburn Law's first-year program is one of only a handful nationwide that is staffed by full-time, tenure-track faculty members. Classes are small and are taught by professors dedicated to legal writing as one of their primary fields for teaching, scholarship, and service.

The first-year curriculum is designed to give every student a strong foundation in both objective and persuasive legal reasoning, legal research skills, clear writing style, and oral advocacy.

Students receive extensive written and oral feedback from faculty members on all major writing assignments. The feedback, consultation, and rewriting process enables law students to become increasingly proficient and independent in many of the core analytical and persuasive lawyering skills by the end of their first year. Furthermore, to introduce students to the rigors of the profession, the course is designed to simulate the demands of the actual practice of law.

Upper-Level Writing Requirement

Upper-level students complete a rigorous writing experience reflecting the core values of supervised rewriting and individualized feedback. Washburn Law's regular upper-level courses include Writing for Law Practice and Transactional Drafting.



Legal Analysis, Research, and Writing Faculty



Aida M. Alaka

Professor Aida M. Alaka is Associate Dean for Academic Affairs. She is a member of the Association of Legal Writing Directors (ALWD)/Legal Writing Institute (LWI) Scholarship Committee; Association of American Law Schools (AALS) Poster Committee. She is a former partner at the Chicago law firm of Winston & Strawn and has also taught at Kansas University School of Law. She received her juris doctorate from Loyola University Chicago in 1993.



Ellen Byers

Professor Ellen Byers worked as a Trial Attorney in the Criminal Division of the Department of Justice in Washington, D.C., and as an former Assistant United States Attorney in Texas. She has also taught legal writing at St. Mary's University School of Law. She received her juris doctorate from Georgetown University Law Center in 1981 and an M.F.A. from the University of Iowa in 1976. She had a solo practice as a plaintiff's attorney, specializing in the areas of consumer and commercial law.



Emily Grant

Professor Emily Grant is former Senior Court Counsel for the Pulau Supreme Court and a former judicial clerk for the U.S. Court of Appeals for the Seventh Circuit and the U.S. District Courts for the Central District of Illinois and the District of Kansas. She has also taught legal writing at the University of Kansas and University of Illinois law schools. She received her juris doctorate from University of Illinois College of Law in 2000.



Jeffrey D. Jackson

Professor Jeffrey D. Jackson is former Death Penalty Advisor to the Kansas Supreme Court and a former judicial clerk for the Kansas Supreme Court and the U.S. Court of Appeals for the Tenth Circuit. He is a member of the Kansas Judicial Council Death Penalty Advisory Committee and an associate editor for *Legal Communication & Rhetoric: Journal of the Association of Legal Writing Directors*. He received his LL.M. from Georgetown University Law Center in 2003 and his juris doctorate from Washburn University School of Law in 1992.



Tonya Kowalski

Professor Tonya Kowalski practiced law in Oregon and Washington and was a judicial clerk for the Washington State Court of Appeals. She has also taught in the Indian Legal Clinic at the Sandra Day O'Connor College of Law at Arizona State University. She is a member of the Board of Advisors for the Institute for Law Teaching and Learning. She co-chairs the Legal Writing Institute's Committee on Cooperation Among Clinical, Externship, and Legal Writing Faculty and teaches in Washburn's Indigenous Legal Studies Program. She received her juris doctorate from Duke University School of Law in 1995.



Joseph Mastrosimone

Professor Joseph Mastrosimone is former Chief Legal Counsel for the Kansas Human Rights Commission and senior counsel to the National Labor Relations Board. He also practiced with the Washington, D.C., law firm Cowell & Moring and the Kansas City law firm Stinson, Morrison & Hecker. He has also taught legal writing at the University of Kansas and the George Washington University law schools. He received his juris doctorate from The George Washington University Law School in 1998.

Recent Faculty Scholarship

- Aïda M. Alaka, *The Grammar Wars Come to Law School*, 59 *Journal of Legal Education* 343 (2010).
- Aïda M. Alaka, *Learning Styles: What Difference Do the Differences Make?*, 5 *Charleston Law Review* 133 (2011).
- Aïda M. Alaka, *Sowing Confusion: The ADA, Invisible Disabilities, and the Regarded-As Clause* (work in progress, forthcoming 2012).
- Ellen Byers, *Rhetorical and Political Dimensions in the War Against Consumers* (work in progress, forthcoming 2012).
- Emily Grant, Co-Author, *The Supreme Court's Certiorari Decisions: Conflict as a Policy Variable* (work in progress, forthcoming 2012).
- Jeffrey D. Jackson, *Blackstone's Ninth Amendment: A Historical Common Law Baseline for the Interpretation of Unenumerated Rights*, 62 *Oklahoma Law Review* 167 (2010).
- Jeffrey D. Jackson, *Putting Rationality Back into the Rational Basis Test: Saving Substantive Due Process and Redeeming the Promise of the Ninth Amendment*, 45 *University of Richmond Law Review* 491 (2011).
- Tonya Kowalski, *Nation to Nation: The Essence of Government-to-Government Relations in Tribal-Federal Administrative Consultations* (work in progress, forthcoming 2012).
- Tonya Kowalski, *A Tale of Two Sovereigns: Danger and Opportunity in Tribal-State Court Cooperation*, ___ *Tulsa Law Review* ___ (forthcoming 2011).
- Tonya Kowalski, *Toward a Pedagogy for Teaching Legal Writing in Law School Clinics*, 17 *Clinical Law Review* 285 (2010).
- Tonya Kowalski, Co-Author, *Transfer of Learning in the Law Clinic* (work in progress, forthcoming 2012).
- Tonya Kowalski, Co-Author, *Tribal Courts: A Context and Practice Handbook* (work in progress, forthcoming 2012).
- Tonya Kowalski, *True North: Navigating for the Transfer of Learning in Legal Education*, 34 *Seattle University Law Review* (2010).
- Joseph Mastrosimone, *A Step Towards Implementing Carnegie: Low Cost and High Payoff Ideas for Introducing Ethics and Professionalism in the First Year Legal Writing Class* (work in progress, forthcoming 2012).

Recent Faculty Presentations

- Aïda M. Alaka, "Curricular Reform: The Next Wave," Association of Legal Writing Directors Biennial Conference, University of the Pacific McGeorge School of Law, Sacramento, California, June 2011.
- Ellen Byers, "Kansas Consumer Protection Act," Recent Developments in the Law CLE, Washburn University School of Law, Topeka, Kansas, June 24, 2011.
- Jeffrey D. Jackson, "Gender Diversity in the Kansas Judiciary," Safeguarding U.S. Democracy: The Quest for a More Diverse Judiciary, The League of Women Voters of Kansas Meeting, Topeka, Kansas, March 2011.
- Jeffrey D. Jackson, "Why the Supreme Court's Rejection of Privileges or Immunities in *McDonald v. City of Chicago* might not be a Bad Thing for Rights," University of Mississippi School of Law, Oxford, Mississippi, March 2011.
- Tonya Kowalski, "Teaching for Transfer in the Clinic, Learning for Transfer: (Re) conceptualizing What We Do in Clinics and Across the Curriculum," Conference on Clinical Legal Education, 2011 AALS Mid Year Meeting, Seattle, Washington, June 16, 2011 (with Shaun Archer, Jason Eyster, Jim Kelly, and Colleen Shanahan).
- Tonya Kowalski, "Engaging Students Through Culture," Engaging and Assessing Our Students, Institute for Law Teaching and Learning 2011 Conference, New York Law School, New York, New York, June 3, 2011.
- Tonya Kowalski, "Toward a Pedagogy for Teaching Legal Writing in Law School Clinics," Stetson University College of Law, Gulfport, Florida, January 13, 2011.

Facts about Legal Analysis, Research, and Writing at Washburn Law

- We are ranked 13th among the top legal writing programs in the United States by *U.S. News & World Report*.
- The program is primarily staffed by full-time, tenure track faculty. Washburn's tenure track is unitary, meaning there are no distinctions among faculty. Our LARW program faculty also teach in other areas, such as Employment Law, Constitutional Law, and Tribal Law.
- Students and faculty have access to one of the nation's highest-ranked law libraries and professional library staff. The Washburn Law Library was ranked 40th in *The National Jurist's* list of the top law libraries, March 2010.
- All full-time Legal Analysis, Research, and Writing professors co-direct the first-year program and are members of the Association of Legal Writing Directors (ALWD) and the Legal Writing Institute (LWI). Washburn Law's program is one of only 35 programs in the U.S. that is "directorless."
- Washburn's second semester of Contracts is now focused on transactions and will include some drafting. This unusual curricular model sets Washburn Law apart from most other institutions and provides students a very rare training opportunity.
- Legal writing students regularly observe oral arguments before state and federal appellate courts.



- Legal writing professors regularly teach a seminar session in the Washburn Law Clinic, helping students to make a smooth transition between classroom and practice.
- Washburn regularly offers Transactional Drafting and Writing for Law Practice to upper-division students.
- Washburn Law is among half of law schools who teach Legislative History and Administrative Law research in the first year.

For more information about Legal Analysis, Research, and Writing, visit our website at washburnlaw.edu/larw or scan the code to the right with your mobile phone.



#13

*Washburn Law is ranked #13
in legal writing programs by
U.S. News and World Report.*

10%

*Washburn Law is one of less than 10%
of law schools with tenure-track model.*

40th

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