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of Law Alumni Association
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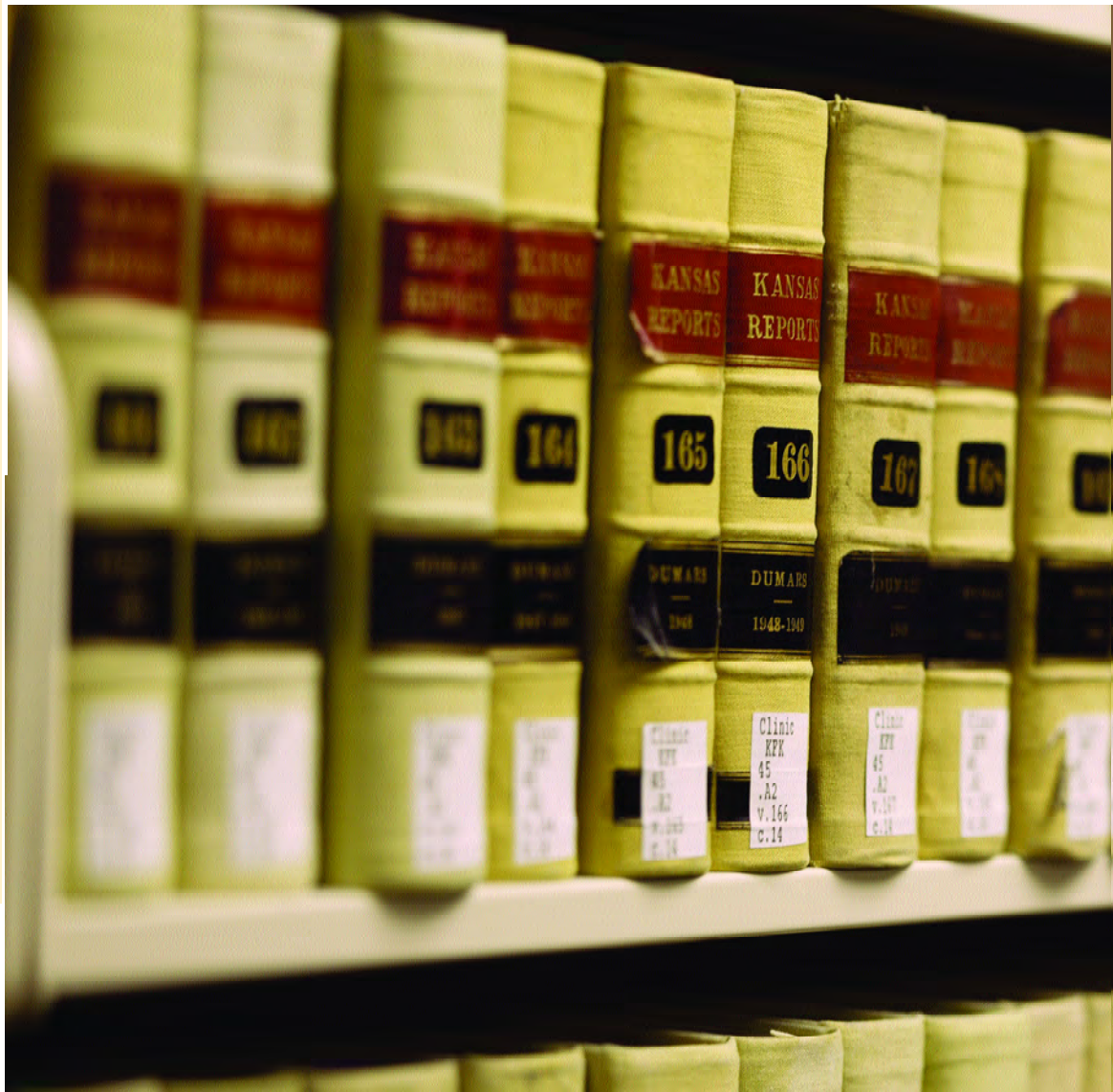


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Washburn Law is one of only
eight law schools employing
tenure-track professors of legal
writing – LWI 2006 Survey Report



There is no substitute for experience, and in the legal profession practice helps perfect the real world skills law students will need when courting employers.

Balancing legal reasoning and analysis with hands-on programs designed to offer law students practical experience is one objective of Washburn Law. With specialty programs designed to offer a slice of the real world – whether it is a chance at arguing a case in competition or representing a child

EXPERIENCE Real World SKILLS

in need of care through the court system – a Washburn Law education path is grounded in fundamentals and paved with concrete skills to ensure students' marketability to employers and preparedness for life after law school.

In the next several issues of *The Washburn Lawyer*, we will focus on the specialty programs that set Washburn Law apart from other law schools, and the impact these programs have on students, the faculty who administer the programs, and the alumni volunteers who make all of it happen.

Legal research and writing programs (LRW) are not new to law schools but the shift to employing tenured or tenure-track teachers specifically to teach legal writing is in its infancy. According to the 2006 Association of Legal Writing Directors/Legal Writing Institute (ALWD/LWI) Survey Report, only eight of 184 law schools responding to the survey employ full-time tenure-track teachers of legal writing. Washburn Law is one of those eight.

The Washburn Lawyer

Real World SKILLS

Although the need for legal writing programs emerged in the 1950s, it was not until the early 1980s that legal writing was generally offered as a separate course. The model followed then by many law schools offered two hours of LRW and rotated doctrinal faculty to teach legal methods and writing. Other law schools staffed their programs using teachers with low status, low pay, little support for scholarship, and in some cases legal writing was taught by second- and third-year law students.

In the early 1990s, the MacCrate Report findings jump-started the movement toward recognizing the need for law students to acquire these special set of skills while attending law school. Specifically, the report noted “the continuing complaints... concerning law graduates’ writing skills” and “the widely held perception that new lawyers today are deficient in writing skills.” Thus, the authors of the MacCrate Report recommended that legal education “teach writing at a better level than is now generally done.”



J. Lyn Entrikin Goering
*Director, Legal Analysis, Research,
and Writing Program Associate*
Professor of Law

B.G.S., University of Kansas, 1976
M.P.A., University of Kansas, 1982
J.D., Washburn University School
of Law, 1987

Before attending law school, Professor Goering worked as a legislative fiscal analyst for the Kansas Legislature. She attended Washburn Law where she served as editor-in-chief of the *Washburn Law Journal*. She later worked as a research attorney for Justice Richard Holmes of the Kansas Supreme Court. Thereafter, she served as administrative assistant to Chief Justice Robert Miller and then to Chief Justice Holmes. She clerked for federal district court Judge Dale Saffels before joining the Topeka law firm of Wright, Henson, Somers, Sebelius, Clark & Baker. She also served as an assistant attorney general in the Legal Opinions and Government Counsel Division.

EXPERIENCE

In 1996, Goering was appointed to the Kansas Board of Tax Appeals, which adjudicates state and local tax disputes. After completing her term, she established a solo law practice in Topeka, focusing primarily on ad valorem tax litigation and appellate practice. She has also worked for Lexis-Nexis as a Senior Case Law Editor.

She is licensed to practice in Kansas and Colorado and has been admitted to practice before the Tenth Circuit Court of Appeals.

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”
– J. Lyn Entrikin Goering

A subsequent study by staff of the American Bar Foundation found that the top three skills that hiring partners look for in new lawyers without the need for additional on-the-job training included written communication, oral communication, and library research, core skills taught in most legal writing programs.

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Lyn Goering, director of Washburn Law's Legal Analysis, Research, and Writing Program (LARW), credits Professor Sheila Reynolds, who chaired a Washburn Law faculty committee in the late 1990s that reviewed the law school's LRW program and made recommendations on how to improve it. In 1999, the law school hired its first full-time professor who specialized in teaching LARW. In 2003, the full faculty voted to hire a tenure-track director to lead the program.

In January 2004, Goering accepted the LARW director position and later that year presented her proposal that included full-time, tenure-track LARW faculty and phasing toward a three-year program incorporating more upper-level writing electives.

"The demand for hands-on, process-oriented teaching was emerging. Law firms were no longer investing as much in training their new hires. Instead they wanted graduates with solid professional skills," said Goering.

In October 2004, the Washburn Law faculty made what Goering calls a "true commitment" by voting unanimously in favor of her proposal to hire exclusively full-time, tenure-track LARW faculty.

This fall, the LARW program will be fully staffed for the first time with tenure-track faculty specifically hired to teach Legal Analysis, Research, and Writing.



Tonya Kowalski
Associate Professor of Law

B.A., Political Science, University of Florida, 1992
J.D., Duke University School of Law, 1995

Before joining Washburn Law, Professor Kowalski was visiting associate clinical professor for the Sandra Day O'Connor College of Law at Arizona State University. She was also a staff attorney for the Indian Legal Clinic, Tempe, Ariz.

Professor Kowalski spent several years litigating commercial, domestic, and appellate cases in Oregon and Washington as well as the U.S. Court of Appeals for the Ninth Circuit. She also worked as a legal writing consultant.

During law school, she was a member of the *Duke Law Journal* and a co-director of the Domestic Violence Advocacy Project.

Her affiliations include membership in the Legal Writing Institute, Association of American Law Schools, Clinical Legal Education Section, and membership in the Federal Bar Association, Indian Law Section.



Jeffrey D. Jackson
Associate Professor of Law

B.A., Washburn University, 1989
J.D., Washburn University School
of Law, 1992 LL.M., Georgetown
University Law Center, 2003

Jeffrey D. Jackson previously worked for the Kansas Supreme Court where he was staff attorney for Death Penalty and Constitutional issues. Prior to that, he was a law clerk for the Honorable Mary Beck Briscoe on the U.S. Court of Appeals for the Tenth Circuit, law clerk to The Honorable Justice Robert E. Davis at the Kansas Supreme Court, an associate at Bennett & Dillon LLP, in Topeka and staff attorney for the Kansas Court of Appeals.

While attending Washburn Law, Jackson was assistant editor for the *Washburn Law Journal*. He is admitted to practice in Kansas, Missouri, U.S. District Court for the District of Kansas, U.S. District Court for the Western District of Missouri and the U.S. Court of Appeals for the Tenth Circuit. He is a member of the Kansas Judicial Council Death Penalty Advisory Committee.

“Washburn Law is unique in that we have a fully tenure-track program now, and we hire professors who have a passion for it,” she said.

The LARW program’s process-oriented teaching requires a hands-on approach by faculty where projects begin with drafts that are then graded and returned to the students with detailed feedback so they can improve specific areas noted by the professors. Shifting the emphasis from the “writing product” to the “process of writing” challenges the traditional method of showing law students a model document, assigning a document project, and grading the final document without a draft process in between.

According to Goering, the move to process-oriented teaching within the scope of the LARW program allows students “to get back on track by giving them early feedback to encourage the learning process.”

“The whole world of legal writing has changed. Process-oriented teaching allows us to intervene as much as possible,” she added.

Success of the program depends on the cohesion among LARW faculty as well as their continuous input into the program’s curriculum and processes. Goering said the LARW faculty meets frequently to discuss new ideas for the following year.

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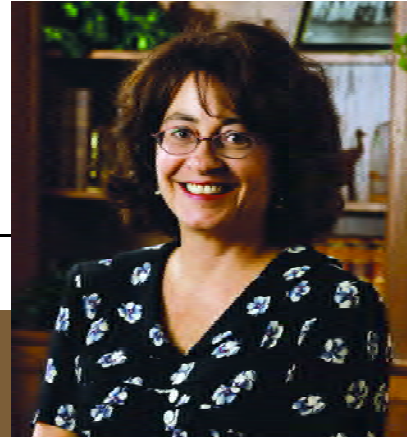
“We have a core team of people who just love teaching legal writing. We discuss being visible and accessible to the students, and we talk about new ideas for the program,” Goering added.

Another area in which Washburn Law excels when compared to other law schools is the credit hours offered within the LARW curriculum. The first year offers three credit hours in the fall and three in the spring. The average according to the ALWD/LWI Survey Report is 2.31 credit hours in the fall and 2.16 hours in the spring. “This demonstrates Washburn’s commitment to the program,” Goering said.

Students entering law school in the fall are required to take Legal Analysis, Research, and Writing I, which introduces students to the fundamentals of legal research, problem solving through legal analysis, and reasoning — the fundamentals of thinking, writing, and speaking like a lawyer.

The spring follow-up course, Legal Analysis, Research, and Writing II, further develops the students’ legal analysis and research skills and introduces them to legal advocacy through persuasive legal writing, such as trial and appellate briefs, and oral argument.

The writing process throughout the first year improves the students’ ability to not only analyze and reason but also explain legalese to clients. “The students don’t realize how much they have learned until they can translate legal mumbo jumbo to



Aida M. Alaka

Associate Professor of Law

B.A., University of Wisconsin-Madison, 1981

J.D., Loyola University Chicago, 1993

Before joining Washburn Law, Professor Alaka was a lecturer at the University of Kansas, where she taught courses in legal research and writing, race discrimination law and higher education law.

Prior to that, she was a partner at the Chicago law firm of Winston & Strawn, focusing on employment law counseling and litigation and was seconded to Sears, Roebuck and Company’s corporate law department, where she counseled management on employment-law issues and managed litigation. Professor Alaka was also a member of the litigation practice group at Holleb & Coff.

During law school, Professor Alaka was editor-in-chief of the *Loyola University Law Journal* and a staff writer for the *Loyola University Consumer Law Reporter*. She is licensed to practice in Kansas and Illinois and has been admitted to the bar of the U.S. District Courts for the Northern and Central Districts of Illinois and the Eastern District of Wisconsin.



Curtis J. Waugh
Assistant Professor of Law
B.A., Williams College, 1970
J.D., Washburn University
School of Law, 1987

Upon his graduation from law school, Professor Waugh joined the Topeka firm of Goodell, Stratton, Edmonds & Palmer, where he worked in the areas of civil litigation and appellate practice for 16 years.

Before joining the Washburn Law faculty as a supervising attorney in the Washburn Law Clinic, he taught Pretrial Advocacy as an adjunct professor at the School of Law. Prior to attending law school, Professor Waugh taught high school English and was an adjunct professor of English at Emporia State University.

Professor Waugh is admitted to practice in Kansas state courts, the U.S. District Court for the District of Kansas, and the U.S. Court of Appeals for the Tenth Circuit.

clients,” Goering said. One of the recent innovations in the Washburn Law program requires students to write a client letter based on the research memo they wrote during the fall semester.

Concerned that LARW courses were not offered beyond the first year, Goering proposed and then taught Writing for Law Practice (LARW 901) for the first time in fall 2004, an upper-level elective worth three credit hours. It is designed to supplement the first-year curriculum by strengthening legal writing, analysis, and critical thinking skills. According to Goering, students learn to apply principles of logical analysis, plain English, proper planning, organization, and drafting by preparing legal documents commonly assigned to new law firm associates.

“The students produce a writing portfolio with 10 graded writing assignments that may include client letters, proposed jury instructions, and judicial opinions,” she said.

Goering was not surprised when 37 students ended up on a waiting list for the first offering of Writing for Law Practice. “Students knew they wanted more and needed more legal writing skills to compete,” she said.

Enrollment in Writing for Law Practice is limited to 18 students to ensure a low student-faculty ratio.

A precursor to Washburn Law’s Writing Program that continues to play an integral role in the law school’s writing curriculum is the *Washburn Law Journal*, of which Goering served as editor-in-chief while attending Washburn Law.

Now teaching at her alma mater, Goering has set her sights high for producing a nationally recognized LARW program.

“The next two to three years will be a real watershed for the program,” Goering said.

“My goal is for other law schools to gear their programs toward ours and ask, ‘What’s Washburn doing? Let’s do it Washburn’s way.’ That’s my goal for this program.”

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Students sharpen skills through competitions, journals

Washburn Law Journal is offered to students who have successfully completed their comments and who have written or will write a note, as certified by the managing board of the *Law Journal*. Students who take these courses must enroll in at least one graded hour and may enroll in an additional one or two hours. Students who enroll in two hours may also enroll in one additional graded hour for a total of one to four hours. The *Law Journal* faculty advisor grades performance after consultation with the managing board, based on successful completion of the entire *Law Journal* experience.

GNIP-GNOP Awards

Nine Washburn University School of Law graduates formed The Free Society of GNIP-GNOP in 1947 to recognize the top instructor at the law school. As members dispersed across the country through the years, it became difficult for them to track faculty achievements. Consequently, they redirected their generosity toward the *Washburn Law Journal*.

Each year, the board of editors narrows all of the staff-written papers down to the top three notes and comments and sends them to the GNIP-GNOP members for review. After consultation, the group awards significant cash prizes to the best note and comment each year at the annual awards banquet.

The group's name is derived from its founders' fondness for ping-pong, which spelled backward is gnip-gnop.

John F. Kuether Awards

The Washburn Law Faculty established its own awards for the best note and comment to provide an additional incentive and to recognize successful completion of the students' *Washburn Law Journal* experience. Each year the faculty selects student writers for the awards based on the students' ability to develop and explain an area of the law.

In 1999, the awards were renamed in memory of Professor John F. Kuether, long-time faculty advisor of the *Washburn Law Journal*. Recipients of the Awards have their names engraved on a plaque permanently on display at Washburn University School of Law. The Hinkle Elkouri Law Firm LLC of Wichita, Kan., has established a fund that helps sponsor this award.





John D. Ensley Memorial Award for Excellence in Legal Writing

Washburn Law presents the John D. Ensley Memorial Writing Award semi-annually to the student who writes the top memo in the *Washburn Law Journal* writing competition. The award memorializes John D. Ensley, a 1983 graduate of Washburn Law, whose experience on the *Law Journal* made him a careful practitioner of the craft of legal writing.

Family Law Quarterly

The Family Law Quarterly is a scholarly journal published by the American Bar Association Section of Family Law, which focuses on important and emerging family law issues. Washburn Law students have edited the *Quarterly* since 1992.

In addition to three issues each year, the *Quarterly* publishes an annual review of the changes in family law throughout the fifty states, commonly referred to as the “Law in 50” issue.

The student editors are the heart and soul of the *Quarterly*. It is through their hard work that the *Quarterly* has remained at Washburn Law and has become one of the most cited specialty journals in the United States.

Mentor Program

The stress and uncertainty inherent in the transition from undergraduate studies to law school makes for a tough first-year for law students. Washburn Law recognized the need for first-year law students to connect with others who have had similar experiences and responded by creating the Washburn Law Mentor Program in 2003. The Mentoring Program connects first-year law students with alumni and friends of the law school for discussing issues related to law school and their future career.

First attracting only 20 mentors pooled from a small group of Washburn Law alumni three years ago, the second year of the program attracted enough mentors to assist all students who applied for the program.

“Last year, almost all first-year students signed up and all had mentors,” said Julie Olson, director, Alumni Affairs, who, with Margann Bennett, director, Professional Development, designed the Mentor Program at Washburn Law.

Their goal was to not only assist students in their first year of law studies but to also offer area alumni the opportunity to re-connect with the School of Law. “We saw it as a way to get two important constituents on the same page,” said Bennett.

In June of each year, Bennett and Olson mail letters to potential mentors within close proximity of the law school asking for their participation in the program. The amount of time mentors commit to the students is flexible with the understanding that at least one substantive contact with the assigned student will take place. The program encourages mentors to invite the assigned student to lunch, for an office visit, to a court date and/or to participate in other pertinent learning experiences.

The recent June mailing produced “an overwhelming number of new mentors this year,” according to Bennett.

Morgan Steele, a student who participated in the program last year, at first believed the contacts she made through the program would be the most helpful, but soon realized the one-on-one conversations offered her the most benefit.

“The conversations, advice, and understanding from Max (Halley) and all the other law graduates I spoke with are what have really helped me the most,” Steele said. “The first year can seem a bit overwhelming, especially if you don’t know what kind of law you want to practice, but learning that these successful people had the same struggles made the uncertainties diminish so I could focus more on studying and less on whether I would find a job,” she added.

Steele’s mentor, Dr. Max Halley, ’66, met with Steele at least a dozen times over coffee, lunch or other events such as a Rotary Club luncheon with speaker Governor Kathleen Sebelius and lunch with Justice Larson. Sometimes the meetings included a friend or two of Halley’s, who were law school graduates too.



Morgan Steele

EXPERIENCE

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To participate in the Mentor Program, please complete and return the [Mentor Registration Form](#) on the Washburn Law Web site at <http://washburnlaw.edu/career/mentor/form>

“Last year was my first experience with the Law School Mentor program,” Halley said. “The program seems to me to be a valuable addition to the law school curriculum, since it enables students to obtain additional first-hand views of life in the ‘real world’ after three years of largely academic introduction to the legal profession.”

Halley, who after receiving his law degree at Washburn pursued his medical degree, believes a mentoring program would have served him well while attending law school, and a similar program would have had benefits while immersed in his surgical training.

“The program can establish a sphere of contacts, beyond the immediate mentor, for potential benefits both during and after the school years. Such a program would have been helpful during my time at Washburn Law. It would also have been valuable during my medical school years and subsequent six years’ surgical specialty training,

which provided in-depth exposure to the profession, but largely ignored the practical aspects of life beyond the “ivory” towers,” Halley said.

Halley said he mainly planned, scheduled, and provided opportunities for Steele to interact with his friends and colleagues, graduates of Washburn and other law schools, some in active law practice or in the judiciary, some in other fields, to relate their particular experiences in making choices and developing successful careers.

“Max would ask me if there was anyone I wanted to talk to and try to find someone in a field of my interest to talk to me,” Steele said. They discussed various legal paths they had taken and how they used their law degrees in the banking industry and other professions.

Steele said she was not aware of the Mentor Program prior to her choosing Washburn Law but believes the program gives Washburn Law an edge.

“Had I known about it previously it definitely would have set Washburn apart from other schools,” she said.

Once Olson and Bennett identify the potential mentors and students interested in participating in the program in a given year, they begin the process of pairing mentors and students based on three criteria: career interest or practice area, undergraduate experience and interest, and the “hometown” factor that attempts to pair those from the same city or region.

Two Mentor Program receptions early in the fall semester offer the students and their mentors a chance to meet and exchange ideas. From there it is up to the students and mentors to make the most of the opportunity.

Steele agrees that the Mentor Program is a “two-way street” but students should never pass up the opportunity to spend time with someone who identifies with what you are going through.

“Don’t wait for your mentor to take the first step,” advises Steele. “You will never be successful if you wait for things to happen to you.”

When asked if she would consider being a mentor to a law student in the future, Steele said she would “love to be a mentor” and recalled a conversation she had with an attorney.

“She was telling me stories of lunches she had with practicing attorneys while she was in school and that it is not an obligation or an inconvenience but an investment in the future of the judicial system. Most attorneys can think of someone who helped them in school or in practice. If someone helped you, return the favor and continue investing.”

Dr. Halley looks forward to another year assisting with the Mentor Program.

“Based on this one-year experience, I believe that the Mentor Program is of value to interested students, who in this instance were well represented by the outstanding and articulate K-State graduate assigned to me. The association was a privilege as well as a learning experience for me, the mentor, and hopefully a satisfactory experience for the mentee. I am looking forward to next year’s assignment.”



Max Halley '66