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DISCIPLINE-BUILDING AND DISCIPLINARY VALUES: THOUGHTS ON LEGAL WRITING AT YEAR TWENTY-FIVE OF THE LEGAL WRITING INSTITUTE

J. Christopher Rideout*

What does it mean to speak of legal writing as an academic or professional discipline? This question is one I asked on a sunny fall day in Georgia in November 2009, when a group of legal writing professionals gathered at a Symposium to celebrate the first twenty-five years of the Legal Writing Institute.¹ The question is admittedly broad, and those attending the Symposium answered it themselves, in part and throughout the day, by looking at the role that the Legal Writing Institute has played in the teaching, scholarship, and program design of legal writing professionals. Some of their thoughts are gathered elsewhere in this Volume.

Knowing that others were going to examine areas like teaching and scholarship, I tried to dig a little deeper. This was a humbling exercise, surrounded as I was by a room full of so many talented people, almost all of them long-standing colleagues and old friends. The richness of the occasion reminded me that our discipline of legal writing has grown into a remarkable and unique professional community, one that is as strong and capable as the individuals who belong to it. Those individuals are, in my experience, dedicated, talented, and generous. As a result of this, our legal writing community has thrived. One of the exemplary

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1. See J. Christopher Rideout, *Luncheon Speech*, 61 Mercer L. Rev. 855 (2010). The gathering was held at Mercer Law School, whose Law Review co-sponsored it as a Symposium titled "The Legal Writing Institute: Celebrating 25 Years of Teaching & Scholarship." The gathering also honored Mary Lawrence for her many contributions to the field of legal writing by naming an award for her—the Mary Lawrence Award. I was honored to be its first recipient.

This Article gathers my thoughts from that luncheon speech. As I noted in the introduction to the speech, many thanks go to the organizers and sponsors of the Symposium, including Kristin Gerdy, Pamela Lysaght, David Ritchie, Linda Berger, Dean Daisy Hurst Floyd, and the editorial staff of the *Mercer Law Review*.

individuals in that community has been Mary Lawrence, whom we also gathered to honor that day. A strong community is made up of outstanding individuals, and we marked that by honoring Mary.

Standing in that room, then, I was readily struck by the way in which a professional discipline builds on the talent and energy of the individuals it contains. I think everyone else in the room, reflecting back on the last twenty-five years of legal writing, felt the same. But what else? What else besides our teaching and scholarship, our curriculums and conferences, and our pool of talented colleagues characterizes the nature of legal writing as a discipline? In building our discipline, what have become our disciplinary values? This last question intrigues me the most.

As a way of getting to some of the values of legal writing, I bring up the idea of our “disciplinarity,” because one way of getting at those values is to look at them through this somewhat abstract concept. I also think that our disciplinarity is part of what deserves our celebration as we look back at the past twenty-five years of the Legal Writing Institute. Part of the work of the Institute has been to develop, through the combined efforts of many people, our disciplinarity.

The concept of disciplinarity was first proposed in 1993 in a collection of essays on the same topic.² The collection attempts, through this concept, to get at the essence of what makes any academic endeavor uniquely a discipline—or, from another angle, to get at what makes any discipline a site for disciplinary knowledge.³ I encountered this collection while looking at Lisa Ede’s book, *Situating Composition*,⁴ in which she asks questions about the field of composition studies that are similar to some of my questions about legal writing. There, Ede looks at the disciplinarity of composition studies. For example, Ede asks, what does it mean to talk about the field of composition as a field or discipline? Is composition simply a specialized part of English departments and English studies? Is it defined primarily by its curriculum and course offerings? Is it also a scholarly discipline?⁵

2. *Knowledges: Historical and Critical Studies in Disciplinarity* (Ellen Messer-Davidow et al. eds., U. Press Va. 1993) [hereinafter *Knowledges*].

3. See Ellen Messer-Davidow et al., *Disciplinary Ways of Knowing*, in *Knowledges*, *supra* n. 2, at 1 (introducing the term “disciplinarity”).

4. Lisa Ede, *Situating Composition* (S. Ill. U. Press 2004).

5. *Id.* at 3 (phrasing these questions from the opening inquiry of her book).

The corresponding questions for legal writing are obvious. I asked the first one above: what does it mean to talk about legal writing as a discipline? The others follow. Is legal writing simply a specialized part of law school and legal education, with similar pedagogies and values? Is legal writing primarily defined by its curriculum and course offerings? Is legal writing also a scholarly discipline? In the brief space of my comments here, I cannot fully answer these very large questions, but I hope to offer one way of answering them. If we want to understand legal writing as a discipline, we can do so by looking at our own disciplinary practices.⁶ As legal writing professionals, we are what we do, and in what we do lies the key to those larger answers about the nature of our discipline—including, for me, some of our values.

So over the years, but especially in the last twenty-five, the field of legal writing has not only built itself as a professional and academic discipline, but, in doing so, the field of legal writing has also developed a set of practices that could be said to constitute its disciplinarity. These disciplinary practices form the boundaries—and frontiers—of what we do as legal writing professionals. They “discipline” our discipline, and in doing so, produce the professional world of which we are all a part.⁷ Some of our disciplinary practices are readily apparent, and we engage in them almost every working day.

For example, most of us would call ourselves teachers, and, in that sense, we are practitioners of our discipline.⁸ What we do as teachers forms part of our disciplinary practices, and thus those practices are defined in part by our pedagogy. We are not, of course, all alike as teachers. Some of us are classroom teachers, while others work as legal writing specialists, either in law school or in law practice settings. We also approach our classroom presentations somewhat differently—some of us in ways that could be called mainstream to legal writing, but others of us in ways that are somewhat different or even heterodox. We spend time at academic conferences talking about our teaching itself, another disciplinary practice that in turn helps to define our very teaching

6. See *id.* at 127 (Ede uses the term “situated practices,” while I prefer “disciplinary practices.” The Author borrows her term from a larger body of work on the pragmatic understanding of theory as situated practice).

7. *Knowledges*, *supra* n. 2, at vii.

8. See *id.* (noting the importance of practitioners’ contributions to the development of a discipline).

practices as being mainstream or otherwise. And to some extent, we have hierarchies as practitioners, delineated in various ways—for example, whether we are experienced teachers of legal writing or newcomers to the field, or by our administrative roles within our respective legal writing programs. Our discipline, and its disciplinary practices, is defined by what we do as practitioners within it.

As practitioners, we also produce—both words and things—and, in so doing, define another important part of our disciplinary practices. In producing, it could be said that we create value, with varying economies to that value.⁹ We produce when we sponsor academic conferences and workshops—regional, national, and international—and make countless presentations at those conferences. Many of those presentations lead to articles that we then publish—often in our own journals. We produce textbooks and other teaching materials, which we rely on as classroom practitioners. We also produce reference materials for the legal profession. In addition, our practices produce jobs, ranging from adjunct lecturers to tenured full professors. Finally, we have created professional legal writing organizations, including the Legal Writing Institute, the Association of Legal Writing Directors, the legal writing section of the Association of American Law Schools, and Scribes. Through those organizations, we sponsor programs that help us with the professional obligations of our jobs, including administering workshops for beginning teachers, authoring research and travel grants, or hosting workshops on producing scholarly writing. And also through these organizations, we sponsor newsletters and journals for our profession.¹⁰

In the sequence that I have been pursuing so far—disciplinarity in general, defined through its practitioners and by the production of value—I have been following the defining features of a discipline as described in the collection of essays on disciplinarity that I mentioned earlier. The fourth defining feature in that collection is listed as the idea of progress within a discipline,¹¹ but here I depart. Progress, a feature that we can certainly

9. *Id.*

10. Including *The Second Draft*; the newsletter from the Legal Writing, Reasoning and Research Section of the Association of American Law Schools; *Legal Writing: The Journal of the Legal Writing Institute*; *J. ALWD: Journal of the Association of Legal Writing Directors*; and the *Scribes Journal of Legal Writing*.

11. *Id.* at viii.

claim as emerging from our own disciplinary practices within legal writing, is, for me, a value—one value among several—and so, I would broaden this fourth defining feature to that of disciplinary values. Given that these remarks are occasioned by a luncheon address, with the accompanying constraints of time and space, I am going to invoke the privilege of chasing to the end.¹² I want to look at two examples of our disciplinary practices and pull out the values that I see embedded within those practices.¹³ Of the many observations that we could make about our disciplinary practices, I want to celebrate some of the disciplinary values that I find in what we do, using these two examples as a guide.

Both of the examples I will discuss emerge from recent activities among legal writing professionals. The first regards the writing of issue statements for briefs or for office memoranda.¹⁴

None of us invented, in recent history, the practice of using issue statements in legal documents, but we have all grappled with them. My personal memory of this goes back to the early 1980s, when the form of issue statements seemed to be a given. An issue statement was one sentence long, and it began with the word “whether.” I worked with countless law students who struggled to get the essential information into that single sentence, but the convention went largely unchallenged. Rather, the burning question at that time seemed to be whether an issue statement should have a question mark at the end. On the one

12. Given those constraints of time and space, I am taking the short way to disciplinary values, by looking below at examples of disciplinary practices. A longer way lies through the language practices located within those disciplinary practices, language practices making more visible the underlying epistemologies and ideologies that compose those disciplinary values. Elizabeth Mertz has offered this kind of investigation for law school practices in general, although not specifically for legal writing, in her book, *The Language of Law School* (Oxford U. Press 2007). Another route lies through genre analysis, genres being viewed not only textually, but also as sites for the social and contextual dimensions of specific language practices. See John Swales, *Genre Analysis: English in Academic and Research Settings* (Cambridge U. Press 1990); Carol Berkenkotter & Thomas N. Huckin, *Genre Knowledge in Disciplinary Communication* (Lawrence Erlbaum Assocs. 1995).

13. I do not intend my investigation to be exclusive. There are, of course, many other practices within the discipline of legal writing, and within those other disciplinary practices that are no doubt other values. I hope, with these remarks, to start us thinking and talking about some of the values that are embedded within our profession.

14. I start with this example because in the fall of 2009, just before the Symposium mentioned above, the Legal Writing Institute Discussion List contained a thread on whether multiple sentence issue statements are desirable, or whether issue statements should be limited to one sentence. The thread started on October 20, 2009, when Claire C. Robinson May asked for examples of multiple-sentence issue statements for a research memo.

hand, because an issue statement began with “whether,” it asked a question. On the other hand, again because of the use of the word “whether,” it was an incomplete thought—a sentence fragment. Could a sentence fragment be dignified with end punctuation?¹⁵

A year or two later (the mid-1980s), I can recall sitting in a classroom with Laurel Oates and Jill Ramsfield, where we were conducting our annual August instructor training. The topic was how to teach issue statements, and I remember, quite clearly, Jill writing on the board the structure of the “under-does-when” paradigm. This paradigm seemed very teachable, and we quickly adopted it. Among other things, it avoided the archaic-sounding “whether” and resolved the question of the question mark. The paradigm was also instructional since its very form guided the necessary content: the relevant law for “under,” the specific legal question for “does,” and the supporting facts for “when.” Finally, the syntactic structure of the paradigm provided a way of writing a fairly long sentence that stood a strong chance of being readable.

The “under-does-when” paradigm made issue statements more teachable, but it still did not challenge the convention that issue statements be one sentence long. The one-sentence convention, alas, could still produce issue statements that were difficult to read, and many writers (especially students) still chafed at it. Some legal writing teachers experimented with teaching multiple-sentence issue statements, but these often produced issue statements that resembled long paragraphs. In my opinion, Bryan Garner helped with the breakthrough, in his article on “deep issues.”¹⁶ Garner labeled the traditional conventions for issue statements—that is, start them with “whether” and keep them one sentence long—as “hogwash”¹⁷ and advocated a new convention: issue statements (and questions presented) should consist of separate sentences, contain no more than seventy-five words, end with a question mark, incorporate enough detail to convey a story,

15. Fortunately, we did not spend too much time worrying about this small question. On the other hand, forums like the Legal Writing Institute Discussion List did not exist then for asking questions like this, primarily because the internet did not exist (at least in a form available to the public). If it had, perhaps we would have answered the question.

16. Bryan A. Garner, *The Deep Issue: A New Approach to Framing Legal Questions*, 5 *Scribes J. Leg. Writing* 1 (1994–1995).

17. *Id.* at 1.

and be simple enough for a non-lawyer to understand.¹⁸ Garner encouraged the “deep issue” format because, in addition to being more readable, it resulted in an issue statement that was concrete and summed up the case with sufficient information.¹⁹ He recommended the format not only for office memoranda,²⁰ but also for briefs²¹ and judicial opinions.²²

More recently, Judith Fischer has offered an empirical study of issue statements and their framing in persuasive briefs.²³ Fischer looked at issue statements as they are written in practice, examining briefs submitted to the highest courts of six states.²⁴ Not surprisingly, she found considerable variation among these briefs, but she was also able to draw some conclusions about the effectiveness of certain practices.²⁵ Among her conclusions, she noted that her study revealed that clarity was one of the most important attributes of a well-written issue statement,²⁶ and that brevity came in “a close second.”²⁷ She found that single-sentence issue statements still prevailed in practice, but asserted that issue statements beginning with “whether” were declarative statements and authors should eliminate the concluding question mark.²⁸ She also observed that the multi-sentence deep issue format was gaining adherents, although still not widespread.²⁹ Like Garner, she emphasized the importance of drafting issue statements in a thoughtful and careful manner.³⁰

Legal writing consists of many well-established conventions—some of them desirable and some of them outdated and unhelpful. Challenging such conventions takes time, and an emerging consensus among practitioners concludes that the alternatives are useful. Hence the continuation last fall, on the Legal Writing In-

18. *Id.* (placing issue statements at the beginning of the document, rather than after the statement of facts).

19. *Id.* at 2.

20. *Id.* at 3.

21. *Id.* at 5.

22. *Id.* at 8.

23. See Judith D. Fischer, *Got Issues? An Empirical Study about Framing Them*, 6 J. ALWD 1 (2009).

24. *Id.* at 4.

25. *Id.* at 25.

26. *Id.*

27. *Id.* at 26.

28. *Id.*

29. *Id.*

30. *Id.* at 25.

stitute Discussion List, of the question of multi-sentence issue statements. The responses to the initial query on the discussion list composed a brief history of recent thinking about issue statements, including reference to the “under-does-when format,”³¹ to the deep-issue format,³² and to Judith Fischer’s recent empirical study.³³ Many of those posting on the discussion list reported that they had successfully begun teaching the deep issue, or multi-sentence, format.³⁴

One contributor offered the Question Presented from the Respondent’s Brief in *Miranda* as an example that he often uses in class of a poorly drafted Question Presented.³⁵ He then posted the Question Presented from the Petitioner’s Brief, offering it as a better example:

Whether the confession of a poorly educated, mentally abnormal, indigent defendant, not told of his right to counsel, taken while he is in police custody and without the assistance of counsel, which was not requested, can be admitted into evidence over specific objection based on the absence of counsel?³⁶

This example is a one-sentence issue beginning with “whether,” which prompted another contributor to rewrite it into a multi-sentence issue:

Ernesto Miranda is a poorly-educated, mentally abnormal indigent. Police officers took him into custody and interrogated him. He did not request counsel and made a confession. Can the confession be admitted into evidence when his counsel specifically objected that the police had not made Miranda aware that he had a right to counsel?³⁷

This poster offered the humble conclusion that the revised, four-sentence version of the issue was clearer.

31. Posting to the Legal Writing Institute listserv by Sue Liemer on Oct. 20, 2009.

32. Posting to the Legal Writing Institute listserv by Allison Cato on Oct. 20, 2009.

33. Posting to the Legal Writing Institute listserv by Judith Fischer on Oct. 20, 2009.

34. In addition to the posting by Allison Cato, see e.g., postings to the Legal Writing Institute listserv by Adrienne Brungess on Oct. 20, 2009; Tonya Kowalski on Oct. 20, 2009; and Kathryn Fehrman on Oct. 20, 2009.

35. Posting to the Legal Writing Institute listserv by Kevin R. Eberle on Oct. 29, 2009.

36. Posting to the Legal Writing Institute listserv by Kevin R. Eberle on Oct. 29, 2009.

37. Posting to the Legal Writing Institute listserv by Louis Sirico on Oct. 30, 2009.

I recount this brief history and discussion, not to resolve the question of formats, but rather as a simple example of one recent disciplinary practice among legal writing professionals. And within that practice, I see at least two embedded values. First, we are looking for ways of drafting issue statements (and questions presented) that are clear and readable while still capturing the essence of the legal question. In doing so, we seem willing to challenge older practices that are outdated or unhelpful. One value, then, is that we are professionally progressive. We are looking for ways to improve the way the legal profession writes. Second, because most of us are teachers, we are also looking for ways to help students draft successful issue statements and questions presented. Sometimes this results in simple classroom tips and structuring devices, like the “under-does-when” format. A second value, then, is that we are pedagogically innovative. The two values even seem to go hand in hand. One way to be professionally progressive is to also be pedagogically innovative—to find ways of helping law students master good legal writing that, in turn, will spread to the profession at large.

I do not think that these are the only two values embedded in what we do, however, and so I will turn to a second example of a recent disciplinary practice among legal writing professionals: the movement within the Legal Writing Institute to explore and advocate for applied legal storytelling. As Ruth Anne Robbins recounts the story, the applied legal storytelling movement dates to a conference on the “Power of Stories,” held at the University of Gloucester in 2005.³⁸ One of the panelists there appealed to his audience for ways to help his students better understand the value of narrative in the practice of law.³⁹ That appeal led directly to the idea of a conference dedicated to applied legal storytelling, and two have been held to date. The first, “Once Upon a Legal Time: Developing the Skills of Storytelling in Law,” was co-sponsored by the Legal Writing Institute and City Law School/Gray’s Inn of Court and took place in London in July of 2007. The second, “Chapter Two: Once upon a Legal Story,” also

38. Ruth Anne Robbins, *An Introduction to Applied Storytelling and to This Symposium*, 14 *Leg. Writing* 3, 4 (2008).

39. *Id.* at 4–5 (the panelist was Robert McPeake).

sponsored by the Legal Writing Institute, took place in Portland, Oregon, in July 2009.⁴⁰

In the course of planning these two conferences, the organizers had to define what they meant by applied legal storytelling and, in particular, they had to carve out the relationship between applied legal storytelling and the existing law and literature movement.⁴¹ The word “applied” seemed to guide them, as they looked for proposals that addressed the uses of stories in legal pedagogy and law practice.⁴² That rubric still allowed for a wide variety of papers at the first conference—from the uses of stories in clinical settings, to the uses of stories to teach Australian tax law or American banking law, to the uses of stories in sentencing in the Australian aboriginal court system.⁴³ This breadth continued into the second conference, in 2009, as a sampling of the paper titles from that conference reveals (with my own added categorizations):⁴⁴

Theoretical:

“The Science of Storytelling”;⁴⁵

Empirical:

“An Empirical Study of Storytelling in Appellate Brief Writing”;⁴⁶

Practice-based:

“Lawyer as Storyteller: The Role of Empathy and Compassion in Telling Effective Client Stories”;⁴⁷

Pedagogical:

40. The first conference resulted in a symposium volume in *14 Legal Writing: The Journal of the Legal Writing Institute*, published in 2008.

41. *Id.* at 8.

42. *Id.*

43. *Id.*

44. See Conf. Sched., *Applied Legal Storytelling Conference—Chapter Two: Once Upon a Legal Story Agenda* (Portland, Or., July 22–24, 2009) (available at <http://lawlib.lclark.edu/podcast/?format=print&p=1712>).

45. Presented by Ruth Anne Robbins, Rutgers School of Law, and Steve Johansen, Lewis and Clark Law School.

46. Presented by Kenneth Chestek, Indiana University School of Law—Indianapolis.

47. Presented by Kristin Gerdy, Brigham Young University J. Reuben Clark Law School.

“Telling the Client’s Story Effectively: A Model for Direct Examination Preparation for Law Clinic Students”;⁴⁸ and

Storytelling:

“Post-Disaster Narrative & Litigation: Reflections on Storytelling and Social Justice from the Gulf Coast.”⁴⁹

I find it significant that a conference sponsored by the Legal Writing Institute contains papers like these, for they enlarge the scope of how legal writing professionals view what they do and they bring in other perspectives—whether theoretical or practice-based and whether local or global. They enlarge our disciplinary practices. In doing so, they also represent embedded values in what we do; two of them I have already noted, plus two more.

First, these practices are, again, professionally progressive. Although legal argumentation is commonly seen as driven by logic or rhetoric, stories (or narrative structures) are also cognitive and rhetorical instruments and are an important part of legal persuasion, as many of the papers from the Applied Legal Storytelling conferences have demonstrated.⁵⁰ Two of the stated goals of the organizers of the first conference were to improve the law—for example, by including the stories of outsiders⁵¹—and to improve lawyering—not only by demonstrating the place of storytelling in legal persuasion, but also by showing how to use storytelling in, for example, cross-examination or in negotiation.⁵² One presentation at the first conference, by Marianne Wesson, directly challenged existing law.⁵³ Looking at an 1892 Supreme Court case on an exception to the hearsay rule,⁵⁴ Professor Wesson used storytelling analysis to question convincingly the reliability of statements of future intentions.⁵⁵

Second, these practices are, again, pedagogically innovative. In fact, a primary stated goal of the Applied Legal Storytelling

48. Presented by Angela McCaffrey, Hamline University School of Law.

49. Presented by Davida Finger, Loyola University College of Law, New Orleans.

50. Robbins, *supra* n. 38, at 6.

51. Brian J. Foley, *Applied Legal Storytelling, Politics, and Factual Realism*, 14 Leg. Writing 17, 21 (2008).

52. *Id.* at 26–27.

53. Marianne Wesson, Presentation, *The Hillmon Case* (London, U.K., July 19, 2007); see also Foley, *supra* n. 51, at 23.

54. *Mutual Life Ins. Co. of New York v. Hillmon*, 145 U.S. 285 (1892).

55. Foley, *supra* n. 51, at 24–25.

conferences is to improve law school teaching by demonstrating the place of storytelling in the law—not only in legal writing courses, where persuasion is commonly taught and where applied storytelling naturally fits, but also in clinics and casebook courses.⁵⁶ Brian Foley argues that teaching legal storytelling can help train law students with what he calls “factual realism,” sensitivity to the importance of facts in the overall task of lawyering.⁵⁷ In doing so, legal storytelling can also help to bridge “the great fact-law divide” that he sees between law school casebook courses and law school skills courses.⁵⁸ Teaching storytelling can instruct students on how to address the difficulties of factual indeterminacy in law practice, something at which legal education often falls short.

In addition to being professionally progressive and pedagogically innovative, I note two other values in the disciplinary practices of the Applied Legal Storytelling movement. The first of these is what I would call interpretive and hermeneutic. Many of the papers and articles that have thus far emerged from the movement offer theoretical or analytical frameworks for understanding how storytelling works both in the law and in law school pedagogy, as well as revealing underlying narrative structures or hidden themes within law’s stories. Ruth Anne Robbins, in considering whether Applied Legal Storytelling is a part of the Law and Literature movement or is its own parallel movement, points out that this theoretical aspect of the movement is related to treatments of the law as an ethical discourse and to treatments of the law as a language.⁵⁹

And finally, I would observe that our disciplinary practices are, at times, reformist or political. Brian Foley argues this directly for the Applied Legal Storytelling movement,⁶⁰ again using the relationship between factual realism and applied storytelling as a basis for pointing out the need for a shift in the pedagogy of law schools.⁶¹ Noting that he is in part acting as a provocateur,

56. *Id.* at 27–28.

57. *Id.* at 34–35.

58. *Id.* at 34.

59. Robbins, *supra* n. 38, at 9–10.

60. He does spend some time discussing the possible disadvantages associated with using the term “political,” although he is unwilling to completely disavow the term. Foley, *supra* n. 51, at 17–19.

61. *Id.* at 42.

he asserts that greater attention to factual realism can change both legal education and the law itself and that “[Applied Legal Storytelling] can be at the forefront of this (r)evolution.”⁶²

Here, then, are four values that I see within our discipline: professionally progressive; pedagogically innovative; occasionally interpretive and hermeneutic; and, at times, political and reformist. I can identify these values within just two examples of our disciplinary practices. I am confident that you could offer many other examples of what we do that would also contain these values. And I am equally confident that my list is not exclusive and that you could identify other values.⁶³ The point of these remarks has been to offer one way of thinking about what we have been doing for at least the last twenty-five years, as legal writing has grown not only as a professional community but as a discipline. We have been creating disciplinary values.

This takes me back to the beginning. Since 1985, many talented and valuable legal writing professionals have joined our ranks, in part because many law schools have added or have enhanced their legal writing programs and, in part, because we are a professional community worth joining. We have not only built this professional community, but also have proudly constructed a discipline. We have enhanced our legal writing programs and curriculums. We have developed many ideas for teaching within those programs and shared those ideas with each other. And we have produced scholarship—from papers that we deliver at conferences to articles and books that we publish. We have, in short, built a discipline, one that we can be proud of. And in the process of building that discipline, we have engaged in disciplinary practices that could be labeled progress, although I prefer to break that notion of disciplinary progress down into some of its underlying values. At the twenty-five-year mark of the Legal Writing Institute, we should allow ourselves to celebrate our discipline—and its values—for a moment.

I hope you feel about this the way I do. Then get back to work. I’m looking forward to the next twenty-five years.

62. *Id.* at 45. I should add that, within legal writing, it is easy to point to other disciplinary practices as well that could be called political or reformist, but I am confining myself to the two examples here.

63. I hope you think about this and add to the list. That is part of the point of these comments—to encourage us to think and talk about this.

