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Applied Legal Storytelling

A Bibliography

J. Christopher Rideout*

I. Introduction

This article contains a bibliography on the movement commonly known as Applied Legal Storytelling.¹ The movement is largely, although not wholly, identified with a series of academic conferences,² and its starting date is difficult to pinpoint precisely. Some might say it began with the striking of a large wooden staff on a stone floor.

On the evening of July 20, 2007, a group of legal academics assembled in the historic Old Hall at Lincoln's Inn, in the center of London, for a glass of wine and a formal dinner. They had come from the U.S., the U.K., and a handful of other countries to attend a conference on Applied Legal Storytelling at the City Law School, not far away at Gray's Inn. The evening marked the culmination of the conference,³ and everyone in the room was somewhat spellbound. The conference had sparked an ongoing and lively conversation about the uses of storytelling in the law, and the ancient, timbered ceiling and the historical portraits on the stone walls added to what seemed the import of the moment. Ideas were flowing and the room had a buzz, to such an extent that the steward of the Old Hall

* Professor of Lawyering Skills, Seattle University School of Law. The author thanks those who helped him with this bibliography, including Ruth Anne Robbins, Steve Johansen, Ken Chestek, Sue Provenzano, and Erika Rackley. They generously shared their own bibliographic work or cheerfully responded to his pestering emails. He also thanks the many people who corresponded with him during the summer of 2014 about the project, almost always with a pleasant note, and most of whom who are represented in this bibliography.

¹ See Ruth Anne Robbins, *An Introduction to Applied Legal Storytelling and to This Symposium*, 14 LEGAL WRITING 3 (2008).

² The first conference was held from July 18–20, 2007, at the City Law School, City University, in London, United Kingdom. The conferences have since been held biennially: at Lewis and Clark School of Law in Portland, Oregon, in 2009; Denver University in 2011; and City University again in London in 2013. The fifth biennial conference is scheduled to be held at Seattle University in July 2015. All of the conferences have been co-sponsored by the Legal Writing Institute and the Clinical Legal Education Association.

³ The organizers of this originating conference were Robert McPeake, Erika Rackley, Ruth Anne Robbins, Steve Johansen, and Brian Foley.

had to strike his staff on the floor to get the attention of the group. One member⁴ then read out loud from the opening to Charles Dickens's *Bleak House*,⁵ fittingly set in that very hall, and the group sat down to dinner and more conversation. Talk arose of publishing some of the conference presentations as law-review articles. Applied Legal Storytelling as a visible movement was underway.

II. Applied Legal Storytelling

Those interested in Applied Legal Storytelling examine the use of stories—and of storytelling or narrative elements—in law practice, in law-school pedagogy, and within the law generally. Not surprisingly, they often teach either in legal writing programs or in law-school clinics.

In the introduction to a symposium that followed the 2007 conference mentioned above, Ruth Anne Robbins wrestles with the definition of Applied Legal Storytelling.⁶ She ties it to the practical aspects of lawyering—“storytelling is the backbone of the all-important theory of the case, which is the essence of all good lawyering”⁷—and suggests that Applied Legal Storytelling also promotes the incorporation of storytelling into the pedagogy of lawyering skills.⁸ Brian Foley, another organizer of the 2007 conference, underscores the notion that the movement is applied and that storytelling has fundamental uses in the practice of law.⁹

But Robbins and Foley both acknowledge other efforts to understand the role of narrative and storytelling in the law and in legal discourse. Robbins, in particular, notes that the Applied Legal Storytelling movement shares common ground with the Law and Literature movement, even as she senses that the two also differ in some ways.¹⁰ Both movements share an interest in the theories that underlie legal storytelling—for example narrative, rhetorical, or semiotic;¹¹ in the ethical implications of legal storytelling;¹² and in the presence of legal themes in literary works—a

4 Erika Rackley, Professor of Law, Durham Law School, Durham University, Durham, England.

5 CHARLES DICKENS, *BLEAK HOUSE* (Oxford 1998) (1853).

6 Robbins, *supra* n. 1, at 13–14.

7 *Id.* at 3.

8 *Id.* at 12.

9 Brian J. Foley, *Applied Legal Storytelling, Politics, and Factual Realism*, 14 *LEGAL WRITING* 20 (2008). A later contributor notes that Applied Legal Storytelling “aspires to be concrete, accessible, and useful to lawyers, judges, and students.” Derek H. Kiernan-Johnson, *A Shift to Narrativity*, 9 *LEGAL COMM. & RHETORIC: JALWD* 81, 87 (2012).

10 Robbins, *supra* n. 1, at 12.

11 *Id.* at 10.

12 *Id.* at 9.

central concern of Law and Literature.¹³ In doing so, she implicitly acknowledges that the initial definition of Applied Legal Storytelling could be enlarged beyond its purported focus on law practice. And the conference presentations and articles that have emerged since 2007 partially confirm her suspicion.

Both Robbins and Foley also wisely stop short of offering a definitive description of Applied Legal Storytelling. Robbins looks to the conferences that will follow the 2007 conference, as well as to the accompanying scholarship, for her claim that the definition could grow as the movement grows.¹⁴ Foley, like Robbins, sees the movement as too young to define.¹⁵ This article makes no attempt at that definitive description, but it does offer a listing of the scholarship on Applied Legal Storytelling that has followed since 2007. The bibliography will show that Applied Legal Storytelling now has many branches.

Finally, any discussion of the Applied Legal Storytelling movement must acknowledge the broader turn in legal scholarship toward narratives and storytelling in the law, beginning at least as far back as the 1970s. The publication of James Boyd White's *The Legal Imagination* in 1973 is often cited as a starting point.¹⁶ White's work is often identified with the Law and Literature movement, but in 1981 another pair of scholars, Lance Bennett and Martha Feldman, looked in a different direction—at the role of stories in trial practice, in *Reconstructing Reality in the Courtroom*.¹⁷ In 1989, the Michigan Law Review devoted an entire issue to legal storytelling, offering a scholarly approach to narratives and the law.¹⁸ Both Patricia Williams and Richard Delgado began using storytelling in discussions of critical race theory.¹⁹ Peter Brooks and Paul Gewirtz assembled an important collection of essays on law's stories.²⁰ And Anthony Amsterdam and Jerome Bruner dug deeply into narratives in the law in two of the chapters in their treatise *Minding the Law*.²¹ All of these works make significant contributions to the legal scholarship on narratives

13 *Id.* at 10.

14 *Id.* at 14.

15 Foley, *supra* n. 9, at 52.

16 JAMES BOYD WHITE, *THE LEGAL IMAGINATION* (1973). See also Chapter 8, "Telling Stories in the Law and in Ordinary Life," in White's *Heracles' Bow: Essays on the Rhetoric and Poetics of the Law* (1985).

17 W. LANCE BENNETT & MARTHA S. FELDMAN, *RECONSTRUCTING REALITY IN THE COURTROOM JUSTICE AND JUDGMENT IN AMERICAN CULTURE* (1981).

18 87 MICHIGAN L. REV. 2073 (1989).

19 PATRICIA J. WILLIAMS, *THE ALCHEMY OF RACE AND RIGHTS* (1992); Richard Delgado, *Storytelling for Oppositionists and Others*, 87 MICHIGAN L. REV. 2411 (1989).

20 See PETER BROOKS & PAUL GEWIRTZ, *LAW'S STORIES: NARRATIVE AND RHETORIC IN THE LAW* (1998).

21 See chapters 4 and 5 of Anthony G. Amsterdam & Jerome Bruner, *Minding the Law* (2000).

and storytelling in the law. But for the purposes of this bibliography, they and the scholarly trends that they represent lie outside the Applied Legal Storytelling movement as it has been defined thus far.²²

II. Structure of the Bibliography on Applied Legal Storytelling

This bibliography uses the biennial conferences on Applied Legal Storytelling as the center of gravity for its listing of articles and books. Many of the articles began as a paper or presentation at an Applied Legal Storytelling conference. But the bibliography also reaches beyond those articles because the list of publications on Applied Legal Storytelling can fairly be described as somewhat broader than those emerging from the conferences alone.

For that reason, the bibliography first lists articles that predate the 2007 conference, but that could be called precursors to Applied Legal Storytelling. This first section is selective, and no doubt other articles might arguably belong in it. But because the bibliography in general focuses on work that has emerged from the Applied Legal Storytelling conferences, this section has been kept in check. It contains articles that represent earlier efforts to apply storytelling to law and law practice (as opposed to articles that offer more general discussions of narrative and the law); articles that have often been mentioned as precursors to applied legal storytelling, either at the applied legal storytelling conferences or in the articles that have emerged from those conferences; and in a few cases, articles that have been directly suggested as belonging in the bibliography.²³

Next, the bibliography lists articles on Applied Legal Storytelling from 2007 to the present.²⁴ The overwhelming majority of these articles began as presentations at one of the Applied Legal Storytelling conferences, and the sheer number of them points to the liveliness of the academic conversations that these conferences have triggered.²⁵ The articles in this section are not subcategorized within the bibliography itself,²⁶ but a number of different emphases emerge. Here is a quick overview.



22 In a recent book, Philip Meyer comments on the distance between the interests of legal academics in narrative and the interests of practitioners and law students in storytelling. See PHILIP N. MEYER, *STORYTELLING FOR LAWYERS* 204–05 (2014).

23 See *infra* notes 61–65 and accompanying text (discussing “methodology” of this bibliography).

24 December 2014.

25 By my count, ninety-five articles.

26 Some of the articles, for example, could easily belong to more than one subcategory—an inevitable classification problem for a group of articles as diverse as this one.

A. Application of Fiction-Writing Techniques to Storytelling in Law Practice

These articles take the phrase “applied legal storytelling” literally and address the original topic most centrally. Early examples would be Brian J. Foley and Ruth Anne Robbins, *Fiction 101: A Primer for Lawyers on How to Use Fiction Writing Techniques to Write Persuasive Facts Sections*,²⁷ or Philip N. Meyer, *Vignettes from a Narrative Primer*.²⁸ A more recent example is Cathren Koehlert-Page, *Come a Little Closer So I Can See You My Pretty: The Use and Limits of Fiction Techniques for Establishing an Empathetic Point of View in Appellate Briefs*.²⁹

B. The Uses of Storytelling in Law Practice

These articles show how storytelling more generally (as opposed to specific fiction-writing techniques) can be used in law practice. Some examples include Kenneth D. Chestek, *Judging by the Numbers: An Empirical Study of the Power of Story*,³⁰ Elizabeth Fajans and Mary R. Falk, *Untold Stories: Restoring Narrative to Pleading Practice*,³¹ and Karen J. Sneddon, *The Will as Personal Narrative*.³²

C. The Uses of Storytelling in Legal Pedagogy

These articles discuss the uses of storytelling in legal pedagogy. Some examples include Stefan H. Krieger and Serge A. Martinez, *A Tale of Election Day 2008: Teaching Storytelling Through Repeated Experiences*,³³ Robert McPeake, *Fitting Stories into Professional Legal Education—The Missing Ingredient*,³⁴ and Laurie Shanks, *Whose Story Is It, Anyway?—Guiding Students to Client-Centered Interviewing Through Storytelling*.³⁵

D. The Uses of Storytelling in Legal Scholarship

These articles discuss the uses of storytelling in legal scholarship. Some examples are Philip N. Meyer, *Will You Please Be Quiet, Please? Lawyers Listening to the Call of Stories*,³⁶ and Nancy Levit, *Reshaping the Narrative Debate*.³⁷

27 32 RUTGERS L.J. 459 (2001).

28 12 LEGAL WRITING 229 (2006).

29 80 UMKC L. REV. 399 (2011).

30 7 J. ALWD 1 (2010).

31 15 LEGAL WRITING 3 (2009).

32 20 ELDER L.J. 355 (2013).

33 16 LEGAL WRITING 117 (2010).

34 41 LAW TEACHER: INT’L J. LEGAL EDUC. 303 (2007).

35 14 CLINICAL L. REV. 509 (2008).

36 18 VT. L. REV. 567 (1994).

37 34 SEATTLE U. L. REV. 751 (2011).

E. Law's Stories

Some articles discuss stories in the law, whether historical or contemporary—or mythic. A few examples include Louis J. Sirico, Jr., *Benjamin Franklin, Prayer, and the Constitutional Convention: History as Narrative*;³⁸ Mary Ellen Maatman, *Justice Formation from Generation to Generation: Atticus Finch and the Stories Lawyers Tell Their Children*;³⁹ Erika Rackley, *Judicial Diversity, the Woman Judge and Fairy Tale Endings*;⁴⁰ Jessica Mayo, *Court-Mandated Story Time: The Victim Narrative in U.S. Asylum Law*;⁴¹ and Linda H. Edwards, *Once Upon a Time in Law: Myth, Metaphor, and Authority*.⁴²

F. Narrative Theory and Legal Storytelling

Some articles use narrative theory to analyze legal storytelling and, in turn, its uses. See, for example, J. Christopher Rideout, *Storytelling, Narrative Rationality, and Legal Persuasion*,⁴³ or Anne E. Ralph, *Not the Same Old Story: Using Narrative Theory to Understand and Overcome the Plausibility Pleading Standard*.⁴⁴

G. Psychology, Cognitive Science, and Legal Storytelling

Some articles explore the connection between cognitive science and legal storytelling. Examples include Lea B. Vaughn, *Feeling at Home: Law, Cognitive Science, and Narrative*,⁴⁵ and Lucille A. Jewel, *Through a Glass Darkly: Using Brain Science and Visual Rhetoric to Gain a Professional Perspective on Visual Advocacy*.⁴⁶

H. Legal Storytelling and Metaphor

Applied Legal Storytelling conferences have often included presentations on metaphor, as a few articles reveal, for example Linda L. Berger, *How Embedded Knowledge Structures Affect Judicial Decision Making: A Rhetorical Analysis of Metaphor, Narrative, and Imagination in Child Custody Disputes*,⁴⁷ and Julie A. Oseid, *The Power of Metaphor: Thomas Jefferson's "Wall of Separation between Church and State"*.⁴⁸

38 10 LEGAL COMM. & RHETORIC: JALWD 89 (2013).

39 14 LEGAL WRITING 207 (2008).

40 27 LEGAL STUD. 74 (2007).

41 89 WASH. U. L. REV. 1485 (2012).

42 77 TENN. L. REV. 883 (2010).

43 14 LEGAL WRITING 53 (2008).

44 26 YALE J.L. & HUMAN. 1 (2014).

45 43 MCGEORGE L. REV. 999 (2012).

46 19 S. CAL. INTERDISC. L.J. 237 (2010).

47 18 S. CAL. INTERDISC. L.J. 259 (2009).

I. Applied Legal Storytelling as a Movement

Some articles discuss Applied Legal Storytelling itself, as a movement. See, for example, Brian J. Foley, *Applied Legal Storytelling, Politics, and Factual Realism*,⁴⁹ or Derek H. Kiernan-Johnson, *A Shift to Narrativity*.⁵⁰

J. Limitations of Legal Storytelling

A few articles investigate the limits of legal storytelling, for example Steven J. Johansen, *Was Colonel Sanders a Terrorist? An Essay on the Ethical Limits of Applied Legal Storytelling*,⁵¹ and Jeanne M. Kaiser, *When the Truth and the Story Collide: What Legal Writers Can Learn from the Experience of Non-Fiction Writers About the Limits of Legal Storytelling*.⁵²

K. Using Storytelling to Broaden Our Understanding of Law and Law Practice

Some articles use legal storytelling as a way of broadening our discussion of what we do in law and law practice, an important conversation that emerges from Applied Legal Storytelling. See, for example, Helena Whalen-Bridge, *The Lost Narrative: The Connection Between Legal Narrative and Legal Ethics*,⁵³ Binny Miller, *Telling Stories about Cases and Clients: The Ethics of Narrative*,⁵⁴ Ian Gallacher, *Thinking Like Nonlawyers: Why Empathy is a Core Lawyering Skill and Why Legal Education Should Change to Reflect Its Importance*,⁵⁵ and Andrea McArdle, *Using a Narrative Lens to Understand Empathy and How It Matters in Judging*.⁵⁶

L. Storytelling in Literature and Law

Despite their alleged distinction from the Law and Literature movement, from the beginning Applied Legal Storytelling conferences have included presentations about law in literature, most amusingly those that later ended up in the collection on *The Law and Harry Potter*.⁵⁷

48 7 J. ALWD 123 (2010).

49 14 LEGAL WRITING 17 (2008).

50 9 LEGAL COMM. & RHETORIC: JALWD 81 (2012).

51 7 J. ALWD 63 (2010).

52 16 LEGAL WRITING 163 (2010).

53 7 J. ALWD 229 (2010).

54 14 GEO. J. LEGAL ETHICS 1 (2000).

55 8 LEGAL COMM. & RHETORIC 109 (2011).

56 9 LEGAL COMM. & RHETORIC: JALWD 173 (2012).

57 THE LAW AND HARRY POTTER (Jeffrey E. Thomas & Franklin G. Snyder, eds., 2010). The following chapters of the book were presented at either the 2007 or 2009 Applied Legal Storytelling conference: Mary Beth Beazley, *Which*

M. Other.

Some articles manage to apply storytelling or narrative in creative ways. Two examples of this are James Parry Eyster, *Lawyer as Artist: Using Significant Moments and Obtuse Objects to Enhance Advocacy*,⁵⁸ and Derek H. Kiernan-Johnson, *Telling Through Type: Typography and Narrative in Legal Briefs*.⁵⁹

Following the section on articles dating from 2007 to the present is a section on books and textbooks that could be included within the Applied Legal Storytelling movement, whether wholly or in part. Some of the books are directly about legal storytelling; others contain chapters or sections on legal storytelling; and one, although not directly about legal storytelling, originated with a presentation at an Applied Legal Storytelling conference and has narrative at its core. Finally, the bibliography ends with a section on articles that mention Applied Legal Storytelling as a subdisciplinary movement.

III. A Quick Note on Methodology

This article began as an effort to accumulate citations to the many publications that have grown out of the first four Applied Legal Storytelling conferences, in preparation for the fifth conference, scheduled for July 2015.⁶⁰ After four conferences, the conversation on Applied Legal Storytelling has been well under way, and a bibliography might offer a means to summarize what had come before, encourage potential presenters for 2015 to take the next step in the conversation, and offer those new to Applied Legal Storytelling a way in. To that end, calls went out on the list serves of the Legal Writing Institute and the Clinical Legal Education Association in June and August of 2014 for people to suggest items for the bibliography. These calls emphasized articles and books that either began as presentations at one of the Applied Legal Storytelling conferences or were inspired by one of the conferences.⁶¹ A number of presentations ended up in one of three journals—*Legal Writing: The*

Spell: Learning to Think Like a Wizard; Eric J. Gouvin, *The Magic of Money and Banking*; Susan P. Liemet, *Bots and Gringotts: Anglo-Saxon Legal References in Harry Potter*; Ruth Anne Robbins, *Harry Potter as Client in a Lawsuit: Utilizing the Archetypal Hero's Journey as Part of a Case Strategy*; Heidi Mandanis Schooner, *Gringotts: The Role of Banks in Harry Potter's Wizarding World*; Aaron Schwabach, *Harry Potter and the Unforgivable Curses*.

⁵⁸ 14 LEGAL WRITING 87 (2008).

⁵⁹ 7 J. ALWD 87 (2010).

⁶⁰ At the Seattle University School of Law, July 21–23, 2015.

⁶¹ But contributors were invited to suggest other bibliographic items besides those that were conference-related.

Journal of the Legal Writing Institute; Legal Communication and Rhetoric: JALWD;⁶² and *The Law Teacher: The International Journal of Legal Education*—each of which at various times also devoted a special issue to articles based on conference presentations.⁶³

But not all of the articles and books relevant to Applied Legal Storytelling originated with the conferences, so the search for bibliographic items was broadened, both in the list-serve calls that went out and through online searches.⁶⁴ For articles that predate the first conference, in 2007, the task also became one of narrowing the articles to those that might best fit the rubric of Applied Legal Storytelling, as discussed above.

Now the bibliography.

IV. Applied Legal Storytelling: Selected Articles Predating 2007

Amsterdam, Anthony G., *Telling Stories and Stories About Them*, 1 *Clinical L. Rev.* 9 (1994).

Edwards, Linda H., *The Convergence of Analogical and Dialectic Imaginations in Legal Discourse*, 20 *Legal Stud. F.* 7 (1996).

Fajans, Elizabeth & Mary R. Falk, *Shooting from the Lip: United States v. Dickerson, Role [Im]morality, and the Ethics of Legal Rhetoric*, 23 *U. Haw. L. Rev.* 1 (2000).

Foley, Brian J. & Ruth Anne Robbins, *Fiction 101: A Primer for Lawyers on How to Use Fiction Writing Techniques to Write Persuasive Facts Sections*, 32 *Rutgers L.J.* 459 (2001).

Grose, Carolyn, *A Persistent Critique: Constructing Clients' Stories*, 12 *Clinical L. Rev.* 329 (2006).

Johansen, Steven J., *This Is Not the Whole Truth: The Ethics of Telling Stories to Clients*, 38 *Ariz. St. L.J.* 961 (2006).

Lopez, Gerald P., *Lay Lawyering*, 32 *UCLA. L. Rev.* 1 (1984).

Lubet, Steven, *Story Framing*, 74 *Temp. L. Rev.* 59 (2001).

62 Previously titled *J. ALWD: Journal of the Association of Legal Writing Directors*.

63 Those special issues are volume 41, number 3, of *The Law Teacher: The International Journal of Legal Education* (2007); volume 14 of *Legal Writing* (2008); volume 7 of *J. ALWD: Journal of the Association of Legal Writing Directors* (2010); and volume 48, number 2, of *The Law Teacher: The International Journal of Legal Education* (2014).

64 Online searches under the term "applied legal storytelling," by the way, revealed many of the articles that began as conference presentations at one of the Applied Legal Storytelling conferences because those authors almost always acknowledged in their initial footnotes that their articles began as a presentation at one of the conferences, always referred to as an Applied Legal Storytelling conference. Future authors might want to take note of this custom, for the ease of anyone compiling an addendum to this bibliography.

- Meyer, Philip N., "*Desperate for Love III*": *Rethinking Closing Arguments as Stories*, 50 S.C. L. Rev. 715 (1999).
- Meyer, Philip N., *Making the Narrative Move: Observations Based Upon Reading Gerry Spence's Closing Arguments in The Estate of Karen Silkwood v. Kerr-McGee, Inc.*, 9 Clinical L. Rev. 229 (2002).
- Meyer, Philip N., *Vignettes from a Narrative Primer*, 12 Legal Writing 229 (2006).
- Meyer, Philip N., *Will You Please Be Quiet, Please? Lawyers Listening to the Call of Stories*, 18 Vt. L. Rev. 567 (1994).
- Miller, Binny, *Telling Stories about Cases and Clients: The Ethics of Narrative*, 14 Geo. J. Legal Ethics 1 (2000).
- Rackley, Erika, *When Hercules Met The Happy Prince: Re-imagining the Judge*, 12 Tex. Wesleyan L. Rev. 213 (2005).
- Robbins, Ruth Anne, *Harry Potter, Ruby Slippers and Merlin: Telling the Client's Story Using the Characters and Paradigm of the Archetypal Hero's Journey*, 29 Seattle U. L. Rev. 767 (2006).
- Sherwin, Richard K., *The Narrative Construction of Legal Reality*, 18 Vt. L. Rev. 681 (1994).
- Spencer, Shaun B., *Dr. King, Bull Connor, and Persuasive Narratives*, 2 J. ALWD 209 (2004).

V. Applied Legal Storytelling: Articles from 2007 to the Present

- Abrams, Paula, *We the People and Other Constitutional Tales: Teaching Constitutional Meaning Through Narrative*, 41 Law Teacher: Int'l J. Legal Educ. 247 (2007).
- Anderson, Helen A., *Changing Fashions in Advocacy: 100 Years of Brief-Writing Advice*, 11 J. App. Prac. & Process 1 (2010).
- Becker, Mary Ann, *What Is Your Favorite Book?: Using Narrative to Teach Theme Development in Persuasive Writing*, 46 Gonz. L. Rev. 575 (2011).
- Berger, Linda L., *How Embedded Knowledge Structures Affect Judicial Decision Making: A Rhetorical Analysis of Metaphor, Narrative, and Imagination in Child Custody Disputes*, 18 S. Cal. Interdisc. L.J. 259 (2009).
- Berger, Linda L., *The Lady, or the Tiger? A Field Guide to Metaphor and Narrative*, 50 Washburn L.J. 275 (2011).

- Berger, Todd A., *A Trial Attorney's Dilemma: How Storytelling as a Trial Strategy Can Impact the Criminal Defendant's Successful Appellate Review*, 4 Drexel L. Rev. 297 (2012).
- Blissenden, Michael, *Using Storytelling as a Teaching Model in a Law School: The Experience in an Australian Context*, 41 Law Teacher: Int'l J. Legal Educ. 260 (2007).
- Boyd, Richard, *Narratives of Sacrificial Expulsion in the Supreme Court's Affirmation of California's "Three Strikes and You're Out" Law*, 11 Legal Comm. & Rhetoric: JALWD 83 (2014).
- Burt, Michael N., *The Importance of Storytelling at All Stages of a Capital Case*, 77 UMKC L. Rev. 877 (2009).
- Caplow, Stacy, *Putting the "I" in Wr*t*ng: Drafting An A/Effective Personal Statement to Tell a Winning Refugee Story*, 14 Legal Writing 249 (2008).
- Chanbonpin, Kim D., *Truth Stories: Credibility Determinations at the Illinois Torture Inquiry and Relief Commission*, 45 Loy. U. Chi. L.J. 1085 (2014).
- Chestek, Kenneth D., *Competing Stories: A Case Study of the Role of Narrative Reasoning in Judicial Decisions*, 9 Legal Comm. & Rhetoric: JALWD 99 (2012).
- Chestek, Kenneth D., *Judging by the Numbers: An Empirical Study of the Power of Story*, 7 J. ALWD 1 (2010).
- Chestek, Kenneth D., *The Plot Thickens: The Appellate Brief as Story*, 14 Legal Writing 127 (2008).
- Ching, Bruce, *Argument, Analogy, and Audience: Using Persuasive Comparisons While Avoiding Unintended Effects*, 7 J. ALWD 311 (2010).
- Ching, Bruce, *Narrative Implications of Evidentiary Rules*, 29 Quinnipiac L. Rev. 971 (2011).
- Collins, Maureen B., *Training the Dragon*: The Use of Voice Recognition Software in the Legal Writing Classroom*, 48 Law Teacher: Int'l J. Legal Educ. 181 (2014).
- De Sanctis, Christy H., *Narrative Reasoning and Analogy: The Untold Story*, 9 Legal Comm. & Rhetoric: JALWD 149 (2012).
- DeVito, Scott, *The Power of Stories and Images in Law School Teaching*, 53 Washburn L.J. 51 (2013).
- Duncan, Nigel, *Editorial*, 41 Law Teacher: Int'l J. Legal Educ., no. 3 (2007).

- Edwards, Linda H., *Once Upon a Time in Law: Myth, Metaphor, and Authority*, 77 *Tenn. L. Rev.* 883 (2010).
- Edwards, Linda H., *Where Do the Prophets Stand?: Hamdi, Myth, and the Master's Tools*, 13 *Conn. Pub. Int. L.J.* 43 (2013).
- Elder, Troy E., *Antagonizing Bogotá*, 40 *U. Miami Inter-Am. L. Rev.* 301 (2009).
- Eyster, James Parry, *Lawyer as Artist: Using Significant Moments and Obtuse Objects to Enhance Advocacy*, 14 *Legal Writing* 87 (2008).
- Fajans, Elizabeth, & Mary R. Falk, *Untold Stories: Restoring Narrative to Pleading Practice*, 15 *Legal Writing* 3 (2009).
- Foley, Brian J., *Applied Legal Storytelling, Politics, and Factual Realism*, 14 *Legal Writing* 17 (2008).
- Foley, Brian J., *Until We Fix the Labs and Fund Criminal Defendants: Fighting Bad Science with Storytelling*, 43 *Tulsa L. Rev.* 397 (2007).
- Gallacher, Ian, *Thinking Like Nonlawyers: Why Empathy is a Core Lawyering Skill and Why Legal Education Should Change to Reflect Its Importance*, 8 *Legal Comm. & Rhetoric: JALWD* 109 (2011).
- Gambert, Iselin M., *Duty to Rescue? Exploring Legal Analysis Through the Lens of Photojournalists' Storytelling Dilemmas*, 48 *Law Teacher: Int'l J. Legal Educ.* 140 (2014).
- Grose, Carolyn, *Storytelling Across the Curriculum: From Margin to Center, from Clinic to the Classroom*, 7 *J. ALWD* 37 (2010).
- Hemingway, Anna P., *The Ethical Obligations of Lawyers, Law Students and Law Professors Telling Stories on Web Logs*, 41 *Law Teacher: Int'l J. Legal Educ.* 287 (2007).
- Higdon, Michael J., *Something Judicious This Way Comes. . . The Use of Foreshadowing as a Persuasive Device in Judicial Narrative*, 44 *U. Rich. L. Rev.* 1213 (2010).
- Holst, Kimberly Y.W., *Non-Traditional Narrative Techniques and Effective Client Advocacy*, 48 *Law Teacher: Int'l J. Legal Educ.* 166 (2014).
- Hurder, Alex J., *Discovering Agreement: Setting Procedural Goals in Legal Negotiation*, 56 *Loy. L. Rev.* 591 (2010).
- Jackson, Margaret Moore, *Confronting "Unwelcomeness" From the Outside: Using Case Theory to Tell the Stories of Sexually-Harassed Women*, 14 *Cardozo J.L. & Gender* 61 (2007).

- Jenoff, Pam, *The Self-Assessed Writer: Harnessing Fiction-Writing Processes to Understand Ourselves as Legal Writers and Maximize Legal Writing Productivity*, 10 Legal Comm. & Rhetoric: JALWD 187 (2013).
- Jewel, Lucille A., *The Bramble Bush of Forking Paths: Digital Narrative, Procedural Rhetoric, and the Law*, 14 Yale J.L. & Tech. 66 (2012).
- Jewel, Lucille A., *Through a Glass Darkly: Using Brain Science and Visual Rhetoric to Gain a Professional Perspective on Visual Advocacy*, 19 S. Cal. Interdisc. L.J. 237 (2010).
- Johansen, Steven J., *Coming Attractions: An Essay on Movie Trailers & Preliminary Statements*, 10 Legal Comm. & Rhetoric: JALWD 41 (2013).
- Johansen, Steven J., *Was Colonel Sanders a Terrorist? An Essay on the Ethical Limits of Applied Legal Storytelling*, 7 J. ALWD 63 (2010).
- Kaiser, Jeanne M., *When the Truth and the Story Collide: What Legal Writers Can Learn from the Experience of Non-Fiction Writers About the Limits of Legal Storytelling*, 16 Legal Writing 163 (2010).
- Katz, Harriet N., *Stories and Students: Mentoring Professional Development*, 60 J. Legal Educ. 675 (2011).
- Keyes, Elizabeth, *Beyond Saints and Sinners: Discretion and the Need for New Narratives in the U.S. Immigration System*, 26 Geo. Immigr. L.J. 207 (2012).
- Kiernan-Johnson, Derek H., *Telling Through Type: Typography and Narrative in Legal Briefs*, 7 J. ALWD 87 (2010).
- Kiernan-Johnson, Derek H., *A Shift to Narrativity*, 9 Legal Comm. & Rhetoric: JALWD 81 (2012).
- Koehlert-Page, Cathren, *Like a Glass Slipper on a Stepsister: How the One Ring Rules Them All at Trial*, 91 Neb. L. Rev. 600 (2013).
- Koehlert-Page, Cathren, *A Look Inside the Butler's Cupboard: How the External World Reveals Internal State of Mind in Legal Narratives*, 69 N.Y.U. Ann. Surv. Am. L. 441 (2013).
- Koehlert-Page, Cathren, *Tell Us a Story, but Don't Make it a Good One: Resolving Confusion Between Emotional Stories and Federal Rule of Evidence 403*, 84 Miss. L.J. __ (2014) (forthcoming).
- Koehlert-Page, Cathren, *Come a Little Closer So I Can See You My Pretty: The Use and Limits of Fiction Technique for Establishing an Empathetic Point of View in Appellate Briefs*, 80 UMKC L. Rev. 399 (2011).

- Krieger, Stefan H. & Serge A. Martinez, *A Tale of Election Day 2008: Teaching Storytelling Through Repeated Experiences*, 16 *Legal Writing* 117 (2010).
- Levit, Nancy, *Reshaping the Narrative Debate*, 34 *Seattle U. L. Rev.* 751 (2011).
- Lewinbuk, Katerina P., *Can Successful Lawyers Think in Different Languages?: Incorporating Critical Strategies that Support Learning Lawyering Skills for the Practice of Law in a Global Environment*, 41 *Law Teacher: Int'l J. Legal Educ.* 275 (2007).
- Long, Mia-Carré B., *Of Mice and Men, Fairy Tales, and Legends: A Reactionary Ethical Proposal to Storytelling and the Briseño Factors*, 26 *Geo. J. Legal Ethics* 859 (2013).
- Maatman, Mary Ellen, *Justice Formation from Generation to Generation: Atticus Finch and the Stories Lawyers Tell Their Children*, 14 *Legal Writing* 207 (2008).
- Mayo, Jessica, *Court-Mandated Story Time: The Victim Narrative in U.S. Asylum Law*, 89 *Wash. U. L. Rev.* 1485 (2012).
- McArdle, Andrea, *Using a Narrative Lens to Understand Empathy and How It Matters in Judging*, 9 *Legal Comm. & Rhetoric: JALWD* 173 (2012).
- McPeake, Robert, *Fitting Stories into Professional Legal Education—The Missing Ingredient*, 41 *Law Teacher: Int'l J. Legal Educ.* 303 (2007).
- Montana, Patricia Grande, *Better Revision: Encouraging Student Writers to See Through the Eyes of the Reader*, 14 *Legal Writing* 291 (2008).
- Murray, Michael D., *Post-Myriad Genetics Copyright of Synthetic Biology and Living Media*, 10 *Okla. J.L. & Tech.* 71 (2014).
- Murray, Michael D., *The Promise of Parentheticals: An Empirical Study of the Use of Parentheticals in Federal Appellate Briefs*, 10 *Legal Comm. & Rhetoric* 229 (2013).
- Murray, Michael D., *Rule Synthesis and Explanatory Synthesis: A Socratic Dialogue Between IREAC and TREAT*, 8 *Legal Comm. & Rhetoric: JALWD* 217 (2011).
- Novogrodsky, Noah Benjamin, *Judging Stories*, 18 *Lewis & Clark L. Rev.* 37 (2014).
- Oseid, Julie A., *The Power of Metaphor: Thomas Jefferson's "Wall of Separation between Church and State"*, 7 *J. ALWD* 123 (2010).

- Paskey, Stephen, *The Law is Made of Stories: Erasing the False Dichotomy Between Stories and Legal Rules*, 11 Legal Comm. & Rhetoric: JALWD 51 (2014).
- Pearl, Lisa Beth Greenfield, *Using Storytelling to Achieve a Better Sequel to Foster Care than Delinquency*, 37 N.Y.U. Rev. L. & Soc. Change 553 (2013).
- Pepper, Elyse, *The Case for "Thinking like a Filmmaker": Using Lars von Trier's Dogville as a Model for Writing a Statement of Facts*, 14 Legal Writing 171 (2008).
- Rabil, Mark, *My Three Decades with Darryl Hunt*, 75 Alb. L. Rev. 1535 (2012).
- Rabil, Mark, *Panzer Mind, False Statements: How the Sheriff Got Two Men to Say Beetle Borings Were Gunshot Wounds*, Trial Briefs, October 2011, at 23.
- Rackley, Erika, *Judicial Diversity, the Woman Judge and Fairy Tale Endings*, 27 Legal Stud. 74 (2007).
- Ralph, Anne E., *Not the Same Old Story: Using Narrative Theory to Understand and Overcome the Plausibility Pleading Standard*, 26 Yale J.L. & Human. 1 (2014).
- Rand, Spencer, *Hearing Stories Already Told: Successfully Incorporating Third Party Professionals into the Attorney–Client Relationship*, 80 Tenn. L. Rev. 1 (2012).
- Rideout, J. Christopher, *Penumbral Thinking Revisited: Metaphor in Legal Argumentation*, 7 J. ALWD 155 (2010).
- Rideout, J. Christopher, *Storytelling, Narrative Rationality, and Legal Persuasion*, 14 Legal Writing 53 (2008).
- Rideout, J. Christopher, *A Twice-Told Tale: Plausibility and Narrative Coherence in Judicial Storytelling*, 10 Legal Comm. & Rhetoric: JALWD 67 (2013).
- Robbins, Ruth Anne, *Better Storytelling in the Nonfiction World of Legal Writing—A Review of Jack Hart, Story Craft: The Complete Guide to Writing Narrative Nonfiction*, 10 Legal Comm. & Rhetoric: JALWD 279 (2013).
- Robbins, Ruth Anne, *An Introduction to Applied Legal Storytelling and to This Symposium*, 14 Legal Writing 1 (2008).
- Salkin, Patricia E. & John R. Nolon, *Practically Grounded: Convergence of Land Use Pedagogy and Best Practices*, 60 J. Legal Educ. 519 (2011).

- Schmedemann, Deborah A., *Voice: Speaking for a Deaf Boy in Foster Care (a True Story with Questions)*, 7 J. ALWD 203 (2010).
- Shanks, Laurie, *Whose Story Is It, Anyway?—Guiding Students to Client-Centered Interviewing Through Storytelling*, 14 Clinical L. Rev. 509 (2008).
- Sheppard, Jennifer, *Once upon a Time, Happily Ever After, and in a Galaxy Far, Far Away: Using Narrative to Fill the Cognitive Gap Left by Overreliance on Pure Logic in Appellate Briefs and Motion Memoranda*, 46 Willamette L. Rev. 255 (2009).
- Sheppard, Jennifer, *What if the Big Bad Wolf in All Those Fairy Tales Was Just Misunderstood?: Techniques for Maintaining Narrative Rationality While Altering Stock Stories That Are Harmful to Your Case*, 34 Hastings Comm. & Ent. L.J. 187 (2012).
- Sirico, Jr., Louis J., *Benjamin Franklin, Prayer, and the Constitutional Convention: History as Narrative*, 10 Legal Comm. & Rhetoric: JALWD 89 (2013).
- Sirico, Jr., Louis J., *The Constitutional Convention: Drafting to Charter Future History*, 12 Geo. J.L. & Pub. Pol'y 157 (2014).
- Smith, Michael R., *Linguistic Hooks: Overcoming Adverse Cognitive Stock Structures in Statutory Interpretation*, 8 Legal Comm. & Rhetoric: JALWD 1 (2011).
- Sneddon, Karen J., *The Will as Personal Narrative*, 20 Elder L.J. 355 (2013).
- Soanes, Marcus, *The Well-Educated Witness: Witness Familiarisation Training in England and Wales*, 48 Law Teacher: Int'l J. Legal Educ. 196 (2014).
- Sperling, Carrie, *Priming Legal Negotiations Through Written Demands*, 60 Cath. U. L. Rev. 107 (2010).
- Spitz, Laura, *Wands Away (or Preaching To Infidels Who Wear Earplugs)*, 41 Law Teacher: Int'l J. Legal Educ. 314 (2007).
- Stumpf, Juliet P., *Doing Time: Crimmigration Law and the Perils of Haste*, 58 UCLA L. Rev. 1705 (2011).
- Tyler, Jo A. & Faith Mullen, *Telling Tales in School: Storytelling for Self-Reflection and Pedagogical Improvement in Clinical Legal Education*, 18 Clinical L. Rev. 283 (2011).
- Vaughn, Lea B., *Feeling at Home: Law, Cognitive Science, and Narrative*, 43 McGeorge L. Rev. 999 (2012).

- Wallace, Chloë J., *Law, Culture and Euro-Crime: Using Spiral to Teach French Law*, 48 *Law Teacher: Int'l J. Legal Educ.* 154 (2014).
- Washington, Deleso Alford, *Critical Race Feminist Bioethics: Telling Stories in Law School and Medical School in Pursuit of "Cultural Competency"*, 72 *Alb. L. Rev.* 961 (2009).
- Weresh, Melissa H., *Morality, Trust, and Illusion: Ethos as Relationship*, 9 *Legal Comm. & Rhetoric* 229: JALWD (2012).
- Whalen-Bridge, Helena, *The Lost Narrative: The Connection Between Legal Narrative and Legal Ethics*, 7 *J. ALWD* 229 (2010).

VI. Books and Textbooks

A. Books

- Bennett, Susan D., Brenda Bratton Blom, Louise A. Howells & Deborah S. Kenn, *Community Economic Development Law: A Text for Engaged Learning* (2012).
- The Law and Harry Potter* (Jeffrey E. Thomas & Franklin G. Snyder, eds., 2010).

The following chapters of this book were presented at either the 2007 or 2009 Applied Legal Storytelling conference:

- Mary Beth Beazley, *Which Spell: Learning to Think like a Wizard*;
- Eric J. Gouvin, *The Magic of Money and Banking*;
- Susan P. Liemer, *Bots and Gemots: Anglo-Saxon Legal References in Harry Potter*;
- Ruth Anne Robbins, *Harry Potter as Client in a Lawsuit: Utilizing the Archetypal Hero's Journey as Part of a Case Strategy*;
- Heidi Mandanis Schooner, *Gringotts: The Role of Banks in Harry Potter's Wizarding World*;
- Aaron Schwabach, *Harry Potter and the Unforgiveable Curses*.

Meyer, Philip N., *Storytelling for Lawyers* (2014).

B. Textbooks (on legal storytelling in full):

Robbins, Ruth Anne, Steve Johansen & Ken Chestek, *Your Client's Story: Persuasive Legal Writing* (2013).

C. Textbooks (chapters or sections on legal storytelling):

Krieger, Stefan H. & Richard K. Neumann, Jr., *Essential Lawyering Skills: Interviewing, Counseling, Negotiation, and Persuasive Fact Analysis* (4th ed. 2011).

Murray, Michael D. & Christy H. DeSanctis, *Advanced Legal Writing and Oral Advocacy: Trials, Appeals, and Moot Court* (2d ed. 2014).

Sirico, Jr., Louis J. & Nancy L. Schultz, *Persuasive Legal Writing* (4th ed. 2015).

Smith, Michael R., *Advanced Legal Writing: Theories and Strategies in Persuasive Writing* (3d ed. 2013).

VII. Articles on Scholarship or Discipline That Mention Legal Storytelling

Berger, Linda L., Linda H. Edwards & Terrill Pollman, *The Past, Presence, and Future of Legal Writing Scholarship: Rhetoric, Voice, and Community*, 16 *Legal Writing* 521 (2010).

Coulson, Douglas M., *Legal Writing and Disciplinary Knowledge-Building: A Comparative Study*, 6 *J. ALWD* 160 (2009).

Khan, Almas, *A Compendium of Legal Writing Sources*, 50 *Washburn L.J.* 395 (2011).

Rideout, J. Christopher, *Discipline-Building and Disciplinary Values: Thoughts on Legal Writing at Year Twenty-Five of the Legal Writing Institute*, 16 *Legal Writing* 477 (2010).

Stinson, Judith M., *Generating Interest, Enthusiasm, and Opportunity for Scholarship: How Law Schools and Law Firms Can Create a Community and Culture Supportive of Scholarship*, 9 *Legal Comm. & Rhetoric: JALWD* 315 (2012).

Vorenberg, Amy, *The Moral of the Story—The Power of Narrative to Inspire and Sustain Scholarship*, 8 *Legal Comm. & Rhetoric: JALWD* 257 (2011).