

Association of Legal Writing Directors
Legal Writing Institute

2003 Survey Results

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2003 SURVEY RESULTS
**ASSOCIATION OF LEGAL WRITING DIRECTORS/
LEGAL WRITING INSTITUTE**

The 2003 ALWD/LWI Survey Report includes data from a record number of law schools in the United States –172 this year—for a 91% response rate. The respondents answered questions about the operation of their legal research and writing programs during the 2002-2003 academic year. This report is a snapshot of these programs. It is an admittedly inexact composite picture of many unique programs of great variety and complexity. Nevertheless, the survey results show common practices, trends, and other valuable insights about the state of legal writing training in American law schools.

The survey report also includes data from the 2002 and 2001 surveys for purposes of comparison. Please realize, of course, that some variations measure real changes in LRW programs from last year, while others reflect changes in the respondent group.

Thanks go to all who participated in this survey. We appreciate your feedback; your time and effort are valuable to all of us. Thank you.

Kristin Gerdy
Survey Committee Chair

2003 ALWD/LWI SURVEY HIGHLIGHTS

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Some changes in the 2003 Survey:

- Still more respondents in 2003: 172 schools participated for a 91% response rate (up from 83% in 2002) thanks to the cooperation of program directors. This marks the fifth straight year of increased response rates. This year's pool of solicited schools was also the largest ever with 188 schools solicited for information (representing all U.S. AALS Member law schools and AALS Non-Member Fee-Paying schools).
- New hot topic section: The 2003 survey introduces a new section to the ALWD/LWI Survey, the "hot topic" questions. This year's hot topic section focuses on legal writing instruction for international and foreign students.
- More data analysis: Appendix C has been added to the Survey Report to provide additional information about how variables such as school size and staffing model affect legal writing programs. These comparisons are the result of numerous requests for similar information after the results of past surveys were publicized.

Salary Highlights:

- **Directors' Salaries** (averages; Question 49):
 The average director's salary for a 12 month calendar contract period in 2003 was \$86,586, up slightly from an average of \$85,389 in 2002 and \$81,636 in 2001. The average director reflects a steady increase of experience over the last two years. In 2003, the average director graduated from law school 18.6 years ago (compared with 18.1 years in 2002 and 17.55 years in 2001), taught in law school for 11.7 years (compared with 11.4 years in 2002 and 10.9 years in 2001), and directed at her current law school for 7.2 years (compared with 6.9 years in 2002 and 6.1 years in 2000) (Questions 3, 4, & 5).
- **Regional Differences for Directors:**
 Average directors' salaries reported by region ranging from highest to lowest:

Region	2003			2002	2001
	Average	Minimum	Maximum	Average	Average
New York City & Long Island	\$126,700	\$99,800	\$151,000	\$121,167	\$105,500
Mid Atlantic	\$94,033	\$75,000	\$146,000	\$92,427	\$86,735
Northeastern (excluding New York City and Long Island)	\$89,014	\$61,000	\$129,125	\$82,236	\$87,583
Southeast	\$84,658	\$52,000	\$135,000	\$76,218	\$79,708
Great Lakes/Upper Midwest	\$81,700	\$55,000	\$132,000	\$82,190	\$72,850
Far West	\$81,240	\$43,000	\$120,000	\$80,924	\$78,693
Southwest & South Central	\$79,898	\$50,000	\$145,000	\$73,205	\$72,271
Northwest & Great Plains	\$69,959	\$58,835	\$100,000	\$69,100	\$68,900

Question 6 by Question 49

- **LRW Faculty Full-Time Current Salaries** (averages, excluding directors; Question 75)
2003: From an average low of \$48,931 to an average high of \$60,198
2002: From an average low of \$47,741 to an average high of \$54,316
2001: From an average low of \$44,011 to an average high of \$53,012
- **Regional Differences for Salaries for LRW faculty** (excluding directors)
Average salary for LRW faculty, by region, from highest to lowest:

Region	2003			2002	2001
	Average	Minimum	Maximum	Average	Average
Mid Atlantic	\$56,470	\$37,500	\$78,000	\$50,550	\$42,000
Great Lakes/Upper Midwest	\$56,198	\$33,600	\$117,500	\$51,666	\$39,500
Northeastern (excluding New York City and Long Island)	\$55,403	\$35,000	\$75,750	\$50,025	\$45,500
Southwest & South Central	\$52,954	\$36,000	\$90,000	\$51,423	\$45,326
Southeast	\$52,525	\$30,000	\$99,000	\$47,696	\$42,429
Far West	\$51,943	\$26,220	\$76,000	\$50,509	\$48,894
New York City & Long Island	*\$50,625	\$36,500	\$64,750	\$59,500	N/A
Northwest & Great Plains	*\$46,000	\$39,000	\$53,000	N/A	N/A

Question 6 by Question 75

Note: Average salary is computed by averaging the low and high base salary for each school.

*Based on only two responses with values.

- **Other Variables Related to Salaries:**

Years Since Earning a JD, Years Teaching, & Years as a Director

(Questions 3, 4, & 5): Salaries for directors increase as the directors have more years of experience.

Setting (Question 7): In 2003, salaries were higher for directors and LRW faculty in the suburbs than in urban or rural areas. This is a change from 2001 when salaries for directors and LRW faculty were higher in urban than in suburban or rural areas, but is consistent with trends from 2000 and earlier.

Institution Type (Question 8): In 2003, salaries were higher for directors at private law schools (\$87,558) than for directors at public law schools (\$82,775).

Staffing Models (Question 10): Average directors' salaries were highest for directors in programs with tenure-track teachers hired to teach LRW (\$99,600) and were lower in adjunct-taught programs (\$96,000) and complex hybrid programs (\$86,441) (Question 49). Salaries were lowest in programs with part-time faculty (\$83,312) or with LRW faculty on contract (\$81,838). For LRW faculty, average current salaries were highest if the faculty were tenured or tenure-track (\$76,157) and lowest for full-time non-tenure track faculty (\$49,970) (Question 75).

Director Type (Question 45): Directors' average salaries were highest if they were an administrator or faculty and their primary responsibility was not LRW (\$115,000) and next highest if they were tenured and their primary responsibility is LRW (\$110,786). (This finding differs from 2002 and 2001 where a tenure track director with primary responsibility for LRW received the highest average salary.) Following next were untenured tenure track directors if their primary responsibility is LRW (\$86,420) and clinical tenure or tenure-track directors (\$83,813). Non-tenure track directors earned the lowest salaries (\$76,533). LRW faculty average current salaries were highest when their director is tenured (\$49,529) or on tenure track (\$47,973) and lowest in programs where the director is on contract (\$47,069) or clinical tenure track (\$42,400). (Question 75).

Other Highlights:

- **Staffing Model** (Question 10): Most programs used full-time non-tenure-track teachers (85 or 50%), a hybrid staffing model (50 or 29%), or adjuncts (16 or 9%). In 2003, 6 programs used solely tenured or tenure-track teachers hired specifically to teach LRW (Question 10a), and another 5 programs used such teachers in hybrid programs (Question 11a).

- **Curriculum** (Questions 12 - 26):

Program Length: Virtually all writing programs extend over 2 semesters averaging 2.22 credit hours in the fall and 2.15 hours in the spring. 38 programs have a required component in the fall of the second year, averaging 2.05 credit hours (Question 12).

Grading: Almost all LRW courses are graded with grades that are included in the students' GPA (144 programs) (Question 15). Most programs grade at least some assignments anonymously (93), but 74 programs do not (Question 17). 144 programs require rewrites with 50 of those programs requiring rewrites on all assignments. 58 programs grade all rewrites; 35 grade only the rewrites; and 23 grade only the final drafts (Question 23).

Research Teaching: The majority of programs integrate research and writing instruction (128 programs). At 69 schools legal research is taught by LRW faculty. At 42 schools, it is taught by librarians. At 49 schools LRW faculty and librarians teach legal research in combination, and at 28 schools teaching assistants and other students are responsible for teaching research (Question 18).

Writing Specialists: 46 law schools employ a full-time or part-time writing specialist, and 127 schools offer an academic support program (Question 28).

- **Common Practices** (Question 12-26):

Assignments: The most common writing assignments during the 2002-03 academic year were office memoranda (172), appellate briefs (142), pretrial briefs (87),

and client letters (85). The most common oral exercises were appellate arguments (133), pretrial motion arguments (52), and in-class presentations (54) (Question 20).

Commenting: The most common methods of commenting on papers during the 2002-03 academic year were comments on the paper itself (171), comments during conferences (144), comments at the end of the paper (132), general feedback addressed to the class (127), grading grids or score sheets (101) and feedback memos addressed to individual students (96) (Question 24).

Teaching Activities: The most common teaching activities and the average amount of time spent in each activity were lecture (158 spending an average of 35%), questions and answers and class discussion (154 spending an average of 24.4%), group in-class exercises (143 spending an average of 16.6%), individual in-class exercises (112 spending an average of 11.3%), demonstrations (127 spending an average of 11.2%), and in-class writing (93 spending an average of 8.5%) (Question 21).

- **Technology** 56 programs have web pages, down from 64 web pages reported in 2002 (Question 42). Class email or listserv continued to be popular during the 2002-03 year with 129 programs using them with a 4.29 average satisfaction rating (out of a possible 5). 77 programs had course web pages with a 3.73 average satisfaction rating. 91 programs made use of electronic “smart” classrooms (compared with 68 programs in 2002) with a 3.91 average satisfaction rating.
- **Citation Method** (Question 27): As of the time of the survey, 60 programs plan to teach the ALWD Citation Manual only, while 82 programs plan to teach the Bluebook only, and 17 plan to teach both methods, 7 plan to leave the choice to each teacher, and 6 plan to either teach a different system or are undecided which system they will teach for the 2003-04 academic year.
- **Tenure** (Question 45): In 2003, there were more tenured directors than in 2002 (26 vs. 21) and more tenure-track directors (22 vs. 18) than in 2002. In addition, 8 directors have clinical tenure or tenure-track status (the same as in 2002). About 40% of those responding were tenured or tenure-track including clinical tenure status (up from 36% in 2002). However, 40% (57 of 141) of the directors whose primary responsibility is LRW are not on tenure-track (down from 42% in 2002).
- **Assistant Directors** (Question 46): 18 programs reported having assistant directors in 2003, down from 19 in 2002. The average salary for an assistant director was reported as \$63,111 compared with \$54,176 reported in 2002.
- **Title** (Question 48): Over 70% of program directors have a form of “Professor” in their official title (100 of 141). “Director” is the next most common title (69 or 49%). For LRW faculty (Question 68), many have some form of “Professor” in their official title (79 or 51%), many are “Instructors” (40 or 26%), with “Lecturer” being the next most common title (17 or 11%).

- Directors' Workload** (Questions 53 & 54):

Teaching Load: In the 2002-03 academic year, the “average” director taught 30 entry-level students 2.8 hours per week using 3 major and 3.6 minor assignments, read 1,063 pages of student work, and held 37.6 hours of conferences during the fall semester. The spring semester workload was comparable. These numbers and averages are all comparable with those reported for the 2002 survey.

Preparation Time: In 2002-03, directors spent an average of 38 hours preparing major research and writing assignments and 44 hours preparing for classes in the fall and comparable time in the spring.

Time Distribution: In 2002-03, directors spent 28% of their time teaching in the required program, 22% on directorship duties, 16% teaching outside the required program, 9% on service, 9% on scholarship, 5% on academic support, and 11% on “other” activities.
- LRW Faculty Members' Workload** (Question 82):

Teaching Load: In the 2002-03 academic year, the “average” LRW faculty member taught 44 entry-level students 3.6 hours per week using 3 major and 3.5 minor assignments, read 1,561 pages of student work, and held 51 hours of conferences. Again this past year, the class was within the maximum range recommended by the ABA Sourcebook on Legal Writing Programs. This compares with the prior year in which the “average” LRW faculty member taught 43 entry-level students 3.6 hours per week using 3 major and 4 minor assignments, read 1,589 pages of student work, and held 51 hours of conferences —a comparable workload.

Preparation Time: In 2002-03, faculty spent an average of 33 hours preparing major research and writing assignments, 60 hours preparing for classes in the fall, and slightly less time in the spring.
- Upper Level Teaching** (Questions 55 & 56): Many directors taught courses beyond the first-year program (93 or 70 %). They taught an average of less than 1 upper-level writing course and 1.35 non-LRW courses. LRW faculty also teach upper-level writing courses (97 or 91%). These courses are both upper-level LRW courses (51) and non-LRW courses (84). These courses are taught both during the regular academic year (73) and during separate summer sessions (60) (Question 85).
- Faculty Committees** (Questions 59 & 83): The vast majority of directors serve on faculty committees as voting members (124 or 89%). For LRW faculty (Question 83), those in 99 (77%) programs serve on faculty committees with 92 (72%) programs affording voting.
- Faculty Meetings** (Question 60): The majority of directors (107 of 141) also attend and vote at faculty meetings with 10 non-tenure track directors voting on all matters and 41 more voting on all but hiring and promotion. These voting rights are in addition to the 56 tenured and tenure-track directors, who were assumed to have voting rights. LRW faculty vote at faculty meetings in 72 programs with 25 of those programs affording voting on all

matters. At 44 more programs, LRW faculty members attend, but do not vote (Question 84).

- **Scholarship** (Question 62): For 47 or 37% of directors, there is an obligation to produce scholarship. For 28 there is no obligation, but there is an expectation they will. For LRW faculty (Question 81), there is an obligation in 24 programs to produce scholarship, encouragement to produce scholarship in 32 programs, and an expectation to produce scholarship in 7 programs, while 67 programs impose no such obligation or expectation.
- **LRW Faculty Type** (Question 65): LRW faculty in most programs are on short-term contracts with 60 on 1-year contracts, 21 on 2-year contracts, 38 on contracts of 3 years or more, 23 have ABA Standard 405(c) status, and 26 are on tenure track. The overwhelming majority of those on contract have no cap (110 of 121 or 91%, which is consistent with the 2002 numbers of 100 of 109 or 92%) (Question 66).
- **Evaluation Standards** (Question 70): 77 directors reported using written standards to evaluate LRW faculty, up from 61 in 2002 and 49 in 2002. 19 more programs have standards under development.
- **Additional Support for LRW Faculty:**
 - Summer grants** (Question 76): 65 programs provide LRW faculty with summer grants averaging \$6,748, up from \$6,371 in 57 programs in 2002.
 - Developmental Funding** (Question 79): The vast majority, or 106 programs, provide developmental funding averaging \$1,909, up from \$1,713 in 98 programs in 2002.
 - Research Assistants** (Question 80): 75% of programs (94) provide funding for research assistants, with 79 providing funding for all reasonable requests and 15 providing an average of \$1,574, up from an average of \$920 in 2002 but still down from an average of \$2,335 in 2001.
- **Adjunct Faculty:** (Question 86-92) See report part IX.
- **Teaching Assistants:** (Questions 93-99) See report part X.
- **Survey** (Question 100): Most respondents have used the survey data in the past. 81 used the survey to improve their programs, 50 to improve their status, 50 to improve their salary, and 19 for “other” reasons. This is comparable to use of the survey data from 2002.

Gender Data Highlights in Appendix A:

- **Director Salary** (Question 49): Female directors earn less than male directors when measured by
 - 12-month salaries (\$82,119 female; \$98,071 male);
 - less than 12 month salaries (\$82,393 female; \$88,760 male); or
 - salaries reported (combined 12-mon. & < 12-mon.: \$82,273 female; \$93,774

male, a 12% difference.) Salaries reported in 2002 had combined averages of \$79,806 female; \$87,790 male, a 9% difference.)

- ▶ In the range of salaries paid, female directors' salaries have a wider range than males' (\$43,000 to \$151,000 female; \$52,000 to \$146,000 males).
 - ▶ Fewer females than males earn more than \$100,000 (16 of 82 females, or 19.5% of females; 11 of 26, or 42 % of males). However, the number of females earning more than \$100,000 has risen substantially since 2001 when only 6 of 68 (or 9%) earned such salaries.
 - ▶ Females with comparable years of experience directing at their present schools earn sometimes less, sometimes the same, and sometimes more than their male colleagues.
- **Salary Range for LRW Professionals** (Question 75): In programs headed by female directors, the salary range for LRW faculty was lower: the averages at the low in the range were lower (\$46,913 low with female director; \$50,795 low with male director). The averages at the high end of the range were also lower (\$57,661 high with a female director, \$66,818 high with a male director).
 - **Tenure** (Question 45): Female directors were somewhat less often tenured than were male directors (18% of females; 25% of males). When tenured and tenure-track directors were combined, males just pass females (39% male; 36% female). Significantly more female directors continue to find themselves on contract than males (56% females; 11% males, compared with 48% females; 32% males in 2002).
 - **Title** (Question 48): Fewer females than males have "Professor" as their official title (48% female; 58% male). More females have titles of "Instructor" or "Lecturer" than males (11% females; 8% males). About 36% of females have "Director" as their official title compared with 28% of males.
 - **Teaching Upper Level Courses** (Question 55): Fewer females teach courses beyond required writing course than males (58% female; 78% male). The overall level of directors teaching upper-level courses has increased slightly from the 2002 data when 51 % females and 77% male directors taught those classes. An equal percentage of female directors teach academic support as their only upper level course than males (3% females; 3% males, compared with 6% females and 3% males in 2002).
 - **Leave** (Question 64): Female directors were less often eligible for paid sabbaticals (36% female; 45% male), equally eligible for unpaid sabbatical (10% female; 10% male), and were more often eligible for other leave and reduced loads (46% female; 38% male).

Appendix B lists the law schools included in the 2003 Survey Report.

Appendix C includes additional charts illustrating survey data analysis.