

Building Internal Consensus: Faculty, Administration, and the Students

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Introduction

Erasing lines across the curriculum cannot be fully accomplished without a broad consensus among many constituencies, including faculty, administration, and students at the nation's law schools. The purpose of this particular breakout group was to identify practical methods for building consensus among those internal constituencies.

To generate ideas, the collective group broke into three sub-sections. One of these thought about ideas for faculty consensus-building, one about ideas for administrative consensus-building, and one about ideas for student consensus-building. Then all three groups reconvened to share their discussion and to identify common themes.

General Themes

Five key themes developed out of the discussions. These themes permeated the dialogue across all three subgroups. All relate in one way or another to an overarching theme of good communication:

- To erase lines, all constituencies should strive to *eliminate an "us" versus "them" attitude* to the extent such an attitude exists.
- To erase lines, all constituencies should strive to *understand each other*.
- To erase lines, all constituencies should strive to *build their credibility* with each other.

1. © Bradley G. Clary 2002. All rights reserved. Professor Clary is a Clinical Professor and Director of Legal Writing at the University of Minnesota. He is the author of *Primer on the Analysis and Presentation of Legal Argument* (West 1992), and a co-author of *Advocacy on Appeal* (West 2001) and *Successful First Depositions* (West 2001). Before joining the faculty fulltime at Minnesota, he was a litigation partner at Oppenheimer Wolff & Donnelly in Minneapolis. Professor Clary chaired the Site Committee for this conference, and he served as the facilitator/notetaker for the Building Internal Consensus breakout group.

- To erase lines, all constituencies should strive to *build a structure for discussion* that is conducive to consensus-building.
- To erase lines, all constituencies should strive to *formulate a collective statement of pedagogical mission* to inform ongoing discussion and decision-making.

With these themes in mind, the individual subgroups reported on their specific ideas, which are repeated below in summary form.

Building Faculty Consensus

The following are the breakout group's suggestions for building faculty consensus to erase lines across the curriculum. Most relate to good communication:

- Stay in communication with each other routinely.
- Use e-mail to communicate, if e-mail is the vehicle most likely in your institution to keep dialogue going.
- Talk with faculty colleagues about your respective goals.
- Work for understanding of legal training as part of the broader profession of lawyering.
- Visit with the dean about the importance of erasing lines across the curriculum.
- Collaborate with allies (e.g., there is a genuine opportunity for collaboration among legal writing teachers and clinicians generally).
- Encourage broad participation of all faculty members, including legal writing and clinical faculty, in your school's committees.
- Give doctrinal faculty teaching credit for adding a skills component to their courses.
- Create a skills resource library for faculty use, and include examples of good student writing.

- Consider making the topics for student writing and skills projects a matter of joint choice by relevant doctrinal, clinical, and legal writing faculty.

Building Administrative Consensus

The following are the breakout group's suggestions for building administrative consensus to erase lines across the curriculum. Not surprisingly, many of these also relate to the overarching theme of good communication:

- Define the relationships among the different skills to be taught.
- Define the relationships among the different constituencies.
- Refer to “skills” proudly as part of the curriculum.
- Assemble ad hoc administrative committees to accomplish incremental change in erasing lines.
- Prepare a strategic plan for integration of doctrine, skills, and writing across the curriculum.
- Create a separate director or dean position for skills training.
- Explain the importance of writing to learn, not just learning to write.
- Help teachers in doctrinal courses to draft exercises and exams that contain skills components.
- In thinking about “erasing lines,” take time to consider the needs and wants of the law school's administration.
- Educate the administration, particularly newcomers to the administration, about what you and others, both in your school and in other schools, are doing to “erase lines.”
- Help the dean to understand what needs to be done.
- Choose terminology carefully to avoid creating defensiveness among colleagues.
- Collect relevant data about methods of erasing lines that are working and that are not working.

Building Student Consensus

The following are the breakout group's suggestions for building student consensus to erase lines across the curriculum. Once again, many of these relate to the overarching theme of good communication:

- Establish a writing center staffed by students.
- Help students find jobs through good writing samples.
- Cultivate former students—brag about their successes, do surveys, gather testimonials.
- Give recognition to students for good skills work (e.g., create a judicial extern program for which only your top legal writing and skills students may apply).
- Make skills training fun.
- Train students how to write reflective journals in which they self-critique.
- Ask students for “minute memos” in which they provide teachers with feedback regarding the effectiveness of a course in integrating doctrine, skills, and ethics.
- Develop course evaluation questions directed specifically to skills training.
- Coordinate training with the school's career services office, so students see a connection between their writing and other skills training, on the one hand, and employment, on the other.
- Convene a symposium on skills training and invite the outside legal community to participate.
- Add skills training marks to student transcripts.

Conclusion

There are many opportunities to build consensus across law school constituencies in favor of erasing lines across the curriculum. Hopefully, some of the above ideas will assist in that consensus-building effort.