Summer 2020
VOLUME 51 NUMBER 4

FEATURING ARTICLES

From the Chair
Diane F. Bosse

From the Managing Director:
Plans for Next Year, Farewell to Barry Currier, and Welcome to Stephanie Giggetts
William E. Adams

From the Section Director:
Section Spotlight – Maximizing Your Membership
Erin Ruehrwein

Encouraging Law Student Gains in Writing Skills
Kirsten Winek, J.D., Ph.D.

Courses on Leadership for Lawyers: Two Models for Teaching Leadership Responsibilities
Professor Emeritus George Siedel

NEWS AND ANNOUNCEMENTS

The Honorable Ruth V. McGregor is the 2020 Robert J. Kutak Award Recipient

Third Party Comments Invited for Law Schools Undergoing Accreditation Site Visits in Fall 2020

Legal Writing Sourcebook, Third Edition

From the Chair

Diane F. Bosse
Special Counsel
Hurwitz & Fine, P.C.
2019-2020 Council Chair

It is the announced and long-held belief of the American Bar Association and the Council of the ABA Section of Legal Education and Admissions to the Bar “that every candidate for admission to the bar should have graduated from a law school approved by the ABA and that every candidate for admission should be examined by public authority to determine fitness for admission.”1 As recently as April of this year, the ABA Board of Governors reaffirmed “the historic and longstanding policy of the ABA supporting the use of a bar examination as an important criterion for admission to the bar.”2

Last July, 31,974 graduates of ABA-approved law schools took the bar exam for the first time. A total of 25,233 – 79% – passed the exam.3 One in five failed.

These are unprecedented times. But that we are navigating our way through a pandemic that seems to be worsening by the day is not a reason to abandon the value we have long-placed on an appropriately rigorous bar exam as critical both to the integrity of the legal profession and to the protection of the public that we serve.

It is undeniable that the law graduates of 2020 face obstacles to entry to practice unlike any other class. Due to public health and safety concerns and governmental restrictions on crowd density and social distancing, traditional summer bar exams have been delayed and, in many jurisdictions, are now cancelled.

---

1 See Preface to Standards and Rules of Procedure for Approval of Law Schools, 2019-2020 at page v.
But, at the same time, many jurisdictions are offering other options. Several jurisdictions have followed the wise counsel of the ABA and have adopted emergency rules that authorize our recent law graduates who would have taken the bar exam for the first time in July to engage temporarily in the practice of law, with supervision or other appropriate safeguards. Several jurisdictions have decided to administer an emergency remote testing option offered by the National Conference of Bar Examiners in its continuing efforts to assist jurisdictions in these difficult times.4

Financial pressures on this class of graduates hopefully will be tempered somewhat by legislative action impacting student loan repayments.

These are not perfect solutions to the upheaval in the lives of recent graduates. But nor is it the solution to deprive the public of the confidence that comes from knowing that the lawyers they retain have demonstrated their competence to practice law on a carefully crafted test of their legal knowledge and lawyering skills. There is room for debate as to whether or not the bar exam we have is the right one; we shouldn’t argue, however, about whether or not we should have one.

This is my last column as chair of the Council. As I leave this position, I would like to recognize the hard-working staff of the Managing Director’s Office. They are a dedicated and immensely talented group. The support they provide to the work of the Council is the grease that keeps the train moving. I am so grateful to them for their assistance to me as I endeavored, however imperfectly, to lead the Council this year.

Thanks also to the members of the Council for their good work, friendship, and support. They are among the brightest and most engaging people with whom I have ever been privileged to work. What I most regret about the move to virtual meetings is the loss of the sidebar, cocktail, and meal conversations with this interesting and collegial crowd. I look forward to working under the extraordinary leadership of Scott Bales in the coming year, and do hope that we will be able to meet together again and resume those conversations.

Congratulations to Stephanie Giggetts, newly named Deputy Managing Director! Stephanie has served us well as Accreditation Counsel, and is uniquely prepared to assume her new role as Deputy. Stephanie has skillfully stewarded our Standards Review process and relationship with the Department of Education over the last several years, and it is a true pleasure to work with her. Having a home-grown team with Bill Adams as Director and Stephanie as his Deputy has critical advantages in the times we face.

The Annual Meeting of the Section will be held on July 31st. At that time, I expect we will elect the slate nominated by the Nominating Committee under the able leadership of Maureen O’Rourke. I congratulate and welcome the new members of the Council – Craig Boise, Susan Kay,

4 See description at: http://www.ncbex.org/ncbe-covid-19-updates/
Hon. Bridget Mary McCormack, and Anders Miller – as we bid good-bye, with our deepest thanks, to our departing members – Jim Hanks, Jeff Lewis, Greg Murphy, and Zach Faircloth.

Finally, this month marks the end of years of service in the Managing Director’s office by Barry Currier. I have known Barry for many years, intersecting with him in several different roles – his and mine. He is a brilliant strategic thinker, a valued thought leader, and a persuasive partner in the minefield of legal education. I have benefitted enormously over the years from his guidance and wise counsel. And I have enjoyed his friendship and that of his dear wife, Marilyn. I know that Barry will be called upon in the future to contribute his significant talent to the issues facing legal education, and that he will eagerly agree to do so. For now, thanks, Barry. All the best. Can’t wait to see what you do next.

To all members of the Section, stay healthy and well.

Warm regards,

Diane
From the Managing Director: Plans for Next Year, Farewell to Barry Currier, and Welcome to Stephanie Giggetts

William E. Adams
Managing Director of Accreditation and Legal Education

Law schools, like the rest of society, face the uncertainty of the future of the COVID-19 pandemic. Nonetheless, planning for next year must be done, and schools have submitted applications to exceed our distance education credit limitations should it be necessary. Applicants have submitted plans for how they intend to begin the semester and contingency plans should conditions require it. The Council held a special meeting on July 15 to review and approve the plans. Schools are being creative and in addition to plans to teach completely online, a variety of approaches blending in-person and remote instruction were submitted. We will continue to work with schools as their initial plans may change, depending upon developments caused by the virus.

The Council will consider its Standards agenda for the year at its August meeting. The pandemic will likely cause consideration of some issues to be delayed, but I hope that some of the issues that have been pending can be resolved. I will discuss the topics that the Council decides to consider this year in future columns. Whether permanent changes to the current distance education requirements and limits are in order will be a topic for discussion after the pandemic is a thing of the past. We have all experienced the advantages and disadvantages of remote communication during this crisis, so I anticipate interesting discussions ahead.

As travel remains challenging, the Council will have another virtual meeting in August. For the same reason, we are going to hold the postponed round table discussions virtually. We will announce those dates and invite participants in the near future. I hope that these discussions will be one of the ways that we gather input from groups interested in legal education.

Continuing with the theme of changes wrought by COVID-19, site visit inspections this year will be conducted virtually. The details have been worked out, schools and site chairs have been notified, and training will follow. Limited in-person visits will follow once travel is safe again. Some of the changes being implemented may be made permanent in the future. We think that those changes may make those future visits more focused and helpful to both teams and schools.

I am also extremely pleased to report that, after a national search that included several good candidates, Stephanie Giggetts, who has served as our Accreditation Counsel, has accepted the position of Deputy Managing Director. In that prior role, her duties included staffing the Standards Review Committee and leading the process for our renewal of authorization by the Department of Education. She has also participated on multiple site visit teams, assisted with our training workshops and guidance memos, advised deans and associate deans
on a variety of issues, and has overseen our complaint process. Her expertise with all aspects of the accreditation process will be most valuable as we face the unprecedented challenges posed by the pandemic. I look forward to her bringing her talent, experience, and expertise to her new role.

The end of July brings about a sad farewell to our colleague and friend, Barry Currier, from the office. During his term as Managing Director, Barry accomplished many things. I will highlight only a few. Not as obvious to the public as it is to the office and Council, his innovative idea to eliminate the Standards Review and Accreditation Committees (AC) has resulted in heightened efficiencies and reduced costs. The Council’s assumption of the tasks of the AC has eliminated a step in approving new programs and addressing accreditation issues, thus reducing the time to process those matters by three or more months. Further, the elimination of the eight meetings of the eliminated committees reduces costs for the office and frees considerable staff time so that we can provide more assistance to schools and the Council. He also led the successful renewal of authorization to accredit law schools by the Department of Education. He also suggested and assisted the Council in several changes to the Standards and Rules. As a proponent of data collection to better inform students, applicants, and the public, he has overseen improvements in that area. He was always a positive force in the office, and I know that my colleagues will miss his supportive oversight. Finally, his knowledge of developments in legal education and higher education in general along with his knowledge of the history of our Standards due to his previous service as Deputy will be missed in the office and Council meetings. Although he will be leaving us, I have no doubt that he will remain interested and engaged with legal education going forward. Good luck in your future endeavors, Barry!

The end of the Council year brings changes to the leadership and membership. I extend my utmost thanks to Diane Bosse. Diane has provided much wise leadership in her former service on the Accreditation Committee and on her current service on the Council. I have constantly looked to her and Scott Bales for advice on handling the unprecedented challenges posed by the pandemic. She has always provided calm, wise leadership in ensuring that the schools got the needed permissions necessary to switch to online teaching. I am glad that she will remain on the Council to continue to assist. I also thank departing Council members Greg Murphy, Jeff Lewis, Jim Hanks, and Zach Faircloth for their service. All will be missed.
From the Section Director:  
Section Spotlight - Maximizing Your Membership

Erin Ruehrwein  
Section Director

Each year I like to include a column that highlights a few of the many valuable benefits that accompany your membership in the ABA. Free CLE, exclusive content, leadership and networking opportunities, and career resources are just a few I’d like to mention.

Free CLE
Have you had a chance to check out the ABA's Member Benefit Library? As an ABA member, you receive unlimited, complimentary access to more than 600 widely-accredited online CLE webinars and on-demand programs - at no additional cost. Additional programs are added monthly. Visit the CLE Library to view a complete listing.

Exclusive Content
In addition to exclusive Section of Legal Education content, you can also access valuable content offered by the Law Practice and GP Solo Divisions, which offer complimentary membership when you choose to opt-in. The Law Practice Division offers a number of benefits that teach you the business of practicing law: marketing, management, technology, and finance. To learn more about what each division offers, click here.

Leadership and Networking Opportunities
Members of the ABA comprise one of the world’s largest networks of legal professionals. When you become more involved with the ABA and the Section through various leadership, programming, and publishing opportunities, to name a few, you’ll grow your network and build valuable professional connections.

ABA Career Center
The ABA Career Center offers a variety of career development resources including monthly articles, webinars, and podcasts that offer career guidance. In addition, it offers a job board for
law students, lawyers, and legal professionals across all practice areas and career stages. Visit the ABA Career Center and take advantage of all it has to offer.

To learn more about all of the benefits that come with your ABA membership such as discounts, insurance, and more, visit the ABA Membership Webpage.
Encouraging Law Student Gains in Writing Skills

Kirsten Winek, J.D., Ph.D.
Manager, Law School Analytics and Reporting
ABA Section of Legal Education and Admissions to the Bar

For my first year and a half at the ABA, I was a part-time Ph.D. student researching and writing about the aspects of the law school experience that impact law student self-reported gains in writing skills using a Law School Survey of Student Engagement (LSSSE) dataset. The impetus for my dissertation came from my previous experience in law school career services and seeing first-hand how crucial good writing is for new attorneys. The following is a brief overview of my dissertation research, its findings, and recommendations for law schools.

Over the past few decades, a number of surveys and articles have revealed concerns by lawyers, judges, and law professors that new attorneys do not have the writing skills needed for success in legal practice. Other publications have noted that law students feel similarly. In order to prepare students for the writing required for early law practice (as well as the bar exam), this study sought to determine which law school involvement activities impacted law student self-reported gains in writing skills, specifically in full-time, third-year law students. These “law school involvement activities” included a wide variety of activities and perceptions covered by LSSSE questions including extra- and co-curricular activities, class participation and coursework, peer and faculty interactions, satisfaction with different parts of the legal education experience, and perceptions of skills gains.

Alexander Astin’s Involvement Theory, which served as this dissertation’s theoretical framework, suggests that the more students involve themselves in their higher education experience, the more they learn and grow from this experience. In the law school context, this may mean that students who are more involved with their legal education perceive greater skills gains. Thus, to find out if any law school involvement activities impacted student self-reported gains in writing skills, this study analyzed a dataset from the 2018 administration of LSSSE. The dataset used in this study contained survey responses from a total of 3,803 full-time, third-year law students who responded to LSSSE when it was administered at their law schools in Spring 2018. LSSSE asked law students dozens of questions about their legal education experience, including a question asking them to evaluate the extent to which it contributed to their writing skills gains.

To guide the analysis of the LSSSE data, Alexander Astin’s I-E-O (Inputs-Environment-Outcomes) Model served as the study’s conceptual framework. The I-E-O model defines inputs as the attributes students bring with them to their higher education experience, environment as all the unique aspects of the higher education experience, and outcomes as the skills and attributes students have at the end of their higher education experience. For the statistical analysis of the LSSSE data, a blocked form of stepwise linear regression determined which independent variables related to law school involvement activities had a statistically significant impact on law student self-reported gains in writing skills.
The results of the data analysis revealed that fifteen law school involvement activities had a statistically significant impact on law student self-reported gains in writing skills. The three strongest predictors of self-reported writing skills gains – which were all positive predictors – included self-reported gains in speaking clearly and effectively, thinking critically and analytically, and developing legal research skills, respectively. These three skills will be the focus for the following implications and recommendations.

A major implication of these findings is simply that legal writing skills are not learned in a vacuum – they are learned in conjunction with other skills such as speaking, legal research, and critical and analytical thinking. As such, legal writing skills should be taught, learned, and practiced alongside these other three skills. The first year legal writing course is a great example of how these skills can all work together. Most of these courses feature instruction and practice not just in writing, but in the legal research and critical and analytical thinking that goes into the creation of a written memo or brief. This course also allows students to practice speaking skills when talking to their professor about their written work in individual conferences or participating in oral arguments based on their written brief.

The findings of this dissertation study lead to a few recommendations for law schools. First, because most first year legal writing courses incorporate all of the self-reported skills that positively impact student self-reported writing skills gains, these courses should remain in their current form as a foundational part of the legal education curriculum.

Second, law faculty should ensure they are providing sufficient opportunities to practice legal research, speaking, and thinking skills in advanced legal writing coursework. Many law schools offer courses in scholarly writing, which by its nature, involves substantial work in legal research and critical and analytical thinking. Faculty should consider adding oral presentations of student work to allow students to also practice speaking skills in this course. Similarly, courses in general legal drafting or writing for transactional or litigation practice should also be offered to students since these courses focus on the critical and analytical thinking needed to create documents that will serve their hypothetical clients’ best interests. These courses should also emphasize the research practicing attorneys do in creating these documents, including using practice guides or formbooks. Furthermore, having students discuss their written work with the professor as they might do with a senior partner adds a relevant way to practice speaking skills. Furthermore, students should be encouraged to participate in law school clinics, which already provide many of the same benefits of drafting courses (client-centered writing, critical and analytical thinking, and practically-oriented research) but have the added benefits of close collaboration with their clinical professor or supervising attorney and interactions with live clients.

Lastly, and more difficult, is finding ways to incorporate writing, speaking, thinking, and legal research into upper-level doctrinal courses that may currently lack opportunities to practice any of these skills. Students can build on the writing skills learned in their first year legal writing courses to create legal documents related to the subject matter of their doctrinal course. For instance, in a Business Associations course, students could collaborate together to research, analyze their findings, and draft basic articles of incorporation for a small company. Working in groups would require students to discuss and analyze their research findings and reduce them to writing – and the professor could more easily give feedback on the written work since there is only one work product per group.
The findings of this dissertation are not wholly surprising, but they confirm what most lawyers and law professors already know about their own writing. To create a good piece of writing, one needs to do their research, think critically and analytically about that research, and then begin writing. To strengthen that writing, discussing and obtaining feedback on it from others is crucial as are multiple drafts that force one to continually think and re-think their written work. Giving law students the ability to learn and practice these skills together will help them succeed as they evolve from student to lawyer.

The full dissertation is available at:
http://rave.ohiolink.edu/etdc/view?acc_num=toledo1557486361911544
Courses on Leadership for Lawyers: Two Models for Teaching Leadership Responsibilities

George Siedel
Williamson Family Professor Emeritus of Business Administration
and Thurnau Professor Emeritus of Business Law
University of Michigan

In a November 2019 message to members of the American Association of Law Schools’ Section on Leadership, Chair Leah W. Teague noted that over 85 law schools “have at least one leadership development program, course or designation for their students.” And in a March 2020 report, she noted that the Section on Leadership’s program was among the top ten programs in terms of attendance at the recent AALS annual meeting.

Despite their increasing popularity, leadership development initiatives face challenges. In the new Section on Leadership’s first newsletter (November 2018), then-Chair Deborah Rhode mentioned objections from colleagues who feel that the subject is “squishy.” She responded by observing that while leadership courses might seem “touchy feely” when compared with traditional doctrinal courses, research shows that “effective leadership requires so-called ‘soft skills,’ particularly those demanding personal and interpersonal skills such as self-awareness and emotional intelligence.” In addition to objections from some colleagues about the subject matter, another challenge faced by instructors teaching these courses is that soft skills are especially difficult to teach in law school. As Professor Rhode commented, for many lawyers and law students, “the soft stuff is the hard stuff.”

Beyond concerns from colleagues about squishy material and the challenges in teaching soft skills, courses on leadership for lawyers raise additional questions. Should these courses include analytical skills that relate to the leadership responsibilities of a lawyer? And if so, what framework is appropriate for teaching these responsibilities?

The answer to the first question might depend on the response to the second question—that is, the decision whether to include leadership responsibilities might depend on the nature and quality of the models available for teaching these responsibilities. The next two sections, adapted from Chapter 1 in *Strategy, Law, and Ethics for Business Decisions* (C. Ladwig & G. Siedel, West Academic Publishing, 2020), describe two models for teaching leadership responsibilities.

The first model, used in the Harvard Business School (HBS) required MBA course on leadership, is based on the intersection of economics, law, and ethics (which I call the “Three Pillars”). I first learned about this model when, as a visiting professor at HBS, I served on the teaching committee for a required module that evolved into the leadership course. The HBS model is especially useful when exercising leadership responsibilities in a business environment. The second model described below replaces the Economics Pillar in the HBS model with a Strategy Pillar. This
broader framework is useful to leaders not only in a business setting but also when they make decisions focusing on political issues or within non-profit organizations.

**The Harvard Business School Leadership Course**

The HBS course required course on leadership, titled Leadership and Corporate Accountability (LCA), focuses on the three key elements—economics, law, and ethics—that form the foundation for decision making by business leaders. As described in an online version of the course syllabus, a business leader’s responsibilities “fall into three broad categories: economic, legal, and ethical. Economic responsibilities relate to resource allocation and wealth creation; legal responsibilities flow from formal laws and regulations; and ethical responsibilities have to do with basic principles and standards of conduct.”

The HBS course design mirrors research on a tripartite framework for leadership decision making and focuses on key stakeholders. As the syllabus notes, “Using the tripartite framework of economics, law, and ethics, we will consider decisions that involve responsibilities to each of the company’s core constituencies—investors, customers, employees, suppliers, and the public.” Like other courses at HBS, LCA is not static and continues to evolve to reflect new issues and challenges. The syllabus describes the types of issues addressed in the course that relate to the constituencies. Many of these issues raise legal concerns, such as fiduciary duties, conflicts of interest, fraud, discrimination, environmental responsibilities, privacy, and property rights.

The course is especially challenging and important for future leaders because it takes students into what the syllabus calls the real-world “grey areas” where decision making is shaped by the Economics, Law, and Ethics Pillars. The overlap of the three pillars is depicted by this diagram from a course overview that is distributed to students.

![Diagram of Economics, Law, and Ethics Overlap]

As the course overview notes, “The basic idea is that outstanding managers develop plans of action that fall in the ‘sweet spot’ at the intersection of their economic, legal, and ethical responsibilities.” The course guide for instructors elaborates on the sweet spot, which is also called the “zone of sustainability”:
Actions and strategies that fall inside this zone tend to be acceptable to the firm’s constituencies and thus repeatable over time, while those that lie outside typically invite negative repercussions from injured, wronged, or otherwise disappointed parties. Actions outside the zone may even lead to the firm’s failure, especially if pursued at length.

**An Alternative Model: Replacing Economics with Strategy**

By replacing the Economics Pillar in the HBS model with a Strategy Pillar, an alternative model is useful in a wide variety of leadership scenarios that extend beyond business to political and non-profit organization decisions. Consider, for example, the concerns faced by a political leader, President (and former law professor) Barack Obama, when deciding whether to authorize the operation that led to the death of Osama bin Laden. The President and his advisors initially focused on the Strategy Pillar as they formulated a strategy to capture or kill bin Laden. They also developed a strategic implementation plan—the raid on bin Laden’s compound in Pakistan.

With a strategy in place, the President then focused on the Law Pillar. Strategic decisions in any context—political, business, or non-profit—typically raise legal questions. In this case three questions summarized in a *New York Times* article (“How 4 Federal Lawyers Paved the Way to Kill Osama bin Laden,” October 28, 2015) were especially important: Did the President have the legal right to “authorize a lethal mission, to delay telling Congress until afterward, and to bury a wartime enemy [bin Laden] at sea”?

According to the account in *The New York Times*, a few days before the raid a top-secret team of four lawyers provided the President with legal advice relating to these questions. As with most legal advice, the law was not clear. In other words, the President, like other political and business leaders, had to decide whether to proceed with the raid under conditions of legal uncertainty. In addition, even if the law clearly supported the strategy, the Ethics Pillar must still be considered: What are the ethical ramifications of authorizing a mission to kill bin Laden?

**Using the Alternative Model in a Leadership for Lawyers Course**

The alternative model, based on a strategy, law, and ethics framework, is recommended for a course on leadership for lawyers for several reasons. First, understanding these Three Pillars is not only useful to lawyers when playing a leadership role, but the model also serves a practical framework they can use when advising clients who are serving in leadership positions.

Second, the alternative model introduces students to the fundamentals of strategy. Corporate strategy, with its emphasis on value creation, often conflicts with the emphasis on risk management in a legal analysis. With a better understanding of strategy, lawyers can show clients how the law can be aligned with strategy to enable value creation for a variety of stakeholders. The alignment of law and strategy to create value can change a client’s perception that a legal department is only a cost center.
Third, the alternative model encourages students to consider and understand ethical concerns that lie beyond their professional responsibilities as lawyers. They will learn, for example, about the responsibility of leaders to encourage ethical conduct in their organizations and how to use an ethical decision-making process that extends beyond legal requirements.

Fourth, the alternative model might be useful for law schools interested in making the leadership course a capstone of their students’ education, just as the leadership course at Harvard is one of the key core courses in the MBA program. A required capstone course could combine the analytical decision-making skills that are necessary when making leadership decisions with the soft skills needed for implementation of those decisions.

Finally, regardless of whether the course is a required course or an elective, the alternative model creates an opportunity to supplement traditional teaching materials with current scenarios that place students in the position of decision makers, while also providing them with an opportunity to use their legal research skills. Here is one of many examples (adapted from Strategy, Law and Ethics for Business Decisions).

You have just been appointed CEO of a large hotel chain after serving for several years as the company’s senior vice president and general counsel. You recently read that over 250,000 Americans die annually from sudden cardiac arrest. An American Heart Association report concluded that use of automated external defibrillators (AEDs) could save twenty thousand lives annually. Your research indicates that most US states do not require hotels to install AEDs.

You now face the strategic decision of whether to install AEDs in your hotels. Would these installations add value for your company’s shareholders and other stakeholders? If you decide to install AEDs even if they are not required by law, what are your liability concerns (relating to failure to place them in proper locations, failure to maintain them, failure to properly train staff to use them, and so on), and would your company be protected by Good Samaritan laws? And although the law does not generally require AEDs in hotels, do you have an ethical responsibility to install them?

These questions take students into what the Harvard course calls the “grey areas” of decision making where there are no clear right or wrong answers. After considering these questions, leaders who decide to install AEDs must then use the personal and interpersonal skills mentioned by Professor Rhode to persuade various stakeholders that their decisions makes sense. For example, CEOs who decide to install AEDs must explain to the Board of Directors why the increased cost necessary to purchase and maintain these devices and the increased liability risks are justified. And they must encourage the employees who install and maintain them to accept their new responsibilities, along with their possible liability as first responders.

For any one or a combination of these reasons, the alternative model based on the strategy, law, and ethics framework would be a good fit for a course on leadership for lawyers. Far from being “touchy feely,” this type of leadership education is as rigorous and demanding as traditional
doctrinal courses, and provides a bridge from law school to the real-world challenges of law practice and leadership decision making.
The Honorable Ruth V. McGregor is the 2020 Robert J. Kutak Award Recipient

Ruth V. McGregor  
Chief Justice (Ret.)  
Arizona Supreme Court  
Phoenix, AZ

Chief Justice Ruth McGregor served on the Arizona Supreme Court from February 1998 until June 30, 2009. She was the Court’s Chief Justice from June 2005 until her retirement. She was also a member of the Arizona Court of Appeals from 1989 until 1998, where she served as Chief Judge from 1995 to 1997. Before her appointment to the bench, Justice McGregor engaged in the private practice of law as a member of the Fennemore Craig law firm in Phoenix, Arizona. She served as law clerk to Justice Sandra Day O’Connor during Justice O’Connor’s first term on the United States Supreme Court.

Justice McGregor received a Bachelor of Arts degree, summa cum laude, and a Master of Arts degree from the University of Iowa. She received her Doctor of Jurisprudence degree, summa cum laude, from Arizona State University in Tempe, Arizona, and a Master of Laws in the Judicial Process from the University of Virginia.

Justice McGregor has participated extensively in professional activities, particularly in those organizations dedicated to assuring a fair and impartial judiciary. Among other activities, she has served as an officer and a member of the Board of Trustees for the American Inns of Court Foundation, the National Association of Women Judges, and Justice at Stake; as a board member of the Conference of Chief Justices and the American Judicature Society; and as a member of the Council of the American Bar Association Section of Legal Education and Admissions to the Bar, including a term as Chair.

Current Chair of the ABA Section of Legal Education and Admissions to the Bar, Diane F. Bosse remarked, “Justice McGregor, through her career as a lawyer and a judge, and through her years of service to the Section of Legal Education and Admissions to the Bar, has nurtured and strengthened the bonds among legal education, the judiciary, and the practicing bar. It is most fitting that she be honored with this prestigious award, in recognition of her accomplishments, her dedication to the profession, and her significant contributions to the work of the Section.”

Justice McGregor currently serves as a member of the Board of Directors of the Center for the Future of Arizona and of the Institute for the Advancement of the American Legal System. Since her retirement, in addition to chairing several commissions for the Arizona Supreme Court, she has completed a number of investigations for public entities and acted as a special master for the
United States District Court for the District of Arizona, as mediator for the City of Phoenix in public transit disputes, and as special administrator for the Arizona Supreme Court.

Justice McGregor has received several state and national awards for her work in the judicial system, including the Dwight D. Opperman Award from the American Judicature Society; the A. Sherman Christensen Award from the American Inns of Court Foundation; the James A. Walsh Award from the Arizona State Bar; the Marilyn R. Seymann Award from the Arizona Foundation for Women; the Sarah Herring Sorin Award from the Arizona Women Lawyers Association; and outstanding alumna awards from Arizona State University and the University of Iowa.

In nominating Justice McGregor for the award, Dean Tony García Padilla, Section Nominating Committee Chair stated: “This recognition to Ruth McGregor is an applause to the many leaders of the legal community — judges, practicing attorneys, legislators, executive functionaries — working for the betterment of legal education.”

Justice McGregor will be honored at a reception in November in conjunction with the Section’s Council Meeting. The Kutak Award is presented annually to honor an individual who has made significant contributions to the collaboration of the legal academy, the bench, and the bar. The award was established in memory of Mr. Kutak, a respected Omaha lawyer, who was committed to legal reform and a strong advocate for legal education.
Third Party Comments Invited for Law Schools Undergoing Accreditation Site Visits in Fall 2020

The law schools listed below are scheduled for sabbatical, provisional, or full approval site evaluation visits in fall 2020. Some of these visits may be postponed until spring 2021, as law schools begin to finalize plans for addressing issues surrounding the COVID-19 pandemic. For an up-to-date listing, including any additional visits scheduled after the date of this memo, visit https://www.americanbar.org/groups/legal_education/accreditation/law_school_site_visits/.

Consistent with Internal Operating Practice 4(a), written comments related to current compliance with the ABA Standards for the Approval of Law Schools may be submitted to the ABA Section of Legal Education and Admissions to the Bar. Comments on law schools with fall 2020 visits should be sent by August 31, 2020. Third party comments must be submitted using the online form available at https://americanbar.qualtrics.com/jfe/form/SV_2iBnYKVoPlwP.

Law schools undergoing accreditation site visits in fall 2020 are:

- Arizona State University (Regular Comprehensive)
- Atlanta's John Marshall Law School (Regular Comprehensive)
- Baylor University School of Law (Regular Comprehensive)
- Cleveland State University (Regular Comprehensive)
- Elon University School of Law (Regular Comprehensive)
- University of Toledo College of Law (Regular Comprehensive)
- Western New England University School of Law (Regular Comprehensive)

**Note:** Your comments must be signed. Only comments directly related to the ABA Standards and Rules of Procedure for Approval of Law Schools will be considered.
Section Publishes Legal Writing Sourcebook, Third Edition

The long-anticipated Third Edition of the Section’s *Legal Writing Sourcebook* has been published and is now available for purchase at a very reasonable price in the ABA’s webstore.

Available in both hardcover and e-book formats, the *Sourcebook* is the primary reference source for those designing, directing, and teaching in legal writing programs. It addresses the ever-evolving world of Legal Research & Writing (LRW) programs - focusing specifically on topics including innovation, formative assessment, teaching students with disabilities, inclusivity, and wellness, to name a few. Many in the legal writing community consider the *Sourcebook* the “go-to” reference book for designing, building, and developing legal writing curricula.

The third edition builds on the success of the first edition, published in 1997; and the second, published in 2006. The third edition provides a wealth of updated and new information reflecting the many developments in the profession over the last quarter century. The Section’s hope is that this book serves as a valuable guide in developing, improving, and sustaining successful legal writing programs, which ultimately leads to successful law students and excellent practicing lawyers.

Special thanks and gratitude go out to Executive Editor, Professor J. Lyn Entrikin; Copy Editor, Emerita Professor Mary Trevor; Executive Steering Committee members Associate Dean and Professor Olympia Duhart, Professor J. Lyn Entrikin, and Dean and Professor Anthony Niedwiecki; the Section’s Publications Committee for its continuing support; and the twenty-some authors (listed below) who generously contributed their time and expertise by writing new sections and completely revising and updating the second edition.

Below is a list of the book’s chapters and primary contributors:

I. Overview of Legal Writing in Law Schools
   Michael Smith, Jan Levine, Catherine Wasson, Sue Leimer

II. Developing a Comprehensive Legal Writing Curriculum
    Lyn Entrikin, Catherine Wasson

III. Pedagogical Methods in First-Year Courses
     Olympia Duhart, David Cleveland

IV. Assessment and Grading
    Anthony Niedwiecki, Tonya Kowalski, Emily Grant
V. Faculty Status and Governance
Suzanne Rowe, Kris Tiscione, Mel Weresh

VI. Ensuring Quality Instruction
Kim Ricardo, Olympia Duhart

VII. Law Students Who Speak English as a Second Language
Mark Wojcik

VIII. Serving Students with Special Needs
Deborah Borman, Anthony Niedwiecki, Lyn Entrikin

IX. Legal Writing Specialists and Writing Centers
Lurene Contento

X. Innovations Inside and Outside the LRW Classroom
Sara Rankin, Mary Bowman, Heather Baxter
ABA Announcements: Annual Meeting, Racial Equity in the Justice System, COVID-19 Resources, Virtual Law Student Programming

2020 ABA Annual Meeting – Register Today!
Judges, NASA leaders, legal experts, former ambassadors, a police commissioner and a ski mountaineer ... What do they have in common? They are all speaking at the ABA Virtual Annual Meeting, July 29-August 4. These programs and conversations will be available via livestreaming or on-demand during the meeting. Registration is free for members and $95 for nonmembers. Register today!

This year’s meeting will offer governance and business meetings, CLE Showcase programs, virtual networking opportunities, the General Assembly with the presentation of the ABA Medal, and the House of Delegates. Please check back for the latest information by visiting the ABA’s Annual Meeting website.

ABA Task Force on Legal Needs Arising Out of the 2020 Pandemic
In response to the growing legal needs of Americans arising from the coronavirus (COVID-19), the American Bar Association has created a nationwide task force of volunteer lawyers and judges from across the legal profession. The task force will identify the legal needs arising from the pandemic, make recommendations to address those needs, and help mobilize volunteer lawyers and legal professionals to assist people who need help.

The task force includes experts in disaster response; health law; insurance; legal needs of families to protect basic human needs such as food, shelter, medical and employment benefits; criminal justice; domestic violence; civil rights; and social justice.

The website of the task force is intended to serve as a national source of information about the coronavirus (COVID-19) and the delivery of legal services. It includes resources on remote service delivery, court access and rules changes, legal needs, public benefits programs, and pro bono mobilization. The ABA appreciates receiving new information for inclusion on the site, preferably links to dynamic content that is updated regularly. Please contact Denise Dempsey at denise.dempsey@americanbar.org with submissions for consideration.

ABA CLE programming related to COVID-19 can be found here.

Racial Equity in the Justice System
On June 15, the ABA launched the new Racial Equity in the Justice System web page—a central clearinghouse of ABA-related information and resources for attorneys, the legal profession and the public on a wealth of issues addressing bias, racism, and prejudice in the justice system and society. Visit this website to find a curated collection of resources from across the Association, including webinars, articles, books, publications, periodicals, statements, standards, policies,
reports, model rules, training tools, and more, all related to equity in the American Justice System.

**Virtual Law Student Programming**

Due to recent circumstances with the COVID-19 outbreak, the ABA is adjusting the way in which it engages with law students through virtual programming. There are several ways in which the ABA continues to design meaningful and relevant programming through the use of virtual office hours, webinars, and virtual campus visits. If you are interested in collaborating with the ABA on virtual programming for law students, please contact ABA Campus Relationship Development Manager, Marina LoCasto at marina.locasto@americanbar.org.