

STETSON UNIVERSITY

Institute for the Advancement of Legal Communication

2021-22 Annual Report

Stetson University College of Law's Institute for the Advancement of Legal Communication celebrated its ninth anniversary in August 2022. The Institute furthers Stetson's commitment to leadership in legal communication education, research, and service.

Our Major Goals and Objectives

The Institute's major goals and objectives are to improve the quality and achieve greater understanding of legal communication by

- studying the legal communication issues that face lawyers, judges, other professionals, and the public;
- supporting an active interdisciplinary community of legal communication and writing scholars, including those who study rhetoric; ethics; interpersonal, organizational, and intercultural communication; composition; speech; public discourse and media; procedure; and other topics that involve the communicative aspects of the law;
- developing innovative and effective methods and programs for teaching legal communication theory, skills, and values to students; and
- providing instruction for lawyers, judges, other professionals, and the public to improve their legal communication skills.

Our Institute Faculty

Professor Kirsten Davis. Dr. Davis founded the Institute and served as Director for the Institute for nine years. In fall of 2022, she will serve as Co-Director. She has a Doctor of Philosophy in Human Communication and focuses her research on persuasion, ethics and professionalism, and rhetorical criticism of legal texts.

Professor Elizabeth Berenguer. Professor Berenguer will serve as Co-Director of the Institute in the fall of 2022 and as Director in Spring 2023. Her expertise is in legal rhetoric and critical theory.

Professor Catherine Cameron. Professor Cameron holds a master's degree in mass communications and is an expert on both media law and legal communication.

Professor Kelly Feeley. Professor Feeley is known for her work in alternative dispute resolution.

Professor Lance Long. Professor Long's expertise is in the field of legal communication and environmental advocacy.

Professor Anne Mullins. Professor Mullins’ expertise is in legal rhetoric and judicial writing.

Professor Jason Palmer. Professor Palmer combines expertise in legal communication with an international law background.

2021-22 Institute Activities—How We Accomplish Our Goals and Objectives

Institute Hosts Legal Communication Events

- The Institute restarted its *Distinguished Speaker Series* with Dr. Asao Inoue speaking on ***The Possibilities of Antiracist Writing Assessment Ecologies in Legal Writing Courses*** in August 2021. Dr. Inoue, Professor of Rhetoric and Composition in the College of Integrative Sciences and Arts at Arizona State University and a recognized expert on writing assessment, explained “antiracist writing assessment practices” and described how they can be implemented in legal writing courses. His talk provided attendees with considerations for redesigning classroom writing assessments to be more antiracist in their purposes and consequences. **Kirsten Davis** spearheaded this online event attended by nearly 100 legal writing faculty.

- The Institute hosted a Legal Writing Institute **One-Day Workshop** for legal writing faculty in December 2021. The workshop, ***Looking Forward:***

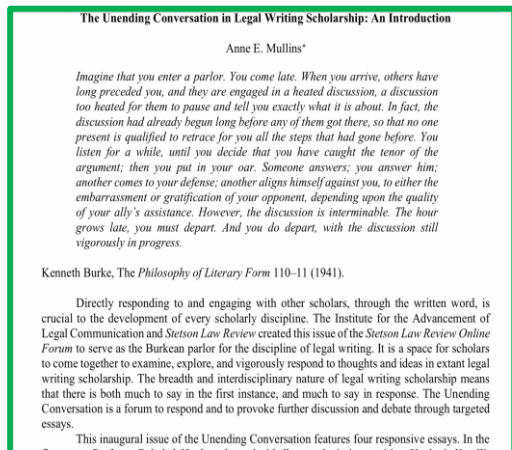


Strategies for Assessment that Ensure Equity, Measure Learning, and Prepare Students for the Demands of Practice, included keynote speaker Teri McMurtry-Chubb who spoke on *Assessing Antiracism or Antiracist Assessment?: Strategies & Critiques for Inclusive and Equitable Writing Communities*. The keynote was approved for one hour of Bias Elimination CLE credit for the Florida Bar. **Elizabeth Berenguer** and **Lance Long** co-chaired the Workshop.

- The Institute continues to co-sponsor the **Research in Legal Communication Virtual Reading Group**. This was established in 2020 as a means for sharing knowledge between scholars in communication and law interested in conducting research in legal communication. Like a graduate course in research methods, the course offers three-month long modules devoted to some theory relating to a legal communication method. **Kirsten Davis** leads this project along with Brian Larson of Texas A&M Law.



- In May 2022, the Institute co-hosted, along with Campbell University College of Law, **303(c)ollab: An Informal Brainstorm for Ideas to Implement the New ABA 303(c) Accreditation Standard**. This online event brought together law school faculty for an informal brainstorming session on how law schools might approach meeting the new 303(c) requirements for law schools to provide education on bias, cross cultural competency, and racism. **Kirsten Davis** co-hosted this event with Susanna Geiser of Campbell Law.



Institute Starts *The Unending Conversation*, A Scholarly Essay Project

The Institute sponsored a new legal communication scholarship project, ***The Unending Conversation***. The project features essays from scholars around that country that are responsive to other pieces of legal writing scholarship. To our knowledge, *The Unending Conversation* is the first of its kind in the field of legal writing. Volume 1 can be accessed here: <https://www2.stetson.edu/law-review/>. The

volume features thought-provoking essays on plagiarism, discrimination in the legal academy, disciplinary protectionism, and the potential bias in deductive reasoning. **Anne Mullins** spearheaded the project and edited the volume.

Institute Faculty Engage in Legal Communication Training

Institute Faculty continued their involvement this year in legal communication training for students, lawyers, and other legal professionals.

- **Elizabeth Berenguer** produced a collection of six, one-hour CLEs *on Legal Storytelling* for the National Business Institute.

- **Kirsten Davis** led a training, *Good Legal Writing Makes the Reader Feel Smart: Three Things You Can Do Right Now to Win Over Your Reader*, for the South Dakota Government Attorneys Meeting in Pierre, South Dakota, in July 2021. She also gave a talk, *Audience-First Legal Writing*, for the United States District Court for the Middle District of Florida Pro Se Staff Attorneys Conference in Tampa, Florida, in April 2022. She continued to serve as **Faculty Director of Online Legal Education Strategies** at Stetson and designed and implemented training programs for faculty for teaching effectively online.



- **Jason Palmer** hosted the fifth annual *Live Mock Trial Experience* for **sign language interpreters** training at Stetson. The workshop is the only training program of its kind and provides specialized hands-on sign language interpreter training in a live mock trial courtroom setting. The workshop tackles some of the challenges unique to courtroom sign language interpreting, like navigating the courtroom environment and conveying abstract concepts and technical legal terms.



Jason Palmer, top center, during the 4th annual conference for sign language interpreters hosted by Stetson.

Institute Faculty Publish and Present on Legal Communication

Publishing scholarship and presenting at conferences accomplishes the Institute's goal of studying the legal communication issues that face lawyers, judges, other professionals, and the public.

- **Elizabeth Berenguer** published and presented:



- GUT RENOVATIONS: USING CRITICAL AND COMPARATIVE RHETORIC TO REMODEL HOW THE LAW ADDRESSES PRIVILEGE AND POWER (with Lucy Jewel and Teri A. McMurtry-Chubb, (forthcoming Bristol University Press).
- *Claiming Our Place at the Table of Legal Academia: Examining Types and Topics of Legal Writing Scholarship*, 2(1) U. ORE. PROCEEDINGS: ONLINE J. OF LEG. WRITING CONF. PRESENTATIONS (2021).
- *Assessing Antiracism or Antiracist Assessment?: Strategies & Critiques for Inclusive and Equitable Writing Communities* (Keynote Address by Teri A. McMurtry-Chubb at LWI One-Day Workshop hosted by Stetson Law School), panelist.
- *Discipline Building: Interrogating and Disrupting the Legal Writing Canon*, Southeastern Association of Law Schools Conference, August 2021, Amelia Island, Florida, discussant.
- *Reason on Trial: Interrogating and Disrupting the Legal Writing Canon*, Southeastern Association of Law Schools Conference, August 2021, Amelia Island, Florida, panelist.
- *Healing Interventions: Disrupting the Legal Writing Canon*, Association of Legal Writing Directors Biennial Conference, June 2021.

- **Kirsten Davis** published and presented:

- ***The Rhaw Bar* column on the Appellate Advocacy Blog.** Dr. Davis writes a recurring column on the Appellate Advocacy Blog, *The Rhaw Bar*, which offers to readers a “little bite” of all things rhetoric and law. This past year, Davis’s blogs have been shared over 7,000 times.

Appellate Advocacy Blog

A Member of the Law Professor Blogs Network

Posts this year included:

- *Putting the Audience First: A Perspective on Legal Writing*, (May 1, 2022), https://lawprofessors.typepad.com/appellate_advocacy/2

[022/05/putting-the-audience-first-a-perspective-on-legal-writing.html](https://lawprofessors.typepad.com/appellate_advocacy/2022/05/putting-the-audience-first-a-perspective-on-legal-writing.html).

- *The “It-Cleft” Sentence: Grammar Choice, Persuasive Effect*, (April 7, 2022), https://lawprofessors.typepad.com/appellate_advocacy/2022/04/the-it-cleft-sentence-grammar-choice-persuasive-effect.html.
- *[Sic] It, Fix It, or Ignore It? The Rhetorical Implications of Spotlighting Another Writer’s Error*, Appellate Advocacy Blog (Feb. 3, 2022), https://lawprofessors.typepad.com/appellate_advocacy/2022/02/sic-it-fix-it-or-ignore-it-the-rhetorical-implications-of-spotlighting-another-writers-error.html.
- *Communicating with Clients, Cultural Competency, and Rhetorical Listening* (Oct. 7, 2021), .
- *The Objectives and Means of Brief Writing: Who Makes the Rhetorical Choices? Does it Matter? (Sept. 9, 2021)*, [Appellate Advocacy Blog \(typepad.com\)](https://lawprofessors.typepad.com/appellate_advocacy/2021/09/the-objectives-and-means-of-brief-writing-who-makes-the-rhetorical-choices-does-it-matter.html)
- *What is Rhetoric, Anyway? And Why Should the Appellate Lawyer Care?* (August 5, 2021), https://lawprofessors.typepad.com/appellate_advocacy/2021/08/what-is-rhetoric-anyway-and-why-should-the-appellate-lawyer-care.html
- CLASSICAL RHETORIC, MODERN LAW (forthcoming) (University of Alabama Press (Jay Mootz, Kirsten Davis, Brian Larson & Kristen Tiscione eds.)). In this forthcoming book, Dr. Davis wrote *Introduction to Classical Rhetoric and Contemporary Law*, with Jay Mootz, and the chapter, *The Lawyer, Speaking: The Lawyer as “Perfect Orator.”*
- *A Provisional Definition of Legal Writing Scholarship*, 2(1) U. ORE. PROCEEDINGS: ONLINE J. OF LEG. WRITING CONF. PRESENTATIONS (2021) [Vol 2, Issue 1: A Provisional Definition of "Legal Writing Scholarship" | School of Law \(uoregon.edu\)](https://www.uoregon.edu/~lwriting/vol2issue1/).
- *Using Rhetorical Methods to Study the Law and Legal Communication*, AALS Annual Meeting, January 2022.
- *Steering the Future of the Discipline: Articulating the Threshold Concepts of Legal Writing* (with Linda Berger, David I.C. Thomson, Kristen Tiscione, & Melissa Weresh), Association of Legal Writing Directors Conference, July 2021.
- *Is Storytelling a Threshold Concept in Law?": A Debate:* (with Kris Tiscione, Melissa Weresh, Linda Berger, Ruth Anne Robbins, David Thomson) Legal Writing Institute Eighth Annual Storytelling Conference, July 2021.
- *Discipline Building: Scholarship and Status in the Legal Academy*, SEALS Conference Writing Connections Series, August 2021, discussant.

- *Discipline Building: Interrogating and Disrupting the Legal Writing Canon*, SEALS Conference Writing Connections Series, August 2021, discussant.

Anne Mullins published and presented:

- *Transitioning from Practical Legal Writing to Academic Scholarship*, 19 *Leg. Comm. & Rhetoric: JALWD* __ (forthcoming).
- *Starting Off on the Right Foot*, with Barbi McLain, Legal Writing Institute One-Day Conference, December 2021, hosted by University of Oregon School of Law.



Institute Faculty Hold Legal Communication Leadership Roles

Institute Faculty accomplish the goals of studying the issues of legal communication and supporting an active community of legal communication teachers and scholars by engaging in leadership roles in the field.

- **Association of American Law Schools**
 - **Elizabeth Berenguer** served on the Executive Committee, as a Mentor for the Diversity Mentor Program, and as a member of the Research Awards Committee.
 - **Anne Mullins** served on the Nominations Committee.
- **Legal Writing Institute**
 - **Elizabeth Berenguer** served as Co-Chair for LWI Lives and as a member of the Governing Board for the Sirico Scholars' Workshop.
 - **Kirsten Davis** completed her service on the Board of Directors for the Legal Writing Institute.
 - **Anne Mullins** served on the LWI Discipline Building Working Group.

- **Association of Legal Writing Directors**



- **Catherine Cameron** served on the Scholarship Committee.

- **Southeast Association of Law Schools (SEALS)**

- **Elizabeth Berenguer** served as Co-Chair of the SEALS Writing Connections programming committee.

- **Journals and Editorial Boards**

- **Elizabeth Berenguer** serves as the Chair of Operations for the *Journal of Law & Political Economy*.
- **Kirsten Davis** serves on the Editorial Board of the *Rhetoric, Law, and Humanities Book Series* for the University of Alabama press. She also serves on the Advisory Board for the *SSRN Law and Rhetoric E-Journal*.
- **Jason Palmer** is an Associate Editor for the *Scribes Journal of Legal Writing*. He also is a Corresponding Editor for *International Legal Materials*, published quarterly by the American Society of International Law. Finally, he is General Co-Editor of the American Bar Association Section of *International Law Year in Review*.



- **State Bar Association Committees**

- **Kirsten Davis** served on the Special Committee on Professionalism, which reviewed the professionalism practices, policies, and standards on professionalism in Florida. She chaired the Professionalism Standards Subcommittee. Dr. Davis received the Bar President's Special Award for her service on this committee.