

Concrete techniques to help supervising attorneys and judges improve student externs' writing

Adapted from Bernadette Feeley, "Training Field Supervisors to be Efficient and Effective Critics of Student Writing," 15 Clinical L. Rev. 211 (2009)

Common roadblocks to quality supervision of student writing projects:

- Too busy
- Assume writing just gets better naturally
- It's the law school's job
- Don't know how
- Don't want to hurt extern feelings
- Prefer to show by example

BUT YOU CAN HELP! Externs need your teaching. Taking an active role improves writing done for you and benefits the student long-term. Consider doing the following:

1. Discuss at the beginning of the externship that improving writing is an express goal (a good time is when students come to you to discuss goals for the semester). Alert students to expect critique of writing assignments.
2. Give feedback and context before, during and after the writing assignment.
 - a. At the outset: Who's this for? What's the goal? What's the format?
 - b. After a draft comes in: Overall, how is it? What works? What should be changed? Organization – IRAC, signposts, topic sentences...? Analysis – is it sound, transparent, conclusory?
 - c. After the final: Again, provide an overall assessment. Ask the student to critique themselves – "what do YOU think would make this stronger?"
3. Provide models of good writing.
4. State the positive as well as negative
5. Ask them to rewrite...but don't do it for them if time allows.
6. Grammar and conciseness are fair game for feedback
7. Support students in improving their legal analysis. Here's one explanation of how novices should articulate their analysis in a legal brief: "repeat the language of the legal test when applying the law to your client's facts; make analogies and distinctions between your client's facts and the facts of prior cases explicit and

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easy for the court to grasp; make it easy for the court to see that your position is consistent with the policies underlying the results of binding precedent; and address weaknesses in your argument rather than ignore compelling counterpoints of the other side.” (Feeley, citing Sarah E. Ricks and Jane L. Istvan)

8. Remember how far you’ve come! Share your journey as a legal writer. Keep in mind that students are individuals so different techniques may work better with different students.