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Dean's Column

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LAWYERING PROCESS AT THE BOYD SCHOOL OF LAW

As a dean still new to Las Vegas, I spend a good deal of time meeting lawyers from across the city and state. When I ask what they look for most when making a new hire, what I hear most often is “make sure they can write.” These practicing lawyers tell me again and again that the most important skill a new lawyer needs is the ability to write well. Of course, I agree. No matter how much we emphasize “thinking like a lawyer,” or how much we focus on helping our students refine their analytical abilities, it all comes to naught if they cannot effectively communicate their ideas in writing. I remember vividly talking to one of my colleagues about one thing or another several years ago when I saw a post-it on her computer that said in bold letters “You Are A Writer!” It was her way of constantly reminding herself that she was, as most lawyers are, essentially a professional writer, whose main work product was written legal argument and analysis.

However important legal writing is, it is also notoriously difficult to teach. A legal brief or memo is a unique combination of technicality, creativity, structure and eloquence. If we need first to teach our students about the traditions of style and format – how to cite cases, state the argument, recite the facts and come to a legal conclusion – we then need to tweak those traditions and allow the human element and the real-world stakes of a case to come through. This is hard to do and hard to teach and, for years, law schools did not give it enough attention on the premise that good writing, like good teaching, somehow could not be taught.

I am proud that, since the Boyd School of Law opened its doors 15 years ago, we have set a high standard on putting instruction in legal writing at the center of the law school curriculum. Boyd's Lawyering Process Program requires students to complete nine graded credits of legal analysis, research, writing and skills training. This expansive program of study allows students to graduate with a real comparative advantage; our alumni stand out among their peers for their writing ability. Requiring that each student devote nine credits of instruction to legal writing demonstrates to students and the community the importance we place on effective communication and our commitment to ensuring that our graduates excel. This dedication has drawn national attention and the legal writing program at Boyd is consistently recognized as one of the handful of best programs in the country.

Here at Boyd, we have a group of faculty who write books and articles dedicated to teaching students how to be effective writers and effective lawyers. Boyd students have also enjoyed the opportunity to learn from visitors who are nationally respected legal writing teachers from other schools across the country. We don't teach writing in isolation, but as part of a set of skills lawyers need to effectively communicate. These skills include oral argument and negotiation, interviewing, counseling and collaborating to solve problems; we teach these skills alongside the different kinds of writing that correspond to each of these aspects of lawyering.

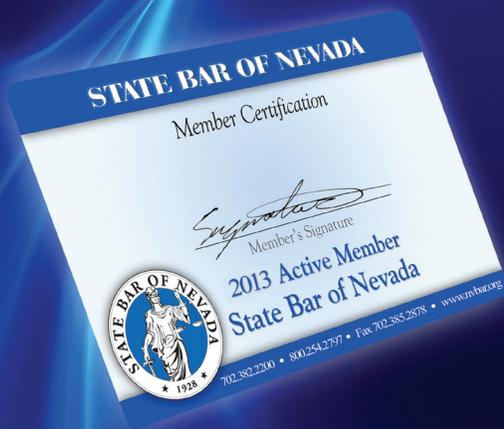


Following their two first-year Lawyering Process courses, for their third course, students select from a menu of classes that allows them to shape their own experience and to follow their interests. Upper division Lawyering Process courses include Transactional Drafting, Pleading and Motions, Rhetoric and Persuasion, Briefs that Changed the World, and Judicial Writing. Even after completing their Lawyering Process curriculum, each Boyd student writes a scholarly paper during his or her upper division years, and attends required workshops on scholarly writing.

Because of our focus on legal writing and lawyering, we have long awarded endowed chairs to several of our

Lawyering Process faculty and quite recently created the opportunity for all those teaching legal writing to move onto the tenure-track faculty. This is rare in American legal education and is something we are quite proud of at our law school. We know that the practicing bar demands that we produce lawyers who can effectively represent their clients from the day they start work, and we work to ensure they do so through our sustained commitment to teaching legal writing. As I go around the state talking to lawyers, the first thing they tell me is the importance of legal writing to their practice. And quite often, I am proud to say, the next thing I hear is: “and Boyd students can write.” ■

State Bar of Nevada Member Benefits



Bar members are entitled to the following benefits:

Fastcase – free online legal research for all active members.

Career Center – help in finding legal jobs and candidates.

ABA Retirement Funds – tax-qualified retirement plan services for the legal community.

Ethics Hotline – for all ethics related questions. Call 800-254-2797 to get the answers you need.

State Bar Publications – monthly subscription to *Nevada Lawyer* magazine and weekly subscription to the E-Newsletter.

Lawyers Concerned for Lawyers – confidential help from a fellow lawyer is a phone call away.

LawPay – credit card processing for attorneys.

ABA Discount – 15% off ABA publications.

FedEx – save up to 26% on select services with FedEx Advantage.

Hertz, Avis and Budget – discount auto rentals.

SOLACE – listserv program offering emergency assistance to legal professionals in crisis.

CLIO – cloud-based practice management system designed for solo practitioners and small firms.