



LWI LIVES

Inside this issue:

Emily Grant 1-3

Twinette Johnson 1, 4-5

Cristina Canty Knolton 1, 6-7

Statement of Selection and Presentation Process 8

Next Month's Profiles 8

Upcoming Legal 8

LWI Lives Committee 8

Contributors to this Edition:

Grace Hum,
Greg Johnson,
Jennifer Murphy Romig,
and Nancy Soonpaa

Page 1

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LWI Lives is a regular electronic publication of the “Faces of LWI” Committee, which explores and communicates the emerging identity of LWI and its members. We have in common the commitment to being the best legal writing professors that we can be. But we are multi-dimensional people with different strengths, interests, curiosities, and gifts. By profiling individuals in our community, we hope to expand and develop our understanding of who we are and what we aspire to be.

Clerking in Paradise



By Greg Johnson

Imagine having the opportunity to help establish the jurisprudence of the world’s newest republic. Then imagine that republic is an exotic island-nation in the cobalt-blue waters of the Pacific Ocean. Fantasy for some, but this happened to Emily Grant when she clerked for the Palau Supreme Court in 2004-05.

For more on Emily, see page 2

The Intriguing Double Life of Professor Twinette Johnson



By Jennifer Murphy Romig

There are at least two Twinette Johnsons. One is Assistant Professor of Law and Director of Academic Support at Southern Illinois University Carbondale.

For more on Twinette, see page 4

When Being A Lawyer Runs In the Family



By Nancy Soonpaa

- * Her parents were both lawyers.
- * Her godmother and grandfather were judges.
- * Six of her eight siblings (and several of their spouses) are lawyers, and another sibling is applying to law school.
- * She married a non-lawyer because “she was determined to be different.” A week after the wedding, her new husband told her that he wanted to go to law school too.

For more on Cristina, see page 6

Emily Grant, continued

Emily, now an Associate Professor of Law at Washburn University School of Law, first heard of the Palau position while clerking for the Seventh Circuit Court of Appeals during an especially harsh Chicago winter. Emily thought for a minute—clerk on a tropical island with hundreds of private beaches just a short boat ride away from the courthouse?—and then shouted, Sign me up!

Palau is an archipelago of 200 islands (only a few of which are inhabited) on the western edge of Micronesia (an island group of over 3000 islands), some ten hours west of Hawai'i by air. The entire country has a population of 20,000, most of whom live in the capital of Koror. Palau is seen as the most developed of the island-nations of Micronesia, though tradition and “customary law” still play an important role in society.

After World War II, Palau became a United Nations Trust Territory administered by the United States. The United States created a judicial system like the one we have here, thus accounting for the many American lawyers who have made Palau their home. At the same time, the Palau Constitution mandates that “customary law” be given equal weight with constitutional law. Customary law is an oral tradition describing clan alliances and land inheritance. Adding still another layer of cultural complexity, title disputes in Palau are governed by property lines drawn in the “Tochi Daicho” (land book) created by the Japanese government when it controlled Palau between the two world wars. The interplay between customary law and constitutional law and the need to decipher old Japanese title rolls make clerking for the Palau Supreme Court interesting and challenging. (The author of this profile also clerked for the Palau Supreme Court from 1993-95.)

When Emily arrived, Palau had only been an independent country for ten years. Everything in the legal system was new: Emily jokes about being able to fit all the laws of Palau in one back-



Holding a golden jellyfish in Jellyfish Lake, Palau



The Palau Supreme Court

pack. Emily drafted landmark decisions for the Palau Supreme Court on foundational issues like separation of powers, executive privilege, and clan/government relations. This period in Palau was akin to the Marshall Era in this country (indeed, the venerable Arthur Ngiraklsong has served a Marshall-esque 23 years (and counting) as Chief Justice of the Palau Supreme Court). Emily contributed to the creation of a judicial system and its jurisprudence.

And after work—Oh, the adventure! Emily's fondest memories are getting out of work at 4 pm and kayaking to the Rock Islands to watch the sunset on the ocean. She befriended a terrific group of adventurous and energetic expats who explored this gorgeous country together. Palau is famous for its scuba diving and snorkeling. It is also known for the truly unique Jellyfish Lake. Jellyfish Lake is a marine lake populated with millions of golden jellyfish. Cut off from their relatives, these jellyfish evolved differently and are harmless to humans. They float magically around you as you marvel at nature's diversity. Emily says Jellyfish Lake is one of her favorite places on Earth. She visited it numerous times—swimming with the jellyfish always gave her the most peaceful and serene feeling. To this day, when Emily is stressed or overworked, she pictures herself swimming in Jellyfish Lake, and this mental anchor brings peace and quietude.

After this once-in-a-lifetime experience in Palau, Emily returned to the States to begin her teaching career. In the ensuing ten years, Emily has emerged as a leading scholar on law-school pedagogy. Her article, *Toward a Deeper Understanding of Legal Research and Writing as a Developing Pedagogy*, ranks as one of the most important chronicles of the evolution of legal writing as a discipline--and one of the most persuasive critiques of “marginal status” legal writing still suffers from at some law schools. (Though not at Emily's law school—

Emily Grant, conclusion



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Emily and her son Cooper

professors who teach legal writing at Washburn are tenured or tenure-track.) I also highly recommend *At the [Other Side of the] Lectern*, published in the *Journal of Legal Education* last year. Emily observed 24 classes from other professors at Washburn and then offered insights on the different approaches to successful pedagogies. Emily's interest in law school pedagogy continues to this day: the *Arkansas Law Review* will soon be publishing her article, *The Pink Tower Meets the Ivory Tower: Adapting Montessori Teaching Methods for Law School*.

For the last two years, Emily has been the Co-Director of the Institute for Law Teaching and Learning (a natural fit given Emily's scholarly interest in pedagogy). The Institute sponsors two conferences a year. Emily is currently planning a conference on institutional outcomes assessments next April 1-2 at Boston University School of Law (for conference information, visit <http://lawteaching.org/conferences/2016spring>). Emily contributes to the Institute's newsletter with reviews of law review articles and columns in a regular feature called "Idea of the Month." In one Idea column, entitled *Get Off the Island* (obviously Palau influenced!), Emily describes what she learned by attending a conference of undergraduate professors. Emily keeps her teaching fresh by incorporating ideas from other law professors and professors from other disciplines. She then shares those ideas with us in articles and Institute columns.

Emily loves spending time with her eight-year-old son Cooper. Cooper is currently a purple belt in karate. He loves Legos and Star Wars. And he has a pet ball python snake named Jenny (short for General Grievous, one of his favorite Star Wars characters). Emily plays the piano and finds this a good outlet for her creative side. Emily is an avid reader: she recently finished *Purity* by Jonathan Franzen and is in the middle of *The Secret History* by Donna Tartt. Emily listens to lots of books on Audible during her drive to work. She once mentioned "books on tape" to her son, and he said, "Mom, what's a tape?"

Emily is a popular professor who uses many different teaching techniques aimed at reaching the whole class. For example, Emily likes to start the first class of each semester with an ice-breaker called "Brush with Fame." She asks students to describe an encounter with someone famous (this gets students talking in a nonthreatening and noncompetitive context). Emily is ready with her answer too: when she was in Palau, she saw Jeff Probst, the longtime host of *Survivor*, at the Palau airport getting ready to film Season 10, *Survivor: Palau*. Probst has said in interviews that Palau is his favorite location out of all the places *Survivor* has been set. This amuses Emily but does not surprise her, for Emily has clerked in paradise!

Emily Grant: emily.grant@washburn.edu

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Twinette Johnson, continued

This Professor Johnson recently gave a charming presentation at the LWI One-Day at Washington University along with her colleagues Sue Liemer and Alicia Jones, in which she discussed various ways to entice students to use the many academic-success resources available to them. For her portion of the presentation, Professor Johnson likened her work to a scene in the movie *The Avatar*, showing a movie clip in which one of the Na'vi (for non-moviegoers, one of the tall blue aliens) tames a mountain beast by subduing it and joining tails to “make the bond.”

The other Professor Johnson is a part-time denizen of Dairy Hollow Writers' Colony in Eureka Springs, Arkansas. This is an alternate universe where Professor Johnson lives and works and writes for one to two weeks at a time, taking long walks and producing law review articles and a bar-preparation book in progress (co-authored with St. Louis University legal writing professor Marcia Goldsmith).

Twinette Johnson graduated from Tulane Law School and clerked for then-Missouri Supreme Court Justice (now Eighth Circuit Judge) W. Duane Benton. She then practiced law with Shearman and Sterling in New York in the area of

bank finance. She moved back to St. Louis after getting married, and began looking for a legal job. Her best friend happened to know about a job at St. Louis University. “I said no,” but her friend insisted. Twinette was still skeptical. “In my mind, I didn't envision myself as a teacher.”

This misconception did not last long. “I quickly realized I had found the calling,” Twinette said. “This is what people mean when they talk about finding your passion. This is what I should have been doing all along.”

Twinette taught legal writing at St. Louis University for eight years. In 2007, she was appointed to the position of Assistant Director of Bar Preparation Programs and also served as Interim Director of Student Activities for a year. During her time at “SLU” (pronounced “Slew” for those in the region), legal writing teachers received a title change from instructors of legal writing to professors of legal writing at various ranks. She also started in a Ph.D program at SLU in public policy, with a focus on implementation and management.

The tenure-track opening at SIU-Carbondale, with oppor-



Twinette in action at the LWI One-Day Conference at Washington University



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Twinette Johnson, conclusion

tunities to teach doctrinal classes and continue with her academic success work, enticed Twinette to apply. Now in her fifth year, she enjoys the mix of academic and student-focused work. “I get to teach, write and provide academic support for students. These things are my gifts. They showcase my talent. They allow me to live my passion.”

The move from St. Louis, Missouri, to Carbondale, Illinois, meant having a different kind of relationship with students. At SLU, the size of the city allowed her to keep her professional distance. “Now I see them [the students] everywhere. And I’ve grown to like that.” Twinette recalled recent conversations with graduates who called back to talk through their issues such as preparing for a job interview or a second bar exam.

Twinette’s presentation at the LWI One-Day conference on December 4 addressed ways she could configure her office and set up learning resources to encourage more students to make use of the academic success office. This is, she said, “an ultra busy job.”

The ultra-busy nature of her day-to-day work at Carbondale is what led Twinette to say “yes” when a friend from the University of Arkansas-Little Rock asked her to accompany a group to Dairy Hollow to write—and to return twice more since then with plans for another visit this summer. She writes in the area of higher education law and higher-education access, most recently publishing *50,000 Voices Can’t Be Wrong, But Courts Might Be: How Chevron’s Existence Contributes to Retrenching the Higher Education Act* in the Kentucky Law Journal. Dairy Hollow is where these articles have happened. Twinette brings a “mini-library” and printer to crank out work. “Some of my articles have been written there, and my latest one has been started there,” she said. “It will probably be finished there.”

Dairy Hollow is affordable and welcoming, she said, with a small cabin that features a kitchenette and writing area. “You don’t have to leave your room,” she said, except for evening meals with the fantastic chef. That is the only requirement of Dairy Hollow: to meet and socialize with other residents at dinner. Residents include a variety of writers working on all kinds of projects.



Twinette in action at work

Back in the hectic student-centered atmosphere at Carbondale, Twinette’s grounding in legal writing helps her in her academic support role. In discussing the connection between bar-preparation strategies and legal writing, she pointed out her LWI poster presentation, “Legal Writing Pedagogy Really Is the Pedagogy of Bar Exam Success.” Having taught legal writing gives her immense credibility in her work with bar-prep success, she said, thanks to her deep knowledge of strategies with IREAC, IRAC, and mini-IRACs that students may deploy in different situations. “It’s IRAC today, IRAC tomorrow, IRAC forever,” she said. “I may be biased, but I believe it.”

Twinette Johnson: tjohnson@siu.edu



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Cristina C. Knolton continued

Professor Cristina Canty Knolton grew up in a family immersed in the law, and she has continued that immersion with her five children, several of whom are showing every sign of continuing the family tradition.

Professor Knolton teaches legal writing in the LAWS Program at Southwestern Law School in Los Angeles, where she developed and directs the Negotiation Honors Program and co-founded the Entertainment Law Negotiation Competition. She has co-authored two books, one on advice to new law students and one on winning negotiation competitions. She is passionate about the law, about teaching, and about her family.

Cristina and her siblings grew up in the Los Angeles area with their father (Joseph Canty), a DA-turned-public-defender, as a role model. A devout Catholic, he worked as head of the capital punishment unit to help his clients achieve the best possible outcome when they were tried and almost inevitably convicted: life in prison. Despite receiving hate mail from people (including a local law professor) who could not understand his work, he instilled in his children the belief that the law is an honorable profession and that all human beings deserve to be treated with respect.

Along with their mother, who had repre-

sented school districts early in her career, the nine siblings were raised with "law as the only example they had." Despite no overt pushing to embrace law as a career, eight of the nine siblings have chosen that path.

Cristina, along with her now-lawyer husband Derek, is trying to show their own five children "that other careers do exist," but worries that they won't even realize those options when they are surrounded by a family of lawyers. It may already be a lost cause: When they come from school and want to talk about their day, it usually goes like this: "Mom, I had a good day for three reasons. First, . . . Second. . . Third."

Moreover, her children have been raised not only in the law, but with law school as part of their growing-up experience. Cristina shares this story:

Several of the kids share a room, and the other night when I went to tuck them in, they said, "Mom, do you want to play the law student game with us?" When I asked them what the law student game is (because I had no idea they had made this game up and play it every night), they said it is where one person picks a topic and the other person decides which side of the topic they want

to argue and the other person has to argue the other side. Hailey picked the topic "cartoons or real actors." Julia then picked which side she wanted to argue was better and then they took turns debating over the benefits of watching cartoon movies v. movies with real actors. When this is their nightly activity, I think I have lawyers on my hands.

Cristina's passion for teaching law students is evident. She has taught at three law schools (Texas Tech, La Verne, and Southwestern); she began her teaching career when her husband gave up his construction firm to start law school at Texas Tech and they moved their family to Lubbock from San Antonio (where she practiced real estate law after bucking family tradition and moving to Texas for law school).

At Tech, she and Derek shone as a power couple. She hit the ground running, determined to become a successful teacher, and immediately received stellar student evaluations, while Derek excelled in Board of Barrister competitions and externship placements. At Tech, Cristina seized an opportunity to co-coach the negotiation teams, an opportunity that she now recognizes "changed my life." That coaching expe-



First Place
Thomas Jefferson
National Sports Law
Competition
Fall 2015



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Cristina C. Knolton, conclusion



The Negotiation Honors Program has been in existence for 7 years – 5 generations of board members from those 7 years are pictured.

rience, with ADR scholar Professor Brian Shannon, set up an expertise and career path that she has applied at Southwestern in developing its Negotiation Honors Program and co-founding its Entertainment Law Negotiation Competition. (The call of California and family's being too great, she and Derek moved there when he graduated.)

Derek, now a conflicts and records manager at a Costa Mesa firm, was on one of her negotiation teams at Tech and externed with the local dispute resolution center. He usually helps coach one negotiation team a year. According to Cristina, "every year I have students asking me 'when is your husband coming? can you please ask him if he can help with our competition too?' It has become a running joke in the program that Derek is the only one the students will listen to. His advice is gold to them—and to me too."

Their combined advice and coaching, plus the innovative Negotiation Honors Program, has allowed Southwestern to amass an enviable number of top-ranking finishes in ADR competitions. Their teams won the Thomas Jefferson National Sports Law Competition this fall; regularly enjoy first- and second-place finishes at the Lewis and Clark National Environmental Negotiation Competition and regional ABA Negotiation Competition; and four times in six years, have won the NBLSA International Negotiation Competition.

Reflecting on her teaching career thus far, Cristina says, "I get to do what I love and it makes going to work so easy." A child-friendly culture at Southwestern enables her to bring her children to team practices; her oldest daughter recently attended oral arguments with the specific instruction to the students that their arguments should be clear enough to make sense to a 14-year-old. And with her nearby mother's frequent help as well, she successfully juggles the demands of raising five children with the demands of her teaching position, attending soccer games and school functions while also teaching classes and coaching negotiation teams. Of her mom, Elaine Canty, Cristina says simply, "She is my saving grace."

Ultimately, Cristina finds great rewards in her work with students, "to see someone who is shy and has no confidence to speak publicly turn into someone who can win first place at a negotiation competition." Cristina recalls that she was also shy in law school; she chose to practice real estate law because she didn't want a job that required standing up and speaking in front of people. But now, "look at me - that is all I do. I changed so much through this experience and I love showing others that they can do it too."

And inevitably, her two worlds—family and law—intermingle per the family tradition: her children expertly argue, reason, and negotiate everything as well. When one daughter lost her front tooth,

I asked her if I could buy it from her instead of having her leave it under the pillow. I offered her \$5. She said, "Sure, but \$5 is what I would get if I left it under the pillow, if you want me to give to you, I want \$20." I told her that \$20 was outrageous and that I would give her \$7. She said "Mom, it is my biggest tooth so it should be worth more than what my other teeth are worth. If the tooth fairy gives \$5 for the smaller teeth, I should get at least \$15 for this one because it is three times as big." I said \$8 and we settled on \$10. Typical conversation between me and any of my children.

Any bets on the number of lawyers-in-the-making in this generation of the family?



Christina Canty Knolton: cknolton@swlaw.edu

UPCOMING LEGAL WRITING EVENTS

January 6, 2016

Scholar and Scholarship Colloquium, sponsored by AALS, ALWD, LWRR Section of AALS, and Fordham Law School New York, New York (Fordham's Skadden Center)

January 6-10, 2016

AALS Annual Meeting
New York, New York

January 22-23, 2016

2016 Southeastern Legal Writing Conference
University of Miami School of Law

March 11-12, 2016

Sixth Annual Capital Area Legal Writing Conference
University of Maryland Carey School of Law

March 18-19, 2016

16th Annual Rocky Mountain Legal Writing Conference
University of Arizona James E. Rogers College of Law

July 10-13, 2016

2016 LWI Biennial Conference
Portland Hilton and Executive Tower

Check out these websites for more information on what's happening!

<http://www.aals.org/aals-events/>
<http://www.lwionline.org/>
<http://www.alwd.org/>

Next month in *LWI Lives*, read about:



Alyssa Dragnich
Miami



Mark Osbeck
Michigan



Conrad Strum
Qatar

Selection and Presentation Process: We believe it is important for the members of LWI to know our process for creating the newsletter. The Committee is organized into three teams, and each is responsible for selecting, proposing, and writing the three profiles for a particular issue of the newsletter. To ensure a diverse newsletter, the teams propose the names of the selected individuals to the Co-Chairs to ensure that there is a breadth of coverage for each issue. Additionally, the Co-Chairs are keeping a master list of all the profiles, so that we can ensure a wide range of coverage over time.

The Faces of the LWI Committee exists to allow us to learn about the interesting lives of our colleagues. For that to happen, we want and need a diverse selection of legal writing professors to profile. If you have someone in mind that we should put on the list for a future newsletter, please feel free to contact any of our members at the email addresses below. If you could include a note on why you think the individual's profile would be particularly interesting, it will help us in developing priorities.

Committee Members



Bob Brain, Co-Chair
Loyola, Los Angeles
bob.brain@lsu.edu



Linda Edwards
Co-Chair, UNLV
linda.edwards@unlv.edu



Grace Hum, Co-Chair
Univ. San Francisco
ghum@usfca.edu



Sha-Shana Crichton
Howard
scrichton@law.howard.edu



Olympia Duhart
Nova
duhart@nsu.law.nova.edu



Tamara Herrera
Arizona State
tamara.herrera@asu.edu



Dorothy Hill
Albany
dhill@albanylaw.edu



Greg Johnson
Vermont
gjohnson@vermontlaw.edu



Karin Mika
Cleveland-Marshall
kairn.mika@law.csuohio.edu



Jennifer Romig
Emory
jromig@emory.edu



Nancy Soonpaa
Texas Tech
nancy.soonpaa@ttu.edu



Danielle Weatherby
Univ. of Arkansas
dweath@uark.edu

