

LEGAL RESEARCH & WRITING PROGRAM  
STANDARDS AND PROCEDURES

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PERFORMANCE STANDARDS AND  
PROCEDURES FOR EVALUATION AND PROMOTION  
OF FULL-TIME NON-TENURE-TRACK FACULTY  
TEACHING WITHIN THE LEGAL RESEARCH AND  
WRITING PROGRAM  
(adopted 4/27/99)  
(Effective 7/26/00\*)  
(with amendments through 8/27/03)

These policies and procedures for the Legal Research and Writing Program (hereinafter “LRW Program”) apply to each full-time member of the Temple Law School Faculty appointed to a non-tenure-track faculty position in the LRW Program (hereinafter “LRW Faculty Member”). At no time shall there be more than four (4) full-time, non-tenure-track LRW Faculty Members on the faculty. These policies and procedures are intended to be construed consistently with the current versions of the Temple University Faculty Guide and the School of Law’s current “Statement of Policies and Procedures of the Tenured Faculty.” The Dean and the Director of the LRW Program (hereinafter “Director”), after consulting with the LRW Faculty and such other Faculty committees as may be appropriate, may issue additional policies and procedures regarding evaluation, promotion, and other related matters, consistent with these and other Faculty policies and procedures.

I. Appointment and Reappointment

A. Terms of Appointment and Reappointment

1. Assistant Professors. A LRW Faculty Member hired at the rank of Assistant Professor shall be appointed initially for a term of one year and may be reappointed for two additional terms of one year each, a third term of not more than three years, and then to subsequent terms of not more than six years each. These appointments are not on a tenure track and may not be converted to the tenure track.
2. Associate Professors. A LRW Faculty Member hired at the rank of Associate Professor shall be appointed initially for a term of not more than three years and then to subsequent terms of not more than six years each. These appointments are not on a tenure track and may not be converted to the tenure track.

B. Notice of Termination of Contracts

1. By the University. Notice that an initial or subsequent appointment is not to be renewed

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\*As of the contract signed 7/26/00 (effective 7/1/00-6/30/01), Law School Legal Research & Writing faculty are not subject to the provisions of IV.B.4.b of the Faculty Handbook, which imposes a seven year maximum on the number of years an untenured faculty member may be appointed.

by the University will be given in writing to a LRW Faculty Member in advance of the expiration of the current terms of appointment, as follows:

- a. Not later than March 15 of the first academic year of service;
  - b. Not later than December 15 of the second and third academic year of service;
  - c. At least twelve months before the expiration of the appointment after three or more years of service at the University.
2. By the Faculty Member. Notice that a faculty member will terminate his or her service prior to the scheduled end of a term shall be given in writing as early as possible but, in any event, not later than March 1 of the academic year in which he or she is serving.

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C. Standards for Appointment and Reappointment

1. Initial Appointment. A candidate for initial appointment as a LRW Faculty Member at the rank of Assistant Professor must demonstrate the potential for excellence as a teacher and scholar of legal research and writing, as shown by educational achievement, prior practice of law, prior teaching, or other relevant achievements and skills. A candidate for appointment at the rank of Associate Professor must satisfy the Standards for promotion to Associate Professor (Para. II.A.) at the time of appointment.
2. All Reappointments. For all reappointments, a LRW Faculty member must demonstrate excellence in the teaching of legal research and writing, an ability and willingness to perform appropriate service, and familiarity with scholarship in the field of legal research and writing.
3. Longer Term Reappointments. For reappointment to a term of three years or more, a LRW faculty member must show (in addition to the required showings for teaching and service) scholarly activity resulting in published work of good quality.
4. Primary Responsibilities of LRW Faculty. A LRW Faculty Member's responsibilities should be primarily related to the LRW Program. The Dean or Associate Dean, after consultation with LRW Faculty member and the Director, will determine teaching responsibilities. Teaching responsibilities outside the Program ordinarily will not relieve the LRW Faculty Member of his or her responsibilities to the Program.

D. Timing and Frequency of Evaluation

1. Initial Appointment. A LRW Faculty Member shall be initially appointed by the Dean only following the approval of the Faculty of Law. The Faculty Selection Committee shall evaluate applicants for these positions and may recommend candidates to the

Faculty. On matters pertaining to the hiring of a LRW Faculty Member, the Director and one member of the LRW Faculty shall serve as a member of the Faculty Selection Committee.

2. Evaluation During Faculty Member's Initial Year. During a faculty member's initial year on the faculty, the Director will conduct an evaluation of the faculty member and make a report to the Dean and Faculty Review Committee. If so requested by the Director or the faculty member, the Faculty Review Committee may appoint a Faculty Review Panel to conduct its own evaluation as well.
3. Timing of Subsequent Evaluations. A LRW Faculty member shall be subject to evaluation by the Faculty Review Committee or Faculty Review Panel during the year preceding the end of any term of appointment and in any year in which the Faculty Member requests a promotion. Additional evaluation may be conducted if the Dean, after discussion with the LRW Faculty Member and the Director, determines that additional evaluations would be appropriate.

Coordination in the Evaluation Process. Whenever possible, the Director and the Faculty Review Committee or Faculty Review Panel should coordinate their evaluations. In those years in which a candidate is subject to faculty evaluation pursuant to Para. I.E., below, the Director's evaluation (if any) shall be shared with the Faculty Review Committee or Faculty Review Panel as the case may be.

#### E. Procedures for Reappointment and Evaluation

1. General.
  - a. All Reappointments. Except as provided in E.1.b., below, reappointment for any term to exceed one year may be made by the Dean after giving due deference to the written recommendation made to the Tenorial Faculty and to the Dean by the Faculty Review Committee or Faculty Review Panel. Inasmuch as evaluation of LRW Faculty is primarily a faculty responsibility, the Dean should presumptively follow the recommendation of the Faculty Review Committee or Faculty Review Panel.
  - b. Second Reappointment of Three Years or More. Reappointment for a candidate's second term of three years or more may be made by the Dean after giving due deference to a written recommendation by the Faculty Review Committee and a vote of the Tenorial Faculty. Inasmuch as evaluation of LRW Faculty is primarily a faculty responsibility, the Dean should presumptively follow the recommendation of the Tenorial Faculty. Faculty voting on subsequent multi-year term reappointments shall not be required.
2. Faculty Review Panels. For all reappointments for terms of one or two years, the Faculty

Review Committee shall conduct its evaluation through a two-person Faculty Review Panel appointed from a pool consisting of the tenured faculty and the LRW Faculty who are Associate or full Professors appointed for terms of at least three years, by the Chair of the Faculty Review Committee in consultation with the Chair of the Tenorial Faculty, the Dean, and the Director of the Legal Research and Writing Program.

3. Faculty Review Committee and Faculty Review Panel Procedure. The Faculty Review Committee or Faculty Review Panel shall proceed with its review of the candidate for reappointment generally as follows:
  - a. Initiation of the Reappointment Process. By April 30 of every Academic year, the Chair of the Tenorial Faculty shall ascertain from the Dean and the Director of the Legal Writing Program whether any LRW faculty terms will expire on June 30 of the following year and, if so, will learn from those faculty whether they desire to be reappointed for a subsequent term. The Chair will then communicate any statements of intent to seek reappointment to the Chair of the Faculty Review Committee. By September 1 of the academic year in which a decision on reappointment is sought, the faculty member shall submit to the Chair of the Faculty Review Committee one copy of a candidate portfolio. Scholarship on which the faculty member wishes to rely may be added to the candidate portfolio through September 15.
  - b. Procedure for Evaluation. The Faculty Review Committee shall conduct its review and formulate its recommendations as follows:
    1. Candidate Portfolio. The LRW Faculty Member being reviewed shall submit to the Faculty Review Committee a candidate portfolio which includes:
      - (a) A list of courses taught at the law school;
      - (b) Current year's syllabi;
      - (c) A final examination, if any were given;
      - (d) At least 3 critiqued student papers;
      - (e) Student teaching evaluations;
      - (f) A copy of all published work since the last Faculty Review Committee or Faculty Review Panel Report;
      - (g) A list of committee assignments since the last Faculty Review Committee Report and a description of other service activities outside of the law school since that time;

- (h) Prior written evaluations;
  - (i) Scholarly works in progress or any other material the candidate deems relevant.
2. Evaluation of Teaching. The Faculty Review Committee or Faculty Review Panel shall evaluate the candidate's teaching through class visitations, and through a review of the candidate's student evaluations and critiqued papers. At least two Committee or Panel members should each view two classes and they should work with the candidate and the Director to minimize class disruption. With the consent of the LRW Faculty member, reviewing a videotape of a class or of a session with an individual student is an appropriate substitute for one in-class evaluation. Prior to a class visit, the evaluator(s) should consult with the candidate about plans for the class(es) and after the visit, the evaluator(s) should discuss the observations concerning the classes visited.
3. Evaluation of Published Work.
- (a) General. Evaluation of a candidate's published work in the field of Legal Research and Writing shall be conducted by the Faculty Review Committee or Faculty Review Panel in consultation with the Director.
  - (b) Second Appointment of Three Years or More. When a candidate has applied for his or her second term of three years or more, the Committee shall, after discussion with the LRW Faculty Member under review, consult with at least two scholars who are not members of the Temple faculty regarding the scholarship the Committee must review. The Committee shall request from the Faculty Member under review the names of scholars who might be able to review the scholarship and shall obtain a review of the LRW Faculty Member's scholarship from at least one of those scholars. Any scholar who reviews a LRW Faculty Member's scholarship shall submit a written report that discusses the extent to which the work in question reflects knowledge of the subject matter and makes a positive contribution to the field as well as such other information or commentary as the scholar deems relevant to the LRW Faculty Member's qualifications for a longer-term reappointment. The LRW Faculty Member under review shall be entitled to see and respond to any written report prepared by such a scholar, provided that the report is redacted to preserve the scholar's anonymity.
4. Evaluation of Service. Evaluation of the candidate's service should include consultation with Chairs of law school committees on which the candidate has served and others with relevant knowledge of the candidate's performance of service.



5. Report. The Faculty Review Committee shall write a report describing its observations and evaluation and setting forth its recommendation regarding reappointment.
6. Distribution of Report. The Report shall be circulated to the LRW Faculty member, the Dean, the Director, and to members of the Tenurial Faculty for information or action (Para. I.E.1.b.) as the case may be.

## II Promotion

### A. Standards for Promotion

The promotion of a LRW Faculty Member to the rank of Associate Professor or Professor shall be based upon the following:

1. General -- Teaching. The primary criteria for promotion to both ranks are the excellence of the LRW Faculty Member's teaching of legal research and writing and the LRW Faculty Member's contribution to the development of the LRW Program. In addition to demonstrated excellence in teaching, promotion to the rank of Associate Professor or Professor requires levels of scholarship and service appropriate to these academic ranks.
2. Scholarship
  - a. Associate Professor. For promotion to Associate Professor, the LRW Faculty Member must demonstrate significant achievement in scholarship based on at least one professional work in legal research and writing written and published, or submitted for publication, after the LRW Faculty Member became a member of the Temple faculty. Additional scholarship beyond the foregoing requirement which is not in the field of legal research and writing may be considered as well. A piece which has not been published may be considered only if it has been completed (subject to editorial revision) and has been submitted for publication.
  - b. Professor. For promotion to Professor, the LRW Faculty Member must have achieved professional recognition in the field of Legal Writing through published, original work beyond that required for promotion to Associate Professor. To be considered by the Faculty Review Committee, written work must be accepted for publication by November 1 of the academic year in which promotion is sought.
3. Service
  - a. Associate Professor. For promotion to Associate Professor, the LRW Faculty Member must have demonstrated an ability and willingness to perform appropriate service.

- b. Professor. For promotion to Professor, the LRW Faculty Member ordinarily must have either
  1. Shown effective leadership; or
  2. Made major service contributions in the public community, the legal profession, the University or the Law School.

B. Special Procedures for Promotion

1. Timing. Except in extraordinary cases, a LRW Faculty Member who holds the rank of Assistant Professor shall not be considered for promotion to Associate Professor prior to the faculty member's third year of full-time teaching of legal research and writing; a LRW Faculty Member who holds the rank of Associate Professor shall not be considered for promotion to Professor prior to the faculty member's fourth year of full time teaching at the rank of Associate Professor.
2. Evaluation Procedure. A LRW Faculty Member who applies for promotion to Associate Professor or Professor shall be evaluated by the Law School Faculty Review Committee generally in accordance with the procedures outlined in Paragraph I.E. above except to the extent these procedures are inconsistent with the promotion procedures set forth in the Temple University School of Law "Statement of Policies and Procedures of the Tenorial Faculty." The Faculty Review Committee and Dean shall consult with the Director, and the Director may make an independent recommendation to the Promotions Faculty and Dean. As in the analogous case of reappointment (I.E.1.b.), inasmuch as evaluation of LRW Faculty is primarily a faculty responsibility, the Dean should presumptively follow the recommendation of the Promotions Faculty.
3. Evaluation of Scholarship . When a LRW Faculty Member applies for promotion to Associate Professor or Professor, the Faculty Review Committee shall, after discussion with the LRW Faculty Member under review, consult with at least two scholars who are not members of the Temple faculty regarding the scholarship the Committee must review. The Committee shall request from the Faculty Member under review the names of scholars who might be able to review the scholarship and shall obtain a review of the LRW Faculty Member's scholarship from at least one of those scholars. Any scholar who reviews a LRW Faculty Member's scholarship shall submit a written report that discusses the extent to which the work in question reflects knowledge of the subject matter and makes a positive contribution to the field as well as such other information or commentary as the scholar deems relevant to the LRW Faculty Member's qualifications for promotion. The LRW Faculty Member under review shall be entitled to see and respond to any written report prepared by such a scholar, provided that the report is redacted to preserve the scholar's anonymity.

### III. Faculty Reductions Caused by Financial or Educational Reasons

Pursuant to University policy, the Law School reserves the right, for educational or financial reasons, to reduce or eliminate full-time positions in the LRW Program and, upon twelve months' written notice, to terminate any multi-year contract of an affected LRW Faculty Member.

#### **Change to the Faculty Guide:**

On page 8 (Paragraph IV. B. 4. c.) add after "Medicine" "and Dean's appointments of Legal Research and Writing faculty at the Law School,".