**M E M O R A N D U M**

To: [Administration]

From: [Experiential Sabbatical Applicant]

Date: []

Re: Proposal for Experiential Sabbatical

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**1. The Premise: Preparing Students for Practice**

The American Bar Association, the practicing bar, and commentators urge law schools to prepare students more thoroughly for practice. Law schools should—and do—require experiential learning as part of their programs, usually in the second or third year of law school. Yet first-year law professors too have a role to play, ideally infusing their courses with insights on how students should practice law. Both law teaching and legal practice are time-consuming endeavors, however, and law students expect and deserve (and the ABA requires) that full-time law professors give students their complete attention. Thus, the goal of preparing students for the workplace is often in tension with professors’ own distance from law practice. While many law professors have worked in law firms and either interned or clerked with a court, those experiences can be updated and sharpened through an experiential sabbatical. This kind of sabbatical is uncommon, but those who have taken one report that the experience has transformed their teaching.[[1]](#footnote-1)

[Include subject-specific material here.] Legal writing is the most practical first-year course, teaching a skill that many students deploy in their summer work, years before graduation. Legal writing courses too are subject to complaints that they do not teach real-life legal writing skills. Of course, a first semester law student must learn the foundational skill of expressing legal analysis in writing before exploring the nuances of particular genres. In the second semester, however, legal writing classes at South Texas College of Law Houston turn to persuasive writing. Persuasive writing serves a particular purpose, with a particular audience: the court. Ideally, therefore, professors would have a complete and up-to-date understanding of exactly how best to craft a document to serve today’s judicial audience.

[Include goal of sabbatical here.] The proposed sabbatical internship is intended to infuse this professor’s legal writing classroom with fresh information and guidance for students’ persuasive writing. The goal is for these early lessons to become intrinsic to students’ writing, so students become more effective writers immediately and permanently. Students can then apply these skills in their earliest internships, clerkships, and clinic work, and later, in their careers. This project aims to improve the quality of students’ writing, and eventually, that of new attorneys.

**2. The Proposal: Three Sessions of Four Weeks Each, for Learning and Service**

[Include goals and specific outcomes here.]

By interning with a state trial court, a federal trial court, and a federal court of appeals, each for four weeks during a sabbatical semester, I hope to gain a deeper understanding of how legal writing students can best write for courts.

I am flexible with regard to schedule and duties, and I expect to pitch in and help with any research, writing, editing, or other project that would assist the Court. I hope to observe oral arguments and learn what is effective and ineffective in making arguments to the Court.

Set out below are some of the points that I hope to learn more about, through observation and participation.

|  |  |  |
| --- | --- | --- |
|  | The Issues | How the Intern Can Learn |
| 1. | The flow of the Court—what are the time-related and other pressures that the Court is under?  *Writing is above all an act of empathy, and law students must learn to put themselves in the shoes of the reader. Students’ writing must be fit for the intended purpose and audience.* | The intern will, through observation and participation, learn how the Court operates and in turn, how a lawyer’s writing should take those circumstances and pressures into account. |
| 2. | A document’s journey—how does a document flow through the Court to a decision upon it? How can attorneys ensure their writing is suitable for all potential readers?  *Beginning law students (and perhaps even some lawyers) may focus on their writing in isolation, aiming to show their prowess rather than to serve a purpose. Understanding how a document moves through the Court’s process will help students see their writing within the larger context.* | The intern can observe processes and speak with colleagues and the Court. |
| 3. | Parts of the document—which parts most aid the reader? How can an introduction, for example, be most helpful?  *The applicable rules dictate the necessary parts of a persuasive document. But how should students shape these parts to best reach the Court?* | The intern can listen, observe, and learn which parts are most helpful |
| 4. | Comparative persuasion—when two sides address an issue, what are the characteristics of the more persuasive motion or brief?  *Students sometimes forget that if their own writing is opaque or unclear, the other side’s voice could be amplified by default.* | The intern looks forward to reading both sides’ persuasion and seeing which prevails, and why. |
| 5. | Brevity and completeness—when should writers engage in a lengthier discussion, and when should a couple of pages suffice? Are points getting lost in lengthy briefs and motions?  *Students sometimes have trouble trimming down their thoughts, choosing instead to engage in lengthy discussions of less relevant point. Learning the risks of verbosity will help students write more effectively.* | The intern can observe the documents before the Court and learn which is more effective. |
| 6. | Oral argument—how persuasive is oral argument as compared with written argument? How does oral argument relate to the contents of a brief or motion, and how does that affect the decision-making process?  *Students sometimes overrate the importance of oral argument and devalue written advocacy.* | The intern hopes to observe oral argument and learn from pre- and post-argument discussions. |
| 7. | Technology and the Court—how have advances in technology affected judges’ interactions with persuasive documents? How can attorneys best suit their writing to judges’ current modes of reading?  *What should legal writing professors be teaching students about document design, taking into account digital reading?* | The intern can speak with judges and briefing attorneys to learn what best suits them. |
| 8. | Candor to the Court—how does the Court respond to over-reaching and mischaracterization of cases?  *Even during class assignments (in which there is no advantage to “winning”) students may be tempted to over-reach and cherry-pick statements from cases. If these circumstances arise at the Court, what is the result? What can students learn from this?* | The intern will observe and learn, through reading and listening to advocacy and participating in discussions. |

**3. Next Steps**

1. I am submitting this proposal for [add your decision-makers here] consideration, to ensure that the project would contribute to [your law school] and to the legal community.

2. If I secure approval, I will then forward the proposal to three different courts. I will then follow up to determine whether the courts would find this internship proposal appropriate and useful, in service to the Court and the legal community.

3. If the courts approve, I will then coordinate with court staff to determine the exact particulars of the internship, the hours, and how I can fit in with the court’s operations.

Thank you for considering this proposal.

[Applicant’s name and title]

1. *See, e.g.*, Martin H. Pritikin, *The Experiential Sabbatical*, 64 J. Legal Educ. 33, 64 (2014) (describing the author’s sabbatical in the district attorney’s office); Suzanne Rabé & Stephen A. Rosenbaum, *A “Sending Down” Sabbatical: The Benefits of Lawyering In The Legal Services Trenches*, 60 J. Legal Educ. 296 (2010) (describing a sabbatical spent with a legal aid organization); Bobby Marzine Harges, *Law Professor's Sabbatical in District Attorney's Office*, 17 Touro L. Rev. 383 (2001); Michael A. Mogill, *Professing Pro Bono: To Walk the Talk*, 15 Notre Dame J.L. Ethics & Pub. Pol’y 5, 32 (2001); Stacy Caplow, *A Year in Practice: The Journal of a Reflective Clinician*, 3 Clinical L. Rev. 1 (1996); Gary S. Gildin, *Testing Trial Advocacy: A Law Professor's Brief Life as a Public Defender*, 44 J. Legal Educ. 199 (1994). [↑](#footnote-ref-1)