



# THE Scrivener

Winter 2014

Scribes—The American Society of Legal Writers

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## In This Issue

Major Changes to <i>The ALWD Citation Manual</i> .....	1
Thanks to Jane Siegel .....	2
Thanks to Norm Plate .....	3
A Tribute to Beverly Burlingame .....	4
Lincoln on Legal Writing? ...	7
Mark Wojcik Honored by the AALS .....	12
New Members .....	13
Sustaining Members .....	14
Life Members .....	15

## Submissions

Please send items for upcoming issues of *The Scrivener* to Maureen Collins at [7collins@jmls.edu](mailto:7collins@jmls.edu).

## Major Changes to the Latest Edition of *The ALWD Citation Manual*

By Anthony Niedwiecki

*The ALWD Citation Manual*, one of the main legal citation systems, has undergone a major revision for its fifth edition, beginning with a name change to *The ALWD Guide to Legal Citation*. The changes to the citation manual were made after surveying legal-writing professors across the country regarding the needs of the legal-writing community. One of the most significant changes to *The ALWD Guide to Legal Citation, Fifth Edition*, is the elimination of the differences with other citation manual rules so that students can use the guide during law school and in practice.

With the hard work of new author Coleen Barger from the Boyd School of Law at the University of Arkansas–Little Rock, *The ALWD Guide to Legal Citation* is also shorter than previous editions, with a focus on the rules that are most important to practicing attorneys. The following are some of the manual's other features:

- It covers the most important aspects of legal citation in just 40 rules.
- It explains and illustrates the modifications needed for citing sources in scholarly writing, letting students easily contrast the formats side by side in the same rule.
- It has a student-friendly design that retains the best of the previous editions (Snapshots, Fast Formats, sidebars, structural diagrams, updated examples, etc.).
- It eliminates all style differences with *The Bluebook*, so *The ALWD Guide to Legal Citation* will be the only book on citation that law students and lawyers will ever have to buy.

*The ALWD Guide to Legal Citation* also continues its goal of being a strong pedagogical tool. Every student who purchases a guide will have access to an online citation program that will instruct on how to cite, explain the rules, and provide quizzes that are self-graded. With *The ALWD Guide to Legal Citation* and its online companion, students will be able to learn how to cite on their own time and at their own pace.

(continued on page 2)

The Association of Legal Writing Directors began its own system of citation in 2000, published as *The ALWD Citation Manual*. Scribes president Darby Dickerson was the first author of the manual, which was designed to be a simpler legal citation resource that was more logically organized than *The Bluebook*. Written by a legal-writing professor, it also focused on developing a better way to train law students on citation.

After spearheading the four previous editions, Darby Dickerson decided to step aside for the fifth edition because of her increased responsibilities as Dean of Texas Tech Law School. Dean Dickerson subsequently received the inaugural Darby Dickerson Award for Revolutionary Change in Legal Writing for her work on the manual and the fundamental change she brought to the legal-writing field.

You can get copies of *The ALWD Guide to Legal Citation* on the Amazon, Barnes & Noble, and Wolters Kluwer websites.

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## ***The Scrivener* Extends Its Thanks to Jane Siegel for Her Valuable Contributions**

By Julie Spanbauer

Jane Siegel served as the editor in chief of *The Scrivener* from 2003 until 2014. During this time, Jane was also an associate professor of law at Western Michigan University Cooley Law School, where she taught legal research and writing.

She is an accomplished artist and works on canvas and other media. Her artistic talent and leadership combined to bring about a more professional look for *The Scrivener* in the form of major design changes, including font, column width, paper, and color. She improved layout and typography again in 2009 and in 2013. In 2005, a professional proofreader was hired.

The newsletter was published quarterly, and the annual luncheon and awards issues were large and filled with photographs for members to enjoy. During her tenure as editor in chief, Jane Siegel was a tireless advocate for fresh stories. Several new features appeared regularly over the years, including a “pet peeves” column, articles about institutional members, and collections of judicial comments about writing.

Every issue included news about members, a president's column, and an article about legal writing. The articles were short, usually lively, and often funny. They exemplified Scribes' commitment to brevity, plain language, and clarity. Jane's work increased the circulation of *The Scrivener*, and greatly impacted both its form and content. We are grateful for her tireless efforts and her contribution to the Scribes organization.

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## Big Thanks to Norm Plate

By Joe Kimble

One day in 2009, I sat down with Norm Plate to spring a request on him. Four years earlier, while already serving as the editor in chief of *The Scribes Journal of Legal Writing*, I had agreed to also step in as the executive director. Now I needed help.

Norm accepted within 24 hours—much to my relief and, as it turned out, much to the benefit of Scribes. Norm served as the executive director for the next five and a half years (until recently turning over the reins to Brad Charles). And Norm did the job with great dedication, efficiency, and aplomb.

Even Scribes members probably don't appreciate how much work is involved in administering our organization—preparing all the letters, coordinating the committee work, organizing the annual board meeting and annual members' meeting, making sure the website is up to date, keeping track of the finances, and dealing with countless smaller matters as they arise. Little recognition attends any of this work, but Scribes depends on it, and Norm Plate always delivered. Scribes could not have had a better (or more engaging) person in place.

Among the specific accomplishments that Norm can be proud of are the following:

- He presided over one of the most prosperous periods in Scribes' history; reserves increased every year and increased more than \$50,000 in total during his five and a half years.
- He collected records from former executive directors and oversaw the archiving of all Scribes records in the library at Western Michigan University Cooley Law School.

- He updated and redesigned all our awards to make them less expensive and more modern.
- He created and designed the President's Award to honor our former presidents.
- With Rebecca McAlpine (see below), he created a calendaring program with a timeline to ensure that all tasks are carried out in a timely manner.
- He helped create a new, more dynamic and user-friendly website.
- He wrote the *Scribes Policies & Procedures Manual*.
- He rewrote the Scribes reimbursement policy.
- He represented Scribes at many legal-writing conferences and events.

I'm sure that Norm would want me to mention the help he received from Scribes' longtime administrative assistant, Rebecca McAlpine. She handles the day-to-day details. Rebecca ("Becky" to me) is as conscientious as they come, and those of us who work with her know that Scribes is dear to her heart. She has now served for almost ten years. Regardless of what the future brings, Becky will hold an honorary place in our history.

Finally, a salute to Western Michigan University Cooley Law School. Cooley supported the *Scribes Journal* through seven issues and supported the administrative office for ten years. In a word, the debt that Scribes owes is unrepayable.

The debt to Norm Plate may not be on that order, but it's on a high order indeed. Since Norm has a theater background, perhaps this will do for applause: "I can no other answer make but thanks, and thanks." The same goes for Scribes.

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## A Tribute to Beverly Burlingame

*The Scribes community suffered a loss with the passing of Beverly Burlingame in September 2014. Her many accomplishments are best summarized in the eulogy delivered by her friend Bryan Garner at Beverly's memorial service.*

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### Eulogy for Beverly Ray Burlingame

29 September 2014

As anyone who knew her can attest, nothing about Beverly Ray Burlingame was common—except perhaps her fanaticism about the Dallas Cowboys. But even that had uncommon origins, as I'll try to explain in due course.

Beverly was tenderhearted and sensitive. At one point in the late 1990s, she became rescue central for hurt squirrels in Dallas. We once talked on the phone when she had three baby squirrels in a file cabinet at her office at Thompson & Knight. She would feed each one with an eyedropper. When I told her that she was probably violating both her building's and her law firm's policy, she was undaunted. She knew that those little lives depended on her. Still, she was concerned that various secretaries and colleagues might have had heard some squeals and pips emanating from her office. Her house soon became a menagerie of recuperating squirrels, raccoons, and birds. When she released her little charges into the wild, her joy was always visibly commingled with agony at the loss.

Beverly had a prodigious intellect and a keen wit. She was the best law student I ever taught, and I gave her the highest grade of the students I had in my years on the University of Texas law faculty. She liked to remind me that it was the second-lowest score she received at UT Law.

She was one of the most fiercely dedicated people I have ever known. In the spring of 1990, she saw me working late in the Tarlton Law Library—laboring to produce the very first issue of *The Scribes Journal of Legal Writing*. She immediately offered to help, and proceeded to spend much of the next two weeks fact-checking and editing every piece of the *Journal*, despite her own punishing workload as a law student.

One of the publications in that first issue of the *Journal* was her own essay—her final paper for my course—entitled “Reaction and Distraction: The Pronoun Problem in Legal Persuasion.” She vehemently rejected my suggestion that the piece be called “Sex and the Singular Pronoun.” She would have none of it. In retrospect, I know that her title was better.

By the second-annual issue of the *Scribes Journal*, which appeared in 1991, I had made Beverly executive editor. Having just finished her prestigious clerkship with Judge Duhé of the Fifth Circuit, whom she adored, she had joined Thompson & Knight. Even as a first-year associate, she took charge of all the *Scribes Journal* book reviews. She wrote them single-handedly for the next 16 years—long after she had made partner in the late 1990s. Her book reviews were always imbued with her incisive intellect, and they made her judgment the acid test for pedagogy in effective legal writing.

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She was fearless. About one book, she wrote in 1991:

*The book abounds in writing weaknesses, including incorrect words (proscribe for prescribe), incorrect pronouns (which for that), and agreement errors (they in reference to a singular witness). Its most distracting stylistic attribute is rampant virgules. Hundreds of times the author uses s/he and his/her—and, on one memorable occasion, his/her/its/their. But by far his most outrageous word is s/he/it. This creation is truly unspeakable, except perhaps in a barn.*

In another review in the mid-1990s, the subtitle of the book was *Getting It Right, and Getting It Written*. Beverly wrote that the authors got almost nothing in the book right. So she concluded, “At least they got it written.”



Beverly Burlingame

Beverly would always come to the rescue of friends in need. You all have memories of that. Shortly before the seventh edition of *Black's Law Dictionary* became due to the publisher on an expedited schedule, Beverly announced to her colleagues at Thompson & Knight that she would be taking two weeks' vacation. She spent up to 18 hours a day editing and proofreading the dictionary—and prodding all my staffers to higher levels of excellence. She contributed enormously to the quality of that edition, and to every edition that will ever follow.

Beverly was a great lawyer. Her briefs are quoted more copiously in my book *The Winning Brief* than those of any other lawyer. Six of her briefs are reproduced in part or in full. Her Fifth Circuit brief in *Alvarez v. Lakeshore Medical Center* is reproduced in full as Appendix B4 in *Legal Writing in Plain English* as a model of sound thinking joined with eloquence. It's an extraordinary brief, well beyond the abilities of most appellate lawyers. Her briefs were selected from among thousands of candidates.

My voluminous correspondence file is studded with strange and fascinating memos from Beverly. In 1995, I opened a fan letter addressed to *The Scribes Journal* and directed to Beverly's attention. I apologized for opening her mail. She faxed me an odd memo with the subject “Recent Correspondence.” It said:

*Bryan—I find it hard to accept your explanation that in going about your usual business, you illegally opened my mail. I believe, instead, that the act may be attributable to your love of secrecy—it is, after all, your failing. I can't find a single sincere sentence in the letter not addressed to me. It's a masterpiece of deception. Warmly (really), Beverly*

I would find this inscrutable today except that I wrote a note to myself at the bottom: “This fax came to me two days after I recommended Jethro Tull's ‘Under Wraps’ album to Beverly. Most of the words that she uses in this note come from songs on that album.”

(continued on page 6)

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(Tribute to Beverly Burlingame, continued from page 5)

Like me, Beverly was a fan of Jethro Tull. And in 2002, we attended the Jethro Tull concert together at the Bass Performance Hall in Fort Worth. It was one of the most memorable times I had with her. As a gifted pianist herself, she could appreciate the virtuosity of Ian Anderson. And she knew all the lyrics.

Beverly was for many years the general counsel of my company, LawProse. I thought of Beverly as the most effective lawyer I knew because she was incisively intelligent and outworked everyone else. My wife Karolyne and I last saw her a month ago, as we were advising a client who had a real-estate problem. Beverly served as our cocounsel that day, dispensing her characteristically sensible advice as we helped solve the client's problem.

During our marathon sessions on the *Scribes Journal* in the 1990s, Beverly and I became confidants. Her travails in this world were great—as great as anyone's. But she never complained. Now her woes are at an end.

She loved her family intensely—her mother, her brother Tom, her sister JoAnne, her nieces Erin and Kaitlyn, and her nephew Daniel. She loved Thompson & Knight and her colleagues there, especially her mentors Schuyler Marshall (in the early days) and Bruce Sostek.

In 1996, she wrote me a letter that ended: "I realize that my devotion to the Dallas Cowboys is glaringly inconsistent with my views about violence and women's rights. But bonds between little girls and their fathers are impervious to reason."

For the many people who loved you, Beverly, the bonds between us and you are impervious to death. We love you.

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Either write something worth  
reading or do something  
worth writing.

~ *Benjamin Franklin*

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### Would you rather receive this newsletter by e-mail?

If the answer is "yes," please take just a minute to let us know. Send your "yes" to Rebecca McAlpine at [remac4253@gmail.com](mailto:remac4253@gmail.com). Don't bother if the answer is "no." And if you've already told us your preference, thank you!

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## Lincoln on Legal Writing?

*Artist Talmage Boston presented his interpretation of Abraham Lincoln's view on writing at the 2014 Scribes Annual Meeting held in Boston. While best performed by the artist himself, his advice is nonetheless of interest to Lincoln scholars and legal writers alike. The presentation's text has been edited for inclusion in this issue.*

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### What Lawyers Can Learn from Abraham Lincoln About Communication

*By Talmage Boston*

Good afternoon. Ben Franklin once said that there are only two things we can count on with absolute certainty: death and taxes. Since Ben's time, I think we've added one more category to his list. You ask: What could possibly be as certain as death and taxes? Answer: The American people's love affair with Abraham Lincoln. And that will never go out of style, since the many lessons of his amazing life are timeless.

Whether we're devouring Doris Kearns Goodwin's *Team of Rivals* or being mesmerized by Daniel Day-Lewis's Oscar-winning portrayal of Lincoln in the recent film, the American people have always maintained and will always maintain a deep appreciation for all things Lincoln, particularly what he said and what he wrote. Although people these days often call Ronald Reagan "The Great Communicator," the Gipper would be the first to acknowledge that neither he nor any other occupant of the White House was a world-class communicator on the order of Abraham Lincoln.

How did he do it? What were Lincoln's most important tools in his communications toolkit? First, precision in his choice of words. Philosopher and Columbia University Dean Jacques Barzun, in his landmark essay "Lincoln the Literary Artist," recognized:

Something of Lincoln's greatness as a communicator obviously came from

the practice of legal thought—which encourages precision through the imagining and the denial of alternatives. The language of the law foresees doubt, ambiguity, confusion, stupid or fraudulent error, and one by one—it excludes them. . . .

The great compression of Lincoln's language came after he had, lawyerlike, excluded alternatives, and hit upon right order and emphasis.

In three words, Strunk & White's Rule 13 encapsulates the essence of what Dr. Barzun was saying about Lincoln's focus on precision: "Omit needless words." And with precision came clarity.

In his book *Lincoln: The Biography of a Writer*, Fred Kaplan creates this dazzling word picture to describe the clarity of Lincoln's communications: "They were marked by tight sentences that flowed from a thoroughly prepared mind. His words were like a perfectly focused camera image; like looking through 100 feet of clear water; marked by transparent honesty."

Proof of Lincoln's precision and clarity was also observed by Douglas Wilson, in his book *Lincoln's Sword: The Presidency and the Power of Words*, when he identified Lincoln's response to someone's proposed editing of his famous Cooper Union speech before

*(continued on page 8)*

it was published. Lincoln told the editor his thoughts, to the point of zeroing in on the minor details in his text:

I do not wish the sense changed, or modified, to a hair's breadth. You, not having studied the particular points as closely as I, can not be quite sure that you do not change the sense when you do not intend it. For instance, in a note at bottom of first page, you propose to substitute "Democrats" for "Douglas." But what I am saying there is *true* of Douglas, and is not true of "Democrats" generally; such that your proposed substitution would be a very considerable blunder. On page 5, your proposed insertion of "residences," though it would do little or no harm, is not at all necessary to the sense I was trying to convey. The striking out "upon it" leaves the sense too general and incomplete. The sense is "act as they acted *upon that question*"—not as they acted generally.

Historian Wilson concludes that Lincoln's response to the editor showed "his complete attention to the nuances of his own writing, and his thorough focus on using words to achieve maximum clarity."

The second important virtue in Lincoln's communications: his acute sense of audience, which allowed him to speak his listeners' language, empathize with them, touch their hearts, and, with all those factors working together, change their minds. When in front of juries, Lincoln connected with them using his down-home, common-folk touch, engaging them with colloquial words and images they understood. He once counseled a young lawyer on how best to present to a jury: "Don't shoot too high; instead shoot down low, and the common people will understand you." Judge John M.

Scott, before whom Lincoln often appeared, recognized that besides his "shoot down low" common touch, Lincoln also got juries going his way by staying in a mode of humility throughout a trial. Judge Scott said, "An attorney makes a grave mistake if he puts too much of *himself* into his argument before the jury or before the court. In the cases he tried in my court, Mr. Lincoln kept himself in the background and apparently assumed nothing more than to be an assistant counsel to the court or the jury on whom the primary responsibility for the final decision of the case in fact rested." So in talking to juries, Abraham Lincoln "shot low" and stayed humble.

In his political speeches, Lincoln had to present to a different kind of audience than a jury. In those circumstances, he no longer "shot down low." At Cooper Union, in the "speech that made him President," in February 1860, his audience was made up of New York City's political and civic elite. They were the Republican Party leaders in New York and came to see and hear Lincoln to determine whether he was a viable candidate for their party's presidential nomination later that year. For them, Lincoln decided to give a scholarly presentation, filled with tightly organized facts, knowing that it would be the best approach for convincing an intellectual audience. Upon hearing this type of speech, chock-full of credible evidence, the highbrow crowd would have no doubt that they had been in the presence of a man with formidable intellect and authentic linguistic talent. On this occasion, because Lincoln knew his audience, he didn't use his jury touches of humor, anecdote, and the colloquial.

The Cooper Union speech was almost 8,000 words and took 90 minutes to deliver. Lincoln's fact analysis was constructed



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to show that his longtime foe Stephen Douglas (whom everyone regarded as the Democratic Party's front-runner for the presidential nomination in 1860) had been wrong when he spoke publicly during the past six years in support of the Kansas-Nebraska Act, saying that our founding fathers had favored the expansion of slavery. Here's how Lincoln, after engaging in exhaustive research, disproved Douglas's claim at Cooper Union. He pointed out that the Constitution had been signed by 39 men. Of those 39, after the Constitutional Convention, 23 had served in one legislature or another, and had had occasion to vote on the issue of slavery expansion. And 21 of the 23 had voted against the expansion of slavery; of the remaining 16, who had no voting record on the issue, 15 (through their speeches and letters) had left a clear record that they also disfavored the expansion of slavery. Thus, in his Cooper Union speech, Abraham Lincoln, master litigator, essentially cross-examined all 39 men, one by one, and proved that 36 of them had clearly disfavored slavery's expansion. Displaying that kind of persuasive oratory star power at Cooper Union, Abe Lincoln began his high-speed journey toward the presidency, after proving conclusively that Stephen Douglas's main argument, which he planned to use extensively in the 1860 presidential election, was false.

Another example of Lincoln's tailoring his communication to a specific audience can be seen in his Emancipation Proclamation, a purely legal document that Lincoln knew would have to withstand Supreme Court challenge. And he knew he was operating on somewhat shaky constitutional ground, with no precedent to support his action. How did the President have the power to proclaim emancipation? Didn't the emancipation of slaves require congressional approval?

Lincoln addressed those questions head-on, at the end of the Emancipation Proclamation, saying that it was "an act of justice warranted by the Constitution upon military necessity." The document reads like a bill of lading. There's no eloquence in the Emancipation Proclamation. There's no humor. It reads like fine-print boilerplate in a commercial contract. Short, legally airtight. No frills at all. Here's an excerpt:

That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States.

The final example of Lincoln's versatility in matching his speech to a particular audience came in his major addresses. In these, he used full-blown eloquence with poetic language ("with malice toward none, with charity for all, with firmness in the right as God gives us to see the right") and few words, accentuating the premise that is validated in communication every single day, then and now:

But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here,

*(continued on page 10)*

have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here.

Less is more. In the Gettysburg Address (275 words) and Second Inaugural Address (701 words), the substantial majority of words were of one syllable. Think of Abraham Lincoln's different audiences; think of his different linguistic approaches to them.

The third tool in effective communication used by Lincoln: no misrepresentations or overstatements. "Honest Abe" Lincoln was wired for truth. Not only from an integrity standpoint, but also from a communications standpoint, he knew that truth was essential to credibility, and credibility is lost when it's clear that a speaker is playing fast and loose with facts. In what is an unfortunate reality about lawyers in the 19th, 20th, and 21st centuries, Abraham Lincoln stood out from his contemporaries because he always accurately stated his opponent's argument, whether in court or in political debates, before he began refuting it.

The fourth communications tool: When in the business of persuading, Lincoln spoke with an impassioned tone that emanated from the sincerity of his convictions. Lincoln's lifelong political hero was Henry Clay. Historian Douglas Wilson located where Lincoln had once spoken of the key to Clay's power as an orator. In praising Clay, Lincoln was also describing his own aspiration for the ideal tone to project whenever the time came for him to take the podium and persuade.

Mr. Clay's eloquence did not consist in elegant arrangements of words and sentences; but rather of that deeply earnest and impassioned tone, which can

proceed only from great sincerity and the speaker's thorough conviction in the justice and importance of his cause. This it is, that truly touches the chords of human sympathy.

Note: An "impassioned tone" is not an emotional exhortation. As Dr. Barzun points out in his assessment of Lincoln's literary artistry: "He never seemed to have considered it within his power to convince by disturbing others' judgment using his emotions."

The fifth tool: Lincoln built rapport with all his audiences using wit, but with calculated restraint. Here are two examples of the Lincoln wit that he used in his speeches: "I was once running for local office, when I came to a blacksmith shop. 'Sir,' I asked, 'will you vote for me?' 'Mr. Lincoln,' said the blacksmith, 'I admire your head, but damn your heart!' To which I replied, 'Sir, I admire your candor, but damn your manners!'"

Here's another example of Lincoln's wit: A senator was once conversing with the President and became annoyed by Lincoln's propensity to divert attention from the serious subject on the Senator's mind by Lincoln's allusions. "Mr. Lincoln," said the Senator, "I think you would have your joke if you were within a mile of hell." "Yes," said the President, "that's about the distance from here to the Capitol."

Lincoln's sixth and final skill that empowered his communications was identified by Jacques Barzun, who encouraged those analyzing Lincoln's writings: "Let his choice of words, the rhythm and shape of his utterances, linger in the ear. When you do that, you begin to feel as he did. His extraordinary power was to make his spirit felt."

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So those were Abraham Lincoln's six communications tools that we can all learn from. What did Lincoln do to develop these six tools of word precision, acute sense of audience, refusal to misrepresent or overstate, impassioned but not emotional tone, calculated wit, and rhythmic, deliberate cadence? Dr. Barzun answers the question this way: First, "He acquired his power over words in the only two ways known to man—by reading and writing—from the King James Bible, Shakespeare, Bunyan's *Pilgrim's Progress*, and Aesop's Fables—these are the books from which a genius like Lincoln would extract the lesson of terseness and strength."

Remember that: Terse precision and strength go hand in hand. Again, less is more!

Dr. Barzun observes: "Lincoln was maniacal in condensing any matter into the fewest words." This was a telegraph-composing mind-set: shorter equals less costly. Barzun gives these two examples:

John Fitzgerald, eighteen years of age, able-bodied, but without pecuniary means, came directly from Ireland to Springfield, Illinois, and there stopped, and sought employment, with no present intention of returning to Ireland or going elsewhere. After remaining in the city some three weeks, part of the time employed, and part not, he fell sick, and became a public charge. It had been submitted to me, whether the City of Springfield, or the County of Sangamon is, by law, to bear the charge.

Turn, then, to that horror-striking scene at St. Louis. A single victim was only sacrificed there. His story is very short; and is, perhaps, the most highly tragic of anything of its length that has ever been witnessed in real life. A mulatto man by the name of

McIntosh was seized in the street, dragged to the suburbs of the city, chained to a tree, and actually burned to death; and all within a single hour from the time he had been a freeman, attending to his own business, and at peace with the world.

Lincoln's second developed habit for his six tools of effective communication: thorough preparation. He avoided spontaneity whenever possible. In composing his First Inaugural Address, Lincoln wrote the first draft in solitude, after exhaustive research. A friend said that Lincoln "locked himself up in a room upstairs over a store across the street from the State House," where he could work "cut off from all communication and intrusion." Then he engaged in multiple edits until he had an almost-final draft; then he received input from others; and only then did he complete his final draft.

That's the kind of thorough preparation required before anyone has the power to deliver world-class prose.

I'll close with a quote from Ralph Waldo Emerson, a man generally recognized as America's most influential writer of the 19th century. Here's Emerson's evaluation of Abraham Lincoln's writing, as one word master paid tribute to another: "What pregnant definitions; what unerring common sense; what foresight; and, on great occasion, what lofty, and more than rational, what humane tone!"

Wouldn't we love it if someone said that about *our* communications?

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## Mark Wojcik Honored by the AALS for His Service to Legal Writing

By Kimberly Hoist

This year, the AALS Section on Legal Writing has named Professor Mark Wojcik, Scribes board member and treasurer, as the recipient of its annual award for his service to the profession. The purpose of the AALS Legal Writing Section Award is to honor an individual for outstanding contributions to the field of legal writing, reasoning, and research. The criteria for the Section Award are service, scholarship, and legal-writing program design or other activity valuable to the advancement of the field of legal writing. Mark has been an active and supportive member of the Section throughout his career. Mark received two separate nominations for the Section Award, including 27 different nominators from over a dozen different law schools as well as a practicing attorney. These numbers are impressive on their own, but they are just a speck in comparison to the impressive volume of Mark's accomplishments.

Rather than recount each of Mark's accomplishments, let's take a look at some of the themes that arise from an examination of his work. One key theme is engagement. Mark is highly involved in numerous organizations in a variety of fields on the local,

national, and international levels. Related to engagement is leadership. Mark rarely just "shows up" when he joins an organization. More often than not, he takes on an active leadership role. As a leader, he is also an *innovator*—playing a key role in founding the Legal Writing Prof Blog, the Global Legal Skills Conference, the LWI One-Day Workshops, and so much more. In addition to all that, Mark is an impressive scholar, having written numerous book chapters, books, and articles throughout his career. His impact is *global*—not only in terms of engagement, but also in his desire to improve the quality of legal education throughout the world.

Finally, and perhaps most impressive, Mark works as a *community builder* and great supporter of legal-writing faculty. One word that immediately jumps to mind to those who have had an opportunity to work with Mark is *inclusive*. If Mark is in charge of an event or a conference, one of his top priorities is to involve as many different voices as possible—often encouraging new professors to present and take an active role in the event. In light of Mark's contributions, the AALS award is richly deserved.

Mark E. Wojcik receives his award from the AALS Section on Legal Writing, Reasoning, and Research. Pictured here with him are Kim Chanbonpin (President-Elect of the Legal Writing Institute) and Dean John Corkery of The John Marshall Law School, Kim Holst (Chair of the AALS Section on Legal Writing, Reasoning, and Research), and John Thornton (Northwestern University).



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## New Members

Ninfa Abad  
*New York, New York*

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*Chicago, Illinois*

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