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How law students' part-time legal employment can help employers improve their own writing skills

Douglas E. Abrams

During their studies, many law students take part-time legal employment outside the law school building. To fulfill some assignments, a student writes. If the employer's lawyer closely reviews the final written product with the student, the one-on-one meeting can be a mutually beneficial experience akin to a writing apprenticeship.

Traditionally, an apprenticeship sought to train only the apprentice. Today, however, writing apprenticeships described here depart from the traditional model because they can sharpen the writing skills of not only the law student, but also of the employer's lawyer who makes the extra effort to closely review the student's writings and to meet one-on-one.

Formal apprenticeships ended in the United States by the early 20th century,¹ but the analogy to apprenticeship as a model for developing a lawyer's own legal writing skills remains instructive today. Near the end of his storied career, novelist Ernest Hemingway (1899-1961) said this about writers of all ages: "We are all apprentices in a craft where no one ever becomes a master."² If a career-long writing apprenticeship was good enough for Pulitzer Prize recipient and Nobel laureate Hemingway, a career-long apprenticeship is good enough for lawyers.

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The basic formats of the law student's employment-based apprenticeship

A law student's part-time employment-based apprenticeship today may assume various formats. The apprenticeship may span several weeks one or both summers during law school, a few hours weekly during one or more semesters, or some combination

of summers and semesters. The student may work with one employer during the entire period, or the student may split time with more than one.

The employer may be large or small. The employer may be in the private sector (such as a law firm, a public-interest advocacy organization, or a business) or in the public sector (such as a federal or state agency, or a public official such as a judge or legislator).

Part-time law student employment usually carries a wage or stipend. Employment may be uncompensated, however, by employers (such as some public-interest advocacy organizations, federal or state government agencies, or public officials) that engage volunteer law students without budgets for compensation. Employment may also be uncompensated where the relationship fulfills a school-approved internship.

Mutual benefits

In whatever format, a law student's well-structured part-time legal employment can help improve the writing skills of both the student and the employer's reviewing lawyer.

The law student's improved writing: feedback from the reviewing lawyer

Part-time legal employment can help introduce the law student to the dynamism of law practice in ways that supplement classroom instruction. The student can also gain maturity and practical experience that supplement law school clinical courses.

In large measure, however, these positive outcomes depend on whether the student receives constructive feedback from the employer's reviewing lawyer during and after assignments.

Feedback commonly emphasizes the student’s grasp of relevant substantive or procedural issues – the “meat and potatoes” of most assignments.

Where the student fulfills an assignment with a memorandum or other writing, however, the reviewing lawyer should evaluate and, if necessary, critique the student’s persuasiveness, articulation, style, grammar, punctuation, and other fundamentals of effective legal writing. Delivering this feedback about student writing imposes demands on the reviewing lawyer’s time and expense, but the time and expense are well spent for the dividends that await the lawyer.

The reviewing lawyer’s dividends: teaching the teacher

Where a law student secures part-time legal employment, the employer receives the benefits of the student’s research and can also savor personal satisfaction from helping to mentor the next generation of lawyers.

A benefit sometimes overlooked is how the reviewing lawyer’s constructive feedback about the student’s writing, delivered in a meeting with the student, can improve the lawyer’s own writing skills. The reviewing lawyer assumes the role of teacher, and teaching writing remains an ideal way for the teacher to learn.


My own writing story helps make the point. In 1979, I began my teaching career as an adjunct legal writing instructor at New York Law School. From the first class session, I noticed greater articulateness and care in my own writing, thanks partly to the lessons I delivered. As I spoke each week after weighing and reinforcing broad concepts and finer points before the class and during one-on-one conferences with students, I found that I was also speaking to myself about concepts and points that I had not previously thought much about. As the teacher, I was both on stage and in the audience.

When I began teaching doctrinal courses shortly thereafter, I continued paying attention to students’ writing with advice and encouragement. During decades teaching doctrinal courses at the University of Missouri School of Law, I continued to refine my own writing skills, thanks largely to the healthy teacher-student feedback about effective written expression.

Similar refinement through teaching awaits an employer’s lawyer who closely reviews a student apprentice’s writing and shares feedback about that writing.

Conclusion: noble callings

At orientation each August, I tell the incoming first-year Mizzou law students that they joined the legal profession when they walked through the law school’s front door on the first day. For both student and teacher, this invitation means that writing instruction during part-time legal employment remains a foundation of the career-long writing apprenticeship that Hemingway identified more than two generations ago.³ A lawyer who is willing to learn is never too old to learn.

Lawyering done right, like law teaching done right, is a noble calling. In a legal writing apprenticeship, a wise reviewing lawyer can assume the role of teacher, with its challenges – and its rewards. 



Douglas E. Abrams, a University of Missouri law professor, has written or co-written six books, which have appeared in a total of 22 editions. Four U.S. Supreme Court decisions have cited his law review articles. His writings have been downloaded more than 46,000 times (in 153 countries). His latest book is Douglas E. Abrams, EFFECTIVE LEGAL WRITING: A GUIDE FOR STUDENTS AND PRACTITIONERS (West Academic 2d ed. 2021). Thank you to Dean Lyrissa Lidsky for her careful review of a draft of this article.

Endnotes

- 1 See, e.g., Douglas E. Abrams, A VERY SPECIAL PLACE IN LIFE: THE HISTORY OF JUVENILE JUSTICE IN MISSOURI 23-24 (2003).
- 2 Robert Schmuhl, *Process vs. Product: For Some, the Act of Writing Can Be as Important as the Finished Work*, Chi. Trib., Apr. 2, 2000, at 14.3 (quoting Hemingway, N.Y. J.-Am., July 11, 1961).
- 3 See *supra* note 2 and accompanying text.



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