From a Gleam to Maturity: The Developmental Stages of a Legal Writing Program

Nancy Soonpaa[*]

"Imagine your LRW program as a family. How would you describe it?"

Lacking	dysfunctional	supportive	change
adult-children	resistant	disparate	challenged
	fun	growing	

My panel posed this question in the opening moments of a conference presentation about the developmental stages of a legal writing program. The word cloud above depicts the audience's responses. From there, we (including the enthusiastically contributing audience) explored the thesis that LRW programs are like families.

As we explored the thesis, we shared examples and experiences:

- The gleam stage of an LRW program is a stage that few of us are privileged to experience—it provides the opportunity to start from scratch and develop a brand-new program.
- The infant/toddler stage—once developed, the program is then populated with people who are new to the program or the school or to teaching.
- The childhood stage—in this stage, everyone has a lot of energy, and lots of growth occurs.
- The adolescent stage—members struggle with identity and rebel against authority in an attempt to find their place in the world.
- The young adult stage—this is a time of mixed independence and reliance, but of necessary separation as well.
- The mature stage—members are fully grown, identify and are identified as adults, and make autonomous decisions.

---

[*] Nancy Soonpaa is a Professor of Law at Texas Tech University School of Law. She recently stepped down after 17 years as Director of the Legal Practice Program as the program shifts to a director-less model, now staffed by full-parity, tenured professors.

- The golden-years stage—the program has achieved major life goals, is not actively creating new ones, and is content to coast.

The analogies between developmental stages of human beings within families and faculty within their legal writing programs seemed novel.[1] However, the analogies work, and they should inform directors who are refining their leadership of programs that are in flux,[2] whether by structure or by changing personnel.

Moreover, the developmental stages apply to more than one entity within a law school: to individuals and their career paths, to groups (such as LRW professors teaching within a program), to director/leaders, and to the law school faculty and administration.

Here's a specific and personal example: I started teaching LRW long ago in a highly regarded, capped program. New instructors steadily cycled in and out of the program, their terms capped at three years. During my three years, I learned, along with my colleagues who were at the start of their teaching careers, from strong-leader, parent-like permanent faculty members.

What I learned from that experience, in retrospect, was how to maintain a steady and consistent program, or family, at the cost of individual instructors' freedom to explore and grow. Using the developmental/family model set out above, we were the foster children in an otherwise established family. We were welcomed and cared for, but we weren't nurtured for the long term. Experimentation and independence were permitted, but discouraged, because they threatened the steady and ongoing success of the proven program. Everyone knew the limits of the relationship, and some chafed: Two of the others in my cohort chose to leave before their three-year term was up.

Yet this approach had its merits. Everyone came into the program to a welcoming set of clear expectations and "household rules." We were offered structure and the tools that we needed to succeed. A downside, however, was our lack of acknowledgement and acceptance

---

[1] *But see* Mark Miller, *5 Parenting Lessons That Will Make You a Better Leader*, INC., https://www.inc.com/mark-miller/5-lessons-of-parenting-that-will-make-you-a-great-leader.html (Aug. 21, 2015) ("Being a great leader is a lot like being a parent to smart, capable adults.").

[2] LEADon University, "*What are Corporate Family Systems?*" https://www.leadonuniversity.com/what-are-corporate-family-systems/ (" . . . leaders in any organization function quite similarly to parents in the family unit: guiding, making decisions, correcting, and training up the next generation. . . . Just like our personal families, the Corporate Family is always in flux.").

by the extended family—the non-LRW faculty. The non-LRW faculty did not recognize us as a permanent part of the family because we were, in fact, not. We were transient and would soon be gone, and everyone knew that.[3] Some in the extended family saw no value in getting to know us.

Here are more examples: In recent discussions, other directors have mentioned the resemblance between some LRW professors and rebellious adolescents or toddlers, resisting "parental guidance" from others with substantial experience and wanting their independence from their "family"[4] before they are ready to be fly solo. On our listservs and in private, we acknowledge rifts within families, especially when new family leaders (also known as deans) disrupt familiar patterns and expectations. We struggle with managing "sibling sets" of LRW faculty that span many years of experience but must thrive within the same family unit.

While relying on such colloquial comparisons could be seen as belittling, given the implied parent-like hierarchy of power and authority between colleagues, the goal (and result) is quite positive: good and effective leaders are attempting to find metaphors to understand the relationships within LRW programs—especially directed programs. The challenging truth is that like clinicians and librarians, LRW professors typically work within multiple professional environments simultaneously—that is, within both an immediate and an extended family.[5] That truth often creates a challenging work environment because the LRW professor must find a place within both families simultaneously, and both families often have their own sets of issues and challenging relationships.

That truth also exacerbates the challenges of finding status equality in the academy—which is essentially a traditional family that often shuns outsiders and welcomes only those similar to themselves, making extremely difficult the attempt by newcomers to find their place.

---

[3] Note that this analogy applies to a now-long-gone structure at that school; indeed, the structure began changing within a couple years of my departure.

[4] Alas, at some law schools, non-compliant behavior of any type is labelled "not being a team player" (or in other words, not acting like part of the family).

[5] *See* Stephen D. Wilke, Jared R. D. Wilke, & Donald J. Viglione, *The Corporate Family Model of Leadership Development*, 18(2) PSYCH.-MANAGER J. 64-76 (2015) ("introduc[ing] the concept of the 'corporate family,' and discuss[ing] the use of family systems theory in the assessment, diagnosis, and treatment of workplace pathology and dysfunction").

Finding a place is complicated by families and new members who are at different stages of their development. A new LRW professor in an established program with a new director has a different experience from a new LRW professor in a new program with an experienced director, and those experiences are further distinguished by the extended faculty family in which they exist and with whom they interact.

Directors, holding a quasi-parental role in the relationship, need to be mindful—and respectful—of changing dynamics, as well as self-aware about their own preferences for leadership style[6] (e.g., some may prefer to work with newcomers ("infants"), while others may prefer to work with experienced professors ("mature adults")). Just as in any family, change is inevitable. Just as children grow up, leave home, and bring new members to the family through marriage and procreation, new professors come in, old professors leave, and so do directors and deans. The change is sometimes anticipated, sometimes not—and even with sought-after change, family dynamics may be affected differently from what we anticipate, or even affected negatively. Sometimes that change comes from crisis, which calls on especially well-thought-out leadership skills to navigate the potential and alternative paths of destruction and survival.

Leading during change is a challenge.[7] In the work of cultural anthropologists, a strong culture is defined as one that tends to resist change, while a weak one is more accepting and flexible.[8] I would argue that families and law schools could be similarly identified, and in my experience at three quite different institutions[9], law schools tend to be strong cultures—resistant to change.

---

[6] Brent Gleeson, *5 Similarities Between Leadership and Parenting*, Forbes, https://www.forbes.com/sites/brentgleeson/2014/07/23/5-similarities-between-leadership-and-parenting/#65c6e997765 (Jun. 23, 2014).

[7] June Bradham, *The Five Principles of Change Leadership*, The Giving Institute: News & Press,
 https://www.givinginstitute.org/news/335527/The-Five-Principles-of-Change-Leadership.htm (Mar. 15, 2017)) ("Change leadership is powering up disruptions to inspire—to trigger and to sustain change. The disruption sets the stage for innovation and transformation.").

[8] Todd Alexander, *How Do You Change a Culture?*, Leadership Research Institute, www.lri.com/resources/useletter/change-culture/ (last visited Nov. 6, 2019).

[9] A small private law school not especially appreciated (and finally "rehomed") by its parent institution, a small liberal arts college; a stand-alone private law school, making its independent way in the world of legal education; and a public law school with strong connections to its larger university.

Therefore, a new professor or director considering joining a new school should seek to identify the leadership model—is it an older, traditional, top-down model (the "alpha leader" model, with one parent the head of the family), or is it a newer and more flexible model of shared responsibility (the "beta leader" model)?[10] And what model is the new director expected to bring to the school, or the new professor, expected to work within?

Second, who are the members of the family? Infants, adolescents, adults? Are they needing and accepting guidance, needing but not accepting guidance, or not needing but accepting guidance? What parental figure are they accustomed to? Alpha or beta?[11] What is the nature of the extended family? Is the LRW faculty an indistinguishable branch or lesser branch of the greater family tree? (Or even worse, a branch that is at risk of being pruned?)

And finally, at what developmental stage are all of the interested, non-individual entities? A director who is sensitive to the family/developmental model will recognize the challenges of the various stages. A director who thrives on nurturing and teaching "infants" might prefer the flexibility of a developing program that needs many decisions and programmatic shaping. A director who expects a place at the Thanksgiving table with the adults (tenured faculty) might well chafe at a school that sends her and her program and faculty to a seat at the card table in the corner. And finally, a director might feel frustrated by a program staffed by "mature adults" who are busy with their own lives and careers and lack time to check in with or prioritize their connection to their family of origin—the LRW program.

In the final analysis, using the developmental stages of families and family members' roles and analogizing them to LRW programs, faculty, and directors, as well as to the entire faculty and law school, rings true because the analogy resonates with our lives. Families create and define us as people; work families create and define us as

---

[10] DANA ARDL, THE FALL OF THE ALPHAS 1-51 (2013).

[11] When I accepted my first job as director, I came to a program with professors who were accustomed to already-drafted fact patterns and who had been provided notebooks of readings and teaching materials. They had been acculturated to accept a less-than-equal status within the larger family. When I introduced a beta leader model and challenged their acculturation, we struggled to come together as a family. In fact, some chose to leave the family altogether. But 15 years later, with everyone a tenured, full-parity, full professor, we had created a new and proudly independent family of mature adults, each able to thrive on her own in a larger, extended family of equals.

professionals. Whether dysfunctional, challenging, supportive, resistant, or fun, each of us knows where we came from: our family.