



THE Scrivener

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Scribes—The American Society of Legal Writers

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Submissions—Please send items for upcoming issues of *The Scrivener* to Phillip Johnson at scribeslegalwriters@gmail.com.

New Scribes President and Vice President

Susan Duncan, Dean of the University of Mississippi School of Law, has been installed as President of Scribes—The American Society of Legal Writers. She follows the presidency of Professor Mark E. Wojcik of the University of Illinois Chicago School of Law who completed his term of office and passed the gavel to Dean Duncan.



Dean Duncan has served in national leadership positions on several boards that focus on the development of new legal writing professors. She was President of the Legal Writing Institute from 2006 to 2008 and was the 2007 Chair of the Association of American Law Schools Section on Legal Writing, Reasoning, and Research. She also was the representative of the Association of Legal Writing Directors to the American Bar Association Council for the Section on Legal Education and Admissions to the Bar. Dean Duncan was also Associate Executive Editor from 2006-2011 for the *Journal of Law and Education*.

Dean Duncan frequently presents on legal writing and education law topics. Her work has been honored by the 2010 Louisville Bar Association Award for Distinguished Service, the 2014 Distinguished Alumni Award from Louis Brandeis School of Law, and the 2016 Kentucky Bar President Special Service Award. Dean Duncan is the first woman to serve as Dean of the University of Mississippi Law School other than in an interim capacity. Her teaching and research interests include lawyering skills, education law, and restorative justice.

Before joining the faculty at Ole Miss, she served as Interim Dean at the University of Louisville Brandeis School of Law where she began as an adjunct in 1997 and became a full-time faculty member in 2000. She served as Chair of the University of Louisville's Commission on the Status of Women. She also had

previously taught legal writing in Tennessee as an adjunct professor at the Cecil C. Humphreys School of Law at the University of Memphis. Dean Duncan has also been a visiting professor at the University of Montpellier (France), the University KwaZulu-Natal (South Africa), the Johannes Gutenberg University (Mainz, Germany), the University of Leeds (England), and the University of Turku (Finland).

Dean Duncan will serve a two-year term as President of Scribes.



John G. Browning of Texas has been installed as Vice-President and President-Elect of Scribes

--The American Society of Legal Writers.

Justice Browning was appointed to the Fifth District Court of Appeals by Texas Governor Greg

Abbott on August 24, 2020. Before joining the Court, he was a trial and appellate lawyer for thirty-one years as a partner with large national law firms and his own small law firm. While in private practice, Justice Browning's vast experience encompassed personal injury and wrongful death; product liability; commercial litigation; intellectual property disputes; employment matters; consumer protection and Deceptive Trade Practices Act ("DTPA") cases; professional liability; health care; class action litigation; defamation and media law; and cyberliability and data privacy. He is admitted in both Texas and Oklahoma, as well as before the U.S. District Courts for the Northern, Southern, Eastern, and Western Districts of Texas, the Western District of Oklahoma, the U.S. Court of Appeals for the Fifth Circuit, and the U.S. Supreme Court.

Vice-President Browning received bachelors degrees in History and Comparative Literature in 1986 from Rutgers University, where he was a National Merit Scholar, Phi Beta Kappa, and Henry Rutgers Scholar. He received his J.D. in 1989 from the University of Texas School of Law, where he received awards for legal writing and advocacy. A former varsity tennis player and teaching professional, Justice Browning won tournaments at the local, state, national, and international levels.

Vice-President Browning has a long record of leadership and service to the bar. He has served as Chair of the Texas Bar Journal Editorial Advisory Board, as Chair of the Computer & Technology Section of the State Bar, as an appointed member of the Professional Ethics Committee, as a member of the State Bar Grievance Committee, as a member of the State Bar Jury Service Committee, and as President of the Rockwall County Bar Association. He also serves on the University of Texas Law Alumni Association Executive Committee. He is an elected member of the American Law Institute and a member of the Board of Trustees of the Texas Supreme Court Historical Society.

Vice-President Browning has received the Bar's highest honors for legal writing, legal ethics, and public service. These include the State Bar of Texas Presidents' Certificate of Merit; the Texas Bar Foundation's Dan Rugeley Price Memorial Award; the Lola Wright Foundation Award for lifetime contributions to legal ethics; the Texas Bar College's Patrick Nester Award for Outstanding Achievement in Continuing Legal Education; the Texas Bar College's Jim Bowmer Professionalism Award; the Texas Bar Foundation's Outstanding Law Review Article of the Year Award; the Texas Bar College's Outstanding CLE Article of the Year Award; the

Houston Bar Foundation's Outstanding Legal Article of the Year Award; the DRI's G. Duffield Smith Outstanding Publication of the Year Award; the J.L. Turner Foundation Award for Contributions to Legal History; and the Burton Award for Distinguished Achievement in Legal Writing (2009, 2010, 2012, 2014). Justice Browning is the author of four law books, more than forty law review articles, and hundreds of other articles on legal subjects.



Teri McMurtry-Chubb Installed as Secretary of Scribes

Professor Teri McMurtry-Chubb of the University of Illinois Chicago School of Law has been installed as the Secretary of Scribes. Professor McMurtry-Chubb is a past

president of Association of Legal Writing Directors and has served as a mentor for countless members of the legal research and writing community.

She is the author of several books, book chapters, and articles. She is also a past recipient of the Legal Writing Institute's Phelps Award for Scholarship in Legal Communication, an award presented annually to a person who has made an outstanding contribution to

improve the field of Legal Writing by demonstrating (1) an ability to nurture and motivate students to excellence; (2) a willingness to help other legal writing educators improve their teaching skills or their legal writing programs; and, (3) an ability to create and integrate new ideas for teaching and motivating legal writing educators and students.

Professor McMurtry-Chubb has taught at Loyola Law School-LA, California State Polytechnic University at Pomona, the University of Iowa, Des Moines Area Community College, Drake University School of Law, and Fairhaven College of Interdisciplinary Studies at Western Washington University. While at Fairhaven College, she served as an Assistant Professor of Law and Hegemony Studies. She was also the co-founder and first director of Fairhaven's Center for Law, Diversity and Justice.

Before entering academia, she was a civil litigation associate at a law firm in Des Moines, Iowa. When she joined the firm, she was the first person of color ever to be hired there and one of two African-American women in the entire state of Iowa in private practice. She practiced in the areas of insurance defense, employment discrimination, and employee benefits. She also was the first African-American woman hired as a law clerk for the Fifth Judicial District of Iowa.

Professor McMurtry-Chubb is now also the first African-American woman to serve as Secretary of Scribes.

New Members

John Adams, Dallas TX
 Hilary Ancel-James, Carrieres-Sur-Seine Ile-de-France
 Jenn Brinkley, Pace FL
 Ezekiel Cortez*, San Diego CA
 Sarah Doggett**, Terre Haute IN
 Stacy Dooley, San Diego CA
 Terrence Dwyer, Cooperstown NY
 Wanda Fowler*, Houston TX
 Eric Grant, Arlington VA

Christina Guy, Voorburg The Netherlands
 Rachel Hudgins, Atlanta GA
 Asher Isaacs*, El Segundo CA
 Elizabeth Lang Miers, Dallas TX
 Ian Lewenstein, River Falls WI
 Ryan McCarl, Santa Monica CA
 Heydari Meina**, Fort Worth TX
 Steven Morgan, Spring TX
 Daniella Naranjo, San Antonio TX

Lauren Ormsbee, Maplewood NJ
 Sean Perdomo, San Francisco CA
 Jordan Redmon, Jackson MS
 Jillian Schumacher, Houston TX
 Allison Weiss, Lexington VA
 Allen Wilkinson, Orange CA
 Lina Zidan**, Walnut Creek CA

* Sustaining Member
 ** Student Member

Congratulations to our 2020 Law-Review Award Winner and Finalists!

Since 1987, Scribes has presented an annual award for the best student-written article in a law review or journal. The award has the distinction of being the only national award for student authors that places no limitation on subject matter. In 2020, Mary E. Marshall of Columbia Law School was the winner of the Scribes Law-Review Award for her article on *Miller v. Alabama and the Problem of Prediction*.

Articles by student authors from nine other law schools received an "Honorable Mention" from Scribes. These articles were the finalists selected by the team of law professors and other screeners who reviewed all of the articles submitted. In alphabetical order by law school, these Honorable Mention articles are:

- **Arizona State University Sandra Day O'Connor College of Law:** Walter G. Johnson, *Governance Tools for the Second Quantum Revolution*, 59 *Jurimetrics* 487 (2019).
- **Boston University School of Law:** Brad Baranowski, *The Representative First Amendment: Public-Sector Representation After Janus v. AFSCME*, 99 *Boston University Law Review* 2249 (2019).
- **Brooklyn Law School:** Alexander Hull, *Shoring Up the HEAR Act: Proposed Amendments to Federal Legislation Designed to Assist Heirs and Claimants of Nazi-Looted Art*, 28 *Journal of Law & Policy* 238 (2019).
- **University of California, Berkeley, School of Law:** Annie Sloan, *What to Do About Batson?: Using a Court Rule to Address*

Implicit Bias in Jury Selection, 108 *California Law Review* 233 (2019).

- **Case Western Reserve University School of Law:** Katherine Dobscha, *Considering a Juvenile Exception to the Felony Murder Rule*, 70 *Case Western Reserve Law Review* 141 (2019).
- **Florida International University College of Law:** Katryna Santa Cruz, *The Distraction that Is Stand Your Ground*, 14 *Florida International University Law Review* 149 (2020).
- **University of Montana Alexander Blewett III School of Law:** Britton Fraser, *You Can't Escape Your Past: State v. Blaz and The Future of 404(b) Evidence in Montana*, 80 *Montana Law Review* 321 (2019).
- **Texas Tech University School of Law:** Hailey M. Hanners, *Who Wants the Ward? The State's Role in Adult Guardianship Proceedings*, 11 *Texas Tech Estate Planning and Community Property Law Journal* 359 (2019).
- **University of Wisconsin Law School:** Benjamin Jordan, *The WTO Versus the Donald: Why the WTO Must Adopt a Review Standard for Article XXI(b) of the GATT*, 17 *Wisconsin International Law Journal* 173 (2019).

Members of the Law-Review-Award Committee or 2020 are:

- Brooke Bowman, Chair
- Mary Bowman
- Steven Feldman
- Richard Leiter
- Mark E. Wojcik

Members of the Law-Review Award Screening Committee for 2020 are:

- Annie Chan, St. Thomas University School of Law
- Raul Fernández-Calienes, Broward College
- Emily Grant, Washburn University School of Law
- Amanda Harmon Cooley, South Texas College of Law
- Joanne Hodge, UIC John Marshall Law School
- Patrick Long, University of Buffalo School of Law
- Denise Malloy, University of Rochester Law School
- Karin Mika, Cleveland State University Cleveland-Marshall College of Law
- Mimi Samuel, Seattle University School of Law

For more information about the Scribes Law-Review Award, including how to nominate articles for future awards, visit <https://www.scribes.org/law-review-award>.

National Order of Scribes Class of 2020

Scribes congratulates and welcomes the following individuals who were nominated by Scribes Member Law Schools to the National Order of Scribes Class of 2020.

Scribes created the National Order of Scribes in 2007 as an honorary organization to recognize graduating law students who excel in legal writing. Each year, any law school that is a current institutional member of Scribes may nominate five students, or up to a number that represents three percent of its graduating class for an academic year, whichever is larger, to be inducted into the National Order of Scribes. The students below were nominated by their schools, and Scribes congratulates them for their achievement.

The new members of the National Order of Scribes are:

- **Barry University Andreas School of Law:** Danielle Boring; Alena Morgan; Dhillon Ramkhelawan; and Marcela Romero Mosquera.
- **California Western School of Law:** Rojina Haririparsa; Arlena Parmar; Samantha Sneen; and Caitlin Van Voorst.
- **Mercer University School of Law:** Brian Fussell; Maia Middleton; Dan Nix; Teresa Pardinias; and Shadaisa Wilcox.
- **Oklahoma University College of Law:** Bailey Betz; Allison Christian; Taylor Freeman Peshehenoff; Jonathan Rogers; and Reed Trechter.
- **Stetson University College of Law:** Evan Philip Dahdah; Chase Hunter Hale; Eric Allen Kauk; Brian A. Remler; and Sarah Elizabeth Jacobi.
- **Texas A&M University School of Law:** Steffani L. Fausonen; Sally Elizabeth Fritz; Jenna Gillett Johnson; Alexandra L. Lizano; and Kenneth Scott Sloan.
- **University of Houston Law Center:** Erika L. McDonald; Jennifer D. Pier; Louise Root; Rebecca R. Sonne; and Neil F. Young.
- **University of Illinois Chicago Law School:** Raul Aguilar; Ruth Chan; Natalia Galica; Michael Hopkins; Keri Mikuska; Javier Pagliery; and Megan Rice.
- **University of Nevada Las Vegas William S. Boyd School of Law:** Jerrell Berrios; Edgar

Cervantes; Adrianna Guida; Paige Hall; and Christian Ogata.

- **Valparaiso University School of Law:** Keaton J. Mauer; Kaitlyn A. Murphy; Aaron L. Robbins; Scott Seville; and Jessica C. Smithey.

- **Western Michigan University Cooley Law School:** Alison J. Zoltowski.
- **Western New England Law School:** Victoria Arend Carbone; Mary Denee; Jennifer Diggles; Tara Morrison; and Stacy Provencher.

Otto Stockmeyer Receives Kimble Distinguished-Service Award

Otto Stockmeyer, a Distinguished Professor Emeritus at Western Michigan University Cooley Law School, has received the 2020 Kimble Distinguished-Service Award from Scribes--The American Society of Legal Writers. The award is named after Professor Joseph Kimble, also a Distinguished Professor Emeritus at Western Michigan University Cooley Law School.

The Award

The Joseph Kimble Distinguished-Service Award is given to someone who has made an exceptional contribution to Scribes and its work over the years.

Professor Stockmeyer was invited to join Scribes in 1981. Back then, new members had to be sponsored by an existing member. After submitting a couple of articles for publication in the society's newsletter, *The Scrivener*, in 1994 he was elected to the Board of Directors. He headed up the Brief-Award Committee for several years. During that time, it transitioned from judging lawyers' briefs to judging student moot-court briefs.

Professor Stockmeyer worked his way up the leadership ladder as Treasurer, Secretary, and Vice President before his election as President in 2005. His two-year term as President included these highlights:

- The organization installed a new Executive Director and relocated the home office to the Thomas Cooley Law School. Professor Kimble took over as Executive Director. Cooley Law School was the institutional home for the next decade.

- The Committee on Legal-Writing Programs initiated the first Scribes legal-writing program for law students. It was held in 2006 in conjunction with the annual Board meeting at Stetson University College of Law in Florida. Judge Michael Hyman chaired the committee; the host of the program was Darby Dickerson, who was then Dean of Stetson Law School.
- Also in 2006, the Scribes Board of Directors voted to approve changing the Society's tagline to the less cumbersome *The American Society of Legal Writers*. (Previously *The American Society of Writers on Legal Subjects*.)
- In 2007 the Scribes Board approved further amending the bylaws to open associate membership in Scribes to all members of the legal profession who share the organization's goals. This change offered the greatest potential to increase our membership since the creation of institutional memberships in 1990.
- Additionally, through the diligent efforts of our editor, Professor Jane Siegel, Scribes published four quarterly issues of *The Scrivener* in each of his two years.

Professor Stockmeyer continued to write articles for *The Scrivener*. The more recent ones are "In Memory of Judge Charles W. Joiner" (Summer 2017), "KISS: A Really Simple Way to Increase Your Article's Impact" (Winter, 2017), and "Help Wanted (and Needed)" (Summer, 2018).

Professor Stockmeyer serves as the Society's unofficial historian. He coauthored "Scribes After More Than 50 Years – A History," 12 *Scribes Journal of Legal Writing* 1 (2008-2009). An abbreviated version is posted on the Society's website (<https://www.scribes.org/history>). In 2012 he sorted through many boxes of Scribes records, going back to its formation in 1953. They were cataloged and archived in the WMU –Cooley Law Library.

Finally, he is a tireless promoter of Scribes membership. For many years, he followed the practice of sending congratulatory letters to authors of articles he read in legal periodicals. He added that they might qualify for membership in Scribes and enclosed a brochure.

Through this effort and that of others (and the advent of institutional memberships), the number of Scribes members from Michigan rose from 3 (when he joined in 1981) to 224 when he became president in 2005. At that point, Michigan was first in the nation in Scribes members. As he wrote in his first President's Column, "membership building is something we all have to work on if Scribes is to thrive."

Previous winners of the Joseph Kimble Distinguished-Service Award include:

2019—The Honorable Michael Hyman

2018—Dean Darby Dickerson

2017—The Honorable Kenneth Gartner

2016—Professor Joseph Kimble