

**The Fifth “Colonial Frontier” Legal Writing Conference  
Saturday, December 3, 2016**

**Hosted by:**



**Drafting Statutes and Rules: Pedagogy, Practice, and Politics**

The least common, but perhaps one of the most important, advanced writing subjects addressed in law schools is the drafting of statutes, ordinances, regulations, and rules (for public laws or governance of non-governmental entities). The current state of law school instruction focuses almost exclusively on the repercussions of poorly written statutes or rules, on the courts' efforts at application and interpretation of statutory language, and on scholarly criticism of statutes. Furthermore, required first-year legal writing courses traditionally address predictive and persuasive writing, and upper-level elective legal writing courses typically focus on litigation or transactional drafting. Thus, in addition to the instruction already provided, law schools should also teach students how to better draft statutes and similar documents to avoid confusion, ambiguities, disagreements, and litigation. This conference will offer attendees an opportunity to hear from academicians who teach the art of statutory drafting, practitioners who craft statutes and similar rules, and other scholars who study all forms of legislation.

In the morning plenary session Professor Richard Neumann of Hofstra Univ. and Professor J. Lyn Entrikin of the Univ. of Arkansas Little-Rock will speak about the importance of teaching statutory and rule drafting in law school. In the afternoon plenary session former Pennsylvania Governor Tom Corbett (R) and Pennsylvania Senate Minority Leader Jay Costa (D) will answer questions about the state legislative process and politics.

We invite presentation proposals from educators and practitioners. The DUQUESNE LAW REVIEW, which has published papers from three previous Colonial Frontier conferences, plans to devote space in its Summer 2017 symposium issue to papers from the conference.

Possible topics about pedagogy include:

- Structuring statutory drafting courses
- Simulation courses designed using mock legislatures or committees
- Course linkages with real-world legislators and special interest organizations
- Service learning or clinical opportunities for law students
- Courses focused on law reform efforts
- How to employ Plain-English principles in statutory and rule drafting
- Theoretical perspectives on statutory drafting
- Involving political realities in law school drafting courses
- Teaching practical aspects of drafting that addresses theories and principles of statutory interpretation and construction

Possible topics about practice include:

- Unique challenges of drafting laws and/or regulations in specific areas such as criminal law, environmental law, health law, etc.
- Lawyering for nonprofits, federal and state agencies, local governments, and other clients in frequent need of rule-drafting
- Practicing in employment law, health law, environmental law, and other heavily regulated

- fields where private clients require rule and policy drafting
- Non-legal drafting opportunities, such as sports league rules, industry trade group policies, and university rules

Possible topics about politics include:

- Political influences affecting legislative drafting
- Direct democracy and the unique challenges of drafting initiatives and referenda
- The implications of special interests driving drafting decisions
- Politics and its influence on legislative history
- Lobbyists as legislative drafters

We welcome proposals for 30-minute and 50-minute presentations on these topics, by individuals or panels. Proposals for presentations should be sent as an e-mail file attachment in MS Word to Professor Jan Levine at [levinej@duq.edu](mailto:levinej@duq.edu) by June 1, 2016. He will confirm receipt of all submissions. Proposals for presentations should be 1000 to 2000 words long, and should denote the topic to be addressed, the amount of time sought for the presentation, any special technological needs for the session, the presenter's background and institutional affiliation, and contact information. Proposals should note whether the presenter intends to submit an article to the DUQUESNE LAW REVIEW, based on the presentation. Proposals by co-presenters are welcome. Proposals will be reviewed by Professors Julia Glencer, Jan Levine, Ann Schiavone, and Tara Willke of the Duquesne University School of Law, and by the editorial staff of the DUQUESNE LAW REVIEW.

Decisions on proposals will be announced by June 15, 2016. Full drafts of related articles will be due by September 9, 2016; within a month of that date the DUQUESNE LAW REVIEW will determine which of those articles it wishes to publish. Final versions of articles will be due by January 13, 2017.

Attendance at the one-day conference, on Saturday, December 3, 2016, will be free for presenters and \$50 for non-presenters with an academic affiliation; other attendees will be charged \$250. Continuing legal education credit of approximately four hours will be offered, depending upon the sessions included in the final agenda. Duquesne will provide free on-site parking to conference attendees. The conference will begin 9:00 a.m. with a welcoming breakfast and reception at the Duquesne University School of Law, followed by two hours of presentations. We will provide a catered, on-campus lunch, followed by 90 additional minutes of presentations, ending at approximately 3:00 p.m. We will then host a closing reception in the "Bridget and Alfred Pelaez Legal Writing Center," the home of Duquesne's LRW program.

Pittsburgh is an easy drive or short flight from many cities. To accommodate persons wishing to stay over in Pittsburgh on Friday or Saturday evenings, Duquesne will arrange for a block of discounted rooms at a downtown hotel adjacent to campus, within walking distance of the law school and downtown Pittsburgh. We will also provide attendees with information about the Pittsburgh area's attractions, including our architectural treasures, museums, shopping, and sporting events.

