

## **AALS WORKSHOP ON THRIVING AND SURVIVING THE ACADEMY: CONCRETE STEPS FOR PEOPLE OF COLOR AND THEIR LAW SCHOOLS**

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**I plan to discuss strategies for completing scholarly articles and placing them in law reviews for publication. Please keep in mind that each person's approach will be unique to him or her. You should discuss these suggested methods and strategies with other people—mentors, senior faculty members, and friends—and then devise a plan that fits you and your personality best. My way is not “the way.” Academia is, in this sense, like Burger King. You can “have it your way.”**

### **MOTIVATIONS FOR SCHOLARSHIP**

For most law faculty, two factors motivate their writing during the first 4-6 years of their careers:

- 1) Love of the law, intellectual challenges, scholarly exchange, and the process of writing; and
- 2) The T-word: Tenure.

### **BASIC RULES OF THE TRADE**

NUMBER ONE: You will not get tenure if you do not write.

NUMBER TWO: You are not bound by all the ideas that you presented as part of your research agenda while you were on the market.

NUMBER THREE: All tenure is local. The rules that applied to your mentor at your alma mater or that currently apply to your friend who is on the faculty at another law school may not apply or work for you at YOUR school. Learn the rules, both formal and informal, at your own institution.

NUMBER FOUR: Figure out as quickly as possible whom you can trust on your faculty and at other schools. Listen to the advice of people whom you can trust.

### **TIMELINE TO TENURE**

Once you know the formal and informal scholarship requirements, figure out your timeline for satisfying them.

For example, if your scholarship requirement is to write two-plus/3 articles and you are expected to close your file before the fall of your 5<sup>th</sup> year, know that you can focus on teaching your first year. After that, however, you need to write one piece each year/summer to satisfy the requirement in a balanced way, or you must plan to double up

one year to satisfy the requirement. Also, keep in mind what your “reasonable” comparators did.

### **BEGINNING THE PROCESS**

Figure out your weaknesses and how they may hurt you along the path to tenure. Develop strategies for how you can overcome these weaknesses in your career. **Better to deal with your weaknesses now rather than later.** Your weaknesses will eventually come back to haunt you if you do not address them early on. You do not want your predictable weaknesses to become your worst nightmare.

For example, my weaknesses include the following:

- (1) I have a fear of speaking in front of crowds, which in my mind means looking stupid; and
- (2) I often need deadlines to motivate myself to work.

Pre-tenure, I addressed my weaknesses in these ways:

- (1) I attended “safe” conferences like LatCrit, the Feminist Legal Theory Workshops, and the People of Color Conferences to present my work. Presenting at these conferences helped me to understand that my ideas were interesting and that I could present them without “looking stupid.” I also received great feedback from great senior faculty members.
- (2) I used my fear of speaking in front of crowds as motivation to at least complete a draft or detailed outline of paper before each talk; and
- (2) I also, at times, used writing competitions (which if won (not by me) would help to build a nice tenure file) as those artificial deadlines.

### **CHOOSING A TOPIC**

Figure out what your faculty accepts as “scholarship.”

If your faculty is accepting (or even if not), write about the topics that excite you. **You will feel inspired to write if you are interested in your ideas. It is hard to concentrate and stay focus on a project if you are not even excited about it.**

- Where will your agenda come from?
  - Your article ideas may stem from cases that you worked on during practice.
  - Ideas may flow from materials that you cover in your classes
  - Ideas may also come from an interesting newspaper or magazine article that made you think deeply about an issue of legal policy.

Remain open to new ideas. As you write your first article, more article ideas that spin off of your first paper will come. Be willing to stray from the agenda that you set out at the very beginning of your career.

## **SCHEDULING WRITING**

Perform little research and writing tasks throughout the year—every day if you can. Try to reserve one day a week for writing and researching.

For example, you may:

- (1) gather researched books or articles during the school year;
- (2) read a little every night; and/or
- (3) use librarians as well as research assistants if the librarians at your school are available and helpful.

--Consider giving different research assistants the same assignment. They often turn up completely different research.

Use the factors that motivate you to complete scholarship to your advantage, i.e., artificial deadlines.

Be willing to make a fool of yourself.

--Jot down notes of ideas, especially of outlines, when they come to you. Do it at the time that they pop into your head, even if it is in an awkward place. If you are shopping in the supermarket and get a great idea, write it down immediately. Take advantage of your “light bulb moments.”

--If you get the urge to write, do so—early on Saturday morning, before class, in the middle of the night, and so on.

If you are feeling uncertain, show your early pages to someone safe—a close friend, a faculty member at another school whom you know is a trustworthy person. It will help in dealing with insecurities. Use people at conferences like LatCrit or People of Color conferences to give you feedback on your work. Make sure that you also present your work in safe venues.

Just write. Do not feel inhibited by your insecurities. We all have them. We all feel like impostors. We all wonder if our ideas are good and so on. The important thing is to write. There is no way to achieve tenure unless you put your writing in print.

## **PARTS OF ARTICLE TO FOCUS ON BEFORE SUBMISSION**

Include a cover letter that describes why your project is important and why the journal should publish it. Also, include an abstract at the beginning of your article.

Make sure that your footnotes are in good shape and in bluebook form before you submit.

Make sure, if possible, that your introduction and conclusion are especially strong.

**--Introduction is very important.**

-- It should grab the reader’s attention.

-- It should clearly define your argument in a roadmap paragraph.

-- Think about including mini-roadmaps throughout the paper.

--**Conclusion is important as well.** One articles editor at a top law review told me that he and his colleagues read the introduction first and then the conclusion to get a feel for the article.

Proofread, proofread, and proofread. Have a good friend proofread it carefully before it goes out.

### **PLACEMENT**

Figure out which journals your faculty finds to be acceptable.

Do not let rejections get you down. Everyone gets rejected. Generally, you will get more rejections than acceptances.

Send your articles out broadly, even to those journals that your faculty would not like (Your colleagues may change their minds if it is a close call. Also, you may be able to use those offers for to help shop up your article).

Send your work out during the spring cycle if you can.

--Everyone has had an opportunity to write over the summer. Also, the board members are new in the spring and not set in their own preferences and dislikes yet.

--It is a good way to develop relationships with other law review editors who may have accepted earlier papers.

--These relationships also may serve as added motivation to write for fall.

If you have an offer from a journal that you would not walk away from, call every higher ranked law journal when shopping articles up. This decision is one of personal strategy.

Ask for advice from your colleagues as you are in the process of placing your article.

If you get a message from an editor that asserts that he or she liked your article and wants to send it for a full read, respond with thanks and a message about why the article is important. Give the editor the ammunition to fight for your article.

### **SELF-PROMOTION**

Keep your faculty aware of your scholarly work and progress, especially once you have placed an article.

Develop a mentor-mentee relationship with a respected senior faculty member.

Keep everything. If someone sends you a nice note about your article, keep it, print out a copy, and perhaps insert it in your tenure file.