

Rachel Croskery-Roberts
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Education

The University of Michigan

Ann Arbor, Michigan

Juris Doctor received May 2000, *magna cum laude*

- Graduated 18th in a Class of 368 (Top 5%)
- Member of the Order of the Coif
- Michigan Journal of International Law, 1998-2000 Note Editor, Editorial Board
- Michigan Journal of Gender and Law, 1998-1999 Member, Articles and Production Committee
- Senior Judge, 1998-2000 (Teaching Assistant for the Legal Practice Program)

The University of Oklahoma

Norman, Oklahoma

Bachelor of Arts in Letters, December 1992, *summa cum laude*
Graduate Coursework, summer 1993-1994

- Phi Beta Kappa
- Oklahoma Regents Scholar
- President's Honor Roll and Dean's Honor Roll
- Eta Sigma Phi Classics Honor Society

Professional Legal Experience

University of California, Irvine

Irvine, CA

Professor of Lawyering Skills, July 2011-present

University of Michigan Law School

Ann Arbor, MI

Associate Director, Legal Practice Program, 2008-June 2011

Clinical Assistant Professor of Law, 2002-June 2011

Courses Taught:

- *Legal Practice I and II:* The Legal Practice course is designed to teach students legal analysis, research, and writing (including the central art of persuasive writing); oral advocacy; and other selected aspects of the practice of law. In the Legal Practice course, students receive both group and individualized instruction. Legal Practice I and II are required first-year courses presented in a sequence (material taken from a course description provided by the University of Michigan Law School to current and prospective students).
- *Senior Judge Seminar I and II:* In the Senior Judge Seminar, students work closely with Legal Practice professors in connection with various aspects of the first-year Legal Practice course. Each Legal Practice professor interviews, chooses, and supervises the Senior Judge Seminar students for the Legal Practice section(s) taught by that professor (material taken from a course description provided by the University of Michigan Law School to current and prospective students). Senior judges serve as research and teaching assistants for the first-year Legal Practice course. Senior judges also get advanced legal writing training in the form of guided creation of complex research problems and advanced writing documents like judicial bench briefs.
- *Legal Practice Skills:* This class is required for students taking the Legal Practice I class. It focuses on some of the skills generally regarded as necessary for effective and responsible participation in the legal profession. The professional skills taught vary from year to year, but the covered skills include such subjects as advocacy, negotiation, alternative dispute resolution, and transactional drafting (material taken from a course description provided by the University of Michigan Law School to current and prospective students).
- *Legal Persuasion: Techniques of Great American Lawyers and Activists:* This course was a one-credit mini-seminar I designed and taught during the 2006-2007 school year. I introduced various persuasive tools and techniques, including (1) classical rhetorical devices and their relevance in modern legal argument; (2) the use of publicity as a persuasive tool (reading relevant ethical rules as well as the published trial transcripts of the trial of Susan B. Anthony for illegal voting); (3) persuasion in the political arena (studying Abraham Lincoln's speech at Cooper Union as

well as portions of the Lincoln-Douglas Debates); persuasion in judicial dissents (reading and discussing the writing of Oliver Wendell Holmes, Jr.); and the use of social science data as persuasive evidence (studying the Brandeis Brief as well as the oral arguments in *Brown v. Board of Education*).

- *Defending Evil*: In this seminar, students explored what it means to defend an “evil” client (and whether the term “evil” is even an appropriate term to use). The discussion necessarily required students to come up with some sort of working definition of “evil,” a definition that evolved as the seminar progressed. We then spent much of the semester examining and critiquing the defense tactics used by lawyers for some of the most uniformly despised criminals in history. We did so by viewing documentaries and reading original court documents. Specifically, students addressed the persuasive techniques used by the lawyers (from classical rhetorical techniques to the use of media to persuade). Students also engaged in a discussion of (1) what made the lawyers effective (or not) and ethical (or not); and (2) how we balance the human reaction to the idea of defending someone like a serial killer with our fundamental belief in the right to counsel. The seminar concluded with a discussion of the “problem” of innocence: how do our views of the defense of evil change when it turns out we get it very wrong sometimes?
- *Advanced Legal Writing: Business Drafting*: The course introduces students to the key skills necessary to represent both individual and corporate clients in business transactions. Students learn how lawyers approach business transactions from a problem solving (and problem avoiding) perspective. The course engages students in simulations at each stage of the deal timeline, from initial client contact to the drafting, negotiation, and signing of closing documents. Through in-class simulations and exercises, students learn how to translate a client's business objectives into clear, precise, and concise agreements that stand up to legal challenge. Heavy emphasis is placed preventative lawyering (anticipating problems and drafting to protect the client from unnecessary risk).
- *Lawyering Skills I & II*: Course focuses on skills that all lawyers use, including fact investigation, interviewing, legal writing and analysis, legal research, negotiation, and oral advocacy.

United States District Court for the Southern District of Texas Corpus Christi, TX

Judicial Clerk for the Honorable Janis Graham Jack, 2001-2002

Baker Botts, L.L.P.

Dallas, TX

Associate, 2000-2001

Practice Area: Employment Law

While at Baker Botts, I handled aspects of employment litigation for corporate clients nationwide. I represented clients dealing with employment discrimination claims under various discrimination laws, such as claims under Title VII, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Fair Labor Standards Act, and the Family and Medical Leave Act. Moreover, I drafted litigation documents as well as transactional documents (employee handbooks, contracts, etc.). I also advised corporate clients regarding employment law compliance issues.

Consulting Work

Outside Consultant retained by the University of Oklahoma Price College of Business, 2008

In 2008, I was retained to evaluate the structure and substance of the Business Communication course (“BC 2813”) at the University of Oklahoma Price College of Business. After reviewing course materials, including assignments, syllabi, textbooks, and reading materials, I met with administrators at the College of Business and interviewed professors in the program. I provided specific recommendations regarding course content, overall course architecture, and external factors outside the BC 2813 curriculum.

Publications and Works-In-Progress

Books

A Bridge into Practice: Employment Discrimination Law (work-in-progress, under contract with Wolters Kluwer Law and Business, co-authored with Margaret Curtiss Hannon).

A Bridge into Practice: Individual Employment Law (work-in-progress, contract being prepared with Wolters Kluwer Law and Business, co-authored with Margaret Curtiss Hannon).

Law Journal Publications

Avoiding Common Problems in Using Teaching Assistants: Hard Lessons Learned from Peer Teaching Theory and Experience (with Professor Ted Becker), 13 J. Legal Writing Inst. 277 (spring 2008).

Short Articles

Providing Leadership in Uncertain Times, Newsletter for the AALS Section on Legal Writing, Reasoning, and Research (fall 2009)

On Teaching Legal Writing, Reasoning, and Research: Past, Present, and Future, Newsletter for the AALS Section on Legal Writing, Reasoning, and Research (spring 2009)

Presentations, Panel Discussions, and Unpublished Papers

Past

- *Building and Sustaining a Strong, Positive Relationship with the Dean of Students* (conference presentation at the 15th Biennial Conference of the Legal Writing Institute in Palm Desert, CA in 2012) (discussion regarding navigating ADA and FERPA issues, with Lorraine Bannai and Cliff Zimmerman)
- *Teaching how we Teach: Lessons from the Classroom for New Law Teachers* (panel at the 2012 AALS Annual Meeting in Washington, D.C.)
- *Teaching Students how to Interview Clients and Investigate Facts* (conference presentation on September 17, 2011 at the 7th Biennial Central States Legal Writing Conference in Chicago, IL)
- *Connecting Doctrinal and Practical Problem-Solving Instruction to Enhance Legal Education* (panelist for the 2011 Annual Meeting Program of the AALS Section on Alternative Dispute Resolution, co-sponsored by the Section on Teaching Methods).
- *Rise of the Pink Collars: Women in the Legal Academy* (served as moderator for the AALS Section on Women in Legal Education's Panel at the Annual Meeting in New York in 2008, Co-Sponsored by Sections on Clinical Legal Education and Legal Writing, Reasoning, and Research).
- *From Aristotle to Abraham Lincoln to Clarence Darrow and Everything In Between: Bringing Persuasive Techniques Alive in the Classroom by Using and Analyzing Political Speeches, Courtroom Arguments, Supreme Court Briefs, and Historical Reenactments as Teaching Tools* (presentation at the 13th Biennial Conference of the Legal Writing Institute in Indianapolis in 2008).
- *Telling Stories to a Jury: Using our Understanding of Jury Decision Making to Enhance the Ability to Persuade at the Moments when Arguments are Most Memorable* (conference

presentation at the Applied Legal Storytelling Conference in London, England, July 2007) (with Professor Grace Tonner).

- Judicial Clerkship Information Panel (panel discussion at the University of Michigan Law School regarding seeking out and succeeding in judicial clerkships, 2007).
- *Forewarned Is Forearmed: Avoiding Some Common Problems With Using Upper-Level Students As Teaching Assistants* (presentation of paper at the biennial conference of the Legal Writing Institute in Atlanta, Georgia, 2006) (with Professor Ted Becker).
- *Employee Recommendations: Is Silence Still Golden?* (presentation at the Baker Botts, L.L.P. Labor and Employment Conference 2000).
- *Labor and Employment Appellate Update* (unpublished paper provided as conference materials for the Baker Botts, L.L.P. Labor and Employment Conference 2000).

Upcoming

- *ATL, FERPA, and Other Scary Acronyms*: Partnering with the Dean of Students to be an Effective Teacher while avoiding Legal or Professional Trouble (upcoming presentation at conference at the University of Arizona James E. Rogers College of Law)

Professional and Civic Involvement

Member of the Board of the Legal Writing Institute, *2010-present*

Member of the Editorial Board of the Peer-Reviewed Journal of the Legal Writing Institute, *2008-present*

Member of the Executive Committee for the Board of the Legal Writing Institute, *2010-June 2012*

Secretary of the Board of the Legal Writing Institute, *2010-June 2012*

Chair of the AALS Section on Teaching Methods, *Jan. 2011-July 2011*

Chair-Elect of the AALS Section on Teaching Methods, *Jan. 2010-Jan. 2011*

Member of the Lexis-Nexis Academic Advisory Board, 2009-2011

Member of the Executive Committee for the AALS Section on Legal Writing, Reasoning, and Research, *2007-2011*

Chair of the AALS Section on Legal Writing, Reasoning, and Research, *Jan. 2009-Jan. 2010*

Secretary of the AALS Section on Teaching Methods, *Jan. 2009-Jan. 2010*

Chair of the Nominating Committee for the AALS Section on Teaching Methods, *2009*

Member of the Executive Committee for the AALS Section on Teaching Methods, *2008-2011*

Member of the Planning Committee for the 2009 AALS New Law Teachers' Workshop (a set of three workshops, including one for Pretenured Minority Law School Teachers, New Law School Teachers, and New Legal Writing Teachers)

Treasurer of the AALS Section on Teaching Methods, *2008*

Chair-Elect of the AALS Section on Legal Writing, Reasoning, and Research, *Jan. 2008-Jan. 2009*

Chair of the Elections Committee for the AALS Section on Teaching Methods, *2008*

Secretary of the AALS Section on Legal Writing, Reasoning, and Research, *Jan. 2007-Jan. 2008*

Member of the Welcoming Committee for the AALS Section on Legal Writing, Reasoning, and Research, *2007-2008*

Member of the Legal Writing Institute Committee on Committees, *2006-2008*

Member of the Legal Writing Institute Planning Committee for the 2008 Biennial Conference, *2006-2008*

Assistant Editor for the Peer-Reviewed Journal of the Legal Writing Institute, *2006-2008*

Bar Membership and Professional Affiliations

Member of the State Bar of Texas

Member of the American Bar Association

Member of the Legal Writing Institute

AALS Section Member:

- Section on Teaching Methods
- Section on Women in Legal Education
- Section on Legal Writing, Reasoning, and Research
- Section on Contracts

- Section on Labor Relations and Employment Law