

The Clinical Porch: A Moth-Inspired Storytelling Session
2023 AALS Conference on Clinical Legal Education
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Selected Bibliography

Moth Books



Clinical Education

Danielle R. Cover, [*Brain-Wise Lawyering for the Clinical Law Student*](#), 26 CLINICAL LAW REVIEW 421–463 (2020).

- Clinicians consistently deal with the impact of students’ stereotypes and biases about clients on the quality of the lawyer-client relationship. From a neuropsychological perspective, stereotypes and biases are mental models - ingrained patterns of thinking on which people rely when they need to understand or explain the world around them. As neuropsychology can offer explanations of why clinical law students resort to stereotypes and biases in representation relationships, so too can it offer suggestions for identifying and combatting them. This article explores the fundamentals of neuropsychology and provides a framework for considering how clinical pedagogy can be informed by using neuropsychology education and techniques to address students’ stereotypes and biases.

DEBORAH EPSTEIN, JANE H. AIKEN & WALLACE J. MLYNIEC, [*THE CLINIC SEMINAR*](#) (2014).

CAROLYN GROSE, [*LAWYERS, CLIENTS & NARRATIVE: A FRAMEWORK FOR LAW STUDENTS AND PRACTITIONERS*](#) (2017).

- "This book is a new primary text for use by the full panoply of experiential courses, including clinical, externship, legal writing, practical, interviewing, negotiation, counseling, and trial/appellate advocacy. Using multimedia examples, including the podcast Serial, as well as exercises drawn from actual lawyering situations, this book describes, explores, and analyzes narrative as a pedagogy of lawyering. The book addresses the broad spectrum of skills and practice areas and fora that the profession increasingly demands. This is a comprehensive book for using narrative, stories, and storytelling to develop more fully and effectively as a lawyer.

The book provides the theory and information for planning for, conducting, and reflecting on various lawyering activities. In addition, the authors make the teaching relatable and transferable to a variety of contexts by using concrete examples drawn from their own extensive practice, writing, and teaching using lawyering and narrative." -- Publisher's website.

Carolyn Grose, [*Storytelling Across the Curriculum: From Margin to Center, from Clinic to the Classroom*](#), 7 JOURNAL OF THE ASSOCIATION OF LEGAL WRITING DIRECTORS 37–61 (2010).

- The article presents information regarding the author's application of narrative theory and storytelling techniques in skills, clinical, and doctrinal courses throughout the law school curriculum. It describes the importance of storytelling and stories in lawyering. It explores the authors own teaching in the setting of narrative theory and practice as well as how it develops a student's critical thinking skills and reflective practice. Furthermore, it suggests that storytelling and narrative theory as a pedagogy could potentially transform a student's experience of law school which will later reflect in the practice of law.

Carolyn Grose, [*A field trip to Benetton . . . and beyond: some thoughts on "outsider narrative" in a law school clinic*](#), 4 CLINICAL LAW REVIEW 109–127 (1997).

Helen H. Kang, [*Use of Role Play and Interview Modes in Law Clinic Case Rounds to Teach Essential Legal Skills and to Maximize Meaningful Participation*](#), 19 CLINICAL LAW REVIEW 207–249 (2012).

- Case rounds are a common feature of the seminar component of clinical programs. This article describes using in the case rounds setting multiple design elements, including role plays and formalized interviews, to enhance student learning and engagement. In the rounds described here, a student presenter is asked to adopt the role of her opponent in her clinic case and to explain succinctly the opponent's case, followed by an informational session in which the student presenter is allowed only to give short answers in response to questions from her clinic peers; and after the question-and-answer session, students and their professors debrief the role play. The role play aspect where the clinic student adopts the role of an opponent in her clinic case compels clinic students to better anticipate the other side's legal strategy and arguments and to delve into facts that they might overlook without having assumed the other side's role. Adopting the other side's position also allows students to explore legal and policy issues deeply. In addition to providing these benefits, the question-and-answer format of the rounds allows students to develop presentation and interrogatory fundamentals. Having the opportunity to practice questioning the "opponent" also provides students with the prospect of learning how best to obtain information through experimenting with different modes of inquiry. For example, students can learn that hyperbole common to stereotyped exchanges between opponents may not be appropriate for gathering facts and exploring nuances in facts and areas of uncertainty. At the same time that students are learning these skills, preserving the essential elements of rounds (involving real cases, with real practice issues, and exchanges between students) means that students have the opportunity to learn to think like lawyers as they do in traditional rounds that do not use role plays or formalized question-and-answer structures. Students, for example, gain insights about professional reasoning, judgment, and values and engage in self reflection in preparing for and participating in the role play. Combining the elements of traditional case rounds that are so critical in teaching clinic students how to think like lawyers with opportunities

to practice the essential lawyering skills of storytelling, counter-analysis, and interrogatory basics has many benefits worth exploring.

Stefan H. Krieger & Serge A. Martinez, [*A Tale of Election Day 2008: Teaching Storytelling through Repeated Experiences*](#), 16 LEGAL WRITING: J. LEGAL WRITING INST. 117–162 (2010).

- The article describes the author's experience of supervising students from each of the seven clinical courses offered at Hofstra University Law School on Election Day 2008 in the U.S. It discusses cognitive science research into skills learning and the legal scholarship on teaching storytelling to lawyers. The article proposes a new way of teaching storytelling skills via the creation of learning environment that provides repeated opportunities to tell stories in a short period of time.

Peter Margulies, [*Mother with Poor Judgment and Other Tales of the Unexpected: A Civic Republican View of Difference and Clinical Legal Education*](#), 88 NW. U. L. REV. 695–732 (1993).

Binny Miller, [*Teaching Case Theory*](#), 9 CLINICAL LAW REVIEW 293–336 (2002).

- As the key means of framing a case, case theory is the central problem that lawyers confront in constructing a case, and many of the decisions made during the life of a case are decisions that rest on case theory. Building on the author's earlier scholarship on case theory, this essay articulates a concept of case theory called “storyline,” and sets out a framework for teaching this concept. The framework for this process has three basic stages — imagining case theory, evaluating (and constructing) case theory, and choosing case theory. The material for this process is stories, which are the starting point from which storylines can be distilled. The essay discusses some of the challenges in teaching case theory in the metaphor of stories, which include overcoming the doctrinal messages of legal education, conveying the complexity of the idea of story, and devising a curriculum beyond that available in lawyering texts. The article then demonstrates how to build a case theory curriculum from the ground up, using examples from film, fictional accounts of lawyering, newspaper articles about actual cases, stories written by clinical professors and others about their cases, and simulation. These materials allow students to learn case theory in increasingly complex settings, and to begin to confront the complex strategic and ethical questions of choice of case theory, whether in a clinical course, a simulation course or a traditional classroom. The article concludes that as students move along the spectrum from imagining to finally choosing case theory, actual cases and clients become much more important in the equation. Reprinted by permission of the publisher.

Laurie Shanks, [*Whose Story is it, Anyway? —Guiding Students to Client-Centered Interviewing through Storytelling*](#), 14 CLINICAL LAW REVIEW 509–535 (2008).

- Persuasively telling a client's story is vital to meaningful and successful representation. This article explores both the challenges facing students as they try to master this skill as well as the challenges of teaching this skill through the lens of one simple exercise. This exercise has proven extremely effective in teaching law students critical lessons about client-centered interviewing. Conducted effectively, and coupled with directed discussion, the exercise has also been invaluable for teaching client-centered representation, interviewing techniques, attorney-client

confidentiality and the impact of demographics on the attorney-client relationship. Through their experience with the exercise, each of these concepts acutely resonates with the students. By completing the exercise, law students come away with a commitment to telling their clients' stories, and the skills needed to do it well. Reprinted by permission of the publisher.

Jo A. Tyler & Faith Mullen, [*Telling Tales in School: Storytelling for Self-Reflection and Pedagogical Improvement in Clinical Legal Education*](#), 18 CLINICAL LAW REVIEW 283–337 (2011).

- In the past twenty years, there has been a surge in legal scholarship that recognizes the value of story in law, and law schools are beginning to tap into the extraordinary power of story. Largely absent from this mix are stories told by law students about their own experiences with the law. The authors used class time formerly devoted to clinic rounds to offer students the opportunity to tell stories about their cases outside the presence of their supervising attorneys. Clinical faculty then compared their own, recorded version of the story of a case with the student's version. This article explores how the integration of storytelling into law school clinics can help law students move through the six levels of cognition identified in Bloom's taxonomy of educational objectives in order to become more practice-ready, and how listening to student stories can help faculty deepen their understanding of students and cases. In addition to helping students develop insights into their casework, storytelling offered an opportunity to practice oral advocacy skills and to understand the role of story in case theory. Providing clinical faculty a formal opportunity to tell their own stories about student work on cases can deepen faculty members' understanding and inform their pedagogical approach.

Law Students

Michael Ariens, [*Teaching American Legal History through Storytelling Section II: Techniques*](#), 53 AM. J. LEGAL HIST. 405–409 (2013).

- The author discusses how he teaches American legal history via storytelling to law students at St. Mary's University. He discusses the texts used in the course, the emphasis of the class on the study of the history of the U.S. Supreme Court and significant cases before the Court such as *Dred Scott v. Sandford*, and the common law doctrine. The author states that he presents a survey of the history of U.S. legal philosophy.

Beryl Blaustone, [*Teaching Evidence: Storytelling in the Classroom*](#), 41 AM. U. L. REV. 453–484 (1991).

Michael Blissenden, [*Law Student Learning, Storytelling and Student Device Initiatives*](#), 2 ATHENS J.L. 127–136 (2016).

Michael William Blissenden, [*The Emerging use of the Teaching Methodology of Storytelling in the Law Curriculum and its Possible Role in Producing Successful Law Graduates*](#), 17 INTERNATIONAL JOURNAL OF LEARNING 313–320 (2010).

- There has been a shift in recent years in the teaching of law at higher education institutions from a teacher centred learning to a student centred learning environment. In particular there has been a move towards active learning rather than passive learning by the student. As part of that movement the concept of narrative and storytelling has emerged as a teaching methodology to assist law students to better understand the skills that a lawyer would need in practice. The central theme of this approach will be for students to appreciate that a lawyer; even though they are listeners and tellers of stories, are also constructors of stories for their clients to be used in solving their legal problems (Grose, 2009). In order to cultivate humanity in the teaching of law, it is vital that our law teachers make students aware of the human actors beneath the words of the appellate judgments that they read (Watkins, 2009).

Michael Blissenden, [*Using Storytelling as a Teaching Model in a Law School: The Experience in an Australian Context*](#), 41 LAW TCHR. 260–274 (2007).

Nicola Capuano et al., [*A Storytelling Learning Model for Legal Education*](#), in INTERNATIONAL CONFERENCE ON E-LEARNING 29–36 (2014).

- The purpose of this paper is to describe a learning model based on Storytelling and its application in the context of legal education helping build challenging training resources that explain, to common citizens with little or no background about legal topics, concepts related to Legal Mediation in general and in specific areas like e-commerce and civil liability. The defined model has been contextualized with respect to relevant literature and implemented through the development of two software components that have been integrated in an existing e-learning environment. Such an e-learning environment is itself a module of a greater experimental system for on-Line Legal Mediation named eJRM.

K. Jane Childs, [*\(re\)counting Facts and Building Equity: Five Arguments For an Increased Emphasis on Storytelling in the Legal Curriculum*](#), 29 BOSTON UNIVERSITY PUBLIC INTEREST LAW JOURNAL 315–352 (2020).

Kate Nace Day & Russell G. Murphy, [*“Just Trying to Be Human in This Place,” Too: From Inside the Law School Classroom to Filmandlaw.com*](#), 19 VIRGINIA JOURNAL OF SOCIAL POLICY & THE LAW 496–533 (2012).

Ana Garza, [*Voice of Color and Its Value in Legal Storytelling*](#), 1 HISP. L. J. 105–122 (1994).

Laura P. Graham, [*Why-Rac? Revisiting the Traditional Paradigm for Writing About Legal Analysis*](#), 63 KANSAS LAW REVIEW 681–715 (2015).

- The article suggests legal academy to reassess its dependence on Issue, Rule, Application, Conclusion (IRAC) as a tool for organizing and writing about legal analysis. Topics include criticisms of IRAC from the perspective of story-telling, lawyers dissatisfaction with the use of IRAC in legal documents, and deficiencies of IRAC as an organizational paradigm for legal writing.

JULIAN HERMIDA, [TEACHING LAW AND CRIMINAL JUSTICE THROUGH POPULAR CULTURE: A DEEP LEARNING APPROACH IN THE STREAMING ERA](#) (2021).

- "Teaching Law and Criminal Justice Through Popular Culture: A Deep Learning Approach in the Streaming Era shows how university and college professors can create an engaging environment that encourages students to take a deep approach to learning through the use of popular culture stories in law school and in criminal justice classrooms. The use of popular culture (films, TV shows, books, songs, etc.) can enhance the deep learning process by helping students develop cognitive skills, competencies, and practices that are essential for the professional practice of law and criminal justice and which are often neglected in traditional law school and criminal justice curricula. The book covers such topics as: Critical thinking skills in legal and criminal justice education The role of popular culture in educating for rapid cognition, factors that foster intrinsic motivation, using storytelling in law and criminal justice, teaching with popular culture stories, popular culture and media literacy in the classroom, lawyers and criminal justice agents and their dealings with the press Influence of popular culture stories in the legal and criminal justice fields, regulations for the use of media texts in the legal and criminal justice fields, how stereotyping is influenced by popular media, how to prepare a promising syllabus or course outline. Key features: Explains an original concept on creating a deep learning environment that will enhance teaching and learning through popular culture, , includes engaging examples from popular culture to explain the main aspects of the deep learning environment Incorporates empirical research but gives concrete and specific ideas to use in the classroom, describes in detailed form a law course taught entirely through popular culture. This unique book is the result of the author's many years of teaching as well as of many meaningful discussions in seminars and teaching and learning workshops that he facilitated. This very easy-to-read and entertaining volume will show readers how to enhance their classes by creating a motivating and engaging environment that will foster students' deep learning experiences."-- Provided by publisher.

Steven J. Johansen, [Was Colonel Sanders a Terrorist? An Essay on the Ethical Limits of Applied Legal Storytelling](#), 7 JOURNAL OF THE ASSOCIATION OF LEGAL WRITING DIRECTORS 63–86 (2010).

- An essay is presented on the ethical implications of storytelling, particularly in Applied Legal Storytelling. It examines the concern that stories may in fact be inappropriately powerful, as it can be used as a tool for manipulation. It explores three elements of story that causes the concern that storytelling is unfairly manipulative thru the presentation of three stories. Furthermore, it concludes that Applied Legal Storytelling does not make new ethical quandary

Lenora Ledwon, [Understanding Visual Metaphors: What Graphic Novels Can Teach Lawyers About Visual Storytelling](#), 63 DRAKE LAW REVIEW 193–237 (2015).

- Effective legal storytelling requires facility with images. While law schools traditionally place great pedagogical emphasis on the power of the word, the power of the image gets short shrift. Yet, cognitive scientists have long recognized the persuasive force of images. This Article focuses on one specific type of image: the visual metaphor. A visual metaphor, like its verbal counterpart, represents one thing in terms of something else, but uses images instead of words. Graphic novels provide an excellent introduction to visual metaphors because their format

depends on strong visual thematic continuity. This Article uses Brian K. Vaughan and Pia Guerra's multivolume graphic novel, "Y: The Last Man," to illustrate how visual metaphors operate. By exploring visual metaphors in graphic novels, lawyers can improve their visual literacy and learn to recognize and create visual metaphors.

Andrew W. Jr. McThenia, [*Telling a Story about Storytelling Pedagogy of Narrative: A Symposium--Reflections on Storytelling and Narrative*](#), 40 J. LEGAL EDUC. 67–76 (1990).

Philip N. Meyer & Catlin A. Davis, [*Law Students Go to the Movies II: Using Clips from Classic Hollywood Movies to Teach Criminal Law and Legal Storytelling to First-Year Law Students Symposium: Visual Images and Popular Culture in Legal Education*](#), 68 J. LEGAL EDUC. 37–44 (2018).

Philip N. Meyer, [*Convicts, Criminals, Prisoners, and Outlaws: A Course in Popular Storytelling Development*](#), 42 J. LEGAL EDUC. 129–138 (1992).

Judith D. Moran, [*Families, Law, and Literature: The Story of a Course on Storytelling*](#), 49 UNIVERSITY OF SAN FRANCISCO LAW REVIEW 1–56 (2015).

- The article discusses a proposed method for teaching law students about how to become effective storytellers, and it mentions the use of a teaching method which includes close reading and reflective writing techniques. The relationships between families, law, and literature are mentioned, along with the studying of narrative elements such as plot, setting, and point of view. Legal education in America is examined, along with various law school courses and lawyering skills.

David Ray Papke, [*Discharge As Denouement: Appreciating the Storytelling of Appellate Opinions Pedagogy of Narrative: A Symposium--Exemplars of Narrative Jurisprudence*](#), 40 J. LEGAL EDUC. 145–160 (1990).

- In law school, focusing on legal storytelling might relieve student boredom and alienation, teach lawyers to tell better stories on clients' behalf, draft fairer imagined worlds in legislation, and shape thoughtful master narratives from the bench, and promote livelier legal scholarship and interdisciplinary collaboration. (MSE)

PR Newswire, [*BYU Law Invites Law Students Across the U.S. to Participate in Storytelling Initiative: BYU-LAW-storytelling*](#), PR NEWswire US (January 29, 2019).

PR Newswire, [*BYU Law Announces Participants in Inaugural Storytelling Initiative: UT-BYU-LAW-LawStories*](#), PR NEWswire US (March 18, 2019).

Shauna Van Praagh, [*Stories in Law School: An Essay on Language, Participation, and the Power of Legal Education*](#), 2 COLUM. J. GENDER & L. 111–144 (1992).

Bret Rappaport, [*Tapping the Human Adaptive Origins of Storytelling by Requiring Legal Writing Students to Read a Novel in Order to Appreciate How Character, Setting, Plot, Theme, and Ton \(CSPTT\) are as Important as IRAC*](#), 25 T. M. COOLEY L. REV. 267–302 (2008).

J. Christopher Rideout, [*Discipline-Building and Disciplinary Values: Thoughts on Legal Writing at Year Twenty-Five of the Legal Writing Institute Symposium: The Legal Writing Institute: Celebrating 25 Years of Teaching & Scholarship*](#), 16 LEGAL WRITING: J. LEGAL WRITING INST. 477–490 (2010).

- The article presents the author's thoughts from a symposium to celebrate Legal Writing Institute's first twenty-five years of teaching and scholarship in legal writing. The author discusses the movement within the institute to explore the application of storytelling to legal writing. He also brings up the idea of disciplinarity, which was first proposed at the institute in 1993.

J. Christopher Rideout, [*Applied Legal Storytelling*](#), 12 LEGAL COMMUNICATION & RHETORIC: JALWD 247–264 (2015).

Cassandra Sharp, [*SYMPOSIUM: THE POWER OF STORIES: INTERSECTIONS OF LAW, LITERATURE, AND CULTURE: CASE STORY: THE “EXTREME MAKEOVER” EFFECT OF LAW SCHOOL: STUDENTS BEING TRANSFORMED BY STORIES*](#), 12 TEXAS WESLEYAN LAW REVIEW 233 (2005).

LOUIS J. SIRICO, [*PERSUASIVE LEGAL WRITING*](#) (Fourth ed. 2015).

Donna M. Steslow & Carolyn Gardner, [*More than One Way to Tell a Story: Integrating Storytelling into Your Law Course*](#), 28 JOURNAL OF LEGAL STUDIES EDUCATION 249–271 (2011).

- Storytelling has been used in diverse educational settings. It is employed at all educational levels, from elementary schools to graduate schools. Approximately twenty years ago, law school professors began writing about the application of storytelling to various law school subjects as an alternative to the traditional case method. Legal scholars favoring storytelling as an alternative or supplemental teaching method maintain that cases can come to life when storytelling methods are integrated into the law. Storytelling methods similar to those advocated by these law professors can be applied to an undergraduate legal studies course. Storytelling can add dimension and interest to legal concepts undergraduate business students may find unfamiliar, and storytelling methods need not be complex. This article contributes to the study of pedagogical methods employed in a typical legal studies course by explaining the storytelling method, reviewing the literature on applying storytelling to law, and suggesting practical methods for incorporating storytelling into a legal studies course. (Contains 127 footnotes.)

Rennard Strickland, [*Mister Legal Education: Experience, Integrity, and Storytelling behind the Clown’s Mask Tribute to Frank Thompson*](#), 44 S. TEX. L. REV. 17–20 (2002).

Illan rua Wall, [*Podcast as assessment: entanglement and affect in the law school*](#), 53 THE LAW TEACHER 309–320 (2019).

- This article documents the “Orders in Decay” project, in which students taking the Law and Disorder module at the University of Warwick were required to produce a podcast as part of their assessment. The article situates the pedagogic benefits of student podcasting through the fields of legal storytelling, law and literature, and digital storytelling. It uses these to theorise three key moments in the podcasting process: the interview with an expert as an affective encounter with

the ideas, the production of a complex and layered podcast that excites an affective response, and publication of the best of the podcasts to shift the students' horizons of communication. Ultimately, the article suggests that the undergraduate is uniquely positioned between worlds – neither an expert nor a member of the public. As such, they are perfectly placed to mediate ideas and discussion in an affecting manner.

[Developing the 5th MacCrate Skill—The Art of Storytelling. The Association of American Law Schools Section on Legal Writing, Reasoning and Research Section Annual Meeting Program](#), 26 PACE LAW REVIEW 501–522 (2006).

[Preface](#), 7 JOURNAL OF THE ASSOCIATION OF LEGAL WRITING DIRECTORS 1–1 (2010).

- An introduction to the journal is presented which discusses an article by Carolyn Grose on narrative theory and storytelling techniques across the law school curriculum, one by Steve Johansen on the ethical implications of storytelling, and one by Ruth Anne Robbins on the redesign of legal documents.

[WMU law school teaches storytelling techniques](#), 35 GRAND RAPIDS BUSINESS JOURNAL 1–2 (2017).

- The article provides information on the writing workshop conducted by the Western Michigan University Cooley Law School. Topics include the publication of the book "Lawyers Storytelling: A Sacred Craft" by the students, the significance of criticism, and the various laws related to publishing. The article also discusses the problems faced by the editors.

[Reading Outside the Course](#), 44 LEGAL STUDIES FORUM 65–106 (2020).

- The article looks at the idea of integrating fictions into traditional law school courses. It offers reflections on the experience of delivering the course "Lawyers and Literature" to law students. The immersion of attorneys in an oral popular storytelling tradition is discussed, as well as the influence of the relationship of fiction and what is real on the reading of lawyer stories.

Higher Education & Academia

Adalberto Aguirre Jr., [Academic Storytelling: A Critical Race Theory Story of Affirmative Action](#), 43 SOCIOLOGICAL PERSPECTIVES 319–339 (2000).

- ABSTRACT: The minority (nonwhite) can tell stories about institutional practices in academia that result in unintended benefits for the majority (white). One institutional practice in academia is affirmative action. This article presents a story about a minority applicant for a sociology position and his referral to an affirmative action programmer recruiting minority faculty. One reason for telling the story is to illustrate how an affirmative action program can be implemented in a manner that marginalizes minority persons in the faculty recruitment process and results in benefits for majority persons. Another reason for telling the story is to sound an alarm for majority and minority faculty who support affirmative action programs that the programs can fall short of their goals if their implementation is simply treated as a bureaucratic activity in academia.

Arthur Austin, [*Evaluating Storytelling as a Type of Nontraditional Scholarship*](#), 74 NEB. L. REV. 479–528 (1995).

Michael Bolton, [*Combining Storytelling with Problem Solving to Improve Criminal Justice Education and Training*](#), 17 LAW ENFORCEMENT EXECUTIVE FORUM 1–7 (2017).

- In this article, the author extols the advantage of combining meaningful storytelling with situation analysis and problem solving with the intent to improve the ability of students to more clearly understand the connections between assigned scholarly readings as they relate to those situations likely to be encountered by police and other law enforcement personnel in the performance of their duties. Included in this article are discussions of unique teaching techniques the author employs such as Optional PowerPoint (OPP) and Power Stream Inquiry System (PSIS) approaches to teaching. He developed both and uses them in most of his courses. Further, the author discusses why he prefers neither the practitioner nor the academic voice. If current or future instructors desire to provide comprehensive, well-rounded collegiate experiences for students desiring to join or advance in a law enforcement or other criminal justice field, the author strongly suggests he or she should understand that the two perspectives are inextricably linked to one another.

Alafair S. Burke, [*Classroom Storytelling*](#), 78 UMKC LAW REVIEW 1031–1034 (2010).

Camille Lamar Campbell, [*Who's Gonna Take the Weight: Using Legal Storytelling to Ignite a New Generation of Social Engineers*](#), 50 J. MARSHALL L. REV. 231–248 (2016).

Iris Epstein et al., [*Thinking rhizomatically and becoming successful with disabled students in the accommodations assemblage: Using storytelling as method*](#), NURS INQ e12475 (2021).

- The number of disabled students enrolled in higher education institutions is increasing. Yet in disciplines such as nursing, where placements are an important part of student success, students' lived experiences, though an important and necessary aspect of promoting equity, diversity, and inclusion, has been ignored. In this paper, we respond to such issues by creating and utilizing a novel storytelling method that harnesses the antiessentialist philosophy of Deleuze and Guattari. Storytelling empowers students to both describe their experiences and inform institutions on how to better serve them, and we use concepts from Deleuze and Guattari to provide a framework for thinking about students and their pathways toward success as multiple. As we show, applying storytelling as a method through this lens offers an expansion of strategies to put students first and, therefore, promote equity at the administrative, research, educational, and practical levels. We describe how thinking rhizomatically opens new avenues of insight, allowing for the creation of institutional assemblages based on a diverse array of students' needs, enabling them to become successful in their own ways. (© 2021 John Wiley & Sons Ltd.)

Lisa Healy & Julie Baker, [*Commentary: Subtlety, storytelling keys to writing persuasively*](#), RHODE ISLAND LAWYERS WEEKLY.

Sandra Craig McKenzie, [*Storytelling: A Different Voice for Legal Education Essay*](#), 41 U. KAN. L. REV. 251–270 (1992).

Liz McMillen, [*Law Scholars Emphasize the Importance of Storytelling*](#), THE CHRONICLE OF HIGHER EDUCATION (July 26, 1996).

- Trial lawyers understand the importance of a good story in the courtroom: They try to tell the story that a jury is most likely to believe. But storytelling is a relatively new concept for legal scholarship.

Gayle Mertz, [*Quotations, core values, and storytelling: teaching strategy*](#), 20 UPDATE ON LAW-RELATED EDUCATION. 33–35 (1996).

- Part of a special issue on character education. A teaching strategy for middle and secondary school students in which facilitated discussion of stories helps cultivate the inculcation of sound character traits is described. Students learn to name several of the core values cited in the Aspen Declaration, identify the presence or absence of specific core values exhibited by real people or characters in literature, and explain the difference between personality type and a character trait.

[*STORYTELLING FOR SUSTAINABILITY IN HIGHER EDUCATION: AN EDUCATOR’S HANDBOOK*](#), (Petra Molthan-Hill et al. eds., 2020).

- "Storytelling has been rediscovered as a successful pedagogical tool for teaching meaning and purpose in higher education and beyond. This book offers university lecturers the opportunity to use storytelling as part of their pedagogy when introducing concepts around sustainability and sustainable development. Written by academics and storytellers, it is based on personal experience of using stories in teaching. Practical advice in each chapter ensures the ideas may be put into practice with ease, creating a meaningful impact on how students view their discipline through the lens of sustainability. The book also includes useful guidance on how to assess work based on storytelling and how storytelling fits within the wider area of rhetoric in general"-- Provided by publisher.

Legal Profession & Practice

Jane B. Baron, [*Storytelling and legal legitimacy*](#), 25 COLLEGE LITERATURE 63 (1998).

- Establishes the parameters for a methodology that has contributed to the law and literature movement. Uses, benefits and drawbacks of the storytelling in law; Critique of the legal profession; Issues of judicial delay, manipulation of the court system as well as social and biological questions.

LINDA L. BERGER, [*LEGAL PERSUASION: A RHETORICAL APPROACH TO THE SCIENCE*](#) (2018).

- "This book develops a central theme: legal persuasion results from making and breaking mental connections. This concept of making connections inspired the authors to take a rhetorical approach to the science of legal persuasion. That singular approach resulted in the integration of research from cognitive science with classical and contemporary rhetorical theory, and the application of these two disciplines to the real-life practice of persuasion. The combination of rhetorical analysis and cognitive science yields a new way of seeing and understanding legal

persuasion, one that promises theoretical and practical gains. The work has three main functions. First, it brings together the leading models of persuasion from cognitive science and rhetorical theory, blurring boundaries and leveraging connections between the often-separate spheres of science and rhetoric. Second, it illustrates this persuasive synthesis by working through concrete examples of persuasion, demonstrating how to apply this new approach to the taking apart and the putting together of effective legal arguments. In this way, the book demonstrates the advantages of a deeper and more nuanced understanding of persuasion. Third, the volume assesses and explains why, how, and when certain persuasive methods and techniques are more effective than others."-- Back cover

[LAW'S STORIES: NARRATIVE AND RHETORIC IN THE LAW](#), (Peter Brooks & Paul D. Gewirtz eds., 1996).

KATE NACE DAY, [STORIES AND THE LANGUAGE OF LAW](#) (2015).

Richard Delgado, [Storytelling for Oppositionists and Others: A Plea for Narrative](#), 87 MICHIGAN LAW REVIEW 2411–2411 (1989).

JESSICA D. FINDLEY, [THE SCIENCE OF ATTORNEY ADVOCACY: HOW COURTROOM BEHAVIOR AFFECTS JURY DECISION MAKING](#) (2012).

Brian J. Foley, [Applied Legal Storytelling, Politics, and Factual Realism](#), 14 LEGAL WRITING: J. LEGAL WRITING INST. 17–52 (2008).

Tom Galbraith, [Storytelling: The Anecdotal Antidote](#), 28 LITIGATION 17–23 (2002).

Marshall Goldberg, [Philip N. Meyer, Storytelling for Lawyers Book Review](#), 64 J. LEGAL EDUC. [i]-520 (2015).

Steven J. Johansen, [Coming Attractions: An Essay on Movie Trailers & Preliminary Statements](#), 10 LEGAL COMMUNICATION & RHETORIC: JALWD 41–65 (2013).

- An essay is presented on the on the uses of legal storytelling techniques in the context of legal persuasion. He examines the specific persuasive strategies used by filmmakers to make effective movie trailers and produce the desired theme. It also explores the concept of neuroscience in explaining that first impressions provide lasting performance and how it can be applied to make legal writing more persuasive.

Stefan H. Krieger & Jonathan D. Krieger, [Storytelling and Relevancy](#), 99 OREGON LAW REVIEW 163–205 (2020).

- The article discusses court trial issues in the U.S., particularly the practice of witness storytelling , its relevancy to the case, and the efforts to limit testimony to evidence. Also cited are the importance of storytelling in the legal decision-making process in the 20th century, the relationship between rules of relevancy and narrative theory, and Applied Legal Storytelling (ALS).

P. Lermack, [*Meyer, Philip N.: Storytelling for lawyers*](#), 52 CHOICE: CURRENT REVIEWS FOR ACADEMIC LIBRARIES 535–536 (2014).

STEVEN LUBET, [*NOTHING BUT THE TRUTH: WHY TRIAL LAWYERS DON'T, CAN'T, AND SHOULDN'T HAVE TO TELL THE WHOLE TRUTH*](#) (2001).

- "Nothing but the Truth presents a novel and engaging analysis of the role of story-telling in trial advocacy. The best lawyers are storytellers, Lubet explains, who take the raw and disjointed observations of witnesses and transform them into coherent and persuasive narratives." "Lubet demonstrates that the craft of lawyer storytelling is a legitimate technique for determining the truth and - not at all coincidentally - for providing the best defense for the attorney's client. Storytelling can accomplish three important purposes at trial. It can help to establish a "theory of the case," which is a plausible and reasonable explanation of the underlying events, presented in the light most favorable to the attorney's client. Storytelling can also develop the "trial theme," which is the lawyer's way of adding moral force to the desired outcome. Most importantly, storytelling can provide a coherent "story frame," which organizes all of the events, transactions, and other surrounding facts of the case into an easily understandable narrative context." "To illustrate the various challenges, benefits, and complexities of storytelling, Lubet elaborates the stories of six different trials. Some of the cases are real, including John Brown and Wyatt Earp, while some are fictional, including Atticus Finch and Liberty Valance. In each chapter, the emphasis is on the narrative itself, emphasizing the trial's rich context of facts and personalities. The overall conclusion, as Lubet puts it, is that "purposive storytelling provides a necessary dimension to our adversary system of justice."--BOOK JACKET.

Stephen A. Madva, [*Mentoring Through Storytelling*](#), 28 LITIGATION 38–73 (2002).

Toni M. Massaro, [*Empathy, Legal Storytelling, and the Rule of Law: New Words, Old Wounds?*](#), 87 MICHIGAN LAW REVIEW 2099–2127 (1989).

Sarah Mercer & Clare Sandford-Couch, [*Legal Ethics in the Trial of Oscar Wilde*](#), 16 LEGAL ETHICS 119–133 (2013).

- The article argues that ethical awareness must be inculcated at the undergraduate level in order to foster law school students to deal with concerns related to legal practice rather than any specific professional conduct rules. It discusses the behaviour of legal professionals who were involved in the trial of Oscar Wilde. It informs that by encouraging students to address issues of legal ethics from the perspective of storytelling for "real-life" cases may aid in ameliorating professionalism.

PHILIP N. MEYER, [*STORYTELLING FOR LAWYERS*](#) (2014).

Philip N. Meyer, [*Shaping Your Legal Storytelling: Voice and perspective can affect how the law is applied to the facts of your case*](#), 100 ABA JOURNAL 26–27 (2014).

Binny Miller, [*Telling Stories about Cases and Clients: The Ethics of Narrative*](#), 14 GEO. J. LEGAL ETHICS 1–54 (2000).

Gary Minda, [*Narratives of International Law and Literature after 9/11 International Law and Literature*](#), 11 ILSA J. INT'L & COMP. L. 435–442 (2004).

Michael A. Olivas, [*Storytelling Out of School: Undocumented College Residency, Race, and Reaction*](#), 22 HASTINGS CONST. L.Q. 1019–1086 (1994).

DAVID RAY PAPKE, [*NARRATIVE AND THE LEGAL DISCOURSE: A READER IN STORYTELLING AND THE LAW*](#) (1991).

- A collection of leading articles relating to the narrative aspects of legal discourse. Supplemented by introductory comments, questions for discussion, suggestions for further reading and indices, this volume explores storytelling in legal education, legal practice and various legal forms, most notably the appellate opinion. A concluding section addresses the articulation of alternative legal narratives by lawbreakers, women, African-Americans and political radicals.

Stephen Paskey, [*The Law is Made of Stories*](#), 11 LEGAL COMMUNICATION & RHETORIC: JALWD 51–82 (2014).

- The article focuses on the importance of stories in law and legal practice among lawyers and scholars. Topics discussed include the concept of legal reasoning, the creation of story with social assumptions as well as moral and cultural values, and the ability of lawyers to identify an authoritative legal text.

Carmen Lucena Rodriguez et al., [*Digital Storytelling in Education: A Systematic Review of the Literature*](#), 13 REV. EUR. STUD. 13–25 (2021).

Carol M. Rose, [*Property as Storytelling: Perspectives from Game Theory, Narrative Theory, Feminist Theory*](#), 2 YALE J.L. & HUMAN. 37–58 (1990).

JONATHAN SHAPIRO, [*LAWYERS, LIARS, AND THE ART OF STORYTELLING: USING STORIES TO ADVOCATE, INFLUENCE, AND PERSUADE*](#) (2014).

- "Storytelling, what it is, why it matters, how to do it, is not a metaphor for legal advocacy. It is legal advocacy itself, and it is not limited to jury trials or court appearances: It relates to every aspect of a lawyers work. The practice of law is the business of persuasion, and storytelling is the most effective means of persuading. A credible lawyer incapable of telling a well-reasoned story that moves the listener will always beat the lawyer who cannot. But just recognizing the centrality of storytelling to the legal profession is not enough. Lawyers should also study the basic structure and elements that apply to stories, how they work and why, as well as the principles that have guided great storytellers for thousands of years. Lawyers, Liars, and the Art of Storytelling shows you how to convey legal information in a cogent, persuasive way to the client who needs the help, to opposing counsel, and to the decision-maker who has the final say. In doing so, it utilizes portions of famous real-life court transcripts, television scripts, and story after story that feels more like celebration than study. Part prescriptive teaching, part memoir, always entertaining and never lecture, this package provides storytelling lessons gleaned from years of trial practice and television writing, wrapped in, what else, great stories"--Publisher.

Norman M. Sheresky, [*Dynamic Direct: The fine art of staging and storytelling*](#), 21 FAMILY ADVOCATE 27–29 (1998).

Richard K. Sherwin, [*A Matter of Voice and Plot: Belief and Suspicion in Legal Storytelling*](#), 87 MICHIGAN LAW REVIEW 543–612 (1988).

Jonathan K. Van Patten, [*Storytelling for Lawyers*](#), 57 SOUTH DAKOTA LAW REVIEW 239–276 (2012).

- The article articulates specific propositions regarding the techniques of storytelling. It reflects that lawyers have a general problem in the art of persuasion and lacks moral authority, and reflects that stories and metaphors are a vital medium for persuasion which helps in breaking the familiar barriers of resistance. It reveals that a case can be solved effectively by working backwards from the required legal elements and highlighting them in the facts.

Helena Whalen-Bridge, [*Persuasive legal narrative: articulating ethical standards*](#), 21 LEGAL ETHICS 136–158 (2018).

- When used in legal forums, the persuasive abilities of narrative raise ethical questions. Depending on the jurisdiction, some ethical rules apply to persuasive legal narrative, but these rules establish a minimum standard that does not address how to analyse more nuanced forms of fabrication, such as what kind of inferences can be drawn from evidence to support a narrative. The need to allow lawyers discretion to fashion persuasive cases does not mean that the use of deception by lawyers or law students should be accepted with a shrug. The current lack of guidance to lawyers and students, which contributes to cynicism regarding fact presentation, should be addressed with guidance about how to use persuasive legal narrative in an effective, ethical manner.

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