

ADVICE ON SCHOLARSHIP FOR PRE-TENURED ADR FACULTY

From Jean Sternlight:

DO try to connect with non-ADR academics, in teaching and scholarship.
DO write on issues that will appeal to broader audiences as well as to ADR types.
DO be conscious of what your school values, as well as what other schools value if you are hoping to be mobile.
DO ask advice of your colleagues with regard to what kinds of placements they think are best for your articles.
DO look to other disciplines for useful insights.
DO network with folks in the ADR world – can be helpful in many ways.
DO try to carve out some kind of niche for yourself, rather than write on multiple scattered issues.
DO use blogging etc. as a means of getting your name out but not to the extent that it takes too much of your writing time.
DON'T focus primarily on teaching as an activity or in your writing unless that is highly valued by your institution and you don't care about mobility.
DON'T let yourself get sucked into too much institution building or committee work or clinical work too early in your career.
DON'T try to do empirical work that may not pan out too early in your career.

From Michael Moffitt:

DO come up with short titles.
DO ask for advice early (really early) in your thinking, before you go too far down a road that is too filled with risks visible to those who have been down it before.
DON'T be afraid to take an unsuccessful project out back and shoot it, rather than continue to pour time down a drain.
DO treat law review editors really, really, really well. Don't miss deadlines with them, be kind in the editorial process, etc.
DO search out things related to your topic written by non-ADR folks. It can be really enlightening.
DO set deadlines, aggressive deadlines, for producing materials, and if you're at risk of ignoring your own deadlines, pre-commit (for example by agreeing to present at a symposium, giving a journal a deadline, telling your associate dean or dean you'll have X by Y date, etc.).
DON'T feel like you have to make broader statements than you are comfortable justifying. Your words will be associated with you forever(ish).
DO have a clear picture of who you are hoping will read it.
DON'T write an article with an unhelpful person in mind (your spouse, your faculty critic, your former boss, your intimidating law partner, whatever). You'll write defensively (or worse) and it'll look weird to the rest of us who aren't that target person.
DO send around a copy of your final work to the folks on whose work you relied, cited, etc.
Maybe even appeal to ego in a cover letter, so they know that you read their work, built on it, etc.
DO send your final work to everyone who writes an ADR casebook, maybe even with a suggested passage or parenthetical to make it easy for them to cite.
DO thank the people who helped you in writing the piece – not just in the generic author footnote, but thank them for real. It's a great thing they did to spend time helping you. Think of a good way to say thank you. And then remember to be that helpful person in a handful of years when pre-tenure folks need your help.
DO follow every one of the pieces of advice listed above, even the ones that are inconsistent with other pieces of advice listed above.
DON'T follow the advice listed immediately above.

From Scott Peppet:

DO come up with topics that you really care about.
DO learn that NARROW topic questions are often the most rewarding and often create the best papers.
DON'T listen to people (too much) that tell you what to write, but
DO listen to people (somewhat) that tell you *how* to write.
DO promote your ideas by attending conferences, blogging, etc., but
DON'T promote too much. Just enough so that you don't become isolated, but not so much that you become obsessed or annoying.
DO try to push the state of scholarship forward with significant, meaningful contributions. That's the goal. Don't settle for marginal.
DO write down EVERYTHING you do over the course of a year (things you write, conferences you go to, talks you give to student groups, etc. etc.) and keep it all in a file for your tenure review.
DO do service in your community and in the ADR world that will make you happy and keep you feeling fulfilled, but
DON'T do too much that it interferes with your writing and teaching.
DO try to place at least some of your articles in mainstream venues rather than all in specialty venues.
DO share your work early enough that you can get feedback on the conceptual direction before you get too far into it.
DO find ways to meet more senior scholars at other institutions, because they most likely will be the ones writing external reviews of your scholarship at some point.

From Andrea Kupfer Schneider:

DO be out there in the ADR community. Remember that tenure rises and falls on external evaluations and it's much harder to turn down an evaluation for someone you know.
DO send around your work both internally and externally—don't be shy once you have a certain level of polishing.
DO use blogs (the ADR Prof Blog for example) for getting out ideas early in order to do that polishing.
DO keep emails or other love notes from people who read your work and add that to your tenure file.
DO know your own faculty; mentors and fans are important.
DON'T try to do too much—it is more important to cover something well than to cover the whole field.
DON'T leave it to your tenure committee to understand your field—be helpful in letting them know that arbitration (or mediation or negotiation) is different than what you write.
DON'T drive your tenure committee crazy—check in with them for reviewers and then leave them alone.
DON'T assume that your CV will speak for itself—make sure you brag appropriately about cites, presentations, involvement in the community, bar forums or anything else that might impress.