 TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

STATEMENT OF POLICIES AND PROCEDURES
GOVERNING THE LEGAL RESEARCH AND WRITING FACULTY

Adopted at the Faculty Meeting held on September 5, 2007

These Policies and Procedures shall apply to each full-time member of the Temple Law School Faculty appointed to a non-tenure track faculty position teaching Legal Research and Writing ("LRW faculty member"). The Dean, after consulting with the LRW Faculty and such other Faculty committees as may be appropriate, may issue additional policies and procedures regarding evaluation, promotion, and other related matters, consistent with these and other Faculty policies and procedures. These policies and procedures supercede and replace the Performance Standards and Procedures adopted on April 27, 1999 and amended on August 27, 2003.

I. EVALUATION OF FACULTY MEMBERS

A. Eligibility of LRW faculty members for appointments, promotions, reappointments and termination of appointments shall be determined by all applicable Temple University policies, as supplemented by provisions duly adopted by the Faculty of the School of Law.

B. Evaluation of LRW faculty members shall be in accordance with applicable Temple University policies and the standards duly adopted by the School of Law regarding teaching, scholarship and service.

C. The Dean, the Chair of the Tenurial Faculty, and the Chair of the Faculty Review Committee should insure that all LRW faculty members who are eligible for appointments, reappointments or promotions are made aware of any relevant Temple University regulations and guidelines.

II. EVALUATION SCHEDULES

A. LRW Faculty Members on Contracts of Less Than Three Years.

1. Except as provided in paragraph 2 below, the progress toward a three year contract and promotion of an LRW faculty member, regardless of rank, who holds an appointment on a contract of less than three years shall be evaluated for reappointment during every year, provided that during an Assistant Professor's first year of full-time teaching at the Law School, no evaluation shall be conducted until the Spring semester. The evaluation
shall be conducted by a Review Panel in accordance with the procedures set forth in section III.B. hereof.

2. In a year in which an LRW faculty member requests promotion or an initial five year contract, the LRW faculty member will be evaluated by the Faculty Review Committee in accordance with the procedures set forth in Section III.C. hereof.

B. LRW Faculty Members on Three Year Contracts.

1. Except as provided in paragraph 2 below, an LRW faculty member, regardless of rank, who holds an appointment on a three year contract will be evaluated when:

a. She or he seeks promotion or appointment to an initial five year contract, or

b. She or he is in the final year of the three year contract, or

c. She or he requests such an evaluation, or

d. The Faculty Review Committee, after discussion with the LRW faculty member and the Dean, determines that an evaluation would be appropriate.

2. An LRW faculty member, regardless of rank, whose initial appointment at Temple is on a three year contract will be evaluated during every year of that initial contract.

3. Any evaluation which involves a request for promotion or appointment to an initial five year contract shall be conducted by the Faculty Review Committee in accordance with the procedures set forth in Section III.C. hereof.

4. Any evaluation that takes place pursuant to paragraph 1.b., c., or d. or paragraph 2. hereof, and which does not involve a request for promotion or appointment to an initial five year contract, shall be conducted by a Review Panel in accordance with the procedures set forth in section III.B. hereof.
C. LRW Faculty Members on Five Year Contracts.

1. Except as provided in paragraph 2 below, an LRW faculty member, regardless of rank, who holds an appointment on a five year contract will be evaluated when:

   a. She or he seeks promotion, or

   b. She or he requests such an evaluation, or

   c. The Faculty Review Committee, after discussion with the LRW faculty member and the Dean, determines that such an evaluation would be appropriate.

2. During the Spring semester of the fourth year of the contract and at the latest by June 1 of that year, the LRW faculty member shall provide information requested by the Faculty Review Committee, and the Committee will decide, in consultation with the Dean, whether an evaluation shall be conducted during the fifth year of the contract.

3. Any evaluation which involves a request for promotion shall be conducted by the Faculty Review Committee in accordance with the procedures set forth in Section III.C. hereof.

4. Any evaluation that takes place pursuant to paragraph 1.b., or c., or paragraph 2. hereof, and which does not involve a request for promotion, shall be conducted by a Review Panel in accordance with the procedures set forth in section III.B. hereof or in such other manner as the Faculty Review Committee, in consultation with the Dean, determines is appropriate.

III. EVALUATION PROCEDURES

A. 1. During the Spring Semester and at the latest by June 1 of every academic year, the Chair of the Tenurial Faculty shall consult with those LRW faculty members who have not yet attained the rank of Professor of Law holding an appointment on a five year contract, and shall determine which of those LRW faculty members intend to seek an initial five year contract or promotion during the upcoming academic year. The Chair of the Tenurial Faculty shall communicate the results of this determination to the Chair of the Faculty Review Committee and the Dean.
2. As to each LRW faculty member who will be seeking an initial five year contract or promotion during the upcoming academic year, the Faculty Review Committee and the LRW faculty member should begin any part of the review process that might take place before the start of the academic year, particularly the review of the LRW faculty member’s scholarship and other credentials by independent external evaluators in accordance with section III.C.2.a. hereof.

3. By July 1 of the academic year in which review is sought, LRW faculty members seeking initial five year contracts or promotion shall submit to the Chair of the Faculty Review Committee as much of the candidate portfolio (see III.C.1.) as is possible by that date and shall submit the remaining parts of the portfolio by September 1, including a copy of all scholarship on which the LRW faculty member intends to rely.

4. Any LRW faculty member who has expressed an intent to seek an initial five year contract or promotion, may withdraw from consideration at any time without prejudice and no negative inference will be attached to a decision not to move forward.

B. Except in exceptional circumstances, an annual review of an LRW faculty member’s progress which does not involve a request for promotion or the award of an initial five year contract shall be conducted by a Review Panel, rather than by the Faculty Review Committee. The Panel shall be comprised of two tenured members of the Faculty appointed by the Chair of the Faculty Review Committee in consultation with the Chair of the Tenurial Faculty and the Dean. A member of the LRW Faculty holding an appointment on a five year contract may replace one tenured faculty member on a Panel. The members of the Panel shall each visit at least two (2) classes of the LRW faculty member under review and otherwise evaluate his or her teaching, shall read and evaluate the LRW faculty member’s scholarship and scholarly agenda, and shall ascertain and evaluate the LRW faculty member’s service. The Panel will evaluate the LRW faculty member’s progress towards satisfaction of the standards for contract renewal and promotion contained in the Law School’s Standards for Contract Renewal and Promotion of Legal Research and Writing Faculty, consistent with the number of years the LRW faculty member has been a full-time teacher of LRW. The results of the Panel’s evaluation shall be set forth in a report which shall be delivered by the Panel to the LRW faculty member being reviewed in accordance with the procedures set forth in section III.D.2. hereof. Thereafter, the report shall be circulated by the Chair of the Tenurial Faculty to all LRW faculty members who hold appointments on a five year contract and to the Tenurial Faculty in accordance with the procedures set forth in sections III.D. hereof. However, if two or more LRW faculty members are being evaluated in connection with the
renewal of their five year contracts in the same year, they shall not take part in the process of evaluating each other.

C. Evaluation of an LRW faculty member's satisfaction of the standards for an initial five year contract or promotion shall be conducted by the Faculty Review Committee.

1. The LRW faculty member seeking an initial five year contract or promotion shall submit to the Chair of the Faculty Review Committee a candidate portfolio which shall include a current curriculum vita, and to the extent not shown on the cv:

   a. A list of all courses taught at Temple Law School (by year), the style or format of each class, and a description of his or her non-classroom teaching;

   b. A list of all committee assignments while at Temple (by year);

   c. A description of service activities within and outside of Temple University while at Temple (by year);

   d. A copy of all published work since joining the Temple Law School Faculty, whether in the category of teaching, scholarship or service (except that where an LRW Faculty Member seeks promotion to Full Professor, he or she should include only the work published since the last promotion review) and evidence of the influence that the published work has had on the profession and others;

   e. Evidence of continuing scholarly commitment;

   f. Current year’s syllabi;

   g. A major writing assignment created by the LRW faculty member and a final examination previously given, if any;

   h. Three critiqued student papers;

   i. Student evaluations for all courses taught at Temple Law School;

   j. Prior progress and/or Faculty Review Committee reports; and

   k. Any additional material about teaching, scholarship, and service that the LRW faculty member deems relevant.
2. Members of the Faculty Review Committee shall evaluate the teaching of each LRW faculty member under review (including visiting each LRW faculty member’s classes), shall read and review the scholarship produced by each LRW faculty member and shall ascertain and evaluate the service provided by each LRW faculty member.

   a. (1) Assessment of the credentials of the LRW faculty member for appointment to an initial five year contract or promotion shall include written letters of evaluation from individuals outside the Law School and the University who are qualified to assess the credentials of the LRW faculty member for such appointment or promotion. A preponderance of these letters shall be obtained from persons who are independent, meaning that they have not worked or collaborated with the LRW faculty member.

   (2) The Faculty Review Committee and the LRW faculty member shall each separately submit lists to the Dean that contain the names and professional affiliations of persons whom they recommend to be external evaluators. After review of these recommendations, the Dean may, in his or her discretion, add additional evaluators to the lists. The Dean, after consultation with the Faculty Review Committee, shall select at least three external evaluators from the lists.

   (3) The Dean or the Chair of the Faculty Review Committee shall solicit from each of the selected evaluators a written report that assesses the LRW faculty member’s credentials for appointment to an initial five year contract or promotion, and shall provide to the evaluators the LRW faculty member’s curriculum vita, the published work and other materials to be evaluated, and a copy of the relevant contract or promotion standards. In particular, the external evaluators will be asked to discuss the quality of the LRW faculty member’s scholarship, the extent to which it reflects substantive knowledge of the subject matter and makes a positive contribution to the field, the recognition the LRW faculty member has achieved in his or her field, the LRW faculty member’s potential for continuing and greater achievements in scholarship in the future, whether the LRW faculty member meets the relevant standard for appointment to an initial five year contract or promotion, as well as such other information or commentary as the
external evaluators deem relevant to the LRW faculty member’s qualifications for appointment to an initial five year contract or promotion.

(4) The LRW faculty member under review shall be entitled to see and to respond to any written report prepared by an external evaluator, provided that the report is redacted to preserve the evaluator’s anonymity.

b. Evaluation of an LRW faculty member’s service should include consultation with the Chairs of any Law School Committees on which the LRW faculty member serves, as well as consultation with individuals outside the law school who have personal knowledge of the LRW faculty member's professional, community, or University service.

c. At a minimum, at least three members of the Faculty Review Committee shall each visit three classes taught by the LRW faculty member under review during the period under consideration.

(1) Members of the Faculty Review Committee shall provide at least 24 hours notice (excluding Saturdays and Sundays) of intent to visit the class of an LRW faculty member under review.

(2) Except where every class of the Faculty Review Committee member and the LRW faculty member under review conflict, class visits shall be in person. Where the reviewer's and candidate's class schedules conflict, electronic taping is permissible and the Faculty Review Committee member may rely on the tape. In other cases, the use of taping as a supplement to personal visits is permissible only with the consent of the candidate. If taping is used, the Faculty Review Committee member shall review the tape in the presence of, or in consultation with, the LRW faculty member under review.

(3) Before visiting the class of an LRW faculty member under review, each member of the Faculty Review Committee should meet with that LRW faculty member to discuss, in the context of the overall course, that teacher’s plans for the class(es) the reviewer will observe. After each Committee member has completed the scheduled class visits, the Faculty Review Committee member shall discuss
3. The Faculty Review Committee shall write a report describing its observations and evaluation of the LRW faculty member, stating its findings and conclusions regarding the LRW faculty member’s satisfaction of the relevant contract renewal or promotion standards, and setting forth its recommendation regarding the grant of an initial five year contract or promotion.

   a. With respect to teaching, the report should discuss and assess the Committee’s classroom visits, the LRW faculty member’s student evaluations, non-classroom teaching, and any other information relevant to the LRW faculty member’s teaching. The report shall also specify which classes were visited and by which members of the Faculty Review Committee. If any members of the Faculty Review Committee viewed classes electronically, the report shall identify the Faculty Review Committee member(s) and shall specify the name and number of the classes viewed electronically.

   b. As to scholarship, the report should discuss the Committee’s and other peer evaluation of the LRW faculty member’s written work, the external evaluations, and the influence of the LRW faculty member’s scholarship.

   c. For service, the report should discuss and assess the LRW faculty member’s service to the Law School, the University, legal education and the profession, and the community.

4. The Faculty Review Committee shall deliver the report to the LRW faculty member being reviewed in accordance with the procedures set forth in section III.D.2. hereof. Thereafter, the Chair of the Tenurial Faculty shall circulate the report to the relevant Faculty in accordance with the procedures set forth in sections III.D. hereof. In all cases where an LRW faculty member is seeking an initial five year contract, the relevant Faculty shall be the Tenurial Faculty and all LRW faculty members who hold appointments on a five year contract. In all cases where an LRW Faculty Member seeks promotion, the relevant Faculty shall be only those members of the Tenurial Faculty and those LRW faculty members on five year contracts who have attained the rank to which the LRW faculty member seeks to be promoted. If the LRW faculty member is seeking both an initial five year contract and promotion, the report shall be distributed to both relevant Faculties, but the portion of
the meeting which deals with promotion shall be attended only by members of the relevant Promotions Faculty.

D. Timely Distribution of Reports and Supporting Documentation.

1. Any report regarding contract renewal or promotion or an LRW faculty member's progress shall be distributed to the relevant Faculty at least seven calendar days before the meeting of the relevant Faculty at which such report will be considered.

2. The LRW faculty member being reviewed shall have at least three calendar days to review the report before it is distributed to the relevant Faculty and shall have the opportunity to meet with the Committee or Panel that prepared the report before the report is distributed to the relevant Faculty. The LRW faculty member being reviewed shall also have the right to submit to the relevant Faculty a document commenting on or supplementing the report.

3. Any writings upon which an LRW faculty member being reviewed is relying shall be distributed electronically to the relevant Faculty at least two weeks before the meeting at which the report on the LRW faculty member will be considered. In the case of LRW faculty members who have multiple writings, at least the last writing and one other writing selected by the LRW faculty member shall be distributed electronically. All of the LRW faculty member’s writings shall be made available to the relevant Faculty in the Dean’s Office.

4. Compliance with any time requirement set forth in this subsection may be waived at the election of the LRW faculty member being reviewed.

E. Any report that the Chair of the Faculty Review Committee, the Chair of the Tenurial Faculty or the Dean forwards outside the Law School to any University body or official regarding the contract renewal, promotion, or progress of any LRW faculty member evaluated pursuant to the procedures set forth herein, shall be distributed to the LRW faculty member at the time such report is forwarded outside the Law School, and shall be shown to any member of the relevant Faculty upon request. In any case where the Dean makes a negative recommendation regarding promotion or contract renewal, the Dean shall discuss that recommendation in advance with the LRW faculty member. If the Dean makes a recommendation that is in conflict with that of the Faculty, the Dean shall notify the relevant Faculty prior to making such a recommendation.

F. The notice circulated to the Law School Community by the Chair of the Faculty Review Committee, as described in Section IV.E. of the Statement of Policies and
Procedures of the Tenurial Faculty, shall include LRW faculty members who are being reviewed for progress, promotion or appointment to multi-year contracts.

IV. FACULTY REDUCTIONS CAUSED BY FINANCIAL OR EDUCATIONAL REASONS

Pursuant to University policy, the Law School reserves the right, for educational or financial reasons, to reduce or eliminate full-time positions in the LRW program and, upon twelve months’ written notice, to terminate any multi-year contract of an affected LRW faculty member.
TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

STANDARDS FOR CONTRACT RENEWAL AND PROMOTION
OF LEGAL RESEARCH AND WRITING FACULTY

Adopted at the Faculty Meeting held on September 5, 2007

These Standards for the Legal Research and Writing Faculty apply to each full-time member of the Temple Law School Faculty appointed to a non-tenure track faculty position teaching Legal Research and Writing (“LRW faculty member”). The Dean, after consulting with the LRW Faculty and such other Faculty committees as may be appropriate, may issue additional polices and procedures regarding evaluation, promotion, and other related matters, consistent with these and other Faculty policies and procedures. These standards supersede and replace the Performance Standards and Procedures adopted on April 27, 1999 and amended on August 27, 2003.

I. INITIAL APPOINTMENT

Typically, an LRW faculty member’s initial appointment will be on a one year contract. However, when appropriate, the Dean may make the initial appointment for more than one year.

II. STANDARDS FOR AWARDING A THREE YEAR CONTRACT

A. The primary criterion for the award of a three year contract is effective teaching. Effective teaching involves mastery of the subject area, familiarity with current developments in the field, the ability to select, organize and convey material, and the capacity to inspire the intellect of one’s students. Teaching shall be evaluated on the basis of classroom performance through peer observation, but shall also include review of (i) student evaluations; (ii) any teaching materials developed by the LRW faculty member, including syllabi, assignments and class exercises, particularly if those materials have been used by others in the field; (iii) critiqued papers; and (iv) any writing or presentations on legal research and writing pedagogy. Examinations and any forms of non-classroom teaching, including supervision of guided research, will also be considered. The following standards shall be used:

1. The LRW faculty member must have demonstrated effective teaching as described above.

2. The LRW faculty member must have demonstrated a clear commitment to continuing scholarly achievement by the authorship of at least one professional work. A work which has not yet been published may be considered as scholarly achievement only if it has been completed (subject
3. The LRW faculty member must demonstrate an ability and willingness to perform continuing appropriate service. All members of the LRW Faculty are expected to participate and cooperate in insuring a consistent, high quality of instruction across the LRW curriculum.

B. Except in extraordinary cases, or when a shorter period has been agreed upon in the letter of appointment, an LRW Faculty Member generally will be eligible for a three year contract after three years of teaching at Temple.

III. STANDARDS FOR AWARDING AN INITIAL FIVE YEAR CONTRACT

A. The award of an initial five year contract is a recognition of past performance and an assessment that the LRW faculty member is capable of greater responsibilities and accomplishments throughout the period of his or her service as a member of the Law School Faculty. The decision to award an initial five year contract shall be based primarily on outstanding performance and continuing promise of outstanding performance as an LRW faculty member. With due consideration to the academic needs of Temple University Beasley School of Law, award of an initial five year contract shall be based on the determination that the LRW faculty member will contribute substantially to the institution, and that he or she has met the standards set forth below for teaching, scholarship, and service. Teaching shall be primary in this evaluation, but scholarship and service will also be important considerations. In accordance with the standards of the legal profession and legal education, personal and professional integrity are assumed.

1. The LRW faculty member must have demonstrated effective teaching as described in section II.A., above. The quality of the LRW faculty member’s teaching must be consistent with the number of years that the individual has been a full-time teacher of LRW.

2. The LRW faculty member must have demonstrated a clear commitment to continuing scholarly achievement by the authorship of a cumulative total of at least two professional works. All published works of scholarship by the LRW faculty member will be considered. A work which has not yet been published may be considered as scholarly achievement only if it has been completed (subject to editorial revision) and has been accepted for publication. Work in progress will be considered as evidence of continuing scholarly commitment but not independently as scholarly achievement. Taken as a whole, the LRW faculty member’s scholarship must demonstrate analytical, independent and original thought and must contribute to the growth of a field by developing the author’s unique
insights and ideas.

3. The LRW faculty member must have made significant contributions through service and must demonstrate an ability and willingness to perform continuing appropriate service. Professional and discipline-related service, including service contributions to the Law School, the University, higher education, the legal profession, the legal research and writing community and the legal community generally will all be considered. All members of the LRW Faculty are expected to participate and cooperate in insuring a consistent, high quality of instruction across the LRW curriculum.

B. Except in extraordinary cases, or when a shorter period has been agreed upon in the letter of appointment, an LRW faculty member generally will be eligible for an initial five year contract upon the successful completion of a three year contract at Temple.

IV. STANDARDS FOR SUCCESSIVE FIVE YEAR CONTRACTS

A five year contract shall be renewed if the quality of the LRW faculty member’s teaching and service, and the quality and quantity of his or her scholarship, has showed continued outstanding performance. Teaching shall remain primary in this evaluation. There is a presumption that five year contracts will be renewed. During the Spring semester of the fourth year of a five year contract, and at the latest by June 1 of that year, the LRW faculty member shall provide information requested by the Faculty Review Committee, and the Committee will decide, in consultation with the Dean, what type of review, if any, shall be conducted during the fifth year of the contract.

V. STANDARDS FOR PROMOTION TO ASSOCIATE PROFESSOR

A. Promotion to Associate Professor is a recognition of past performance and an assessment that the individual seeking promotion is capable of greater responsibilities and accomplishments. It is based primarily on outstanding performance and continuing promise of outstanding performance as an LRW faculty member and reflects a determination that the LRW faculty member has and will continue to contribute substantially to the Law School and to the University. In accordance with the standards of the legal profession and legal education, personal and professional integrity are assumed.

In assessing whether the individual seeking promotion to Associate Professor has demonstrated outstanding performance and continuing promise of outstanding performance as an LRW faculty member, the individual’s performance and contributions will be evaluated as a whole. Teaching shall be primary in this evaluation, but scholarship and service will also be important considerations. The
following standards shall be used:

1. The LRW faculty member must have demonstrated effective teaching as described in section II.A., above. The quality of the LRW faculty member’s teaching must be consistent with the number of years that the individual has been a full-time teacher of LRW.

2. The LRW faculty member must have demonstrated a clear commitment to continuing scholarly achievement by the authorship of a cumulative total of at least two professional works. All published works of scholarship by the LRW faculty member will be considered. A work which has not yet been published may be considered as scholarly achievement only if it has been completed (subject to editorial revision) and has been accepted for publication. Work in progress will be considered as evidence of continuing scholarly commitment but not independently as scholarly achievement. Taken as a whole, the LRW faculty member’s scholarship must demonstrate analytical, independent and original thought and must contribute to the growth of a field by developing the author’s unique insights and ideas.

3. The LRW faculty member must have made significant contributions through service and must demonstrate an ability and willingness to perform continuing appropriate service. Professional and discipline-related service, including service contributions to the Law School, the University, higher education, the legal profession, the legal research and writing community and the legal community generally will all be considered. All members of the LRW Faculty are expected to participate and cooperate in insuring a consistent, high quality of instruction across the LRW curriculum.

B. Except in extraordinary cases, or when a different period has been agreed upon in the letter of appointment, an LRW faculty member will not be promoted to Associate Professor before receiving a three year contract. Promotion to Associate Professor and the award of a three year contract may occur simultaneously.

VI. STANDARDS FOR PROMOTION TO PROFESSOR OF LAW

A. Professor of Law is the most senior rank Temple University confers on its faculty and is a recognition that the faculty member has made important contributions in each of the areas of scholarship, teaching, and service, and is an assessment that the faculty member is capable of greater responsibilities and accomplishments. Promotion to Professor of Law ordinarily does not occur until the LRW faculty member is already an Associate Professor.
Consideration for promotion to Professor of Law shall be based primarily on outstanding performance and continuing promise of outstanding performance as a faculty member. Promotion shall be based on the determination that the LRW faculty member has and will continue to contribute substantially to the institution, and has met the standards set forth below for scholarship, teaching and service. Teaching shall be primary in this evaluation, but scholarship and service will also be important considerations. In accordance with the standards of the legal profession and legal education, personal and professional integrity are assumed.

1. The LRW faculty member must have demonstrated effective teaching as described in section II.A., above, and must have made important contributions in the area of teaching consistent with the number of years that the individual has been a full-time teacher of LRW.

2. The LRW faculty member must have produced significant scholarship in addition to that which was considered at the time the LRW faculty member was promoted to the rank of Associate Professor, and the LRW faculty member must have achieved professional recognition in a field through published original work which demonstrates analytical, independent and original thought. In determining whether the required level of professional recognition has been met, all works of scholarship by the LRW faculty member that have been published, or that have been completed (subject to editorial revision) and accepted for publication, will be considered.

3. The LRW faculty member ordinarily must have either shown effective leadership in a professional field or made major contributions to service in the Law School, the University, higher education, the legal research and writing community, the legal profession, or the general legal community. All members of the LRW Faculty are expected to participate and cooperate in insuring a consistent, high quality of instruction across the LRW curriculum.

VII. TENURE

An LRW faculty member is on a non-tenure track appointment and, thus, is not routinely eligible for tenure. However, if there is a funded position available at the Law School for a tenured faculty member who teaches LRW, and if an LRW Faculty Member has been a full-time teacher of LRW at Temple or elsewhere for at least six years, he or she, in consultation with the Dean, may seek appointment as a tenured faculty member of the Law School Faculty, in that available slot. In those circumstances, the individual shall be evaluated for tenure under the standards for tenure set forth in the Temple University Beasley School of Law Standards for Tenure and Promotion. Those standards provide that teaching and scholarship shall be primary in the evaluation for tenure, and University
service, service to the profession, and discipline-based community service shall be secondary. With respect to scholarship, the individual's body of work must display the same quality as that of non-LRW tenure candidates, although an LRW candidate's scholarship may be produced over a longer period of time. If the individual is awarded tenure, he or she will no longer be subject to these LRW Faculty Standards or to the Statement of Policies and Procedures Governing the Legal Research and Writing Faculty.
The standards, policies and procedures for contract renewal and promotion of Legal Research and Writing Faculty are set forth in the Beasley School of Law Standards for Contract Renewal and Promotion of Legal Research and Writing Faculty (“Standards”) and the Policies and Procedures Governing the Legal Research and Writing Faculty (“Policies and Procedures”). This Appendix contains guidelines which reflect the expectations of the Law School Faculty with respect to the assessments required under these standards, policies, and procedures by the Faculty, Faculty Review Committee, and Faculty Progress Panels, as well as the reports and other documentation appropriate to the discipline of Law for the review and promotion of legal research and writing faculty. This Appendix also suggests the kinds of evidence that should be considered in the evaluation of scholarship, teaching, and service. The entire array of activities and achievements described below is not expected of any particular LRW faculty member. This Appendix supplements, but does not modify or supersede, the Law School’s standards, policies and procedures.

The Review Process Generally

Each contract renewal and promotion file should be viewed as a whole. The appropriate Faculty should determine whether an LRW faculty member’s total body of work presents a record of outstanding performance and continuing promise of outstanding performance as an LRW faculty member. The evidence presented in the file should be evaluated as a whole, considering the relationship of each aspect of the LRW faculty member’s performance to his or her performance in other areas, and giving primary consideration to teaching.

When an LRW faculty member seeks renewal or promotion, he or she should submit copies of his or her body of scholarship and evidence of teaching and service since the last review. However, the Faculty and external reviewers should consider the LRW faculty member’s entire curriculum vita and body of work in determining whether the accomplishments meet the standard for renewal or promotion.

If new material information concerning contents of the file comes to light during the review process, the LRW faculty member should make that information available. For example, an LRW faculty member should notify the Faculty Review Committee or Progress Panel of the acceptance of an article under review, of the publication of a work in press, or of reviews and other evidence of influence of the work, etc.
Confidentiality

The contents of promotion and review files shall be treated as confidential personnel files. Within the Law School, access is limited to members of the Tenurial Faculty, the Dean, and other administrators and/or faculty authorized to assist in the evaluation and documentation of progress reviews and recommendations with respect to promotion. LRW faculty members who are being reviewed may also have access to the contents of his or her file, but do not have access to the identity of the external evaluators.

When required by law or the orders of courts or agencies with jurisdiction over the University’s personnel processes, an LRW faculty member’s full promotion and/or tenure file will be provided to the appropriate court or agency.

Teaching

Teaching should be assessed with attention to the style or format of the LRW faculty member’s teaching assignments (e.g., large enrollment exam courses, seminars and other types of writing courses and guided research projects, simulation performance and skills courses, clinicals, group tutorial or other forms of individualized instruction, master’s thesis supervision). All teaching should be evaluated, including teaching from first year courses through upper level and advanced degree courses, teaching at various campuses or locations, supervising student journal authors, supervising clinicals and internships, advising students about academic matters, and involvement with teaching-related student activities.

In legal research and writing, consideration should be given to the unique teaching methodology of legal research and writing, as well as its differences from doctrinal teaching. In particular, in legal research and writing pedagogy, significant instruction takes place outside the classroom, in a dialogue between the individual student and the teacher. This dialogue takes place in the written comments on student papers, emails and materials given to the student outside of class, and in individual meetings with students. In terms of classroom teaching, the legal research and writing classroom can tend to be more collaborative and less formal, with more emphasis on group participation and problem-solving than formal Socratic dialogue.

Development of curricula and courses is also an important contribution to teaching. Innovations in teaching methods or instructional methodology, including technological advances, should be evaluated. Evaluation of teaching should take into account the instructional materials of a course, including syllabus; exams; materials prepared by the LRW faculty member such as supplementary course readings, problems, or workbooks; and various forms of learning technology. In legal research and writing pedagogy, the development of teaching materials, in particular the creation of effective pedagogically sound research and writing assignments, as well as classroom exercises, supplemental explanatory examples and readings, and tools for evaluation of student work, are critical components of teaching excellence.

The quality of an LRW faculty member’s teaching may be evaluated by various
methods, including but not limited to peer evaluations of teaching (including peer adoption of materials or assignments), student evaluations, and assessments of the quality or significance of curricular and teaching materials, teaching awards, papers and publications on teaching, critiqued papers, student work products, and other student outcomes. Reviewers should consider the development and improvement of course content, the breadth of a faculty member’s teaching experience, the LRW faculty member’s methods of assessing student performance, and his or her teaching techniques to determine whether the LRW faculty member is steadily engaged in the improvement of teaching and to assess whether he or she is likely to continue to do so in the future. Student work, collected in a systematic, representative way, may serve as evidence of teaching effectiveness.

Commitment to long-term outstanding performance in teaching is also demonstrated by responsiveness to evaluations of teaching by peers and students, participation in professional development programs, work in developing new courses or improving existing courses, and public lectures or other presentations to professional conferences, faculty and/or student groups, or community groups. Published textbooks or other published instructional or pedagogical materials are evidence of outstanding teaching ability, and should be evaluated according to their quality and influence. Pedagogical articles and similar studies of instruction should usually be considered as evidence of teaching, and should be evaluated based on their quality, judged by peer and external review, the character of the journal or other forum, citation of the work by others, and other indicators of the influence on teaching and learning.

Peer review of law faculty members is a vital component of the evaluation of teaching. The Policy and Procedures of the Faculty have always provided for systematic classroom visits by peers, done periodically, guided by a clear set of criteria for evaluation, and undertaken as part of a broader system of classroom visitations. Peer reviews are structured and comprehensive, and address class content, effectiveness in delivering information and engaging students in learning, and other impressions about classroom effectiveness.

Student evaluations also play an important role in the overall evaluation of an LRW faculty member’s teaching. Review of the Course and Teaching Evaluation (CATE) survey results should not be limited to the overall evaluation questions and should also consider relevant individual questions. The CATE form numerical ratings and percentile rankings of a faculty member may provide some useful information and benchmarks for evaluating teaching performance, but these numbers and percentiles should not be controlling. The narrative comments to the questions on the reverse side of the CATE form can also be a good source of information about a faculty member’s teaching. It is important not to focus on only a few courses or semesters, and instead to consider all parts of the LRW faculty member’s teaching while at Temple and to pay particular attention to the trend of the evaluations over time.

Other student evaluations, such as letters and testimonials, should be given weight when they are provided in response to the systematic solicitation of student comments under the Policies and Procedures of the Faculty.
Scholarship

Legal Research and Writing faculty members are expected to produce scholarly work in their field. LRW faculty members may include work in progress.

Scholarly contributions may appear in the form of articles, essays, books, book chapters, and similar works published in print or equivalent electronic formats. The work should be assessed for its importance, the rigor and quality of the work, the influence that the work has had and is likely to have on the LRW faculty member’s field and the profession. Usually, the stature of the journal will not be appropriate in the assessment, because scholarship of legal research and writing is an emerging discipline that is only beginning to be recognized. If the work has been reviewed in articles, review essays, or comments in the popular press, those reviews should also be considered.

In applying the above criteria to Legal Research and Writing scholarship, the work should be assessed by placing it in the context of Legal Research and Writing scholarship generally. Of particular note is that Legal Research and Writing scholarship tends to be oriented to the practice of law, and is a relatively young and developing discipline. Thus, scholarly contributions should be assessed with a view toward the unique focus of Legal Research and Writing, and its differences from traditional doctrinal teaching. For example, even short pieces describing successful pedagogical techniques are highly valued in the field, and can be highly influential. Similarly, because it is a field focused on the practice of law, pieces describing effective lawyering techniques, such as those that would appear in venues focused on the practicing bar, are also important.

Books published by an LRW faculty member should be assessed for their quality and importance. When available, published reviews of the book are relevant. Books in press may also be considered. The potential impact of work in press may be shown by evidence such as: the standing of the press and reviews by evaluators selected by the press, whether the book contributes substantially to the development of the field of legal research and writing, and how widely used the book is by other teachers or by practitioners. Copies of manuscripts in press and reviews by the press’s evaluators should be read and evaluated by all those involved in an evaluation of the LRW faculty member, including when appropriate, a Review Panel, the Faculty Review Committee, the Tenurial Faculty, LRW faculty members on five year contracts, and the external evaluators.

Where a publication has multiple authors, the role and contribution of each author should be assessed and should also be explained in any tenure, promotion and annual review report.

Editing of scholarly volumes or collections, journals, and reference works, as well as other published contributions, such as published abstracts and book reviews, should be carefully assessed. All those involved in an evaluation of the LRW faculty member should consider the reputation, selectivity and reviewing procedures of the publisher, published reviews, and the extent of citation.
Papers and presentations presented in any format at professional meetings make a contribution to scholarship. Invited lectures and presentations may also represent recognition of a faculty member’s achievement in the field. All those involved in an evaluation of the LRW faculty member should consider the meeting at which a presentation was made: its prestige within the field, its review process, the scope of the meeting (e.g., local, national), and the audience.

**Evaluating Scholarship**

The full array of both direct and indirect measures should be used in evaluating scholarship to make the best assessment of a faculty member’s contributions. All those involved in an evaluation of the LRW faculty member should assess the character of the faculty member’s program of research and scholarship, placing it in the larger context of the law, legal scholarship generally, and the faculty member’s field specifically. They should evaluate the quality and importance of the faculty member’s contributions, and state the means by which such assessments were undertaken.

The judgments of the Faculty and external evaluators are direct evidence of the quality and significance of scholarship. These are vital to the evaluation of any law faculty member. Other information about a faculty member’s scholarship, such as citation counts, assessments of the stature of journals (when available), published reviews, reports of referees, etc., may also be useful to determining the importance, significance, and potential influence of the scholarship. The measures used to evaluate an LRW faculty member’s scholarship should be explained by reviewers.

For a variety of reasons, it is more difficult to use any standardized measures for evaluating the influence of legal scholarship than in other disciplines. While the influence of legal scholarship is important, many factors bear on the assessment of legal scholarship. The following is a list of factors that should be kept in mind.

The most common form of legal scholarship is an article published in a law review or journal. Almost every American law school publishes at least one law review, and many publish several, including specialty journals in specific fields. The vast majority of law reviews are not peer reviewed. Most are run by law students, who select and edit articles through selection processes that are not blind. Law reviews do not follow a single-submit format; an article may be submitted for consideration to multiple law reviews at the same time. Because law reviews are not peer-reviewed, because there are no agreed-upon criteria for ranking them, and because they do not employ a single-submit system, many factors affect where a given author may choose to publish. Placement of an article is often determined by which law review acts most quickly in reviewing and accepting it. An author wishing to reach a specialized audience might choose to publish in a specialty journal targeted to that audience rather than in a general circulation law review. Sometimes, law reviews arrange symposia bringing together a number of prestigious authors, and the chance to publish with others noted in the field will attract an author. Finally, an invitation to speak at a law school may be accompanied by an offer to publish the talk.
in the inviting school’s law review, and professors often accept such offers. Because so many factors affect placement decisions, the influence of an article does not depend on the status of the school whose law review publishes it. Finally, many articles are published on-line. These on-line publications are widely available and are read before and after they are published in hard copy law reviews. This further reduces the significance of whatever distribution and status a particular law review might otherwise have.

There is no generally accepted methodology for assessing the rank or impact of either law reviews or particular law review articles. It is quite possible for a law review article to be cited by an influential court, but not cited by other academics. Conversely, an article may be frequently cited by other academics, but never cited by any court. Because there are so many ways in which and audiences to whom an article may (or may not) have influence, there is no agreed-upon method for assessing impact. Thus, for example, there is no acceptable “citation impact factor” system to measure a law journal’s stature in the profession.

The value of legal scholarship includes its contribution to the advancement of knowledge and its influence on courts, legislators, and other law and policy makers. The frequency with which work is cited may reflect the value of a publication. Citations in articles, books, court opinions and other legal sources, conference proceedings, and reading material for law courses should all be considered. However, because of the often considerable lag time between the writing of an article, the date of publication of the article, and the first citation of that article, citation counts of recently-published articles are not necessarily reliable indicators of an article’s ultimate influence. Further, no legal database reliably captures citations of law review articles in books or book chapters (as opposed to in other law review articles or in cases). Nor does any database reliably capture citations of book chapters or other scholarship not published in law reviews. The databases do not distinguish between the bare citation of an article or other scholarly work in a footnote, on the one hand, from an extensive discussion of the article in the text. The latter is far more suggestive of the article’s impact, but focusing on citation rates will not capture this data.

In evaluating the potential influence of legal scholarship, the number of libraries that hold a book or journal is also not a particularly meaningful measure. Most law reviews publish both in hard copy and on line. Because most legal research is conducted via these on-line databases, and virtually all law reviews are on these databases, legal libraries which may not subscribe to a particular journal in hard copy will nonetheless have access to that journal through the Westlaw and Lexis systems.

The norm in legal scholarship is for law review articles to tend to be more comprehensive, and therefore lengthier, than is the norm in many other disciplines. Reviewers should be cognizant of this in assessing the quantity and quality of a faculty member’s scholarship. A single long and comprehensive law review article may be the equivalent of several shorter essays.

External funding, grants, and awarded fellowships may all reflect a faculty member’s
Awards from Temple University or from professional organizations recognizing outstanding performance in scholarly work may be given weight in evaluating a faculty member’s accomplishments, considering the stature of the award and of the organization that confers it.

**External Evaluators**

Much high-quality legal scholarship is highly specialized. Fair and impartial evaluation of such specialized scholarship requires seeking out external experts who understand the specialized area in question. Sometimes those scholars can be found at nationally ranked research institutions, but sometimes they may be found elsewhere. In every case, the Law School should be free to consult the persons with the relevant expertise and background, wherever they might teach.

External evaluators should be scholars who are authorities in the faculty member’s field of study, who can speak authoritatively to the standards of outstanding performance in that field. External evaluators normally should be tenured faculty members at a rank no lower than the one which the faculty member is seeking. If not, justification should be provided. An external evaluator may be drawn from professional practice, but such an evaluator should have a record of pertinent scholarship and should be qualified to make assessments for promotion and tenure at national, public law schools. External evaluators can be recognized by reputation, a chaired professorship at a quality law school, appointment to a position of trust in professional organizations, and work at distinguished programs. External evaluators may be drawn from nationally and internationally recognized law schools, think tanks, special research institutes, government agencies, and so forth.

Reports by and to the Tenurial Faculty should include brief biographies of all external evaluators and other information regarding their qualifications. Reports should specify whether external evaluators were nominated by the LRW faculty member or identified by reviewers.

All external evaluators should be provided with the LRW faculty member’s curriculum vita and with such items of the LRW faculty member’s scholarship as the external evaluator will need to make an adequate assessment. Letters of evaluation should comment on the quality of the LRW faculty member’s scholarship, the recognition the LRW faculty member has achieved in his or her field, and the LRW faculty member’s potential for continuing and greater achievements in the field.

The external evaluations must include an assessment of scholarship, and may also include comments on teaching and service. External evaluators may comment on elements of the LRW faculty member’s teaching, based on published instructional materials, presentations by the LRW faculty member at professional meetings, performance of students trained by the LRW faculty member, or other direct evidence. They may also provide information about an LRW faculty member’s service to the profession or discipline and work with governmental or private entities.
External evaluators should compare the LRW faculty member with others they have recently reviewed, at their own institutions or in other external evaluations, and be asked to assess whether the LRW faculty member meets standards for promotion, multi-year contracts or tenure at nationally recognized law schools.

**Service**

Outstanding discipline-related service to the Law School, to the University, to legal academia and the profession, and to the community and larger world is valued in contract renewal and promotion decisions. Annual Review Panels, the Tenurial Faculty and LRW faculty members on five year contracts involved in an evaluation of an LRW faculty member should evaluate both (a) the evidence of the LRW faculty member’s service to the Law School, the University, the profession, and the larger community, and (b) the quality and importance of those contributions, including the means by which such assessment was undertaken. Independent evaluation of the scope and effectiveness of an LRW faculty member’s service should be obtained wherever possible. Service which requires commitment of time, expertise, and professional judgment is evidence of significant performance. In service, an LRW faculty member may be expected over time to successfully undertake progressively more serious responsibilities within the Law School, the University, the profession, and in the larger community. All those involved in an evaluation of an LRW faculty member should also consider awards for service granted by the Law School, the University, professional organizations, or community groups.

In evaluating service within the Law School and the University, distinctions should be made between very important and nominal service assignments, between brief and extended service, between regular and sporadic participation, and between effective and ineffective involvement. An important form of service within the Law School is assistance to students and student organizations. Faculty members who participate effectively as advisors or mentors for students or student organizations contribute significantly to the quality of student life and to the Law School.

In the context of Legal Research and Writing, special consideration should be given to the fact that the teaching of Legal Research and Writing at Temple is a cooperative team venture, and so there is substantial service involved in the smooth running of that venture. For example, the full-time Legal Research and Writing faculty may meet frequently to ensure continuity of quality among Legal Research and Writing classes, including appropriate mentoring of new teachers and development and sharing of teaching materials. Consideration should also be given to the development of innovations in the field.

Community or public service entails the application of a faculty member’s knowledge of his or her discipline on behalf of individuals, foundations, agencies, organizations, or other groups in the public or private sector. Professional service includes work in professional organizations, reviewing manuscripts, evaluating faculty members and programs, work in
licensing and professional review committees, advice to government agencies, and other similar activities. A special form of community service is pro bono client service undertaken in the context of a university program or a program sponsored by government, private or public non-profit entities that serve the community.

Service within the legal community may involve responsibilities in academic and professional associations, such as serving as editor of a journal, reviewing manuscripts for journals or publishers, serving on accreditation panels or program review committees at other institutions, or serving as an officer or committee member of professional associations. Service to the profession may include serving on examining or licensing bodies or similar governmental entities, serving on grievance or professional practice committees, sitting on advisory commissions, advising government agencies or private entities, publishing practitioner guides or other materials, and similar activities. Reviewers should describe the importance of the journal, organization or body, and the nature of the LRW faculty member’s contributions.