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## For Coleen Miller Barger: A Note of Thanks and Best Wishes

J. Thomas Sullivan

*University of Arkansas at Little Rock Bowen School of Law, jtsullivan@ualr.edu*

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# THE JOURNAL OF APPELLATE PRACTICE AND PROCESS

## DEDICATION

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FOR COLEEN MILLER BARGER:  
A NOTE OF THANKS AND BEST WISHES

J. Thomas Sullivan\*

The Editorial Board of *The Journal*, with some sadness, notes the recent retirement of one of its founders and its longtime Developments Editor, Coleen Barger, from the University of Arkansas at Little Rock Bowen School of Law. In recognition of her many contributions to *The Journal*, the Board dedicates this issue to her. She was present at the creation and contributed hours of hard work, exceeded only by her intellectual energy and good cheer, to helping this publication find a niche in the legal academic marketplace. We can only hope that we can continue to grow in service—and, we trust, influence—in the coming years without her. But no matter how well we manage from here on, it will not be possible to replace her.

Professor Barger retired as the Ben J. Altheimer Distinguished Professor of Law after twenty-five years of teaching at Bowen. The backbone of the Law School's highly regarded legal-writing program, Professor Barger was recognized as a national leader in that field, being awarded the

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\*Professor, University of Arkansas at Little Rock William H. Bowen School of Law; Founding Editor, *The Journal of Appellate Practice and Process*.

Thomas F. Blackwell Memorial Award for Outstanding Achievement in the Field of Legal Writing, jointly given by the Association of Legal Writing Directors and the Legal Writing Institute, in 2016. Four times she was recipient of Bowen's Faculty Excellence Award, three times for teaching and once for service, and her contributions to the practicing bar were recognized by the Arkansas Bar Foundation, which twice awarded her its prize for excellence in writing published by the *Arkansas Lawyer* magazine.

Professor Barger's interests in teaching, legal writing, and the practice of law were intertwined over the course of her career. She served as Associate Research Editor of the *UALR Law Journal* (now the *University of Arkansas at Little Rock Law Review*) as a student and practiced in the probate and appellate sections of the Mitchell Williams firm in Little Rock prior to returning to Bowen to begin her legal teaching career in 1992. But having taught French and English before embarking on her legal education, she has always been a teacher at heart—always concerned with improving the quality of her law students' thinking and helping them focus on the application of legal concepts to real-world concerns.

In her work for *The Journal*, Professor Barger organized symposia, edited manuscripts, cite-checked articles, and generally offered her expertise on any point of policy facing the Board. She also published with us, even though she could have placed her articles in more established reviews, which was an important element in our growth as a fledgling publication. She allowed us to publish a particularly influential article addressing the citation of electronic sources back when citation to Internet sources was still an emerging issue in the evolving relationship between law and law practice and the Web.<sup>1</sup> The article is rightly regarded as one of the groundbreaking works in that field and is still cited with regularity.

But even before she made those important contributions to our work, it was Professor Barger who pitched the idea of creating *The Journal* to our former dean, Rodney K. Smith, when he interviewed for the deanship here at Bowen. Dean

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1. Coleen M. Barger, *On the Internet, Nobody Knows You're a Judge: Federal Appellate Courts' Use of Internet Materials in Judicial Opinions*, 4 J. APP. PRAC. & PROCESS 417 (2002).

Smith embraced the concept and threw his enthusiastic support behind it when he asked the Bowen faculty to approve the project. The faculty voted to endorse the proposal, but not without some concern, and it was Professor Barger's firm commitment to making this publication a successful contributor to the body of scholarship focused on the appellate courts, on the appellate practice, and on the many facets of appellate decisionmaking that gave the rest of the faculty sufficient confidence to approve its launch. Almost two decades on, we can see that both her early commitment to *The Journal's* success and her continuing support of its mission have helped Bowen build it into an established scholarly publication trusted by law professors, judges, and lawyers alike.<sup>2</sup>

Professor Barger has been a leader in the growing national movement recognizing the important, and often underestimated, at least in the past, role of legal writing and legal-writing instruction, reflected in her work with the Association of Legal Writing Directors, which selected her to be the primary author of both the fifth and sixth editions of *The ALWD Guide to Legal Citation*, and the Blackwell Award bestowed on her last year. Beyond writing, she has also contributed significantly to the legal-research tool box, including through her authorship of the seminal guide for practitioners in this state, *Arkansas Legal Research*.

Within *The Journal*, the Bowen faculty, and the larger legal-writing community, Professor Barger has always been a person who could be counted on to do the hard work, take responsibility for decisionmaking, and stick to the project through the finish. She is the colleague everyone wants, the kind of stalwart teammate for whom there is no substitute.

Although we are saddened by her decision to retire, our sorrow is easily overcome by reflecting on what Professor Barger continues to mean to this publication. And we know that she now will have more time to spend on the water with her husband, cruising the rivers of the Eastern and Southeastern

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2. Last year, *The Journal* was cited almost 100 times in the lead law reviews and specialty law journals published by forty-five different law schools. *The Journal* was also cited eighteen times in the opinions of eleven state and federal courts. And *Journal* articles appeared in seminar materials distributed to lawyers attending at least three appellate seminars around the country.

United States, and enjoying her family. That life will take her away from us in person, but *The Journal* will always reflect her spirit. We must be satisfied with knowing that she will never stray too far from our shore.

PUBLICATIONS BY COLEEN MILLER BARGER  
BEN J. ALTHEIMER DISTINGUISHED PROFESSOR OF LAW  
UNIVERSITY OF ARKANSAS AT LITTLE ROCK  
WILLIAM H. BOWEN SCHOOL OF LAW

- ALWD GUIDE TO LEGAL CITATION (6th ed. 2017)
- ARKANSAS LEGAL RESEARCH (2d ed. 2016) (with Cheryl L. Reinhart & Cathy L. Underwood)
- ALWD GUIDE TO LEGAL CITATION (5th ed. 2014)
- THE ALWD COMPANION ONLINE (2014) (with Brooke Bowman)
- *Challenging Judicial Notice of Facts on the Internet Under Federal Rule of Evidence 201*, 48 U.S.F. L. REV. 479 (2013)
- THE ALWD COMPANION: A CITATION PRACTICE BOOK AND TEACHER'S MANUAL (2010) (with Brooke Bowman)
- *Two Perspectives: Starting a Scholarly Journal*, 10 J. APP. PRAC. & PROCESS 1 (2009) (with Lindsey P. Gustafson)
- ARKANSAS LEGAL RESEARCH (2007)
- *Things You Need to Know, in HANDLING APPEALS IN ARKANSAS* (2d ed. 2007) (with Julie DeWoody Greathouse)
- *How to Make the Losing Oral Argument*, 41 ARK. LAW. 16 (Summer 2006)
- *EditingEssentials* (TWEN 2005) (with Judith Rosenbaum)
- *Amicus Humoriae: An Anthology of Legal Humor*, L. TEACHER 14 (Spring 2004) (book review)

- *On the Internet, Nobody Knows You're a Judge: Federal Appellate Courts' Use of Internet Materials in Judicial Opinions*, 4 J. APP. PRAC. & PROCESS 417 (2002)
- *Preface—Expedited Appeals in Selected State Appellate Courts*, 4 J. APP. PRAC. & PROCESS 191 (2002)
- *Preface—Anastasoff, Unpublished Opinions, and “No Citation” Rules*, 3 J. APP. PRAC. & PROCESS 169 (2001)
- *Foreword*, 2 J. APP. PRAC. & PROCESS v (2000) (issue devoted to technological developments in appellate courts and practice)
- *The Uncertain Status of Citation Reform: An Update for the Undecided*, 1 J. APP. PRAC. & PROCESS 59 (1999)
- *Arkansas's Putative Father Registry and Related Adoption Code Provisions: Inadequate Protection for Thwarted Putative Fathers*, 1997 ARK. L. NOTES 49 (with Kathryn A. Sampson & Kim Flanery Coates)
- *How to Write a Losing Brief*, 30 ARK. LAW. 10 (Spring 1996)
- *Probate Law*, 23 ARK. LAW. 16 (Jan. 1989) (with Jean D. Stockberger)

