

The Nuts & Bolts of Teaching Legal Writing --Part 2 Planning the Syllabus, Planning for the Classroom

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I. Planning the Syllabus

- 1. Don't Reinvent the Wheel! Consult Sample Syllabi in Teacher's Manuals of Textbooks or from Your Colleagues at Your School or Other Schools.**
 - A. Note types of assignments, number of assignments, and revisions of assignments.
 - B. Note the days allowed for writing drafts, critiquing drafts, conferencing, and revision.
 - C. Note the topics covered and when in the semester they are covered.
 - D. Note what is included beyond the course schedule (e.g., honor code, late paper policies, grading information, etc.).

- 2. Prepare to Schedule Your Time and the Students' Time**
 - A. Use a hard copy of a calendar to visualize days available for critiquing, conferencing, and revision.
 - B. Note any requirements for an early finish for legal writing courses and note or decide on due date/time requirements (e.g., before first class of day).
 - C. Mark course days and times on your calendar so you can relate due dates to course dates (e.g., do you want papers due the day before, day of, or Monday after a class meeting?).
 - D. Be aware of non-legal writing events you must take into account, e.g., break week, religious holidays, practice exams.

- 3. Work Out the Schedule**
 - A. May want to work backwards from the end of the semester, starting with final final due date. Relate class agendas to due dates of outlines, drafts, etc.
 - B. Allow yourself adequate time to critique and return papers between turn-in dates and conference dates. Plan to return critiqued student papers at least one day before the conference.
 - C. Allow students adequate time for revision between conference dates and final draft due dates. If conference dates must be spread out, consider staggered due dates, tied to conference dates.

- D. Identify categories to keep in mind when scheduling, e.g., “Conference week,” “Critique week,” “Revision week,” etc. as a way of identifying who is doing what during each week (e.g., some weeks you may be critiquing while your students are drafting a different project).
- 4. Decide What Other Materials to Include**
- A. Some details can be helpful, but reserve the right to make changes (and state it in the syllabus).
 - B. Including an item on the syllabus signals its significance to the students (e.g., late paper policies, honor code).
 - C. Be yourself – it’s okay to have a syllabus that doesn’t look like the sample in your teacher’s manual. Just be sure to include everything you need.
 - D. If you think you might have to make changes as the semester progresses (e.g., an updated syllabus), warning the students early will preserve your credibility.

II. Planning for the Classroom

- 1. Goals of the Legal Writing Course**
- A. Help students use research and writing as a way to learn, think, and communicate about legal issues
 - B. Help students understand specific reader needs and expectations so that they can produce documents that meet those needs and expectations
 - C. Help students become self-learners to continue learning what you can’t cover the first year or even later in law school
- 2. General Guidelines for Effective Class Preparation**
- A. Identify learning goals for each class, using progress on outside projects as a guideline
 - B. Use the text(s) as a starting point: students should see that class work goes beyond and enhances the value of the text materials.
 - C. Identify what techniques (see below) to use to achieve the learning goals
 - D. Create a class agenda, noting how much time you plan to spend on each activity or discussion (as with children’s birthday parties, it’s usually better to over-prepare)
 - E. Communicate your goals and agendas to the students as appropriate (e.g., a roadmap at the beginning of class and a summary at the end can be effective)

3. Ideas for Effective Whole-Class Work

A. Workshops

- Exercises from text
- Research
 - Pre-research brainstorming
 - On-line or book exercises in class
- Outlining legal analysis
- Citation Form

B. Discussion

- Discuss significant case(s) or statutes relevant to the current legal problem
- Identify effective reading methods

C. Lecture(s) and Demonstrations

- Using WordPerfect/MSWord in class
- Annotated Examples
 - written annotations
 - oral annotations
 - *Good v. Bad Examples
 - *Using Student Examples
- Using PowerPoint in the legal writing course

4. Techniques for Effective Small-Group Work

A. Require pre-class preparation

B. Assign focused tasks

C. Give explicit directions (e.g., on board, overhead, PowerPoint)

D. Impose and enforce time limits

E. Report and evaluate results

F. Note that result of group work does not mean this is one and only and best way to accomplish this. (Particularly when using a current assignment as basis for group work)

5. Options for Individual In-Class Work

A. Short, in-class writing exercises

B. Individual research

6. Options Outside Class

A. Create a course web page

B. Use e-mail to supplement class time

C. Field Trips

7. Challenges in the Classroom

A. Handling student questions

- Give it your best shot
- Handle it Socratically: ask it back, ask about the premise, ask another revealing question
- Ask the rest of the class how they would answer it
- If off-topic, suggest an after-class conversation or e-mail exchange
- Create an atmosphere that welcomes questions but that doesn't let them interfere with effective teaching (It's okay to say "no questions" sometimes)

B. Special Challenges from students

- The quiet student
- The helium hand
- The jokester
- The very experienced student, (former English teacher), etc
- The web surfer/instant messenger

8. Common Pitfalls of the New Legal Writing Teacher

- A. Over- or under-scheduling the semester
- B. Assigning problems that are too difficult
- C. Not articulating assignment or professionalism requirements
- D. Unrealistic expectations of students (or of the teacher)

III. Bibliography*

Books

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Law Review Articles

- Maureen Arrigo-Ward, *How to Please Most of the People Most of the Time: Directing (or Teaching In) A First-Year Legal Writing Program*, 29 Val. U. L. Rev. 557 (1995).
- R. Lawrence Dessem, *All We Really Need to Know About Law Teaching We Learned in Kindergarten*, 62 Tenn. L. Rev. 1073 (1995).
- Kristin B. Gerdy, *Teacher, Coach, Cheerleader, and Judge: Promoting Learning Through Learner-Centered Assessment*, 94 Law Libr. J. 59 (2002).
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- Vernellia R. Randall, *The Myers-Briggs Type Indicator, First Year Law Students and Performance*, 26 Cumb. L. Rev. 63 (1996).
- Jennifer Jolly-Ryan, *Coordinating a Legal Writing Program with the Help of a Course Webpage: Help for Reluctant Leaders and the Technologically-Challenged Professor*, 22 QLR 479 (2004).
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- Douglas J. Whaley, *Teaching Law: Advice for the New Professor*, 43 Ohio St. L.J. 125 (1982).
- Clifford S. Zimmerman, *Thinking Beyond my own Interpretation:” Reflections on Collaborative and Cooperative Learning Theory in the Law School Curriculum*, 31 Ariz. St. L.J. 957 (1999).

Web Sites

- <http://www.lwionline.org/> (Website of the Legal Writing Institute; contains links to “The Second Draft,” the LWI newsletter that has many great teaching ideas, and information about Legal Writing: The Journal of the Legal Writing Institute)
- <http://www.wfsu.org/gavel2gavel/> (web site for viewing Florida Supreme Court arguments online).
- <http://www.ualr.edu/%7Ecmbarger/otherpeople.html> (a good place to find out how professors at other schools have developed their course policies and syllabi for legal analysis, research and writing courses).
- www.alwd.org (web site for the Association of Legal Writing Directors; contains good online materials on program design and other information vital to new teachers in the field).

*Adapted from a Bibliography prepared by Debra L. Green for a presentation entitled “Creating the Dynamics of a ‘Dynamite’ Classroom” (on file with the author).