

# EQUIPOISE

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A state of balance, engagement and well-being in legal education

## NOVEMBER 2008

EQUIPOISE is the newsletter of the Association of American Law Schools Section on Balance in Legal Education

Editor: Amy C. Bushaw,  
bushaw@lclark.edu

## AALS SECTION ON BALANCE IN LEGAL EDUCATION BOARD AND ADVISORY BOARD

Lawrence S. Krieger  
Immediate Past Chair  
LKrieger@law.fsu.edu

Michael Hunter Schwartz, Chair  
michael.schwartz@washburn.edu

Bruce J. Winick, Chair Elect  
bwinick@law.miami.edu

Amy Bushaw  
bushaw@lclark.edu

Susan Daicoff  
sdaicoff@fcsf.edu

Justine Dunlap  
jdunlap@snesl.edu

Katherine Hessler  
khessler@lclark.edu

D'lorah Hughes  
dlhughes@uark.edu

Suzanne Levitt  
suzanne.levitt@drake.edu

Rhonda V. Magee  
rvmagee@usfca.edu

Joshua D. Rosenberg  
rosenbergj@usfca.edu

Robert Schuwerk  
RSchuwerk@central.uh.edu

Keith E. Sealing  
keith.sealing@louisville.edu

Marjorie A. Silver  
MSilver@tourolaw.edu

Nancy Soonpaa  
nancy.soonpaa@ttu.edu

Carol L. Wallinger  
cwalling@camden.rutgers.edu



## Greetings from the Chair

**Professor Michael Hunter Schwartz**  
**Associate Dean for Faculty and Academic Development**  
**Washburn University School of Law**

The year 2008 has been a great year to be a legal educator interested in humanizing. The Carnegie and Best Practices studies continue to reverberate throughout the legal academy, and quite a bit of what we hear sounds a lot like a humanizer's wish list of things the legal academy needs to think about: (1) we need to find ways to help students find connections between the legal reasoning skills they are learning and their values; (2) law schools should do a better job inculcating professional values, such as service to the community and professionalism; (3) we need to recognize that traditional, Socratic-style law teaching has unintended but nevertheless real negative effects on students; (4) law schools' harsh grading curves promote competition and anti-communitarian values; and (5) law schools that find ways to support students' sense of autonomy tend to have fewer problems with student substance abuse, depression and anxiety.

Meanwhile, scholars are expanding our understanding of the problem and of what law schools and individual law teachers can do about it. The articles by Larry Krieger, Barbara Glesner Fines, Justine Dunlap, Gerry Hess, Rebecca Flanagan, and Susan Grover in Washburn's symposium issue on humanizing offered a plethora of ideas for the organizing principles around which law schools should re-design themselves, the things individual law teachers can do in their classrooms to not only reduce students' stress and anxiety, but also enhance their learning. A recent study by Leah Christensen found, among other

things, that students who focus on mastery rather than grades do better in law school. Emily Zimmerman will be publishing an interesting article about law student enthusiasm in which she establishes "the enthusiasm paradigm": a new framework for understanding and cultivating law student enthusiasm. The article proposes a definition of "law student enthusiasm," drawing on psychology theory and research, examines particular aspects of legal education that warrant reexamination through the lens of the enthusiasm paradigm, and suggests numerous changes to legal education in order to cultivate law student enthusiasm, while also accomplishing the other important goals of legal education. Finally, a recent series of studies by UC Berkeley researchers found that, while the LSAT predicts first-year law school grades, it does not predict success as a lawyer, whereas other measures do.

This January, the Balance Section will be entering its third year of official sanction by the AALS. Balance Section events at AALS continue to be well-attended, and I have no doubt our events planned for the 2009 Annual Meeting — a program focusing on whether Carnegie and Best Practices are consistent with humanizing, a business meeting and a wine and cheese at Cal Western — will be well-attended and successful. These successes would not have happened without the tireless efforts of Larry Krieger, Susan Daicoff, Bruce Winick, Bob Schuwerk, Josh Rosenberg, Justine Dunlap, Kathy Hessler, Carol Wallinger, and countless others.

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## GREETINGS FROM THE CHAIR

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And the section continues to make great progress. Thanks to Amy Bushaw, we have added a newsletter to our efforts to promote balance and humanizing efforts, and, thanks to the section's curriculum committee, the section will publish the talks from last year's section meeting.

Most significantly to me, we have forged a wonderful community within the legal academy, a group of people linked by a desire to improve students' experience in law school. It's a community of people I look forward to seeing every time I see them and with whom I relish even a very focused conference call about Balance Section business. I take heart from all of you committed to this effort and feel lucky to have a role in the effort. Thank you.

— Mike



## Will We See You in San Diego?

### Educating Lawyers and Best Practices for Legal Education: A Mandate to Humanize the Law School Experience?

Our program at the annual AALS conference in San Diego promises to be timely, informative and thought-provoking. Many of you who are active in the movement to humanize legal education advocate for change in the way we educate lawyers, and urge that we pay more attention to the way law school affects our students' health, well-being and, ultimately, career satisfaction. The program will explore these themes, and will discuss whether the two recent and highly influential publications, *Educating Lawyers* and *Best Practices for Legal Education*, provide a mandate to humanize the law school experience. We will also consider whether some of their recommendations might be in tension with that goal. Speakers include Leah Christensen, Roberto Corrada, Larry Krieger, Alison Martin, Denise Roy, and Mike Schwartz. Thanks to Bob Schuwerk, Denise Riebe, and the entire program committee for organizing this excellent event.

The organizers of the program hope to carry forward the excitement and sense of community inspired by our inaugural program last year. At the 2008 AALS annual conference in New York, we opened a broad discussion of what "balance" might mean in the context of legal education, and to what extent that "balance" is desirable or important. The session began with remarks from a panel of students — remarks many in attendance found compelling and unusually moving. (Incidentally, one of the students who participated in the panel, Ben Gibson, also headed up the ABA-Law Student Division's initiative for mental health. Balance Section members

might be interested to know that the initiative is continuing this year with successor officers.) A panel of deans then reflected on the students' comments, and provided their own provocative and varied perspectives on balance in the law school context. Thanks to the efforts of moderator Daisy Floyd, all ten panelists had a chance to present views, yet there was still time for discussion and questions from the audience. For those of you who weren't able to attend, reports are the session was electric, and people stood along the back wall for lack of seats.

If you are attending the AALS conference in San Diego, please do join us for our section program, and bring along any colleagues you think might be interested. It is your participation that will make the program a success.

We also invite you to join us for a brief business meeting for the section, scheduled for the evening before our section program. In the business meeting, we will elect new board members and other officers, and will discuss plans for the upcoming year. Perhaps as importantly, the business meeting will give us a chance to gather and set off for our section's first ever social event at AALS. To allow people to meet each other and to help build connections among those interested in the work of the section, Chair Elect Bruce Winick has arranged for an informal section gathering hosted by California Western School of Law. We offer our thanks to Dean Steven Smith for graciously providing the venue, the wine and the cheese. Everyone is welcome — in fact, the more the merrier.

Mark Your Calendars

January 7 2009

#### SECTION BUSINESS MEETING

6:30 p.m., Wednesday,  
San Diego Marriott Grand  
Hotel and Marina

January 7 2009

#### SOCIAL GATHERING

7:30 p.m., Wednesday,  
California Western  
School of Law

January 8 2009

#### SECTION PROGRAM

8:30 a.m., Thursday,  
San Diego Marriott Grand  
Hotel and Marina



# A Few Fun Facts About Chair Elect, Bruce Winick

At the end of the year, our fearless leader Mike Schwartz finishes up his term as Chair of the Balance Section. We extend our warm thanks to Mike for his inspiring and tireless service this year, and take solace in the fact that he will remain an active member of the Board. We also can take solace in the fact that Mike will be succeeded by Chair Elect Bruce J. Winick, Professor of Law and Professor of Psychiatry and Behavioral Sciences at the University of Miami. In light of this transition, this seems an opportune time to introduce Bruce to those of you that might not know him.

Of course, many of you know Bruce Winick well. You may know, for instance, that Bruce and David Wexler co-founded the field of therapeutic jurisprudence, a discipline that studies the impact of the law on the emotions and psychological well-being of those who encounter it. You may have heard that Bruce has written, co-authored or edited something like twelve books, has served as a guest editor for about eleven symposia, and has written too many articles and book chapters to count. You may understand that Bruce has lectured around the world, and frequently serves as an expert witness on a variety of law-

related issues. You may be aware that Bruce has received many prestigious awards and accolades, including the University of Miami Provost's Award for Outstanding Scholarship, the Thurgood Marshall Award of the Association of the Bar of the City of New York, and the Human Rights Award of the American Immigration Lawyers' Association. You may have even browsed Bruce's web-site, [www.brucewinick.com](http://www.brucewinick.com), which confirms all this and more. But did you know the following?

- Bruno the guide dog joined Bruce's family last April.
- Bruce is a vegetarian and serious yoga practitioner.
- Bruce grew up in Brooklyn, and counts many fond memories from that era.
- Bruce boasts four wonderful children and two wonderful grandchildren.
- Bruce hasn't, to his recollection, ever had a nickname — maybe he needs one?
- Bruce describes himself as an optimist, and sees himself as a lucky guy.
- One of Bruce's pet peeves is pessimism. He thinks people who are resigned to troubles and use them as a reason not to respond to challenges have it wrong.



He believes if something is broken, we should work to fix it.

- To his friends and colleagues, Bruce is a modest, generous man, and is profoundly kind. You will often see him with a blissful smile on his face, which bespeaks someone full and comfortable within himself.

We look forward to your year as Chair, Bruce, and anxiously await the developments your leadership will bring.

## A Balanced Academy

Members of this section work actively to improve the lives of law students. Many devote significant amounts of energy researching, teaching and engaging in the broader community with that object in mind. How often do we pause and take time to reflect on the extent to which we



are able to maintain balance in our own professional and personal lives? Here, we feature one strategy to achieve better balance as a professor, administrator or other law school professional.

Rhonda V. Magee, Professor at the University of San Francisco School of Law, writes:

"I rely on a variety of different practices to suffuse a sense of balance, equanimity, and the capacity to deal with life's challenges throughout my busy life. Mindfulness meditation is one of the most helpful. It's a practice that's not difficult to adopt — settling into position to witness the mind's activity, and increasing my capacity to see my assumptions and

emotions more clearly, and to detach from them more quickly. The objective is not so much an empty mind as it is a greater sense of nonjudgmental awareness of what is — a more conscious, self-compassionate embrace of the simple richness of the present moment. Even a few minutes of meditative quiet before and after class increase my sense of balance both in and out of the classroom, and help me to remain in fresh, pleasurable contact with the deep meaning of the work that I do."

*Do you have an idea or strategy for law school professionals who seek to achieve better balance in their own lives that you would like to share? Please e-mail it to [bushaw@lclark.edu](mailto:bushaw@lclark.edu).*

As many readers know, the AALS sponsored a full-day workshop on Balance in Legal Education in 2006, and the Section on Balance in Legal Education was formally approved in June of 2007. Since formation of the section, there have been any number of conferences and other events of particular interest to those who are concerned with the work of the section. Notable among them was the two-day conference on **Humanizing Legal Education**, held at Washburn University School of Law in October of 2007 and the section's program at the 2008 AALS Annual Conference, described elsewhere in this newsletter.

Members report that humanizing issues have been at the forefront of many other conferences and events this year. Those who seek to gather and engage in a discussion of the effects of legal education on law students, or the effects of law practice on lawyers, have had a wealth of choices of late. Any list risks omitting wonderful conferences or events. If only to give a snapshot of the landscape, short descriptions of some of the happenings this year, including some that are forthcoming, follow.

In February of 2008, Georgia State University College of Law hosted an **International Conference on the Future of Legal Education**. The Conference took the Carnegie Report, *Educating Lawyers*, as its point of departure, and considered visions of law schools of the future. The conference web-site notes that "many of the conference speakers, especially from other countries, gave concrete examples of how to create a new law school and how to transform an existing law school into a model of innovative legal education." Webcasts of sessions from the conference, along with other conference materials, are available through the web-site, [law.gsu.edu/FutureOfLegalEducationConference](http://law.gsu.edu/FutureOfLegalEducationConference).

March of 2008 was a busy month. SALT, the Society of American Law Teachers, held a conference on March 14 and 15 on **Teaching for Social Change**. The conference web-site, [\[change-march-1415-2008\]\(http://www.saltlaw.org/teaching-social-change-march-1415-2008\), contains many resources for people who are interested in integrating social change into legal education. There you will find copies of some of the papers presented at the conference, a PowerPoint presentation or two, and bibliographies of relevant materials.](http://www.saltlaw.org/teaching-social-</a></p></div><div data-bbox=)

Following closely on the heels of the SALT conference, the CUNY School of Law and the Center for Diversity in the Legal Profession held the **2008 Haywood Burns Conference** on March 28 and 29. The subject of the conference was **Teaching Law in a Multi-Lingual, Multi-Cultural Context**. The conference sought to reach law school professionals who were interested in increasing their effectiveness in reaching multi-cultural students.

The Center for Contemplative Mind in Society has held a number of events this last year, including two retreats for academics and a meditation and law retreat. Rhonda Magee reports that in July of 2008, she attended and facilitated large group discussions at the **Gathering of Leaders in Law and Meditation**, sponsored by the Center for Contemplative Mind in Society and held in Berkeley, California. There she met with a number of law professors, judges, and meditation coaches, and they brainstormed plans for infusing contemplative practice into legal education, law practice and adjudication. The Center will be sponsoring a retreat for legal professionals and students at the Spirit Rock Meditation Center in Woodacre, California on April 2-5, 2009, entitled **Effective Lawyering: A Meditative Perspective**. For more information on the Center for Contemplative Mind in Society and its events, you may wish to visit the organization's web-site, [www.contemplativemind.org](http://www.contemplativemind.org).

In September of 2008, the University of Washington School of Law hosted a conference on curriculum innovations,

entitled **Legal Education at the Crossroads**. The conference web-site includes links to conference materials, including those submitted by more than 80 dean and faculty presenters. The web-site can be found at [files.law.washington.edu/open/Crossroads\\_Conference](http://files.law.washington.edu/open/Crossroads_Conference).

Tigran Eldred from Lewis & Clark Law School reports that on October 31, 2008, the Multnomah Bar Association held a day-long program in Portland, Oregon, entitled **Caring for Ourselves (While We're Busy Caring for Others): A Program on Mindfulness and Stress Reduction for Professionals in Conflict Resolution**. Speakers included Michael Zimmerman (former Chief Justice of the Utah Supreme Court), Alan Wallace (Founder of the Santa Barbara Institute for Consciousness Studies), Professor Richard Birke (Willamette University College of Law) and Michael Dwyer (President of the Multnomah Bar Association). Over 100 lawyers attended this seminar on how to use mindfulness to reduce stress and improve practice. Tigran reports that it was a fantastic program, and that it could serve as a model for any bar association or lawyers' group interested in holding a similar program. More information is available through [www.mbar.org/register/programdetails.php](http://www.mbar.org/register/programdetails.php).

The legal writing and research faculty at St. John's University School of Law will be hosting a conference, **Practice Meets Pedagogy**, on Friday, December 5, 2008. The conference seeks to explore the changing world of law practice, and how it affects the teaching of legal writing and research. Panelists include a full spectrum of legal employers, as well as Jan Levine, Tracy McGaugh, Tina Stark and Kathleen Vinson. You may register online at [www.stjohns.edu/academics/graduate/law/news/ev\\_law\\_081205.stj](http://www.stjohns.edu/academics/graduate/law/news/ev_law_081205.stj), or for more information, may contact Patricia Grande Montana ([grandep@stjohns.edu](mailto:grandep@stjohns.edu)) or Jane Scott ([scottj@stjohns.edu](mailto:scottj@stjohns.edu)).





# RECENTLY IN PRINT

Readers may be interested in some of the following books and articles.

Theresa M. Beiner, *Not All Lawyers Are Equal: Difficulties that Plague Women and Women of Color*, 58 Syracuse L. Rev. 317 (2008)

Richard Delgado & Jean Stefancic, *Can Lawyers Find Happiness?*, 58 Syracuse L. Rev. 241 (2008)

Ronit Dinovitzer & Bryant G. Garth, *Lawyer Satisfaction in the Process of Structuring Legal Careers*, 41 L. & Socy. Rev. 1 (2007)

Justine A. Dunlap, "I'd Just As Soon Flunk You As Look at You?" *The Evolution to Humanizing in a Large Classroom*, 47 Washburn L.J. 389 (2008)

Barbara Glesner Fines, *Ethical Issues in Collaborative Lawyering*, 21 J. Am. Acad. Matrim. Law. 141 (2008)

Barbara Glesner Fines, *Fundamental Principles and Challenges of Humanizing Legal Education*, 47 Washburn L.J. 313 (2008)

Maureen Fitzgerald, *Rite of Passage: The Impact of Teaching Methods on First Year Law Students*, 42 Law Teacher 60 (Jan. 2008)

Rebecca Flanagan, *Lucifer Goes to Law School: Towards Explaining and Minimizing Law Student Peer-to-Peer Harassment and Intimidation*, 47 Washburn L.J. 453 (2008)

Susan Grover, *Personal Integration and Outsider Status As Factors in Law Student Well-Being*, 47 Washburn L.J. 419 (2008)

Neil Hamilton, *Assessing Professionalism: Measuring Progress in the Formation of an Ethical Professional Identity*, 5 U. St. Thomas L.J. 470 (2008)

Neil Hamilton, *The Formation of an Ethical Professional Identity in the Peer-Review Professions: Foreword*, 5 U. St. Thomas L.J. 361 (2008)

Neil Hamilton, *Professionalism Clearly Defined*, 18 Prof. Law. 4 (Jan. 2008)

Gerald F. Hess, *Collaborative Course Design: Not My Course, Not Their Course, but Our Course*, 47 Washburn L.J. 367 (2008)

Peter H. Huang, *Authentic Happiness, Self-Knowledge and Legal Policy*, 9 Minn. J.L., Sci. & Tech. 755 (2008)

Peter H. Huang & Rick Swedloff, *Authentic Happiness and Meaning at Law Firms*, 58 Syracuse L. Rev. 335 (2008)

Lawrence S. Krieger, *Human Nature As a New Guiding Philosophy for Legal Education and the Profession*, 47 Washburn L.J. 247 (2008)

Nancy Levit & Douglas O. Linder, *Happy Law Students, Happy Lawyers*, 58 Syracuse L. Rev. 351 (2008)

Paula Lustbader, *You Are Not in Kansas Anymore: Orientation Programs Can Help Students Fly over the Rainbow*, 47 Washburn L.J. 327 (2008)

Rhonda V. Magee, *Legal Education and the Formation of Professional Identity: A Critical Spirituo-Humanistic — "Humanity Consciousness" — Perspective*, 31 N.Y.U. Rev. L. & Soc. Change 467 (2007)

Linda Morton & Janet Weinstein, *Interdisciplinary Problem Solving Courses as a Context for Nurturing Intrinsic Values*, 13 Clin. L. Rev. 839 (2007)

Marjorie A. Silver, *The Affective Assistance of Counsel: Practicing Law as a Healing Profession* (Carolina Academic Press 2007)

Deborah L. Rhode, *Personal Satisfaction in Professional Practice*, 58 Syracuse L. Rev. 217 (2008)

Michael L. Rustad & Thomas H. Koenig, *A Hard Day's Night: Hierarchy, History & Happiness in Legal Education*, 58 Syracuse L. Rev. 261 (2008)

Michael Hunter Schwartz, *Humanizing Legal Education: An Introduction to a Symposium Whose Time Came*, 47 Washburn L.J. 235 (2008)

Kennon M. Sheldon & Lawrence S. Krieger, *Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Test of Self-Determination Theory*, 33 J. Personality & Soc. Psychol. 883 (2007)

Joyce Sterling, Ronit Dinovitzer & Bryant G. Garth, *The Changing Social Role of Urban Law Schools*, 36 Sw. U. L. Rev. 389 (2007)

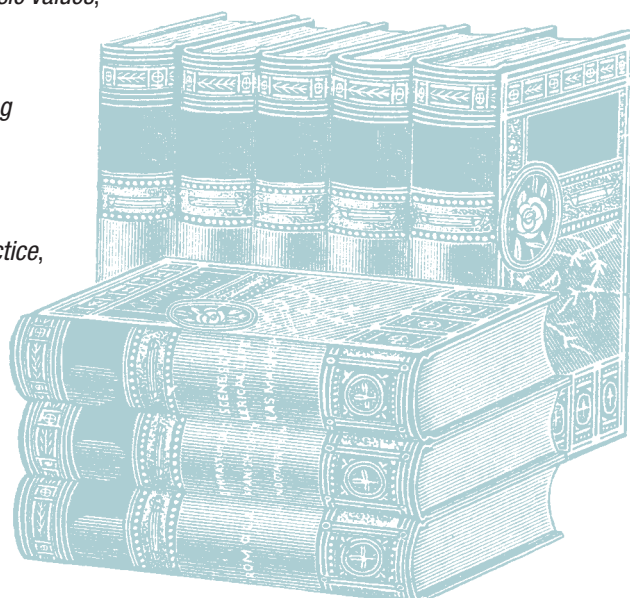
Mark Weisberg & Jean Koh Peters, *Experiments in Listening*, 57 J. Leg. Educ. 427 (2007)

David B. Wexler, *Adding Color to the White Paper: Time for a Robust Reciprocal Relationship Between Procedural Justice and Therapeutic Jurisprudence*, 44 Court Review 78 (Spring/Summer 2008)

David B. Wexler, *Two Decades of Therapeutic Jurisprudence*, 24 Touro L. Rev. 17 (2008)

Bruce J. Winick, *A Legal Autopsy of the Lawyering in Schiavo: A Therapeutic Jurisprudence/Preventive Law Rewind Exercise*, 61 U. Miami L. Rev. 595 (2007)

*Have you published something recently of interest to the members of this section that doesn't appear on this list? Please e-mail a description of it to bushaw@lclark.edu.*



## Other News

Larry Krieger reports that he has boiled down the content of his Washburn article on Human Nature as a New Guiding Philosophy for Legal Education (see cite on page 5) into a more direct and accessible set of PowerPoints that he has been using with students, faculty, lawyers and a statewide judicial conference this fall. He also reports that he and Ken Sheldon used their assessment instrument with another law school, and the data was so close to the data in their published paper on the benefits of autonomy support in legal education (also cited on page 5) that it was spooky.

■ Speaking of Larry Krieger, Linda Morton reports that Larry came to her school, California Western School of Law, for about three days in October, and spoke with students, staff and faculty about his research on humanizing legal education. He conducted a faculty retreat all day on Saturday. Faculty and staff participated in brainstorming sessions to determine what they can do — both individually and institutionally — to promote humanism in the school's curriculum

■ Judge Charles B. Schudson is teaching a course at the University of Wisconsin Law School and Marquette University Law School called "Preparing Lawyers for Life." He has also been traveling to law schools throughout the country to present "Preparing Lawyers for Life" lectures and seminars, and to consult with law school faculty interested in developing similar curricula.

■ Judi Cohen and Rhonda Magee report that the University of San Francisco School of Law has just approved a new class called "Contemplative Lawyering." Rhonda and Judi, along with Tim Iglesias, will be creating and teaching the class. They believe that cultivating and maintaining a daily contemplative practice will help students to maintain balance during law school and once they graduate.

■ Rhonda Magee also mentions that in September of 2008, she gave a presentation at a workshop sponsored by

Tikkun Magazine's Network of Spiritual Progressives ("A New Bottom Line in the Professions: The Meaning of Work and Life") in which she discussed the process by which we might change our workplaces and professions to enhance the sense of meaning and purpose in our work lives. Rhonda also reports that USF's Ad Hoc Committee for Contemplative Practices in Law has been busy leading weekly guided meditations in the law school, and has joined with the school's Carnegie/Best Practices Task Force (to which Rhonda was named Chair) to generate a discussion about reforms to the school's curricular and co-curricular programs that further a more holistic approach to legal education. (As noted on page 4, Rhonda has also participated in events with the Center for Contemplative Mind for Society.)

■ Kim Wright encourages folks to take a look at the web-site she has developed, [www.cuttingedgelaw.com](http://www.cuttingedgelaw.com). She notes that it now includes awesome video and audio interviews with legal educators, including interviews with Susan Daicoff, Larry Krieger, Cindy Adcock, Daisy Floyd, Tim Floyd and Len Riskin. An interview with Harvard lecturer Erica Ariel Fox is also on the site.

■ Stephanie West Allen recommends her web-site to readers, [www.contemplativelawyers.com](http://www.contemplativelawyers.com), as an ever-growing resource on mindfulness for lawyers and law students.

■ Bob Seibel describes the new STEPPS (Skills Training for Ethical and Preventive Practice and career Satisfaction) Program at California Western School of Law in an article in the Complete Lawyer, found at [www.thecompletelawyer.com/volume4/issue4/article.php?ppaid=9475](http://www.thecompletelawyer.com/volume4/issue4/article.php?ppaid=9475). The program "uses clinical teaching methods to combine Professional Responsibility, basic lawyering skills, advanced legal writing and creative problem solving." He notes that the pilot program (with 96 students) is beginning this fall, and the program is slated to become a required, two-semester course next fall.

## Thank You, Howard

Howard Fink stepped down from the Board of the Balance Section this fall. Howard is a Professor of Law Emeritus at the Moritz College of Law of Ohio State University. Since his retirement from Ohio State, Howard has continued to teach at several law schools off and on, however he has decided that the time has come to wind down his activities with the AALS. Howard has long advocated for changes in legal education, and has been a supporter of the Section on Balance in Legal Education since its inception. Thank you for your many years of service, Howard, and best of luck in your retirement.

## Please Keep in Touch

This is the first newsletter published by the AALS Section on Balance in Legal Education. If you have any comments or suggestions for future editions, please send them to the newsletter editor, Amy Bushaw at [bushaw@lclark.edu](mailto:bushaw@lclark.edu). Our plan is to use the information we gather from time to time to help build content on our section web-site, hosted at [humanizingideas.law.fsu.edu/default.asp](http://humanizingideas.law.fsu.edu/default.asp), so your contributions are always welcome.

Section newsletters only come out sporadically. The humanizing legal education list-serv is available every day. If you do not yet subscribe to the list-serv, we encourage you to do so. To subscribe, go to [lists.fsu.edu/mailman/listinfo/law-legealed](http://lists.fsu.edu/mailman/listinfo/law-legealed) and follow the instructions. If you do subscribe to the list-serv, please post your thoughts, questions, insights and accomplishments on a regular basis. You will find you have an appreciative and responsive audience.

**When asked to describe one small thing a professor could do to humanize the law school classroom, members of the humanizing legal education list-serv offered the following suggestions and comments:**

“We have been offering regularly-scheduled guided meditation sessions at the [University of San Francisco School of Law] for the past two semesters. Also, for the past eight years I’ve been ending each of my classes with a five minute guided meditation followed by a poetry reading. Students are invited to take a turn reading their favorite poems as well (occasionally someone takes me up on it) and to email me poems or type them at the end of their take-home exams (which they often do).”

— JUDI COHEN

“To promote increased student well-being, values-based motivation, grade performance, and, yes, BAR PASSAGE, get your faculty on board with the idea of providing ‘autonomy support’ as a habit, in class and otherwise. This means, simply, NOT being controlling. Rather, make an effort to understand and acknowledge student viewpoints and preferences, and then honor them whenever possible by providing meaningful choices to them. When such choices are not possible, provide explanations that demonstrate that you have understood and thoughtfully considered their preferences, and why you have decided as you have.”

— LARRY KRIEGER

“I would develop an interdisciplinary and holistic curriculum which considers law in context. I would also refer students to meaningful articles such as: Elizabeth Rivers, *How to Become a Wild Lawyer*, *Envtl. L. & Mgt.* 28 (2006).”

— JEN GEARY

## Eight Ideas for Humanizing the Law School Classroom

“[T]he problems that law students encounter are ‘system-based,’ meaning that all the parts of the education system (political, cultural economic and social) are intertwined and all working to support the status quo. . . . In my personal opinion there is real danger in ‘hiding the whole issue’ under the guise of ‘balance.’ This suggests that it’s a private and individual (student) issue and that balance is a goal that is achievable, when it is really a political, social and economic issue. Although I enjoy the ‘tips and techniques’ approach to humanizing legal education and I know that every professor’s heart is in the right place, I think we need to take a deeper look and adopt a more long term approach — one in which WE ALL take ownership for the contribution we all make in maintaining these ‘disempowering and silencing’ systems.”

— MAUREEN FITZGERALD

“I’ve spent some time observing law school classrooms, of late. I noticed that having big name plates on students’ desks seemed to help the students relate to each other as well as the professor (they were simple folded pieces of poster board but large enough for others to read easily). Also, though very controversial — computers: My observations suggested that computers helped students hide, gave them ways of

avoiding discussion, put them in solitary bubbles. In classrooms where they were not allowed, I saw significantly more interaction and engagement. Third, the demeanor of the professor: Professors who seemed authentic, approachable, and inviting generated more interest and responsiveness than those who perceived their task to be the sage on the stage. Fourth, when students were scattered in large amphitheatres, there appeared to be less interaction and engagement than when they were in a smaller space or when they were urged to come down front.”

— JILL BRESLAU

“Here are a few things professors can do to humanize the classroom:

“(1) Treat student outrage not as a failure of objective reasoning, but as a learning moment — help students brainstorm how they can channel their sense of unfairness into legal arguments.

“(2) Listen twice to student questions, looking for the intelligent insight underlying the expression of confusion

“(3) Take delight in student success, insights, original arguments, etc.”

— MIKE SCHWARTZ

“In every class I teach, students work at least half the time in small discussion groups (three to five students) to talk about readings, handouts or exercises.”

— JAMES HOLBROOK

“I suggest that professors give thought to various ways to vary their teaching methods so that students with diverse learning styles will gain from the classroom; after contemplating the goals of the lesson, professors can translate the method of delivery into visual aids, group work, role-plays, PowerPoints, movie clips, classroom drafting, peer critique, and any creative method that introduces variety into their teaching repertoires.”

— ROBIN BOYLE

## Please Become a Member of the Section

If you are not yet a member of the Section on Balance in Legal Education, we encourage you to join. Section membership is open to faculty and professional staff of AALS membership schools; others may join as associate members. To become a member or an associate member, please contact the AALS National Office at (202) 296-8851 or [aals@aals.org](mailto:aals@aals.org), and indicate your interest in joining the section.

This newsletter is a forum for the exchange of points of view. Opinions expressed here are not necessarily those of the section and do not necessarily represent the position of the Association of American Law Schools.