

EQUIPOISE

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

DECEMBER 2014

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

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Notes from the Chair

Julie K. Sandine, Assistant Dean for Student Affairs, Vanderbilt Law School

It is amazing to think that the year is already nearly at an end and my term as chair of the Section on Balance in Legal Education will conclude in a few short weeks. Despite the years that have passed, I still vividly can recall the informal gathering held in someone's hotel suite during the first AALS meeting I attended – was it in 2003? – and how inspiring it was to see the number of people committed to humanizing legal education and sharing the same mission of working together to make an important difference in the experiences of our law students and the lawyers they will become. We've certainly come a long way!

Thanks to the insights, hard work and dedication of so many, including Larry Krieger, Michael Schwartz, Bruce Winick, Kathy Hessler, Marjorie Silver, and Amy Bushaw, the goal of creating a formal entity within AALS was realized and we've been able to accomplish much through our work together in the Balance Section. I am certain that the Section's work and influence have enhanced the lives of many law students, as it has my own life, both personally and professionally. I am especially grateful to the officers and other members of the Section's executive board, whose commitment and tireless efforts made possible the many accomplishments of the past year. It does take a village! It has definitely been a privilege to serve as chair this year, and I have truly enjoyed getting to know and work with so many caring, amazingly talented, and dedicated (and fun!) individuals.



The Year in Review

In reflecting on the past year, it is gratifying to realize all that we've accomplished and so I thought I would mention a few of the highlights (some of which are featured in more depth elsewhere in this newsletter). Our extended program at the 2014 AALS Annual Meeting — "The Many Connections Between Well-Being and Professionalism in the Practice of Law" — was a great success, despite the less than optimal scheduled time slot and complications caused by the inclement weather. Cancelled and delayed flights due to the extreme winter weather made the trip particularly difficult (or impossible) for many, but those who were able to get to New York City appreciated the opportunity to hear first-hand from our esteemed speakers: Elizabeth Mertz, Larry Krieger, Dave Shearon, Anneka Ferguson, Nathalie Martin, and David Koelsch.

Other Programming

Our Topic Call series, the brain child of past Section chair Marjorie Silver, was continued last year under the tremendous leadership of Courtney Lee, who served as chair of our Other Programming Committee. Her dedication resulted in some fascinating Topic Calls that provided section members the opportunity to learn about colleagues' innovative efforts and experiences. In March, Dean Jennifer Gerarda Brown of Quinnipiac shared her experience of offering a wonderful off-campus retreat for 1L students, which included student-selected topics such as dealing with change, practicing gratitude, and maintaining balance. She also discussed incorporating

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Notes from the Chair, *continued*

guided journaling exercises into classes she teaches. In April, Professor Bill Blatt of the University of Miami School of Law presented information on his “Emotional Intelligence” course and the various exercises he uses to engage his students while exploring this important area together (which include HeartMath and Freeze Frame).

Scholarship



Thanks to the inspiring leadership of chair Susan Brooks, our Scholarship Committee made tremendous progress on a number of important goals. One of these was to organize and update the bibliography of resources available to members and other interested parties. Because of the wealth of important materials published, some sort of topical organization was deemed necessary to make the bibliography more easily searchable, in addition to adding new articles published since the last update. Calvin Pang initially took the lead on this project and was assisted by Larry Krieger, Debra Austin and Lyn Entrikin. They solicited feedback from the executive board to finalize a comprehensive list of subject areas/topics, with the goal of creating a user-friendly database that would enable scholars engaged in writing in a particular area to easily identify relevant and current literature at any given time.

The bibliography categories were designed to capture particular issues, thereby making searching (by readers or authors) easier and more successful. In this way, authors will be better able to identify their work within a category they feel is most appropriate. Debra provided innovative ideas about how technology could be used to make this integrated bibliography not only a database searchable by subject area, but also a more vital and “living” research tool, such that it could

be easily updated on-line. Such a process will allow scholars to add new work to the bibliography through an established submission process and result in a more comprehensive list and an easier updating process. SSRN links have been added for the articles and after the bibliography is available on-line, it will be ready for automation of the author submission process. After this is accomplished, the process will be beta tested and we are hopeful the project could be ready for launch in early 2015. We are grateful to Debra and her vision for a dynamic bibliography and how this electronic, interactive version could be easily accessed by everyone, which will certainly enhance the visibility and profile of this important area of scholarship!

The Scholarship Committee has also developed a “Work-in-Progress Topic Call” series, which is designed to support faculty scholarship by providing a forum in which scholars can share drafts of papers in progress and receive helpful substantive feedback and suggestions. The hope is that this effort will also help faculty determine how to frame their work and feel supported in what they are doing in light of some resistance or discouragement from other faculty with regard to scholarship in this particular area.

Susan and Courtney worked collaboratively to incorporate this opportunity within our established Topic Call series. This partnership enables the Other Programming and Scholarship committees to work together, prevents “call overload” for our audiences, and eases planning between both committees. For such a call, an invitation is sent to Section members to solicit the interest of anyone with a current draft who would appreciate an hour of discussion with interested and supportive colleagues willing to offer constructive feedback. After interest is expressed by an author, drafts of the paper are circulated to those sending an RSVP so they can review the draft in advance of the Topic Call.

The inaugural Work-in-Progress Topic Call was scheduled for November and was to feature Larry Krieger’s recent empirical study on lawyers and happiness. As many of you may recall, we decided to postpone

that call in the aftermath of the shooting tragedy on the Florida State campus. As expressed so movingly in the message Larry sent, this was not an easy decision to make, as “[w]e do not want to allow fear or insanity to dictate constructive, healthy activity. Nonetheless, out of respect for the victims here and also recognizing the additional complications this event might generate for the call itself, it seems better to pause and take a breath for now.”

Larry’s Work-in-Progress Topic Call will be rescheduled in early 2015, and I know it will be of great interest to many since we have been excitedly awaiting the results of his comprehensive research, which resulted in voluminous data gathered from over 6000 lawyers. Another volunteer scholar who responded to Susan’s call for submissions has also indicated an interest in participating in the spring, so we may be able to host two of these special Topic Calls.

Outreach

The Outreach Committee, led by co-chairs Scott Rogers and Debra Austin, has been busy in its effort to establish a better interface between the AALS platform and humanizing law school listserv, and has worked to update the website so it is even more inviting and user-friendly. A protocol will be established for use in the process of re-vamping and updating the current website, which will make future efforts to maintain the website’s vitality easy and efficient.

Affinity Groups

The idea of forming affinity groups within the Section arose after interest was expressed about forming a mindfulness committee. While the executive board wants to enable Section members with particular focused interests to form sub-groups within the Section, the addition of permanent, formal committees would require amendment of the bylaws. In addition, given our broad and diverse membership, there are many areas that conceivably also could be a focus within our Section, such as empirical research, positive psychology, and emotional intelligence, so it was decided that a less formal mechanism would be a better option.

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As a result, the executive board passed a resolution on guidelines for affinity groups, which sets forth the parameters for such groups and the process to be followed in forming them. Affinity groups will provide Section members with the opportunity to work together on focused

interests to promote education and share ideas and enthusiasm about a particular area with one another, and with far less administrative difficulty or complication. This also allows for the fluidity of interests and resulting alteration of sub-groups that is likely to occur over time.

Richard Reuben, who has been

involved in mindfulness practices for many years, submitted a proposal to create a Mindfulness Affinity Group and easily secured the support of a board liaison, as well as the necessary number of other Section members also interested in participating. The proposal noted that

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Guidelines for Forming Affinity Groups

Members of the Balance Section often share interests in particular areas of research, pedagogical techniques or administrative programs. From time to time, members have proposed that the Section create subcommittees or other groups for the purpose of exploring particular topics in more depth. To facilitate conversations on topics of mutual interest, the Section supports the formation of “affinity groups” among members. Under the terms of the Section bylaws, upon approval under the process outlined below, the “affinity groups” shall be deemed to be special or ad hoc committees established by resolution of the Board.

The process is simple. Any member may submit a proposal to the Board to form an “affinity group.” The proposal shall indicate the topic of the proposed affinity group, a list of a minimum of five members who have expressed an interest in participating in the proposed affinity group, and the name of a member who is willing to act as the initial convener of the affinity group. The Board shall consider each proposal, and may consider among other things whether the topic of the proposed affinity group is fairly within the scope of the mission of the Section, is not unduly duplicative of other affinity groups or Section activities, and has the support of at least one existing Board member who would be willing to serve as the Board liaison for the affinity group. If the Board approves the proposal, it shall so notify the sponsors and the affinity group will come into existence. Board approval is intended to be administrative in nature. It shall not constitute the Section’s or the AALS’ endorsement of any topic or particular point of view.

Affinity groups shall be open to any

member of the Section who wishes to participate. The convener shall publicize the existence of the affinity group to the Section membership and invite participation. The convener shall be responsible for maintaining a membership list, and shall establish methods of communication among the members. In the event any convener no longer wishes to serve in that capacity, the members of the affinity group shall choose a new convener and notify the Board liaison for the affinity group of the change.

The purpose of each affinity group shall be to facilitate dialogue among Section members on the relevant topic. Generally, Section activities must be carried out within the strictures of the AALS rules and subject to Section bylaws and Board oversight. Accordingly, without prior Board approval an affinity group shall not sponsor or publicize any programs or other activities that go beyond Section membership. If members of an affinity group wish to make suggestions for Section activities, they should consult with the Board liaison for their group.

To the extent helpful and appropriate, the Section may make its resources available to support the activities of affinity groups. For instance, the Section may publicize the existence of affinity groups on its website, and invite interested members to contact the convener for the relevant affinity group to join. Likewise, the Board liaison for an affinity group may assist in making the Section list-servs, conference call accounts or other means of communication available to the relevant affinity group. When topics related to a particular affinity group come before the Board, the Board liaison for that affinity group may solicit input from the affinity group and, if appropriate, seek to involve members of the affinity group in

any officially-sponsored Section activities that result. If practical, the editor of the Section newsletter may invite affinity groups or their members to contribute articles on relevant topics. To the extent any affinity group wishes to obtain specific assistance or support not specifically mentioned here from the Section, it should contact the Board liaison for the group to explore options.

Under the terms of the Section bylaws, in the absence of a specific provision in the instrument creating them to the contrary, special or ad hoc committees shall cease to exist at the end of the year in which they were created. Unless the Board specifies otherwise, it is the intention of the Board that any affinity group created pursuant to this resolution may continue from year to year without specific approval or other action. The Board, however, shall review the list of affinity groups periodically. Affinity groups may be discontinued by a majority vote of the Board at any time. Reasons warranting such discontinuation include (but are not limited to) the following: inactivity; lacking a member willing to serve as convener; lacking a Board member willing to serve as Board liaison; lacking minimum membership as specified above; violating AALS or Section policies; no longer serving the best interests of the Section.

After some experience with affinity groups and their operations, the Board may vote to amend these guidelines to address opportunities or concerns. Any such amendment shall govern affinity group operations going forward.

Approved by the Balance Section executive board, Spring, 2014

Notes from the Chair, *continued*

mindfulness practices directly support the articulated goals of the Balance Section, namely, “to enhance the overall health, well-being and life satisfaction of law students and lawyers,” by reducing stress, increasing concentration and the ability to deal effectively with distractions, improving the ability to modulate emotions, and generally enhancing an overall sense of well-being. The executive board approved the proposal unanimously and our first affinity group was born! The Mindfulness Affinity Group has launched with Richard Reuben as its inaugural convener.

Many thanks to Richard for leading this effort! We are excited about the many valuable connections, shared ideas, and energy that will result from this committed group.

Contemplative Space

Many of you no doubt recall the contemplative space proposal the Section submitted to AALS in early 2013, which was supported by nine other AALS sections, namely, Alternative Dispute Resolution, Clinical Legal Education, Commercial and Related Consumer Law, Creditors’ and Debtors’ Rights, Law, Medicine and Health Care, New Law Professors, Poverty Law, Student Services, and Women in Legal Education.

Nathalie Martin (who did the bulk of the “heavy lifting” in researching and writing the proposal), Marjorie Silver, and I worked together to complete the proposal by the deadline required for consideration by the AALS Executive Committee. In it, we requested a separate contemplative space at the 2014 Annual Meeting, which would be a quiet, comfortable, and technology-free zone where people could escape the chaos of the conference, find some tranquility, and center themselves. We also proposed offering some group contemplative practices, which would enable us to meditate together, in community, thereby providing support for one another, as well as nurturing and enhancing our individual practices.

We felt that having a quiet on-site space available throughout the conference would provide attendees a marvelous opportunity to center themselves in a peaceful atmosphere, experience restorative contemplation, learn about valuable resources, and engage with and support one another in important, restorative ways. Last year’s response from AALS was not what we’d hoped, as our request was denied.

We were excited to learn earlier this year that the new leadership of AALS was interested in reconsidering our proposal and we were then informed that our request had been granted for the 2015 Annual Meeting. What great news for all of us, as well as for AALS attendees overall! Many thanks to Amy Bushaw, who originally posed the suggestion of having a contemplative space available at the conference, and to Nathalie and Marjorie for their work on this effort!

We are indeed grateful to Nathalie Martin, Marjorie Silver, Scott Rogers, and Richard Reuben, as well as the other members of the Mindfulness Affinity Group, for all they have done so enthusiastically to help organize and staff the contemplative space, which will be a marvelous resource for all attendees at the Annual Meeting.

Equipoise

I want to especially acknowledge – and thank! — Amy Bushaw for not only bringing to life our beautiful newsletter (and its eloquent title), but also steadfastly working behind the scenes to write, edit, and produce *Equipoise* over the years. Warm thanks are also due to Margaret Parker, the wonderful layout artist and typographer who has given *Equipoise* its elegant and distinctive look. Since its inception,

Amy and Margaret have quietly

and consistently contributed fabulous articles, amazing insights, excellent graphics, and beautiful photographs to make our newsletter informative, interesting, and eye-catching. Their creativity, wonderful writing, and productivity have given us an amazing forum in which to share the news

of our Section. I know everyone joins me in expressing heartfelt thanks to Amy and Margaret for all they have done in making this marvelous resource a reality!

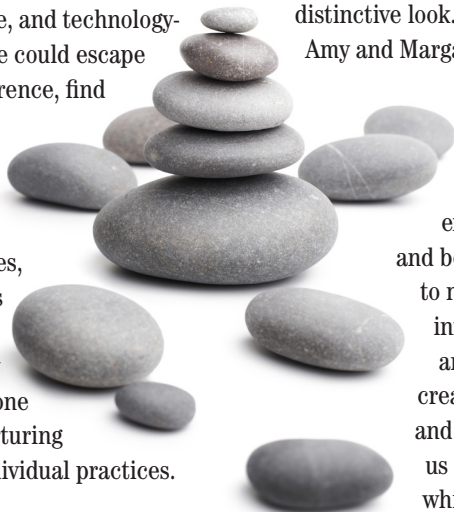
Closing Thoughts

As mentioned, it’s difficult to comprehend that yet another year, and my term as chair, are nearing an end. I was interested in becoming involved in the humanizing law school movement initially after undertaking my position of Assistant Dean for Student Affairs and seeking to help students who were suffering from the negative impact law school had on them. It just seemed that something could – and should – be done to ameliorate the deleterious effects to at least some extent, and so it was incredibly exciting and inspiring to meet others who felt the same way and were interested in working together for this common purpose.

This movement – and the Balance Section that emerged from the efforts of so many – represented to me the most viable means by which positive change might actually be possible. I knew from efforts made on my own that having faculty support is vital if far-reaching and institutional change is to occur. Providing assistance and support to discouraged and despairing students is certainly crucial in helping those individuals overcome trauma they have experienced. However, professors have the ability to implement positive change that will have a fundamental and long-lasting impact on legal education overall because of their power within the institution and society.

In addition, students respect and honor professors, viewing them as important role models and mentors, and so the example set by faculty also has a powerful effect, and on a number of levels. Training students to be effective and caring lawyers and encouraging (and helping) them to seek fulfillment and balance in their professional lives inspires them and gives them strength to follow their hearts and find the sense of satisfaction and reward they see in their professors.

The Section’s diverse membership makes possible a unique and valuable collaboration among those providing direct services to students, those teaching and mentoring students, and those conducting



Notes from the Chair, *continued*

research and completing scholarship in this important area. I hope our membership continues to expand, such that we are all enriched further through the sharing of different perspectives and creative ideas for meaningful change and the sense of community the Section provides. Many thanks to everyone for being such an amazing source of support, inspiration, energy, and friendship!

I trust that our common goal and joint efforts will continue to revitalize us and reinforce our commitment to enhance the health, well-being and life satisfaction of law students and lawyers. Whenever we are able to communicate with one another, through emails, conference calls, Topic Calls, or at the Annual Meeting, we reaffirm our conviction that student and lawyer well-being is vital, as well as our shared commitment that achieving this goal must

remain a priority so that our students – and the lawyers they will become – will be healthy, fulfilled, ethical, and self-actualized professionals.

Here's wishing everyone a wonderful – and balanced – holiday season and a most Happy New Year. I hope to see you all in Washington, D.C., in January!

The University of Colorado Law School Responds to Flood

By Corie Rosen Felder

In the fall of 2013, the Boulder area experienced one of the most devastating floods in recorded history. Corie Rosen Felder, who is on the legal writing faculty at the University of Colorado Law School, set out to describe the effect of the flood on the incoming students, the faculty and the staff. What emerged was a story of resilience, solidarity and support for the surrounding community. Corie's inspiring account of service under the most difficult of circumstances follows.

The Boulder law school community responded to the floods with an outpouring of support and engagement. In Boulder and the surrounding areas, where floods raged through neighborhoods, damaging homes and displacing students and families, volunteers walked the streets, helping to clean up storm damage sites and helping to care for displaced neighbors. Among those who walked the streets, looking for neighbors in need were Professors Fred Bloom and Scott Peppet, who both spent time doing the heavy lifting that the immediate aftermath of the flooding demanded. Among other projects, Scott Peppet raised money to help rebuild a local Zen center and helped a friend clear her property of the six or so feet of rocks and other debris that had accumulated in her well and on the surrounding land.

In the case of one local community, clean up efforts were especially tough; among other damage, the elementary

school was closed for a month and its buildings and the surrounding area were devastated.

Not far from the badly damaged school, a number of families who live in mobile homes saw their homes decimated. In part because residents of the trailer park live outside of the psychological and social space of greater Boulder, which is an affluent and largely homogenous community, many of the park's residents did not feel comfortable seeking government support. Many of the residents felt overwhelmed or intimidated by the forms required to file with FEMA. Nearly all felt disconnected from the greater community and felt uncomfortable with the government processes required to use official channels to file for disaster relief funds.

Recognizing that the FEMA process and other support systems would not work as a check for the children and families affected by the floods, Professor Fred Bloom, his wife Carissa Bloom, and Professor William Boyd's wife Norrie Boyd rallied the community and collected money, furniture, clothing, and other necessities so that these families could rebuild their homes and their lives. The school's principal worked together with Krissa Bloom and Norrie Boyd to build the crucial trust volunteers needed in order find out what each family needed to get back on its feet.

The volunteers raised enough money to recondition the trailers belonging to all of the families with children at the



Department of the Interior/USGS

local elementary school. The trailers were cleaned, stripped, restored, painted, and furnished. Together with Fred Bloom, 2L Jonathan Jourdain recruited volunteers from the Latino Law Students Association to help with painting the trailers. On a Friday last fall, law students gathered to paint the trailers bright colors and to meet the families and young children who call the trailers home.

The hope of the volunteers and everyone involved with the community is that the rebuild efforts will give the kids and their families a chance to put the flood behind them. The lesson to those of us in the legal field is that, even when legal processes purport to provide resolutions, not all people are in a social, emotional, or psychological place that allows them to take advantage of those services. In the end, sometimes the best solution to a community's suffering is the strength and support of its residents.

Washington, D.C., It's the Greatest Place to Be ...

2015 Program: The Future of Educating Effective Lawyers

It's rather shocking to realize that the Annual Meeting (and the New Year!) is just a few weeks away. Our program, "The Future of Educating Effective Lawyers," is scheduled for Saturday, January 3, from 3:30-5:15 p.m. We were fortunate (and grateful) that D'lorah Hughes and David Koelsch agreed to serve as co-chairs of the 2015 Program Committee, as their clinical expertise and experiences, their insights, and leadership have proven especially valuable in shaping the focus of this program: professional identity and incorporation of practice-ready skills. Many thanks to D'lorah and David, and all of the Program Committee members – Amy Bushaw, Anahid Gharakhanian,

Jarrold Reich, Jenny Brobst, Julie Sandine, Michelle Mason, Staci Rucker, and Todd Peterson — whose efforts have made possible this terrific program!

Our Program Committee was able to secure incredibly amazing speakers to share their knowledge and perspectives with us for this exciting and cutting-edge program. Professor David Oppenheimer will present the latest findings from the Shultz and Zedeck research, funded by LSAC, on the predictors of successful lawyering. Professor Oppenheimer collaborated with Professors Marjorie Shultz and Sheldon Zedeck in this study and was a co-author of an article on the topic that was published in the Journal of Legal Education. Our

second speaker, Heather Bock, is the Chief Professional Development Officer for Hogan Lovells US LLP and oversees associate and partner training and development. She also is a visiting professor at Georgetown Law, and currently serves as Executive Director for its Center for the Study of the Legal Profession. Professor Bock's direct experience in law firm professional development makes her particularly well-qualified to enlighten us about the employer's perspective with regard to what skills will make new lawyers better prepared and "practice-ready." She plans to draw in perspectives from a broad range of practice environments, including medium firms, small firms and solo practice. Alli Gerkman, Director of the Institute for the Advancement of the American Legal System, will present innovative approaches in preparing practice-ready students and the effective measurement of such methods. The University of Detroit Mercy Law Review has offered to publish the speakers' comments. We hope everyone will be able to join us for this exciting and cutting-edge program!

MARK YOUR CALENDARS

2015 AALS Annual Meeting in Washington, D.C.

Washington Marriott Wardman Park Hotel

Balance Section Business Meeting

Friday, January 2, 6:30-7:30 p.m.
Virginia Suite B, Lobby Level

Informal Social Gathering

Friday, January 2, 7:30 p.m. – ???
Lobby Level Bar

Balance Section Program *The Future of Educating Effective Lawyers*

Saturday, January 3, 3:30-5:15 p.m.
Thurgood Marshall South, Mezzanine Level

New Law School Teachers Pedagogy Program *Pedagogy Promoting Practice-Ready Law Students: Lessons Learned from Recent Practice*

Saturday, January 3, 5:15-6:30 p.m.
Washington 1, Exhibition Level

AALS Contemplative Space for Registrants

Saturday, January 3 through Monday, January 5, 8:00 a.m. – 5:30 p.m.
Roosevelt 4 & 5, Exhibition Level



2015 Program Description

Given the ABA's increasing emphasis on the importance of practical skills development and the results of the Carnegie Report's "Educating Lawyers," a discussion of these practice readiness factors within the context of changing legal education and the shift in what legal employers seek is especially relevant and necessary. As educators, we consistently hear from employers that they want "practice ready" new lawyers, but how do we best train and assess practice-ready students for careers in which they will need a variety of interpersonal skills and to balance work and personal commitments?

2015 New Law School Teachers Program on Pedagogy

Pedagogy Promoting Practice-Ready Law Students: Lessons Learned from Recent Practice

This year the AALS offered a new opportunity for Sections to hold programs on pedagogy to assist new law school teachers in the teaching of their courses. D'lorah Hughes suggested we propose such a program, and Jenny Brobst enthusiastically responded.

New law teachers often have fresh perspectives on what the practice world requires, and could provide insights to a broad audience on pedagogies that would better prepare our students to enter that

Proposal for Program on Pedagogy

The AALS Section on Balance in Legal Education is proposing a program for the January 2015 AALS Annual Meeting in Washington, DC entitled, "Pedagogy Promoting Practice-Ready Law Students: Lessons Learned from Recent Practice." This program values the perspectives of newer faculty with recent practice experience who would recommend approaches to ensuring practice-ready law graduates in the evolving legal landscape.

The program is designed to attract a wide audience of new and seasoned law faculty interested in fresh and pragmatic perspectives on improving graduate readiness to practice law. It will also provide a unique opportunity for networking and leadership among newer law faculty.

Panelists were selected by a call for proposals directed to faculty members, currently employed at AALS member law schools, with a minimum of 1 year and a maximum of 5 years full-time law school teaching experience. Those eligible to submit a proposal for this program included clinical and doctrinal faculty regardless of status, whether tenure-track, long-term contract, long-term adjunct, visiting faculty, or teaching fellow.

world. Jenny quickly gathered information and sent out a call for presenters, which sought proposals from newer law professors interested in participating in a program entitled "Pedagogy Promoting Practice-Ready Law Students: Lessons Learned from Recent Practice."

The Program Committee established the following criteria for consideration in selecting panelists for this special program:

- (1) recent relevant practice experience;
- (2) current understanding of employment and practice trends in the legal profession;
- (3) implementation of innovative teaching methods in an effort to ensure practice-ready students; and (4) consideration or evaluation of the new methods' effectiveness in preparing students for the practice of law.

The following professors will serve as panelists for this innovative and pragmatic program:

1. Jarrod Reich, Legal Writing Professor, Florida State University College of Law (member of the AALS Section on Balance in Legal Education Program Committee)
2. Nicole Innarone, Assistant Clinical Professor, Investor Advocacy Clinic,

Georgia State University College of Law

3. Nermeen Arastu, Clinical Law Professor and Supervising Attorney, Immigrant and Non-Citizens Rights Clinic, CUNY School of Law
4. Emily Chiang, Associate Professor, Public Policy Clinic and Constitutional Law Professor, University of Utah S.J. Quinney College of Law

It will be so wonderful to hear from these new colleagues and gain their important insights and recommendations.

Our pedagogy program is scheduled for Saturday, January 3, 2015, from 5:15-6:30 p.m., which follows our main program.

As it turns out, this fortuitous scheduling in essence results in an extended program for the Section, as the pedagogy presentations will build upon the content of what is shared during the earlier substantive program. This is all very exciting! We so hope people will be able to attend this additional program in order to gain specific ideas about what we can incorporate into the classroom to better help our students become practice-ready and confident lawyers.

Business Meeting and Informal Social Gathering at 2015 Annual Meeting

The Section's business meeting is scheduled to occur on Friday, January 2, from 6:30-7:30 p.m. We will consider our new slate of officers and executive board members. We will also discuss business for the upcoming year, and solicit any ideas you have for directions the Section could be taking. This is also a good time to meet and interact with like-minded colleagues. Everyone is welcome whether new to our activities or not.

After the Business Meeting, we will repair to the lobby bar of the conference hotel for an informal social gathering. The



lobby bar is located just outside the Stone's Throw Restaurant and Bar. We hope this will provide a pleasant time to relax, have a drink or snack, meet each other and share ideas. An informal gathering at the AALS Annual Meeting has become a tradition for our Section. Whether or not you are able to attend the Business Meeting, please join us this year for conversation and relaxation, and bring along your colleagues, family and friends.

Contemplative Space at Annual Meeting

At the upcoming Annual Meeting in Washington, D.C., the AALS will make available a room for contemplative practices. As noted in Julie Sandine's Notes from the Chair, the Balance Section, among others, was instrumental in achieving AALS approval for this new space. After the AALS approved the space, we were asked to provide more specific details about what we had envisioned. We include a portion of our response below.

The AALS has included the contemplative space in the official Annual Meeting Program and has featured it in some of its marketing for the conference. The room, currently scheduled to be Roosevelt 4 & 5 on the Lobby Level, will be available from 8:00 a.m. - 5:30 p.m. on Saturday, January 3 through Monday, January 5. We are fortunate that Nathalie Martin is a certified yoga instructor and has generously agreed to teach chair yoga (which will be beneficial, but will



not require mats or floor work) on both Saturday and Sunday (January 3-4). We are identifying other volunteers who will lead mindfulness meditation sessions on each day and will have written materials available in the room for those who wish to learn more about these valuable

practices. Members of the new Mindfulness Affinity Group have been active in this effort.

We include a schedule for the group contemplative practices that have been planned to date. This schedule is also available in the Annual Meeting Program. We encourage those who are interested in learning more about these practices or in experiencing them with others in the community to attend one or more of the scheduled sessions. At times during the period when the room is available but no group practice is scheduled, the space will be preserved for those seeking tranquility and solitude. Please stop by for a moment of quiet individual contemplation.

Schedule of Group Practices

Saturday, January 3, 2015

8:00-8:30	Guided mindfulness meditation
9:00-10:00	Chair Yoga
12:00-1:00	Chair Yoga
2:30-3:00	Guided mindfulness meditation
5:00-5:30	Guided mindfulness meditation

Sunday, January 4, 2015

8:00-8:30	Guided mindfulness meditation
9:00-10:00	Chair Yoga
12:00-12:30	Guided mindfulness meditation
3:00-3:30	Guided mindfulness meditation
4:30-5:30	Chair Yoga

Monday, January 5, 2015

8:00-8:30	Guided mindfulness meditation
2:30-3:00	Guided mindfulness meditation
5:00-5:30	Guided mindfulness meditation

From Our Response to AALS ... What We Hope a Contemplative Space Might Provide

The Section on Balance in Legal Education and its co-sponsoring sections envision a comfortable, quiet space that would be made available for quiet contemplation and individual restoration. In order to facilitate peace, contemplation and relaxation, this space would be a technology-free zone with minimal distractions in which cell phone and laptop use would be prohibited and no speaking or conversation would be allowed except during scheduled group contemplative practices. Ideally, there could be some sort of comfortable seating, so that people could easily relax, sit quietly, center themselves, and simply be in the moment.

Information about contemplative practices would be made available in the room, which would ensure that people who are unfamiliar with such beneficial practices – but who would like to learn more – would have that opportunity. Informative materials,

such as books, articles, and other literature, as well as a bibliography and listing of internet and other valuable resources, would be shared so that interested individuals can continue to explore and research this area and its possibilities further.

If the room is to always be available throughout the conference, as we hope would be the case, we would envision having a few scheduled events at designated times, in addition to the quiet space available during unscheduled times for individual private meditation and restoration. For example, time slots could be specified for mindfulness or other forms of meditation, which would allow participants to meditate together in community. Such time slots could perhaps be scheduled early in the morning, as well as later in the afternoon, which would enable those who wish to do so to begin or end the day in mindful

contemplation and appreciation.

Another specified time could be designated for mindful movement, so that people who are interested in engaging in more active meditation would have the opportunity to do so in community. Different techniques could be scheduled on various days and could include chair yoga, gentle yoga, qi gong, tai chi and similar movements.

Finally, another opportunity envisioned would be a time frame within which attendees would learn about methods for incorporating mindfulness into the classroom setting and other relevant professional settings. Participants could thus be exposed to numerous exercises and techniques they can bring back to their law schools, which will help students (and professors) slow down and actually experience being in the present moment.

Papers from 2014 Balance Section Program Published in the University of Arkansas at Little Rock Law Review

In spite of weather-related complications, the 2014 Balance Section Program was informative, thought-provoking and inspiring. The program, which was co-sponsored by the Section on Teaching Methods, addressed “The Many Connections Between Well-Being and Professionalism in the Practice of Law: Implications for Teaching.” Papers related to the Program have just been published by the University of Arkansas at Little Rock Law Review. A link to the issue, as well as a list of the articles included in it, appears below.

The extended program consisted of two components. Todd Peterson (George Washington) moderated the first session. Speakers discussed some of the foundational psychological and sociological literature related to student and lawyer well-being, and addressed some of the connections among well-being, legal education and the responsible practice of law. Elizabeth Mertz (University of Wisconsin and author of “The Language of Law”) described her anthropological research on law pedagogy, while Larry Krieger (Florida State) presented preliminary findings from the broad-based

research on well-being among practicing lawyers that he and Ken Sheldon have recently completed. Dave Shearon, president of Thriving Lawyers, shared insights from training thousands of lawyers, law students and army sergeants in resilience and positive psychology.

The second portion of the program was moderated by Michael Hunter Schwartz (University of Arkansas at Little Rock), and examined pedagogical techniques to support well-being, professional identity formation and satisfying career development. Panelists included Nathalie Martin (University of New Mexico), David Koelsch (University of Detroit Mercy) and Anneka Ferguson (Australian National University). Participants in the program left with concrete suggestions of how to incorporate some of these techniques in their own teaching.

Nathalie Martin discussed her “Navigating the Legal Profession” course. She includes among other things exercises to help develop empathy and exposure to concepts such as emotional intelligence and positive psychology. As a mandatory component of her course, she also requires students to keep journals and to set

aside time to nurture balance in their lives. Nathalie asked participants in the program to complete a sample exercise in which they considered how to respond appropriately to an emotionally charged email from opposing counsel.

David Koelsch discussed and demonstrated the Examen of Awareness, a specific spiritual exercise he has implemented in various clinical and other courses. He asks his students to complete this exercise before every meeting with a client, court appearance, or other interactive duty. To perform the exercise, a student focuses on each of the following in the context of the upcoming situation: 1) Light – think of something positive in life; 2) Thanks – consider something for which you are grateful; 3) Feeling – recognize the feelings experienced at this particular moment, allowing yourself to feel them all; 4) Focus – on one of those feelings; 5) Future – consider how will the future go. David suggested that this intentional and introspective process helps students better understand and prepare for important interpersonal interactions.

Anneka Ferguson introduced a program she and her Australian colleagues have developed, and discussed the Professional Practice Core course in particular. Among other things, this course incorporates the “Giving Voice to Values” curriculum devised by Mary Gentile. At the end of the intense 18-week course, students develop a plan to deal with a challenging request from an employer, engage in role plays to demonstrate the dialogue they would conduct with the employer, and debrief the role plays with professional mentors.

Congratulations to Todd Peterson (who chaired the Balance Section’s program committee), to Mike Schwartz and the Section on Teaching Methods (who co-sponsored the program), and to Lyn Entrikin (who coordinated with the staff of the University of Arkansas at Little Rock Law Review). We extend our thanks to all who participated in planning and conducting this valuable program.

Symposium: The Many Connections Between Well-Being and Professionalism in the Practice of Law: Implications for Teaching, 36 UALR L. Rev. 263-488 (2014)

Todd David Peterson, *The Many Connections Between Well-Being and Professionalism in the Practice of Law: Implications for Teaching*

Heidi K. Brown, *The Emotionally Intelligent Law Professor: A Lesson from the Breakfast Club*

Jan L. Jacobowitz, *Cultivating Professional Identity & Creating Community: A Tale of Two Innovations*

R. Lisle Baker & Daniel P. Brown, *On Engagement: Learning to Pay Attention*

Scott L. Rogers, *The Role of Mindfulness in the Ongoing Evolution of Legal Education*

Nathalie Martin, *Think Like a (Mindful) Lawyer: Incorporating Mindfulness, Professional Identity, and Emotional Intelligence into the First Year Law Curriculum*

Dr. Sarah Cearley, *Lawyer Assistance Programs: Bridging the Gap*

Melissa H. Weresh, *The Chicken or the Egg? Public Service Orientation and Lawyer Well-Being*

The Symposium is available at <http://onlinedigeditions.com/publication/?i=231493>

Podcast Available of 2013 Extended Program

Many of you attended the 2013 Extended Section Program in New Orleans, "Improving Student Well-Being Inside and Outside the Classroom." In the first half of the program, Todd Peterson reflected on the Inns of Court Program at George Washington, while Dr. Ken Brummell-Smith described some innovative programs to support the well-being of students in the medical school context. Amy Bushaw and Todd Peterson also commented on preliminary results from Larry Krieger's and Ken Sheldon's lawyer well-being study, mentioned elsewhere in this newsletter. Larry, who was unable to attend, provided some slides and other data for discussion. The second half of the program, moderated by Bob Schuwerk, consisted of the demonstration of teaching techniques to support law student well-being. Susan Daicoff, Robin Wellford-Slocum, Corie Rosen Felder and Bob Schuwerk participated. The program was well-attended and well-received.

If you weren't able to join us in New Orleans, you can now find a podcast of each of the sessions on the AALS website. Follow the links to the 2013 Annual Meeting, click on the link for "podcasts" at the top of the page, and search for the Section on Balance in Legal Education. Links to the podcasts should appear.



Julie with mom Joyce

Some Fun Facts About Julie Sandine

Periodically, we profile people who have been particularly active in the work of the Section. In this issue, we profile Julie Sandine, the Assistant Dean of Students at Vanderbilt Law School and the outgoing chair of the Section.

You know Julie Sandine from her gracious work as Section chair. As past chair and Lewis & Clark professor Kathy Hessler notes, Julie "is exceptionally warm and caring, and she infuses those qualities in all of her work." You've probably heard Julie humbly downplay her own accomplishments, while at the same time generously acknowledging the contributions of others. When Vanderbilt Law School's Professionalism in Practice Program received one of this year's E. Smythe Gambrell Professionalism Awards, for instance, Julie noted "I am so pleased to have this program receive this much-deserved recognition, and have made certain that the attorneys who make the program such a success knew of this

as well. (I'm so fortunate to have their participation and support)." She didn't mention that she is the heart, soul and driving force behind the program (but Florida State professor Larry Krieger did).

Julie's grace, humility and generosity extend to her colleagues, be they at Vanderbilt or elsewhere. Professor Yoli Redero reports "from the first moment I met her a few weeks after my arrival at Vanderbilt, Julie and I connected. We come from different backgrounds and yet it feels like I met an old friend. Julie is the one person I know I can go to for venting, sharing, complaining, whatever. She listens and listens." George Washington professor Todd Peterson adds "I will always be grateful to her for steering me to the Berkeley Conference on Mindfulness in the Law. That experience has changed the way I teach and talk to my students. That is just one small example of the many ways in which Julie generously looks out for

continued on next page

Some Fun Facts About Julie Sandine, *continued*

other people.”

As Assistant Dean of Student Affairs at Vanderbilt Law School, Julie is a strong and compassionate advocate for her students. The students notice and appreciate her efforts. Vanderbilt graduate Amy Sanders reports that Julie “is dedicated to creating a kinder, more collaborative law school environment.” Todd Peterson reiterates what we all suspect: “The students at Vanderbilt are truly fortunate to have her looking out for their interests.” Yoli Redero confirms this suspicion, stating Julie “is open to new ideas and loves talking about how we can provide activities for the students to enable them to better handle the stress of law school. She started a meditation group. She started and promoted a yoga class. She never gives up.” Kathy Hessler notes, “Sometimes you can tell when Julie is tired, and given how hard she works it’s no wonder, but you never sense that she has given up on any of her goals or that she will do anything but keep working to achieve them!” Many of us would agree with past chair and Touro professor Marjorie Silver, who adds “Julie’s gentle strength has been an inspiration to me over the years I have known her.”

Julie is a person of many interests and passions. You may not know of her passion for art – she and her husband are long distance members of the Met and the Art Institute of Chicago. Although Julie characteristically claims “not to be very knowledgeable,” she speaks movingly of the power of art to uplift and inspire. She loves Van Gogh and the impressionists generally, and the lighting in the works of Vermeer can bring tears to her eyes. She likes all kinds of music – except she can’t tolerate rap – and has a particular passion for women vocalists. Among her favorites are Shawn Colvin, Joni Mitchell, Jonatha Brooke and Bonnie Raitt. She recommends the Texas band Midlake to anyone that might not know it; the musical notes and harmonies in the band’s work are simply gorgeous, she says. Her current favorite CD is “Morning Phase” by Beck — Julie finds it truly beautiful and inspiring. (She and her sister recently saw Beck play at the Ryman Auditorium in Nashville and found

it thrilling to hear his music performed live). She’d love everyone to hear it! Julie also adores reading. She follows many women writers, and believes every lawyer should read Dickens’ *Bleak House*. One of Julie’s family traditions is to gather for the Southern Festival of Books.

Julie is particularly passionate about her family and friends. She speaks warmly of her travels and other adventures with her husband Michael. As children, Julie fought frequently with her sister Liza Emanuel. Julie now claims Liza as her closest and dearest friend. The two get together often and talk and laugh for hours. Julie’s mother Joyce has been one of her main inspirations. Joyce was one of ten children, and her father died at an early age. Due to her life circumstances when she was young, Joyce wasn’t able to go to college, and worked hard to make sure that both Liza and Julie had that opportunity. Yet over the years, Joyce took classes here and there and soon developed a pattern of taking one class per semester. She did this while working full-time and, after Julie’s father had become disabled from a stroke, while caring for him. Twenty years after she had begun, and the same year her grandson graduated from high school, Joyce completed a college degree with a 4.0 grade point average. Julie and her husband have renovated the garage in their 1929 house to include guest quarters. They now call it (with some conceit, according to Julie) their “carriage house.” Friends and family stay there. If you meet Julie, she is likely to invite you to visit her beloved Nashville and come and stay at the carriage house when you do.

Larry Krieger captures what many of us feel: “I remember my impression every time I have seen Julie — her genuine smile and caring light just light up my day. In a dream I go spend a vacation in the little cottage behind her house, where she and Michael (husband) invited me over a glass of wine at AALS. In the ultimate dream, I am going back to law school, and Julie Sandine is my dean of students.”

Grace. Humility. Generosity. Strength. Passion. Julie Sandine doesn’t need to try these words on for size. They fit her perfectly. Thanks Julie, for all you do and more importantly, for who you are.

Thanks to Outgoing Board Members

Five board members will be moving on to other pursuits this year, several of them after many years of service to the Balance Section. We extend our heartfelt thanks to Heidi Brown, Jayne Kacer, David Koelsch, Josh Rosenberg and Nancy Soonpaa. We are grateful for the spirit, energy and insights each one of you has brought to the Section.

Please Become a Member of the Section

Section membership is open to faculty and professional staff of AALS membership schools; others may join as associate members. If you have access to the AALS website, the easiest way to become a member of the Section is to register there. Otherwise, please contact the AALS National Office at (202) 296-8851 or aals@aals.org, and indicate your interest in joining the Section. If you become a member of the Section, you will automatically receive announcements of Section activities sent through the AALS communications platform. This is the most reliable method to assure that you are aware of upcoming Topic Calls, programs, newsletters and other initiatives sponsored by the Section. We encourage any member of the Section who would like to become more involved in Section activities to contact any member of the Section’s executive board.

AALS

Helping Anxious Public Speakers Seek Balance in Anticipation of Spring 1L Oral Arguments

By Professor Heidi K. Brown,
New York Law School

Near the end of the Spring semester in most, if not all, 1L Legal Research and Writing Programs nationwide, law students are introduced to the art of oral advocacy through mandatory oral arguments. Each student writes a substantive trial-level or appellate brief, and is paired against a fellow classmate to present oral arguments on opposite sides of one or more challenging legal issues. A panel of judges interrupts the student-advocates and peppers them with questions, testing the strengths and weaknesses of conflicting positions. For an introvert, or otherwise gifted law student with extreme public speaking anxiety (which can be exacerbated by the Socratic method of intellectual discourse), this “rite of passage” can be unequivocal torture, and can threaten even a strong student’s confidence in his or her future as an attorney. Banal advice from well-meaning mentors urging “Just Do It!” falls short... as if these students could lace up a pair of Nike sneakers and all the internal psychic conflict will vaporize. I know...I used to be that chronically-anxious introverted student. Throughout my law school experience, and a fifteen-year litigation career, I suffered from extreme public speaking anxiety, but was afraid to admit it. Every deposition, courtroom experience, and negotiation caused me to break out in hives. Turtlenecks were my wardrobe item of choice throughout the 90s and early 2000s!

When I became a law professor seven years ago, somehow the classroom helped me begin to conquer this very real personal challenge. But now, having witnessed the same anxiety bubbling up in so many of my students, I am determined to help mitigate — for them — some of the very unnecessary stress that I suffered for almost two decades.

After my first two years of law teaching, watching my most dedicated, yet introverted or socially anxious, legal



writing students flounder in the mandatory oral argument program, I decided to take action. Under a research grant from Chapman University School of Law, I researched introversion, public speaking anxiety, and social anxiety. I surveyed law school deans, academic support program directors, and students, gathering empirical data about the prevalence of this anxiety in law schools. Countless books offered tips on how to be a better public speaker and dazzle audiences, but few mainstream psychology books addressed the underlying roots of this social anxiety. I found one practical resource — a book by Ivy Naistadt called *Speak Without Fear* — and designed a five-part workshop. The arc of the five sessions tracked chapters of the book: (1) Workshop #1 focused on getting students comfortable sharing their common experience, and then identifying their individual “nervousness profile”; (2) Workshop #2 prompted students to

reflect on possible negative messaging from their past, identify self-sabotaging “myths” about public speaking, and dig for deeper hidden barriers; (3) Workshop #3 delved into understanding individual physical responses to stress during public speaking, and offered techniques for beginning to clear away identified emotional obstacles; (4) Workshop #4 focused on establishing new coping/conquering techniques, and developing physical and psychological “pre-game” routines for specific public speaking events; and (5) Workshop #5 presented strategies for re-framing and re-inventing oneself for a particular public speaking scenario, such as the upcoming oral argument.

Transitioning to New York Law School in 2011, I launched the program in the Spring semester, in the five weeks before oral arguments were scheduled. In the fliers I posted around the school, I emphasized

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Helping Anxious Public Speakers, *continued*

that the workshop (which my NYLS colleague, Professor Cynara McQuillan, and I dubbed “OPSA” for Overcoming Public Speaking Anxiety) was not designed for the typical student with normal low-grade nerves, but for extreme cases. Fifty-three students initially signed up, and approximately 25 attended all five sessions. It was a difficult process; some students remained reluctant to admit this challenge out loud. For others, talking about possible root causes/triggers felt too “touchy-feely” for law school. They knew they were expected to perform, and assumed this “weakness” was a litmus of future success. Also, five group meetings with Professor McQuillan and me — experts only by virtue of our own life experiences and research, rather than a full understanding of the underlying science — would not eliminate this obstacle. Nonetheless, we bantered about incremental strategies, and resolved that introversion and public speaking anxiety would not be barriers to students’ success as lawyers if they could understand their biological and emotional catalysts in social dynamics, and develop scenario-tailored plans.

I continued researching, repeating the workshops in the Spring of 2013; another fifty students registered, and again, about half attended all five sessions. Notably, the majority of attendees were women. Most participants self-identified as introverts but some were extroverts experiencing a new brand of anxiety activated by law school. Many attendees were minority students. Some participants had upbringings (like mine) layered with religious/cultural expectations (I was raised as a “P.K.” — a “preacher’s kid”). While my students and I again acknowledged that there is no magic “quick fix” to extreme public speaking anxiety, especially in five sessions, we agreed that talking about it in an open and non-judgmental fashion helped. We strategized on techniques for substantive preparation, physical and emotional calming strategies, positive messaging, and mutual encouragement. I checked in on these students as much as possible during the scheduled weeks of oral argument, and was thrilled to receive reports back that

they had at least survived the oral argument experience, some surprising themselves with success (and even a few invitations to join moot court teams!). During the same time frame, in a brief moment of delirium, I had volunteered to present a work-in-progress piece of scholarship to the entire NYLS faculty, so I was experiencing my own version of extreme public speaking anxiety. I admitted my own fears with the workshop students; we cheered one another on. Sure enough, when I shared with them the moment of sheer horror when my PowerPoint technology failed mid-presentation and yet I forged onward (breaking out in hives), they learned that you don’t have to be perfect; you just need to work hard, care about your subject matter, be yourself, and do your best.

As we enter yet another Spring semester, and oral arguments approach, I encourage all 1L professors to be mindful of this added layer of anxiety which affects a certain percentage of a typical law school class more deeply than others. I personally believe that the traits of introverts and

certain socially anxious individuals might be even more attuned to universally-recognized lawyering competencies (active listening, empathy, collaborative decision-making) than some readily confident extroverts, but these individuals might feel less-equipped for the challenges of advocacy because of their fear of public speaking. With open-mindedness toward students who experience this type of anxiety, and the right level of support, we can help all law students — even introverted ones and anxious public speakers — find their “lawyer voice.”

If you are interested in developing this type of program at your law school, please feel free to contact me for more information about the five-part workshop. Additional data and foundational research are also provided in my article which was published in the Journal of the Legal Writing Institute, *The “Silent But Gifted” Law Student: Transforming Anxious Public Speakers into Well-Rounded Advocates*, 18 Leg. Writing 291 (2012).

Resources on Balance in Legal Education

If you would like to learn more about some of the issues the Section addresses, our Section websites might be good places to begin. The AALS website hosts a basic Section website. In addition, the Florida State University College of Law hosts a more substantive Section website at http://www.law.fsu.edu/academic_programs/humanizing_lawschool/. This website contains information about the Section itself, including descriptions of its past programs at the AALS Annual Meetings, copies of its past newsletters and information about some of its other activities. The website also gathers links and other resources potentially useful to those concerned with law student and lawyer well-being.

Please Keep in Touch

Our Section newsletters only come out sporadically. We occasionally send out announcements through the AALS communications platform, but have not yet activated the AALS discussion listserv for our Section. (This is a project we may undertake in the upcoming year.) The humanizing legal education listserv, however, is available every day. We often cross-post Section announcements to the humanizing legal education listserv, and topics of interest to the members of our Section often feature prominently in the listserv discussions. If you do not yet subscribe to the humanizing legal education listserv, we encourage you to do so. To subscribe, go to <https://lists.fsu.edu/mailman/listinfo/law-legealed> and follow the instructions. If you do subscribe to the listserv, please post your thoughts, questions, insights and accomplishments on a regular basis. You will find you have an appreciative and responsive audience.

TOPIC CALLS

This marks the fourth year in which the Section has sponsored a series of mini-workshops where invited guests lead discussions on topics likely to be of interest to members of the Section. We call these mini-workshops “Topic Calls.” The organizers send information about the Topic Calls to a broad range of AALS Sections and law school professional groups. The discussions consist of hour-long conference calls, open to anyone who chooses to participate, free of charge. Among other things, the Topic Calls provide an opportunity for new people to become involved in the activities of the Section without an excessive investment of time. Each of the calls has resulted in the exchange of valuable ideas, and in several cases has led to further Section activities and initiatives.

This year, the Section sponsored two such calls: one led by Dean Jennifer Gerarda Brown and the other by Professor Bill Blatt. (Julie Sandine describes both of this year’s Topic Calls in more detail in her Notes from the Chair.) As Julie notes, the Section has also launched a new series of Work-in-Progress Topic Calls dedicated to the discussion of ongoing scholarship. We anticipate the inaugural Work-in-Progress Topic Call, to be led by Larry Krieger, will take place sometime this coming Spring.

Section members who have participated in past Topic Calls have given them

glowing reviews. Some have remarked on how inspiring it is to learn of the work of colleagues at other schools. Others have commented on how candidly people describe the challenges they face and how generously they share their insights. Many have commented on how refreshing it is to pause for a moment and reflect with like-minded colleagues on matters they seldom otherwise have time to discuss.

True, the technology has its limitations. Sometimes participants talk over each other, and one call even had to be suspended when callers experienced bizarre, other-worldly feedback on the line. The organizers continue to refine methods to make the Topic Calls as convenient and effective as possible and welcome suggestions from those who have the appropriate savvy. Participants seem to approach the Topic Calls with a generous spirit, and take any technological hiccups in stride. They seem to value the opportunity to gather and share ideas between Annual Meetings, even if not face-to-face.

Typically, to facilitate open and candid discussion, the organizers elect not to record the Topic Calls. However, the leaders often make materials available and invariably express a willingness to talk further to Section members about their topics. We have described some of the early Topic Calls in past newsletters,

and list them all below. (We hope we haven’t left any out!) If you are seeking resources related to any past topic, feel free to contact the relevant leader or any member of the Section’s executive board for suggestions.

Please watch your email for announcements of upcoming Topic Calls. If you have not yet had a chance to participate, please consider doing so. Or maybe you have an interest in leading a call on a topic of interest to you. If so, please contact any Section officer and express your willingness to help out!

Topic Calls: A Timeline

● SPRING 2014

Bill Blatt
Emotional Intelligence

Jennifer Gerarda Brown
Student Retreats and Guided Journals

● FALL 2013

Dr. Catherine Fuchs (Director,
Psychological and Counseling Center at
Vanderbilt University)
Student Suicide

Nancy Levit
Integrating Balance into the Curriculum
See related article in this newsletter

● SPRING 2013

Joshua Rosenberg and Leslie Chin
Helping Law Students Develop
Emotional Intelligence

● FALL 2012

Roger Manus
Using the Novice Game to Address the
Culture of Fear in Law School

● FALL 2011

Susan Daicoff
The Soft Skills of Lawyering

Marjorie Silver
How to “Count” Professionalism in Large,
Required Courses, Effectively and Without
Going Nuts: More Questions than Answers

● SPRING 2011

Paula Lustbader
The Challenges of Achieving Balance
in Our Own Lives While Preaching it
to Others

Victor Goode
The Role of Contemplative Practices
in Legal Education



Integrating Balance Into the Curriculum

Thanks to Nancy Levit
for compiling this report

Professor Courtney G. Lee, Associate Professor of Lawyering Skills and Director of Academic Support at the University of the Pacific McGeorge School of Law, coordinated a Topic Call for the Balance Section that occurred on September 27, 2013. The theme of the call was “Integrating Balance into the Curriculum,” or teaching balance-related courses and integrating balance topics into already-established courses. Professor Dan Bowling of Duke Law School, who teaches a course “Well-Being and the Practice of Law,” <http://law.duke.edu/curriculum/courseinfo/course?id=419>, posed a series of questions in advance of the call, which charted a nice course for the discussion: “[W]hat sort of reaction do you get from students when you teach this material? Is it part of the regular curriculum, curve graded? Reaction from other members of the faculty? The academic dean? How are your evaluations? How do strike a balance between theoretical rigor and practical application? Or should you?”

The discussion was wide-ranging and participants informed each other of courses, research, and other projects they were undertaking. Professor Todd Peterson, of George Washington University Law School, described a first year integrated practice and mindfulness project he is implementing with five hundred 1Ls at his school:

The GW Law Inns of Court program is designed to foster a happier law school experience and help students make more informed and satisfying career choices. The program, which has both structural and substantive components, equips students to find a job that is meaningful to them and prepares them more effectively for the real world of practice. First-year students are assigned to one of six Inns of Court, named after a distinguished former Supreme Court



justice, and led by an advisory team of faculty, administrators, students and staff. GW Law has borrowed the Inns of Court nomenclature from the British institutions that traditionally trained barristers and regulated their practice. Students take all of their first-year classes with their Inn of Court and remain in the same Inn of Court throughout their time in law school. During the first year, students meet with their Inn of Court advisors for a weekly, hour-long session. Sessions are held in informal spaces in the law school so that students can get to know and ask questions of their advisors on a one-to-one basis, as well as meet with alumni and practicing attorneys. These sessions include information in three general subject areas: (1) academic support to help students adapt to the different learning environment of law school, (2) mental health and well-being to help students learn how to thrive in law

school, and (3) professional development, including self-assessments, information about the legal profession, and how to build professional relationships to help students understand what type of law practice will bring them the most satisfaction After the first year, students participate in a variety of professional development workshops on specific skills for practice readiness and meet with their Inn of Court for social occasions.

Professor Larry Krieger, at the Florida State University College of Law, then chair of the AALS Balance in Legal Education Section, and one of the parents of the humanizing legal education movement, discussed his latest empirical work, the results of which will be published in an upcoming issue of the *George Washington Law Review*:

Given all the talk about happy/unhappy lawyers, we wanted to get a strong set of empirical data to

continued on next page

confidently show what sorts of things contribute to lawyer well-being. With the help of bar associations in four states, we collected data from about 7,500 lawyers and judges, and it is telling. The “external” factors people typically focus on, and stress about — class rank, law review membership, ranking of one’s law school, law school debt, and ultimately, income — none proved to be a strong indicator of well-being in all these working lawyers, and some were literally non-factors. On the other hand, “internal,” personal and interpersonal factors — having integrity, being true to one’s values, having close relationships, working to help others — all were very strong predictors of well-being. This data will hopefully represent another step toward helping law students relax and focus on learning, instead of stressing so much about gpa, debt, income, or prestige. The comparative numbers are striking.

Professor Nancy Levit, co-author with Professor Doug Linder, of *The Happy Lawyer: Making a Good Life in the Law*, described a course that she and Doug Linder co-teach, “Quest for a Satisfying Career in Law,” <http://law2.umkc.edu/faculty/projects/ftrials/happylawyers/questions.html>. Their follow-up book, *The Good Lawyer: Seeking Quality in the Practice of Law*, was recently published by Oxford University Press. One of the premises of *The Good Lawyer* is that doing good work is intricately tied to job satisfaction. The psychological literature amply supports the idea that doing good work leads to the development of enduring well-being and satisfaction — the creation of a meaningful and happy life.

Toward the end of the call, Professor Amy Bushaw, of Lewis & Clark Law School, editor of *Equipoise* and a past chair of the Balance Section, expressed hope that we can “inoculate students” early and that we can infuse the ideas that were discussed into our teaching in a variety of doctrinal, practical, and theoretical courses.

Balance Section Starts Mindfulness Affinity Group

The executive board of the Balance Section recently approved the establishment of a Mindfulness Affinity Group to facilitate the development of a community of law professors who are interested in mindfulness and other contemplative practices. Richard Reuben (Missouri) will serve as its first convener and Julie Sandine (Vanderbilt) will serve as its liaison to the Board.

Our hope is that the Mindfulness Affinity Group will provide a place within the legal academy to explore how mindfulness relates to and can be incorporated into our scholarship, teaching, and service. For example, members might share teaching

materials and experiences, review drafts of articles relating to mindfulness in law, organize and maintain the contemplative practices room at the Annual Meeting, and propose programs for AALS meetings as appropriate. We will have some constraints in terms of what we can do, per Section and AALS rules, but there is significant opportunity to create a community for mutual benefit and growth.

To join the Mindfulness Affinity Group, just send an email to MindfulnessAffinityGroup@gmail.com, letting Richard know of your interest. Involvement at all levels is welcome.

1L Mindfulness Study Seeing Positive Preliminary Results

Richard Reuben (Missouri Law) and Ken Sheldon (Missouri Psychology) are studying whether mindfulness training can be beneficial for first year law students in terms of stress reduction, improved well-being during the first year, and better academic performance. The study is the first study of law students, and in fact is the first study of any legal population.

In the planning stages since 2011, the study began last year with 27 students being trained in an adapted form of Mindfulness Based Stress Reduction (thanks in part to a \$300 BarBri discount) that was developed by a national interdisciplinary project advisory board.

The training was over the last 8 weeks of the semester, and essentially consisted of the following elements: introduction to mindfulness, concentration practice, working with thoughts, mindful walking, yoga, mindful eating, and mindful studying for exams. Participating students agreed to meditate for 15 minutes a day, seven days

a week, and the group met weekly to sit for 15 minutes, debrief how things were going, and provide additional instruction.

While the numbers at this point are preliminary and too small for any statistical power, Reuben and Sheldon did find that the training clearly helped students with respect to stress and well-being. While the numbers were too scattered to draw general conclusions about academic performance, other measures of academic performance were also positive. For example the No. 1 and No. 3 students at the end of the year were in the training group, and several participants reached the finals or won competitions.

The team is continuing the study this year with 25 students, and is making plans now to take the research national next year. It is looking to add at least 10-15 schools next year. If you are interested in bringing the study to your school, contact Richard Reuben for further information. He can be reached by email or phone at 573-884-5204.