

Engaging Students in Self-Reflection with Learning Portfolios

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Self-Reflection in the Legal Profession

- Professional self-development is a core value of the legal profession*
 - Excellence is attained through continuous learning and improvement
 - Lawyers must use the process of self-reflection
 - Lawyers must engage in self-assessment



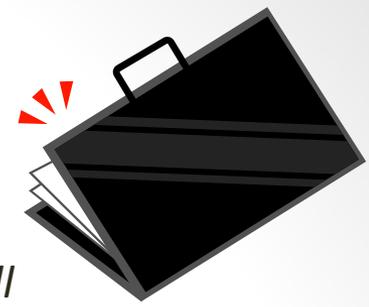
*An Educational Continuum Report of the Task Force on Law Schools and the Profession: Narrowing the Gap, American Bar Association Section of Legal Education and Admissions to the Bar, July 1992.

Self-Reflection in Clinical/Skills Courses

- Reflection is a key component to experiential learning*
 - Includes planning, doing, reflecting & integrating
- Structure of externship course
 - Students work in field placement outside of the law school for one semester
 - Students attend seminar classes

*Learning from Practice: A Professional Development Text for Legal Externs,
2nd Edition, J.P. Ogilvy, Leah Wortham, Lisa G. Lerman.

Learning Portfolios*



- A purposeful collection of student work and reflection
 - Documents growth & achievement
 - Provides tangible evidence of a student's efforts, progress, and attainment of professional knowledge, skills, and dispositions

*The Learning Portfolio: Reflective Practice for Improving Student Learning, 2nd Edition, John Zubizarreta.

"The portfolio gave me the chance to learn from the mistakes I made so that I can try to avoid them in the future. I thought it was helpful to have access to feedback forms after submitting a writing sample so I could see what I did and what they expected."

Student Reflection Spring 11

"My portfolio overall I feel demonstrates a growth in my research and writing skills . . . I feel that it show my growth in my writing and my true attempts to improve upon it."

Student Reflection Spring 11

"I think the learning portfolio reflects on how a student can grow over the course of a semester with real world experience. It showed what I wanted to accomplish in the beginning and how what I thought was important before starting, wasn't as important later on in the semester... My portfolio is unique because it shows me what I personally need to do to become a better attorney in the future."

Student Reflection Spring 11

Learning Portfolios*



- Improves student learning
 - Documents a student's work
 - Provides a structure for students to reflect systematically over time on the learning process
- Helps students to develop the aptitudes, skills, and habits that come from critical reflection

" I feel that I have benefited from the process of portfolio development because I was made to really think about the experiences that I was having. I think that too often we go about our routine and don't really take the time to see what we have learned from it. "

Student Reflection Spring 11

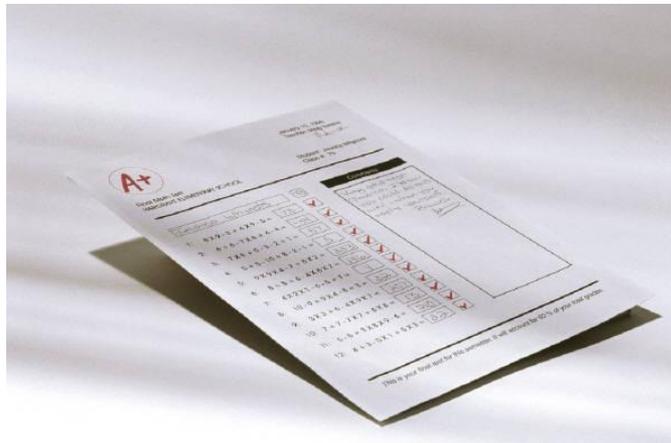
"[T]he reflections and self-assessments made me look at myself, my performance, and my goals objectively, which is something that is not normally my focus. Taking that step back and really looking at myself like that put things in perspective and allowed me to truly grasp what I was doing, where I had room for improvement and what my strengths were. "

Student Reflection Spring 11

*The Learning Portfolio: Reflective Practice for Improving Student Learning,
2nd Edition, John Zubizarreta.

Using Portfolios

- Externships:
 - Self-assessment & planning in field placement
 - Reflections
 - Self-assessment on performance
 - Documents work product



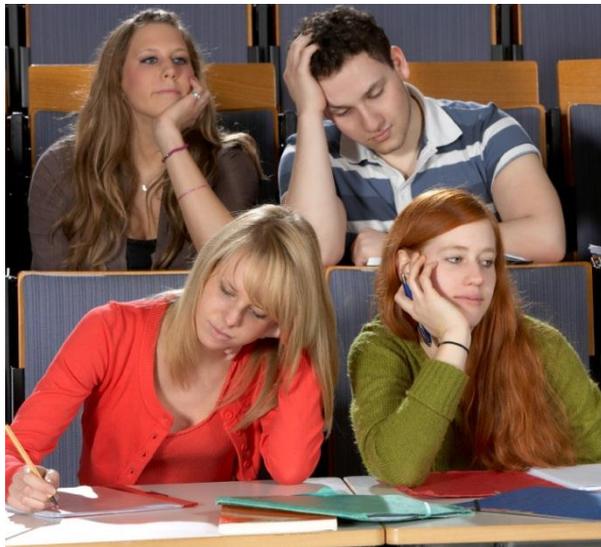
Using Portfolios



- Legal Writing:
 - Reflect on learning goals
 - Create plans of action
 - Reflect on how comments from drafts were incorporated into subsequent drafts
 - Self-assessment on performance

Considerations for Using Portfolios

- Portfolio maintenance
- Faculty involvement
- Grading/assessing portfolios
- Time commitment
- Student buy-in



NAME: _____
DATE: _____

Principles of Legal Analysis

Improving Law School Performance through Guided Self-Assessment

The goal of this guided self-assessment is to assist you in honest reflection on your academic performance from last semester and in the creation of an action plan to achieve your academic goals.

ACADEMIC PERFORMANCE ASSESSMENT (check all that apply)

Academic: Exam-specific

- Did not dedicate enough time to studying for exams
- Did not take any practice exams
- Did not organize answer appropriately
- Time spent studying for exams did not seem to help
- Stated correct conclusion, but did not show application of law to facts
- Ran out of time and didn't finish all questions
- Misread one or more questions
- Misread the facts
- Missed some issues
- Did not memorize rule statements or forgot rules on exam
- Did not use terms of art properly
- Did not adequately anticipate exam structure
- Did not budget time well on exam
- Thought I did well on the exam but the grade was low
- Testing anxiety (panic on the exam) inhibited my ability to perform well
- I feel like I don't do well on multiple choice questions

Academic: General

- Ineffective study/learning skills
- Poor basic writing skills
- Hard to concentrate in class
- Difficulty keeping up with reading assignments
- Did not have or stick to a study schedule
- Unable to understand course content
- Unable to synthesize course material
- Unprepared for classes
- Did not brief cases for class
- Failed to outline my course work
- Used peer-shared outlines exclusively
- Did not attend/skipped (some) classes
- Trouble effectively taking lecture and/or reading notes
- Did not go to faculty office hours
- Did not take advantage of Academic Success Program Workshops
- Did not take advantage of Teaching Assistant Sessions
- Did not take any practice exams
- Did not meet with professors after mid-term exams

Academic: Legal Research & Writing

- Poor basic writing skills
- Did not allow for adequate time to complete research assignments
- Failed to submit additional drafts
- "Draft" was not your best effort
- Did not attend supplemental writing classes
- Did not utilize adjuncts assistance/office hours
- Did not proofread carefully

Social Adjustment

- Personal relationship issues
- Family/Personal situation
- Difficulty adjusting to law school
- Difficulty relating to other students

Based on your self-assessment, explain in detail the **three most significant factors** that affected your academic performance last semester, including how each factor impacted your success and your plan to address that particular issue in the spring semester.

Significant Factors	Explain each factor's impact on your success
1.	
2.	
3.	

Action Plan to Improve Performance

The action plan is your opportunity to indicate your academic goals for the semester based on your self-assessment. The action plan should be specific and include relevant dates and measurable objectives, including how you plan to be accountable to yourself for implementing your action plan. These goals are directly related to the actions you plan to take to improve academic performance. While setting grade goals is important, these goals should not be tied to desired grades.

Goal	Action Plan
1.	
2.	
3.	



The Externship Learning Portfolio
Professor Denise Platfoot Lacey

What is a Learning Portfolio?¹

A portfolio is a purposeful collection of student work and reflection that documents growth and achievement and provides tangible evidence of a student's efforts, progress, and attainment of professional knowledge, skills, and dispositions.

Reflection is a key component to a valuable portfolio. The mere collection of samples of work for assessment or career preparation is inadequate. Instead, self-reflection and inquiry are essential to student assessment of purpose, content, format, process and evaluation of learning.

Portfolios improve student learning by documenting a student's work and providing a structure for students to reflect systematically over time on the learning process and to develop the aptitudes, skills, and habits that come from critical reflection.

Why is Reflection Critical to a Law Student?

The Externship Course is an experiential learning course, where students are placed in a real legal office and work on actual legal matters under the supervision of practicing lawyers and judges. The overarching goal of the course is to provide a practical experience where students can apply the skills and knowledge that they have studied in law school so that they further develop lawyering skills and values.

Experiential learning² is distinguished from merely experiencing. It is what students do with experience that determines what and how much they learn from it. Experiential learning comes from the active processing of experiences, so it involves several distinct steps, including planning, doing, reflecting, and integrating.

Planning involves setting goals and objectives for the experience. Doing is the actual experiencing. The reflection process turns the experience into learning by giving a student time to step back and contemplate the observations and actions that s/he is experiencing, so that s/he can make sense of the experience. Finally, integrating allows a student to reflect on what s/he has learned, to integrate it with his/her existing knowledge (like what has been learned in other law classes), and – as a result - to create new knowledge or modify existing knowledge.

In addition to the process of experiential learning of which reflection is a critical part, a core value of the legal profession is self-reflection and self-directed learning. The MacCrate Report³, a highly

¹ The background material throughout this document about Learning Portfolios has been adapted from The Learning Portfolio: Reflective Practice for Improving Student Learning, 2nd Edition, John Zubizarreta.

² The material about experiential learning has been adapted from Learning from Practice: A Professional Development Text for Legal Externs, 2nd Edition, J.P. Ogilvy, Leah Wortham, Lisa G. Lerman.

³ An Educational Continuum Report of the Task Force on Law Schools and the Profession: Narrowing the Gap, American Bar Association Section of Legal Education and Admissions to the Bar, July 1992 (hereinafter the MacCrate Report).

regarded report on legal education issued in 1992 by an American Bar Association Task Force, developed a comprehensive statement of skills and values of the legal profession as a foundation for enhancing the quality of the preparation of lawyers. MacCrate established that a core value of the profession is self-reflection and self-directed learning:

“As a member of a learned profession, a lawyer should be committed to values of:

- Seeking Out and Taking Advantage of Opportunities to Increase His or Her Knowledge and Improve His or Her Skills;
- Selecting and Maintaining Employment That Will the Lawyer to Develop as a Professional and to Pursue His or Her Professional and Personal Goals.”⁴

In its commentary, MacCrate explains that the mark of a dedicated professional is that s/he seeks to achieve excellence, and that continuous learning and improvement, including the use of the process of self-reflection to learn from experience in a reflective, organized and systematic manner, is essential to attaining excellence. In this regard, lawyers should continuously and critically assess one’s own preparation for and quality of performance.

Because reflection is critical both in an experiential learning course and in the legal profession, reflection is a vital component to your coursework in the Externship Course. Your reflection throughout the semester will be collected and preserved in your Externship Learning Portfolio.

What Will Be in Your Externship Learning Portfolio?

The Externship Learning Portfolio will be a collection of your work product and reflection that will document your growth and achievement in the externship course throughout the semester. For purposes of accumulating points based upon your performance on the work produced for your Externship Learning Portfolio, Reflection and Work Product will be categorized as separate components.

The Reflection section of your portfolio will contain personal reflections and self-assessments of the skills that you are learning in your externship field placement and the type of practitioner into which you are developing. These submissions will generally be submitted on our TWEN course site in your individual forum folder.

The Work Product section of your portfolio will contain writing samples that you have produced in your field placement and in class, along with evaluation of it. Work product drafted in class will generally be submitted on our TWEN course site through the assignment drop box, while work product drafted in your field placement will generally be submitted on TWEN in your individual forum folder.

A. Reflection

All of the written reflections assigned will be made part of your Externship Learning Portfolio. When reflections are assigned on the days of class, your written reflection will prepare you for our class rounds discussion that day, as well as be made part of your Externship Learning Portfolio. You will be required to produce two types of reflections during the course of the semester: Guided and Free-Write Reflections.

Sometimes you will be required to reflect in writing upon a topic provided to you, called “Guided Reflections”. These topics will generally include a list of questions to consider and reflect upon in writing.

⁴ Value §4, The MacCrate Report.

Other times, you will be required to produce a written reflection on a topic of your choice, called a “Free-Write Reflection,” which you can select from the list of topics below to write about. On the days a Free-Write Reflection is assigned, you may write on any of the topics from the list. Generally, you will select a new topic from the list each time a Free-Write Reflection is assigned. If, however, you choose a topic about which you previously wrote, you are required to base your reflection on a different experience or explain how and why your previous reflection on the topic has evolved, as well as the significance you place on that evolution.

Free-Write Reflection Topics:

- Describe the field placement activities in which you have engaged; the skills you were introduced to, you developed, or you honed by these activities; and explain how the activities are helping/have helped you to become more prepared and competent as a lawyer.
- Describe a challenge that you have faced in this course. How have you resolved the challenge, and/or how could you resolve it if they arose again?
- Describe at least one way that you have integrated what you learned in your field placement with the knowledge you already had from coursework. (In other words, describe an “aha” moment where something from a class came together for you in your field placement.)
- Describe an achievement you accomplished in your field placement and why it is important to you personally and professionally (i.e., why you are proud of it and how it has facilitated your professional development).
- Describe some feedback you received in your field placement and explain whether you agree or disagree with the assessment and feedback given to you, as well as how you can incorporate it into your future performance.
- Describe the difference your field placement has made in your learning, both in terms of skill development and career choices.
- Assess the effectiveness of your application of a lawyering skill that you employed in your field placement. Describe your strengths, as well as how would you improve it the next time you employ that skill.
- Describe how your field placement has enhanced and/or helped you develop your career prospects.
- Describe the difference your field experience has made in your intellectual, personal, ethical, and spiritual development.
- Reflect upon whether the learning you are experiencing in this course has been relevant, applicable, and practical. Explain.
- Explain when, how and why your learning in this course has surprised you.
- Describe the most important lesson you have learned thus far in your field placement.
- Describe the most meaningful parts of this course and explain why.
- Assess the appropriateness and effectiveness of your own reactions to any unexpected events related to a legal matter in your field placement, or assess a lawyer’s reactions in such a situation that you observed.
- Identify and explain practices that will make it possible to replicate effective aspects of your performance in the future and/or guard against repetition of ineffective ones.

B. Work Product

Throughout the semester, you will be required to submit work product as part of your Externship Learning Portfolio. You will be required to submit a total of two writing samples that you have drafted in your field placement during the semester. One will be due the week of your interim progress conference with me. The other will be due at the end of the semester. Other work product that will be submitted as part of your Externship Learning Portfolio will be assigned through our seminar class.

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C. Evaluation of Externship Learning Portfolio

1. Points for Portfolio Materials

Each submission to your Externship Learning Portfolio is worth points that accumulate to determine the final grade you receive in this course. (Point totals and their accompanying grade are identified in the course syllabus.)

Points for reflection exercises will be awarded with the following factors in mind:

- Whether the student has answered all of the questions presented;
- How thoroughly the student has responded to the questions presented;
- How thoughtful the reflection is, illustrating incorporation of the student's externship field experience, as well as the materials assigned for reading or the discussions had in class, into their thought process;
- The level of explanation that the student provides for their ideas, critiques, conclusions drawn, etc.; and
- Whether the student's response reflects genuine participation in completion of the assignment.

Points for drafts of work product produced in the seminar will be awarded based upon factors given to you in advance of each assignment.

2. Completed Externship Learning Portfolio

All of the materials that you submit on TWEN through the semester will make up your Externship Learning Portfolio. Since your access to the course TWEN site will end when the course is over, I would suggest you keep copies (either electronic or paper) in a central place for your own use after the course has ended. You may wish, for example, to use as writing samples some of the work product you produced during the course, along with evaluations of it. You might also wish to refer back to your self-assessments and reflection on your course learning goals when interviewing for future jobs and marketing the skills you have developed as a result of the course. Ultimately, the Externship Learning Portfolio is your collection of work and assessment that you may use however you'd like in the future. Hopefully, the self-assessment and feedback you amass during the semester will help you to improve your future performance on the core competencies practiced in the course.

Initial Self-Assessment

1. Research your Field Supervisor and the office in which you have been placed. What most interests you about the information you learned about your Field Supervisor and/or your field-placement office.
2. Considering the information you learned about your field placement/supervisor, reflect on the goals you have for your externship field work. Complete the following sentences:
 - a. Two skills that I would like to learn in my externship field placement are:
 - b. Two tasks/assignments that I would like to complete in my externship field placement are:
 - c. Two activities that I would like to observe in my externship field placement are:
 - d. Two lessons I would like to learn in my externship field placement are:
3. List one potential conflict of interest that you could possibly encounter during your externship or in your ultimate practice that could preclude you from working on a matter.

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Mid-Term Self-Assessment

1. Approximately what proportion of your time in your field placement is devoted to the following activities: Please also give an explanation with examples of each type of activity.
_____ Substantive research and/or legal writing (i.e., researching legal issues or drafting a document in which you have used legal analysis skills)
_____ Observation of lawyering activities (e.g., court, client meetings, depositions, mediations, strategy meetings, etc.)
_____ Development of other legal skills
_____ Administrative/clerical tasks
2. Do you find the work adequately challenging? Is the workload manageable? Explain.
3. Review the goals you articulated in your Statement of Expectations. Do you feel as though your goals are being met? Explain.
4. Which goals, if any, have not yet been met? What opportunities will you have to meet these?
5. Have your goals changed since the beginning of the semester? Explain.
6. At this point in the semester, what value would you place on the learning that has occurred in your field placement? Please explain.
7. How would you characterize your relationship with your FS? Is it meeting your expectations? Do you feel like you are receiving enough feedback, direction, mentoring?
8. What was the most useful feedback that you received from your FS in your interim progress meeting with him or her?
9. Develop a plan of action with at least two things that you can do in the last half of your externship to further develop or practice lawyering or professional skills, or to improve your performance.
10. Are there any issues or concerns you have about your field placement or field supervisor?

Final Reflection & Self-Assessment

1. Review your Statement of Expectations. Assess and explain whether your externship field experience met the goals you articulated. Describe the most important thing you learned from your externship and why it is important to you.
2. Share at least one thing that you experienced or completed in your externship field work that created an “aha” moment, where things “came together” for you in terms of seeing a concept that you have learned about in one of your law classes applied in practice.
3. Review your externship learning portfolio submissions. Explain what the portfolio reflects overall about your learning. Explain the growth your portfolio reveals that you have made over the course of the semester. Describe ways that your reflections reveal what makes your portfolio unique.

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4. Explain how you have benefited from the process of portfolio development, including producing work product and receiving feedback on it and self-assessing your performance and learning experience.

Client Interview Self-Assessment

1. How well prepared were you for the interview? Explain.
2. How well do you feel you asked relevant follow-up questions to clarify and probe effectively? Explain.
3. How well do you feel you built trust and a good rapport with your client? (Were you empathetic, caring, understanding, professional, confident, comfortable?) Give an example. Provide suggestions for how your demeanor could have been improved.
4. How well do you feel you listened to your client? (Did you give non-verbal encouragement, good eye contact, effective body language, avoided distractions and interruptions, etc.?) Provide an example and suggestions for improvement.
5. Rate your overall performance in this exercise:

- Unacceptable: The student put little effort into preparing for and conducting the client interview. The student did not implement the key elements of conducting a successful interview.
- Below Average: The student is familiar with the skill of interviewing, but missed some key elements of conducting a client interview.
- Acceptable/Average: The student's performance was satisfactory in that s/he demonstrated the key elements of conducting a client interview, but needs further practice.
- Above Average: The student's performance requires minimal minor changes to perfect his/her technique.
- Superior: The student's performance was exceptional, requiring no changes.

Field Supervisor Feedback on Writing Assignment

Please rate the student's performance on the following items with regard to his/her writing assignment, as well as provide substantive, specific comments aimed at helping the student improve. The sub-questions under each topic may not apply to every assignment, and they do not have to be answered point-by-point. Instead, the sub-questions should be used to elicit the type of specific and substantive comments that you might provide about the student's writing assignment.

1. Format/Writing Style:
 - Did the student use the proper format/structure for the assignment? Did the student use particular terms correctly? Was the writing concise? Was the writing clear? Was the student's work comparable to what you would expect from an attorney in your office?
- Unacceptable: The student's writing fails to meet expectations overall, requiring many significant substantive changes.
 - Below Average: The student's writing does not fully meet expectations, is missing some key substantive content and/or requires some substantive changes.
 - Acceptable/Average: The student's writing is acceptable, requiring some minor changes with very few substantive changes.

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- Above Average: The student's writing requires minimal minor changes.
- Superior: The student's writing is exceptional requiring no changes.

2. Issues:

- Did the student identify all pertinent issues? Did the student address all aspect of the issues? Did the student include superfluous information?

- Unacceptable: The student's writing fails to meet expectations overall, requiring many significant substantive changes.
- Below Average: The student's writing does not fully meet expectations, is missing some key substantive content and/or requires some substantive changes.
- Acceptable/Average: The student's writing is acceptable, requiring some minor changes with very few substantive changes.
- Above Average: The student's writing requires minimal minor changes.
- Superior: The student's writing is exceptional requiring no changes.

3. Analysis:

- Was the student's analysis logical and accurate? Did the student address all sides of the issues? If this was objective writing, was the analysis balanced? If this was persuasive writing, did the student address arguments counter to his/her position?

- Unacceptable: The student's writing fails to meet expectations overall, requiring many significant substantive changes.
- Below Average: The student's writing does not fully meet expectations, is missing some key substantive content and/or requires some substantive changes.
- Acceptable/Average: The student's writing is acceptable, requiring some minor changes with very few substantive changes.
- Above Average: The student's writing requires minimal minor changes.
- Superior: The student's writing is exceptional requiring no changes.

4. Research:

- Did the work reflect competent research? Did the student use appropriate legal support in this work product? Did the student shepardize cases? Did the student use appropriate authority? (ex. Binding authority, most current law, etc.?)

- Unacceptable: The student's writing fails to meet expectations overall, requiring many significant substantive changes.
- Below Average: The student's writing does not fully meet expectations, is missing some key substantive content and/or requires some substantive changes.
- Acceptable/Average: The student's writing is acceptable, requiring some minor changes with very few substantive changes.
- Above Average: The student's writing requires minimal minor changes.
- Superior: The student's writing is exceptional requiring no changes.

5. Strengths/Areas for Improvement:

- What were the strengths of this work product? How could it be improved? Did the student understand the goal of the assignment correctly? Did the student achieve that goal?