INSTITUTE FOR LAW TEACHING AND LEARNING

Teaching Law Practice Across the Curriculum

Workshop 4A

Self-Assessment Book (SAB): Reflective Thinking and Journaling in Law School

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Self-Assessment Book (SAB): Reflective Thinking and Journaling in Law School

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I. Weekly Reflection Entries

Each week my students were required to write in their SAB, reflecting upon their week, what they learned, how they learned it, what was helpful and what wasn't. The following is inserted into the syllabus at the beginning of class.

Self-Assessment Book (SAB) Entries: You are required to write a weekly reflection entry in your SAB, one-three pages. Date each entry (by week) to get full credit for your SAB points. Please reflect upon the classes for each week and indicate the key points you learned from the classes and readings, what the professor did that you found helpful or if you didn't find it helpful write about it and if you can think of an alternative way of presenting the material write about it. Discuss what you are doing to prepare for class and how what you are doing is helpful. I will also add an additional question for you to answer each week, which will be placed on TWEN. The entries should be concise and thoughtful rather than rambling. Let me know if you have any questions.

II. Balance in Legal Education Component

This semester in addition to having my students write a weekly reflection piece I had them reflect on a question, that I call, "Balance in Legal Education." I also have asked my students to take a "moment of silence," asking them to pause. Some of my students have commented that this "moment" is sometimes the only time they paused the entire week.

Here are some the questions I asked my student to write about in their SABs:

1. When you first applied to law school you prepared a "personal statement." Please locate it, read it and explain how and if your ideals and ideas about law school have changed.

2. Do the following: Set a timer for two minutes, start writing your answer to the following question (don't worry about spelling or sentence structure, just write for the 2 minutes): If you could do any job that you wanted to, without worries about money or time, what would it be? After you have written your response, reread it and answer: What does this response tell you?

3. Describe your perfect day. When was the last time you had one or one close to it?

4. Please listen to a piece by Mozart. Write your response to this music? What piece did you listen to? What did you think? What did you feel? You can find Mozart's music on www.youtube.com or from any other source.

5. **Non-dominant hand writing exercise**: Please answer the following open-ended questions with your dominant hand and then with your non-dominant hand.*

First write your answers with your dominant hand:

When I think about sitting in silence, I think . . .

When I think about sitting in silence, I feel . . .

Next, write your answers with you non-dominant hand:

When I think about sitting in silence, I think . . .

When I think about sitting in silence, I feel . . .

Please reflect on your answers, were they different? What did you learn about yourself from your answers?

*For example, if you are right handed, your right hand is your dominant hand and your left hand is your non-dominant hand and vice versa.

6. Please answer the following questions: Who am I? What matters to me? These questions come to our minds and hearts at various times in our lives. What kind of lawyer will I become in 5 years? 10 years? How will I help the profession and my clients? As I prepare to attend my 10 year reunion from graduating from law school, I have asked myself these same questions. Take your time and pause between the questions. Have fun imagining who you will become, what you will contribute, and how you will accomplish it.

8. List 10 things for which you are grateful. (your list may be longer).

After you have completed your list, reflect on how you are feeling and what are your thoughts? It has been said that what we focus on expands. What are your focusing on? (you don't have to answer this question, just something to think about).

9. Many people have likely helped you along the way in your educational and professional pursuits. Make a list of people who have helped you along the way, next to their name, make a list of the things they did or said that helped you. Pick one person

from your list and write them a "Thank you" letter. It can be brief or long, you decide what needs to be said. You also can decide if you want to mail it to that person. Also reflect in your SAB what it felt like to do this assignment. Thank you.

10. Pick out a quote that is important to you. Explain why it is meaningful.

Please share any final thoughts about the class, the SAB, your groups and anything else that would shed light on your participation in our class. My hope is that the SAB was helpful to you, strengthened your learning about our class and that you learned a few things about yourself as a student, a budding professional and a human being. Please keep in touch, Professor Guerra

III. Students' SAB Entries

In this section, I have included SAB entries from my students. It shows the diligence and thought that the students put into their SABs. Many of the entries have warmed my heart to no end. Adding the Balance in Legal Education questions to my classes this semester, has invigorated my teaching beyond words.

Mi 3/12/10

Week 1 - January 14, 2010 - Reflection

This was the first week of commercial law. I did not know what commercial law was but I correctly assumed business would be involved. I was similarly worried about the group projects and format of the class, but see how this ~~fast~~ format may be beneficial to my learning style. I don't like volunteering in class but often have questions so the pair-square exercise provided the chance to ask questions and get input from other students. good

The first two cases in the supplement were easy to understand. However, the case book was not because of a lack of knowledge about the course material. In discussing within the group I understood more how the unsecured versus secured worked. The second case under rights of secured creditors was complex and the group helped me understand how unperfected security interests were subordinate to perfected security interests. The mind map + class explanations were useful and helped me understand the concepts. good

Week 1 cont'd

The final question was to review my personal statement and explain how or if my views about law school changed. My personal statement reflected my desire to work in criminal defense and why. My view on law school has not changed- this is a means to an end- once I pass the bar I can practice criminal defense. However, I have found areas of law that I have an interest in and other areas I seem to have a natural aptitude. Property is not an area I have ever considered of interest but I understood the class without spending excessive time studying (commercial law has already taken a bulk of my study time). Law school is an opportunity to see all options and to learn a little about multiple topics to find our niche in the ~~law~~ legal world. I have kept an open mind and sought experiences outside criminal defense, such as an externship working on juvenile policy changes in schools and pro bono work with homeless youths. Law school is interesting but I can't wait to be done! Yes!

I like your handwriting.

Week 3

This week was fairly easy to understand because we reviewed the cases and problems in class. I think I am getting the hang of studying Commercial Law. I have found working through the problems are useful to understanding the concepts and practicing applying the rules.

I liked the way we present the cases, however I also feel like it has to be very informal because each person in the group has their own style in presenting. I don't feel as pressured when we present this way, which makes it easier to retain what is happening in class. The security agreement exercise could have been explained more so we knew what was required from the beginning. I felt the requirements were unclear but manageable. This week I finished outlining the material we covered and briefing cases/problems for next week.

That's good to know

The second requirement was to describe our perfect day.

As I described in my Business Association SAB I would like to wake up in my bed in WA looking out at Mt. Ranier. The first thing is my coffee + then to take my dog for a run out

Beautiful

Week 3 cont'd.

to the falls. I have realized that I don't often take time to be with myself without running through a long to do list & miss the chance to spend time outside enjoying the scenery. AZ does not make me feel as invigorated as WA does outside. I love the smell of water and trees. I also realize that I don't have much time to spend with my friends. Since law school I do not have time and often feel that if I make time I am going to fall behind in my studies.

On a personal note, when I saw this (SAB) was a requirement I thought it was going to be a waste of time. However, I found this gives me a chance to reflect and since it is a course requirement I have accountability to write every week. I started my personal journal again and hope this is a habit that will stick. My son also does a weekly journal while I complete my SAB books. Thank you for motivating me to do something that keeps me focused.

great reflection

yes

with you are welcome.

I'm glad it works for you.

Is his required too?

Wake up call

10/27 I'm a little different from the normal Law School student in that I have lived longer and gone through many different emergencies in my life. On Sept. 11, 2001 I was a Officer in charge of a Ladder Company in the FDNY and we were sent into the Towers after the planes hit. After surviving the collapse and seeing all the destruction, I made it my mission to live life to it's fullest, never neglect the ones I love and fulfill the accomplishments that had somehow eluded me throughout the years. This is the primary reason why I'm in Law School today, and yes I would rather spent time addressing an issue with my family, than to spend time working or studying. I also try to be understanding of others needs in this regard. Thank you for sharing and for your services- incredible, wonderful service!

wow! I had no idea!

Yes!

Thank you for sharing! I thank you for your service!

week of 10/27 This week was a rather refreshing week in class as we were involved in doing first a collage and second improve skits dealing with various aspects of Secured Credit, Guarantees and Suretics. The College gave us a change to work with a group and

I like that

But you'd maybe through say that about the commercial law!

create a picture story dealing with all Elements in § 9 of the U.C.C. such as, Attachment Perfection, priority and default. Day two, tested our ability to effectively communicate and perform a skit emphasizing some aspect of Guarantees or Sureties. IT was fun. Activities such as these help break up the semester and also foster good feelings among the classmates while helping us learn more about a particular rule, in a fun way. For This upcoming week I have just finished my assigned reading, which is the introduction to a new section: Negotiable Instruments under § 3 of The U.C.C.

yep!

11/10/05 Pg 631 Looked case - Mgine Family Federal Credit Union. Rule - In determining whether a party is a holder in Due Course, the jury must determine whether the party acted in good faith through honesty and fact & the observance of reasonable commercial standards of fair dealing. Since The Credit Union did not put a hold on the Chk for a reasonable time They did not act according to commercial standards & fair dealing. To Prepare for These classes I did the assigned reading and problems on Pages 631-643.

Week 3 ✓
1-25-10

This week was another great week. I learned that proceeds attach automatically - you dont have to include them in the security agreement.

My perfect day:

My perfect day would begin by waking up refreshed, well rested and feeling as though I am energetic and ready to start my day. This would require NOT being woken up by any of my three children - not even once during the night!
Next I would get my gym clothes on and go to the gym. I'd have a great workout. Then I'd come home to a delicious, already-prepared hi-protien, very healthy breakfast.
I could sit down, check emails, and respond to them. While checking my

I love it!

emails I would look over and notice that the kids were busy sorting the laundry, emptying the dishwasher & loading the dirty ones. They would have smiles on their faces and they would be getting along. They would be discussing how as soon as they finish they are going to head to their rooms, clean & straighten up in there, and then get their play clothes on. We would all then put the kids' bikes in the car and go to Tempe Town Lake and play for a few hours we'd have a picnic lunch there, then we'd go rest at the Tempe Library - or rest at home. During rest time I would either take a nap with the baby - who would fall right to sleep with no problems - or I'd

and the weather would be about 70°!!

I love your perfect day!! May it come true!!

do some work. I wouldn't have much work to do though, and I definitely would not have any major deadlines. (The house would already be sparkling). Next we would start getting dinner ready. Dominic would grill - probably steaks, veggies & pineapple. Then we'd play for a bit until 8:00 at which time all children would be in a deep sleep. Then, since I would have no work to do and neither would Dom, we could watch a movie or have a conversation!! without any interruptions!!!

The last time I've had a day like this is NEVER!! We did the Tempe Town Lake thing recently but the rest of what I described never happens - except grilling!

try we can do more with pieces

2/24/10

you really put so much into this entry. Instead of giving you 5 pts I gave you 6.

1) What has come easily for me in class?

Sitting through this class has come very easy for me. I am a very antsy person so I get bored easily. We change things up all the time in this class, we are constantly moving around, talking with colleagues, reflecting, brainstorming, using our hearts, left brain, right brain, math, language, etc. Its easy to enjoy this class. Im so glad

2) What has been difficult?

My introduction to PMSI's was difficult since I had to do it on my own because I had to miss class. But I'm so proud of myself- I took the initiative to request one of my colleague's time to go over what I missed and try to work through the meterial. I think it helped a bit but I'm still confused. Actually->

good you can always come in to see me w/ your Qs and I'll help.

✓ WK 5 – additional

Dominant hand exercise

When I think about sitting in silence, I think let the body relax and focus on nothing else but your body. When I think about sitting in silence, I feel with every breath (deep), when I exhale another unit of stress goes out with the warm breath.

When I think about sitting in silence, I sometimes try to escape to other places but usually fail. I am more successful when I focus on my own body.

When I think about sitting in silence, I feel time constrained. Try as I might to just let things go, worries often find a way to creep back in.

HOLD TO A MIRROR { gestures crawl je reiaae ed ailt-bleiw
I am interested! Extraordinary!
Too cool how did you do that?

It was frustrating to write with my left hand. It made me think of how I am always running out of time. However, because I already did this exercise for Business Association I felt more comfortable writing with my non-dominant left hand. I even got adventurous and did this: Very cool! I Love it!!

IV. Article:

Student Self-Assessment Book (SAB): Reflective Thinking and Journaling in Law School

"Professor, I hated the SAB,"
a student stated as passionately and kindly as possible,
"and I hate to admit it, it helped."

The Self-Assessment Book (SAB) is a tool that teaches my students to use reflective thinking in their educational lives and their future professional lives by writing in a journal. The SAB gives the students an opportunity to reflect on their learning, my teaching, and the direction they want to go in their lives. The students also use the SAB in class to work out problems from our case book and to take quizzes that I give on an impromptu basis.

The Birth of the SAB

I have used reflective journaling since I was eleven years old (we called it a diary then). I spent $5 for the diary and my mom wasn't happy that I had spent so much. It was pink with small flowers and it had a little key that guaranteed that what I wrote would remain for my eyes only. My journaling evolved over the years and I have taken courses on journaling. I was grateful that I had this tool when I went to law school. As I prepared to write this paper, I read a journal that contained entries from my first semester of law school. The entries revealed that I was scared, confused, and worried if I would pass with high enough grades. I wrote about being in class and not wanting to raise my hand, the friends I made, what I was learning, and how much I missed home. I journeled about whether I belonged in law school. I would not have remembered many details of my law school experience if I had not documented them in my journals. I'm grateful that I had this document to remind me of what first year law school was like for me.

After practicing law for several years, I returned to school to pursue a PhD in education. In that program, I took a creative writing class that included writing in a journal on a daily basis (G. Lynn Nelson, *Writing and Being: Embracing Your Life through Creative Journaling* (Rev. ed. 2004)). When I began teaching, I wanted to incorporate some of the techniques I had learned in that class and those from my experience journaling because I found them to be helpful to me professionally and personally. During my first year teaching, I read an article about the benefits of professors keeping a reflective journal (Gerald Hess, *Learning to Think Like a Teacher: Reflective Journals for Legal Educators,* 38 Gonz. L. Rev. 129 (2002-2003)), and I found the article both interesting and helpful. I wanted to devise a way to allow my students to get the benefits of journaling too. While I was at the AALS New Teacher Conference in the summer of 2007, I heard Dean David Hall speak about the "Spiritual Revitalization of the Legal Profession." at our luncheon. (David Hall, *The Spiritual Revitalization of the Legal Profession: A Search for Sacred Rivers* (2005)). His keynote solidified my belief that law schools not only needed to change but also were in the process of changing. I wanted to be part of that change. I discussed the idea of incorporating the use of a reflective journal in my classes with a new friend and new teacher, Lydie Louis-Pierre. She thought it was a good idea but vehemently discouraged me from calling it a journal. I listened and agreed that calling it a "journal" didn't sound professional and was "too soft" for law school. She suggested that I call it a "Self-Assessment Book." I agreed enthusiastically. Thus, the SAB was born.

The Evolution of the SAB

I teach business associations and commercial law and the thought of getting students to do reflective journaling about these topics was daunting. Would they do it? Would the administration support me? The first year, I asked students to use the SAB only in class to work

on problems or for in-class quizzes. The students resisted the SABs, but I soon began to see that students understood the material better and were better prepared than the previous year's classes. I also discovered that their grades were higher than the year before. That was a nice surprise.

After two semesters, I stopped using SABs because of the feedback I received from the student evaluations; many students thought that the SABs were not helpful and a waste of time. Most of the students hated writing in long hand. Moreover, reading the SABs was an additional, substantial time commitment for me as the professor. So the following academic year (2008-09), I decided not to use the SABs in my commercial law and business associations classes. Interestingly enough, I noticed after midterms and finals that the students' comprehension was lower than when they had used the SABs.

During the summer of 2009, I taught two sections of Interviewing and Counseling and decided to resurrect the SAB. I had the students write reflective entries in their SABs in and out of class. Again, I found the SABs helpful to the students' comprehension of the material. Most of their entries were thoughtful and showed me that they understood the material. When I asked students to write about the "value" they received from the SAB assignment, they gave the SAB a mixed review. But I enjoyed reading the many new insights discussed by students' in the SAB and I liked that the students were writing in a different way than traditionally mandated in law school.

I used the SABs again in fall 2009 in both commercial law and business associations. I told the students at the beginning of the semester that students "hate" writing in their SABs, but that I saw an improvement in their scores so I was willing to "take a hit" on my evaluations because I believed that the SAB helped their understanding of the material. In addition to having

the students write in their SABs for in-class quizzes and casebook problems, I also asked the students to answer the following question each week:

> ***Self-Assessment Book (SAB) Entries:*** You are required to write a weekly reflection entry in your SAB, one-three pages. Date each entry (by week) to get full credit for your SAB points. Please reflect upon the classes for each week and indicate the key points you learned from the classes and readings, what the professor did that you found helpful or if you didn't find it helpful write about it and if you can think of an alternative way of presenting the material write about it. Discuss what you are doing to prepare for class and how what you are doing is helpful. The entries should be concise and thoughtful rather than rambling. Let me know if you have any questions.

The students' comprehension level of the material improved over the previous year's scores and their midterm and final exam scores rose.

I collected the SABs once during the semester and at the end of the course. I answered any questions my students posed and also brought to class any common questions. Having my TA's help was invaluable. She also read each SAB and made comments regarding the entries. Since many students worked out casebook problems in the SAB, I returned their SABs with before the final exam.

In spring 2010, I added a weekly reflection question that taps into their creative and intuitive side. I gained the courage to do this from attending AALS's Section on Balance in the Legal Education panel. In that program, I heard about "humanizing legal education," which resonated with me- that is why I became a law professor and in particular a law professor at Phoenix School of Law.

The first week I asked, "When you first applied to law school you prepared a 'personal statement.' Please locate it, read it and explain how and if your ideals and ideas about law school have changed." The following week, I asked : "Do the following: Set a timer for two minutes, start writing your answer to the following question (don't worry about spelling or structure, just

write for the 2 minutes): If you could do any job that you wanted to, without worries about money or time, what would it be? After you have written your response, reread it and answer: What does this response tell you?" I also have asked students: "Please listen to a piece by Mozart. Write your response to this music. What piece did you listen to? What did you think? What did you feel?" I usually have students "pair, square and share" to discuss their answers and reactions at the beginning of class, and I'm always amazed that the students have so much to say about their experiences with the topics. I have fun reading their responses to these questions and activities. I also have fun creating the questions and activities; it allows my creative side to have an expression too. I also have started a blog that in part answers the same questions and activities that I pose to my students. (The blog can be accessed at http://profguerra.blogspot.com/). I have enjoyed answering the questions and posting them on my blog.

As I used the SABs, the grading system evolved: three percent of the total grade the first time I used the SABs, then five percent, and now ten percent. I raised the total to ten percent because of the amount of time and effort the students put into the SABs. For the students to receive full credit, they have to complete their weekly reflections and the in-class quizzes and reflections.

A. The Benefits of the SAB

As I reflect on using the SAB, I realize that not only do the students benefit in a number of ways, such as improved class scores, new found insights, camaraderie with their peers, but I also benefit from reading them. I am able to learn more about my students, what worked for them, and what didn't, so I can adapt and change during the course. Most importantly, I connect with my students in a way that I haven't been able to do. When I sit and read a student's SAB, it's like sitting with a friend and listening to their story. It warms my heart.

One entry that the students wrote was especially touching. I had experienced two major losses that semester and felt that I wasn't as present for my students as I wished I could have been because I was dealing with the losses. A friend suggested that I use this opportunity as a "teaching moment." At my next class, I asked the students how would they respond if they were faced with a major loss and had to get to an important meeting or to a court date; I also asked them to think about how they would respond to an opposing counsel's request for additional time or postponement of hearing or meeting if the opposing counsel needed to attend to a personal matter. The responses were heartfelt. One of my students, who had been an officer in the FDNY, a "first responder" on 9-11, and a survivor of Tower One's collapse, wrote, "I made it my mission to live life to its fullest, never neglect the ones I love and fulfill the accomplishment that had somehow eluded me throughout the years. This is the primary reason why I'm in law school today, and yes I would rather spend time addressing an issue with my family than to spend time working or studying. I also [would] try to be understanding of others' needs in this regard." I had no idea that I roamed among heroes.

Using reflective writing allows the students to pause and think about what they are doing and why they are doing it. It gives them a space to put their thoughts and ideas down on paper, to try to make sense of the material. This past semester, most of the students wrote in their SAB that they thought that it helped them. One student wrote, "I'd like to say a few words about the use of the SAB. While keeping a journal of our activity during the semester is not easy and something that I had not experienced in law school until this class, I have to truthfully say that I think it was truly an asset to my learning experience in this class." While another student stated, "I have enjoyed learning some of the intricacies of Commercial Law. I have not been a big fan of the SAB, however. Time is just too constrained." Another student wrote, "I liked the SAB

assignment. . . . I like the idea of having some freedom to express my thoughts, but the assignment provided structure. . . . I appreciated being required to do this. I think I should do this for all of my classes."

In closing, I want to share a poem that one of my commercial law students wrote:

Learning as I did about Article Nine
I understand the value of being first in line.
A security interest must be perfected
Properly filed so lender is protected.
Now I understand my credit card debt,
Easy to obtain, but hard to collect.
Assuming my education is not a success,
I do not have a job and my finances are a mess.
No money coming in and my debt is still growing,
Inability to pay doesn't relieve me from owing.
My assets are scattering, but the lender's pursue
Capturing the collateral, then a big fight ensues.
Who will be paid when they sell all my things?
Will depend on which creditor has a proper filing.
How grateful I am this is only a fable
My future is promising, and my finances are stable.
I have learned much about the laws and commercial lending
But just like this semester my story is now ending.

Giving my students a safe place to write their thoughts, likes, and dislikes has been my ultimate goal. Based on their responses, I believe I have accomplished it. Thank you for listening to my story.

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