



# Implementing Best Practices and Educating Lawyers: Teaching Skills and Professionalism Across the Curriculum



**INSTITUTE FOR LAW TEACHING & LEARNING SUMMER CONFERENCE: JUNE 23-24, 2009  
GONZAGA UNIVERSITY SCHOOL OF LAW, SPOKANE, WASHINGTON**

*The Institute for Law Teaching & Learning will present its summer conference on June 23-24, 2009, at Gonzaga University in Spokane, Washington. The conference will feature 40 workshops that explore techniques for teaching skills and professionalism across the law school curriculum.*

## Structure of the Conference

The conference will include eight workshop sessions. During each session, five workshops will run simultaneously. Participants will be able to tailor the conference to fit their individual interests by choosing which workshop to attend during each session. The workshops will deal with innovative materials, alternative teaching methods, new technology, ways to enhance student learning in all types of course and means of restructuring legal education to foster healthy lawyers. Each workshop will include materials that participants can use during the workshop and when they return to their campuses. The workshops will model effective teaching methods by actively engaging the participants.

## Benefits to Participants.

During the conference, participants can expect to encounter many new ideas about teaching skills and professionalism in law school. In addition, the conference is intended to facilitate informal interaction among creative teachers who love their work with students. Participants should leave the conference with the inspiration and information to integrate skills and professionalism in the courses they teach next fall. The ultimate goal of the conference is to help the participants improve their teaching and their students' learning and to further their schools' efforts to realize the promise of *Educating Lawyers* and *Best Practices*.

Summer is a wonderful time of year in the Inland Northwest and we encourage you to combine some vacationing with your work at the conference. The website [experiencespokane.com](http://experiencespokane.com) can help you plan. Spokane offers shopping, fine dining, art and sporting events, public golf courses and nearby rivers, lakes, and national parks.

## Registration and Deadlines.

Attendance will be limited to 100 participants to facilitate small-group experiences. The roster will be filled in the order that the Institute receives the registration form *and* conference fee (\$395 for participants and \$175 for speakers; check payable to Gonzaga University or Visa/MasterCard). *Refunds:* Attendees must notify the Institute to receive refunds. If notice is received on or before June 5, 2009, a full refund will be provided. No fees will be refunded if notice is received after June 5, 2009.

## Meals.

Light breakfast, lunch, and dinner on Tuesday, June 23, and light breakfast and lunch on Wednesday, June 24, are included in the registration fee. On Tuesday evening, law teacher-*cum*-musicians should bring their instruments.

## Lodging and Transportation

Participants are responsible for their own travel arrangements. Limited blocks of rooms have been booked in several hotels, all near Gonzaga's campus, none more than a 15 minute walk away from Gonzaga Law School along Spokane's Centennial Trail ([www.spokanecentennialtrail.org](http://www.spokanecentennialtrail.org)). All listed properties provide free shuttle service to and from Spokane International Airport. For reservations, call one of the following choices and request the special rate listed. These rates are guaranteed until 4:00 p.m. on June 1, 2009.

## The Red Lion River Inn –

700 N. Division St., (800) 733-5466  
<http://redlion.rdl.com/HotelLocator/HotelOverview.aspx?metaID=62>  
*Institute for Law Teaching & Learning*  
Rate: \$99.00 standard single/double.

## The Red Lion Hotel at the Park –

303 W. North River Dr.,  
(800) 733-5466,  
<http://redlion.rdl.com/HotelLocator/HotelOverview.aspx?metaID=18>  
*Institute for Law Teaching & Learning*  
Rate: \$99.00 standard single/double.

## Courtyard Spokane Downtown at the Convention Center – 401 N.

Riverpoint Blvd. (800) 321-2211 or  
(509) 456-7600  
[www.spokanecourtyard.com](http://www.spokanecourtyard.com)  
*Institute for Law Teaching & Learning*  
Rate: \$139 standard king.

## Oxford Suites Spokane Downtown –

115 N. North River Dr. (800) 774-1877  
or (509) 353-9000,  
[www.oxfordsuitesspokane.com](http://www.oxfordsuitesspokane.com)  
*Gonzaga Corporate Rate:* \$109 king  
suite (includes hot breakfast).

There are three options for transportation between hotels and the Law School. First, it is a very pleasant walk along the Spokane River along the paved Centennial Trail. Second, for those with cars, there is free parking at each of the hotels and at the Law School. Third, limited shuttle service will be available at the beginning and end of the day on June 23 and 24.

## Pre-Registration

We invite participants to pre-register and begin getting acquainted at the Law School during a meet and greet between 4:00 and 6:00 p.m. on Monday, June 22<sup>nd</sup>. Afterwards, please feel free to explore Spokane and its great dining options individually or in groups.

## Session 1

(9:00-10:15 a.m.) Tuesday June 23

### **Best Practices and Positive Psychology: Teaching Law and Legal Practice with Justice in Mind**

(Colin James, University of Newcastle Legal Centre) [A]

Positive psychology focuses on positive emotions, positive character and positive institutions, and connects notionally with therapeutic jurisprudence, collaborative law, restorative justice and transformative mediation. In education positive psychology programs already help school children and trauma patients. This presentation will introduce legal educators to some insights of positive psychology that may inform curriculum decisions, teaching methodology and attitudes towards students that encourage optimism, self-care and respect, as well as a sense of professionalism that includes law-as-justice. We will discuss strategies on encouraging students to transition into practice with a grounded optimism and a realistic expectation of what lies ahead.

### **Enriching Your Course with a Case File**

(Gretchen Viney, University of Wisconsin Law School) [B]

In this workshop, we explore how to create and use a case file as a class resource. This workshop is not about developing a course around a semester-long problem, but rather addresses how to put together a basic case file and integrate it into the structure of a more traditional law school class. Participants will learn two ways to create a case file, discover-through demonstration and participation- how to comfortably incorporate the case file into their classroom teaching, and leave with the motivation to give this a try.

### **Learning is Social**

(Mary Patricia Byrn, William Mitchell College of Law and Morgan L. Holcomb, Hamline University School of Law) [C]

This workshop will begin with a short summary of Vygotsky's educational theory regarding the social aspect of learning followed by information on and participation in *ten* interactive instructional strategies. Attendees will *participate in* several interactive instructional strategies *while learning about* using interactive instructional strategies. The interactive instructional strategies used in the workshop will include graphic organizers; think-pair-squares; jigsaws; carousels; structured controversies; defining features matrixes; self-assessments; and cooperative assessments. The presenters use these strategies in their classrooms regularly and will provide each attendee with the information and modeling necessary to implement these strategies in his or her own classrooms.

### **Alternative Teaching Methods: Using Simulations to Enhance Substantive Courses**

(Deborah Young, Cumberland School of Law, Samford University) [D]

This workshop will enable teachers to efficiently and easily incorporate skills activities and simulations into their courses. All teaching materials will be provided for advocacy simulations on authentication, hearsay, and impeachment in Evidence; a writing simulation on sentencing in Criminal Law; and writing and role-playing simulations on probable cause in Criminal Procedure. I will demonstrate the simulations to show how they are effective for teaching substantive material, assessing student knowledge, and raising ethical issues in the context of substantive learning. Principles of designing simulations for other courses will also be discussed.

### **Thinking Critically about Teaching Goals Through Designing Effective Assessment Rubrics**

(Sandra Simpson, Gonzaga University School of Law) [E]

This workshop encourages professors to think critically about their teaching goals by focusing on designing effective assessment rubrics for use in assessing students' performance in legal writing courses or other doctrinal courses. To effectively assess students, professors need to articulate their teaching goals which will be reflected on their assessment rubrics. It is, therefore, important to build assessment rubrics which accurately reflect the professors' goals and the skills the students have learned. This workshop will present the attendees with the tools necessary to build their own assessment rubrics which reflect their individual teaching styles and their individual teaching goals.

### **Introducing 1Ls to "Thinking Like a Lawyer"**

(Debra R. Cohen, University of Baltimore School of Law) [B]

"Thinking like a lawyer" is critical thinking applied to law. Students come to law school with general critical thinking skills but, like the definition of "thinking like a lawyer," these skills are often somewhat amorphous. After discussing the component elements of "thinking like a lawyer," I will suggest some teaching strategies to assist students in focusing on, and honing, their existing critical thinking skills, and how this facilitates their ability to transfer these skills to the legal arena. In particular I will offer suggestions on focusing students on breaking down compound notions into the component parts and identifying and questioning assumptions.

### **Why Tax Rules: Teaching Students about Clients' Biggest Moments through Tax**

(Leah Witcher Jackson, Baylor Law School) [C]

Tax law impacts most major decisions – e.g. choice of entity for new ventures, optimal purchase and finance terms, family and estate planning, charitable giving, etc. Tax classes can be used to teach practical aspects of common transactions, and tax should be integrated into the study of transactions and decisions in non-tax classes. This workshop will include several examples, such as reviewing real estate closing documents and financial statements to teach income tax, using entity tax law to teach about the life cycle and legal issues of various entities, and requiring students to learn Excel to create financial statements.

### **The Village Approach to Raising Professional Lawyers**

(Terri Davlantes, Florida Coastal School of Law) [D]

After being bewildered by numerous instances of uncivility and unprofessionalism by students that left us scratching our heads in amazement, the school decided to take action. We garnered the support of faculty, staff, alumni, local practitioners, the state bar association, and most importantly, the students. This workshop will examine instances of unprofessional behavior, many of them so humorous that we think we need to write a book, and discuss approaches schools can take to develop a proactive approach to promoting professionalism.

## Session 2

(10:45 a.m.-12:00 p.m.) Tuesday June 23

### **"Leaps of Faith": Jumping into Interactive Teaching Methods**

(Kris Franklin, New York Law School and Rebecca Flanagan, University of Connecticut) [A]

This program will focus on designing and developing interactive experiences in law classes. Participants will build an interactive classroom exercise together, and discuss both the design process and common blocks to experiential pedagogy. Those attending the session should leave with both some concrete models and ideas about specific interactive classroom exercises, as well as having carefully considered, and begun to break down, some of the implicit barriers to adopting this style of teaching more generally.

### **Integrating Writing into Casebook Courses without Significantly Increasing Grading**

*(Karen J. Sneddon, Walter F. George School of Law, Mercer University)* [E]

This workshop highlights techniques to integrate writing into traditional casebook courses. The workshop will tackle the issues typically cited for not incorporating writing into traditional casebook courses, such as lack of professor expertise in writing instruction, time constraints, and grading demands. The featured active learning techniques will range from in-class exercises that take as little as five minutes of class time to extended projects to be completed outside of class time. Litigation and transactional writing opportunities will be included. Various methods of assessment, including group edits, structured peer reviews, and self-assessment, will be addressed. Workshop participants will try selected activities.

### **Session 3**

**(1:15-2:30 p.m.) Tuesday June 23**

### **Techniques to Improve the Analytical Skills of Students in Large Required Classes**

*(Ruth Jones, McGeorge Law School, University of the Pacific)* [A]

Learning the various modes of legal analysis is often an invisible educational objective to students. This workshop explores how to more explicitly teach the various modes of legal analysis in large required classes. Using materials I prepared for my criminal law and criminal procedure courses, I will describe how I have integrated a more explicit focus on identification and application of analytical skills in my courses and lead participants in brainstorming ways to adapt class hypotes, simulations and other class materials and procedures to emphasize legal analysis skills.

### **Experiential Exercises with Flowcharts Facilitate Learning Law**

*(Hillary Burgess, Hofstra Law School)* [B]

This workshop will provide concrete examples of how to incorporate interactive exercises into the law classroom using flowchart specific and general experiential exercises. Participants will have the opportunity to engage in specific flowchart exercises that demonstrate several interactive techniques. Among these flowchart exercises are puzzle flowcharts, pair and share peer teaching, fact pattern navigation, human hopscotch, and treasure hunts. All of these techniques will be grounded in educational psychology literature that empirically validates the effectiveness of the techniques.

### **Feedback on Feedback – A Two for One in Fostering Skill Development through Exam Conferencing while Increasing Student Outcomes**

*(Karol Schmidt, Phoenix School of Law)* [C]

Exam grading and exam conferencing can present an optimal learning opportunity for both the law professor and the law student. This workshop will identify the objectives and benefits of feedback for students and professors through graded exams and exam conferencing. In addition, examples of best practices in feedback will be illustrated, including those of the law professor and self-regulated, self-directed opportunities for the law student. The goal of the workshop is to introduce a variety of feedback methods to increase student outcomes.

### **Festival of Damages Arguments: An Exercise for a First Year Torts Class**

*(Paul Figley, Washington College of Law American University)* [D]

This workshop will demonstrate a problem-oriented exercise for teaching first year Torts students to think quantitatively about damages. It will address life expectancy tables, accounting for inflation, and assessing non-economic damages. In their exercise students develop, present, and decide appellate arguments on: the value of lost future income of a 42-year-old dentist; how to account for inflation in assessing those damages; the value of lost future income of a high school student who planned to become a dentist; and the value of her pain and suffering prior to death.

### **Interdisciplinary Instruction in the Millennial Age: Journalism & Law Students Blog the W.R. Grace Criminal Trial**

*(Andrew King-Ries, and Beth Brennan, University of Montana School of Law, and Nadia White, University of Montana School of Journalism)* [E]

This teaching workshop will share lessons from the Grace Case website, <http://blog.umt.edu/gracecase>. Blogging a live trial provides a modern, interdisciplinary way to teach students about substantive law, evidence, trial practice, and professionalism. The presenters will discuss how they developed the website in their law and journalism classes, how to use similar technology at other schools, and teach you how to post on blogs and Twitter.

### **Session 4**

**(3:00-4:15 p.m.) Tuesday June 23**

### **The Subversive Art of Teaching Interviewing and Counseling**

*(Joseph Shaub, University of Washington Law School)* [A]

This approach to Interviewing and Counseling is termed “subversive” because, under the guise of a law school “skills” class, we can explore in a stimulating and supportive environment the humanity of both our clients and ourselves. Subjects of discussion include emotional literacy, tools for establishing empathic connection and students’ emotional self-exploration. A central theme of the course invites the thoughtful consideration of students’ own personal values and their impact on both their impressions of clients and the counseling they are able to provide. Student exercises, both in-class and homework, are described and demonstrated.

### **A World of Yes: Using the Language of Cognitive Optimism to Help Students Achieve**

*(Corie Rosen, Sandra Day O’Connor College of Law, Arizona State University)* [B]

Can simple changes in a professor’s use of language reshape students’ relationship to the academic environment? Can language help defeat depression and motivate students who feel helpless in the face of negative feedback or low grades? By applying flexible optimism in the classroom, integrating the language of cognitive optimism into lectures and feedback, professors can bring about these positive changes, helping students to realize their potential and, ultimately, reinvigorate their love of learning.

### **Beyond the ADA: How Legal Skills Faculty Can Help Students with “Non-Visible” Disabilities Bridge the “Accommodations Gap” Between Law School and Legal Practice**

*(Alexis Anderson and Norah Wylie, Boston College Law School)* [C]

All too little attention has been given to the role of legal skills faculty in helping students with non-visible disabilities succeed as lawyers. Because the ADA clearly applies to law school clinics and legal practice classes, faculty need to develop tools for helping students with mental health issues and learning disabilities prepare for clinical and experiential learning. We plan to engage the audience in analysis of two case studies of law students with mental health and learning impairments to determine how we might best accommodate their needs.

**The Application of Student Development Theory in Legal Education: Using the Undergraduate Learning Environment Theories of Chickering, Reisser, and Gamson to Develop Law Students**

*(Andrew Faltin, Marquette University Law School)* [D]

Diverse law student backgrounds make designing student development programs challenging. Chickering, Reisser, and Gamson proposed factors that enhance student learning environments and development: 1) student/faculty interactions; 2) student communities; 3) student understanding of learning; 4) prompt faculty feedback; 5) emphasis of time on task, 6) communication of high expectations; 7) respect for diverse learning styles; 8) student understanding of institutional objectives; 9) student understanding of the curriculum; and, 10) collaborative student development programs between faculty and administration. A discussion of those factors and their implementation in law schools will be followed by a group discussion of best practices.

**Life After Langdell: Uncasebooks and Active Learning in Upper Level Courses**

*(Deborah Jones Merritt, Ric Simmons, The Ohio State University Moritz College of Law; and Leah Christensen, Thomas Jefferson School of Law)* [E]

If you don't spend time deriving rules from appellate opinions, what do you do in the classroom? This session will illustrate use of an "uncasebook," materials that teach without any appellate opinions. Participants will receive a sample chapter of Merritt & Simmons's novel *Learning Evidence* text. Professors Merritt, Simmons, and Christensen, who have all taught from the materials, will show how they use interactive exercises, simulations, and writing exercises to surpass the case method. Participants will contribute their own experiences and brainstorm approaches to life after Langdell in large upper level courses.

**Session 5**

**(9:00-10:15 a.m.) Wednesday June 24**

**Sneaking Skills and Professionalism into Every Course, Every Discussion, Every Day**

*(Carolyn Dessin, University of Akron School of Law)* [A]

This workshop will explore techniques for bringing skills and professionalism training into traditional law school courses. The focus will be on various brief ways of encouraging students to think beyond the law they're learning to consider skills issues and professionalism. We'll explore

techniques by reading cases from across the curriculum, then doing a range of exercises that can be completed in a minute or two. The goal of the workshop is to encourage participants to believe that they can incorporate skills and professionalism into any course without diminishing coverage.

**Creating a General Practice Skills Course: Using Lawyers to Teach the Skills and Values Essential to the Professional Practice of Law**

*(Stephen Gerst and Dave Cole, Phoenix School of Law)* [B]

This workshop will introduce the GPS (General Practice Skills) course that was designed to assure that students in their third year of law school have the opportunity to learn and practice the skills and values they will need in the professional practice of law. The course is taught by teams of practicing lawyers who teach the skills and values they use in their daily practices. Students must complete skill exercises and resolve client problems in small group law firms, and individually, in seven modules which represent different practice areas. This workshop will deal with issues of course design, student assessment, integration with doctrinal courses, hiring and training of lawyer faculty, and course administration.

**Phenomenological Practitioner Research: How To Study Your Students' Problems to Improve Your Teaching**

*(Aida M. Alaka, Washburn University School of Law)* [C]

Phenomenological research explores the lived reality of subjective experience and helps investigators identify problems encountered by research subjects in achieving their goals. This type of research can provide insight to instructors who are interested in discovering problems students are experiencing in their courses so that they may improve their teaching practices. After an introduction to phenomenological inquiry, workshop participants will design a plan of phenomenological inquiry, focusing on problems they believe are important in their own classrooms or institutions. Workshop participants will consider how to draft pertinent questions, select appropriate subjects, collect and analyze data, and draw practical conclusions.

**Bridging The Gap: Seamlessly Integrating Doctrinal Learning Into Skills Courses**

*(Miriam Albert and Elizabeth Glaser, Hofstra Law School)* [D]

With the increasing emphasis on skills training in legal education, educators [both administrators and faculty] are confronted with significant challenges in integrating doctrinal law into practical skills

applications. This session will focus on ways to create overlap and bridge the skills-doctrinal divide; we will learn by doing, just as our students do in our classes. The goal is for participants to take away from the session a new way to think about both teaching doctrinal transactional law, and teaching transactional skills law—hopefully seeing overlaps and synergies, to help erode the divide between these two conceptually-linked areas of teaching and offer our students a more real-world based understanding of the relevant business law concepts.

**Exploring the Attorney-Client Dynamic in a 20-minute Counseling Exercise and Reflection**

*(Jerry Organ, University of St. Thomas School of Law)* [E]

Participants will spend 20 minutes participating in a dual scenario counseling exercise. They will spend one or two minutes reviewing a set of facts (one "attorney" set and a more complete "client" set) and then spend eight minutes engaged in a counseling conversation. At the ten minute mark, the pairs stop and switch roles and go through the same routine with a different factual scenario. At the ten minute mark, the counseling session concludes. Professor Organ then will lead a discussion of reflection questions he had his students answer in this exercise and the discussion themes generated by their responses.

**Session 6**

**(10:45 a.-12:00 p.) Wednesday June 24**

**Autonomy Support and Law School: Irreconcilable Differences or Perfect Match?**

*(Paula J. Manning and Mary Basick, Whittier Law School)* [A]

There is much opportunity to provide autonomy support inside and outside of the classroom, and to improve student outcomes and experiences as a result. Through a series of case studies, hypothetical situations, and interactive experiences, participants will learn about techniques that can be implemented to better support students' emotional, psychological and professional needs—including changing the focus and tone of courses and programs; minimizing unhealthy competitiveness; and using "positive" language in the classroom and in written feedback. Participants will have the opportunity to develop and refine their own ideas for providing similar support.

### **Everything We Need to Know About Teaching We Learned in Pre-school: Active Learning and How to Not Teach to Engage Students**

*(Rory Bahadur, Washburn University School of Law)* [B]

If you ever wished your upper division students were as excited and enthusiastic in class as those new, incoming, bright eyed and eager 1Ls this workshop is for you. The workshop tangibly explores an active learning based, alternative pedagogy which maximizes law student engagement in the classroom. Initially, session participants will be exposed to the pedagogy as it is currently utilized both in an upper division and first year course. Next participants will precisely articulate any learning strategies identified, hopefully rethinking the relationship between teaching and learning. Finally, participants will depart prepared to implement the techniques in their own classes.

### **Using Wikis to Engage Your Students and Teach More Effectively**

*(David Thomson, University of Denver Sturm College of Law)* [C]

Pedagogical technology has finally developed to the point where it can not only help us teach better, but it can also help us achieve some of the goals articulated in the *Educating Lawyers* and *Best Practices* reports. The worry is that more experiential teaching and providing more student feedback will increase costs. But the thoughtful use of educational technology can help us leverage our teaching resources to effectively achieve these goals and yet not significantly increase costs. The use of wiki software is particularly promising. This presentation will demonstrate the use of wikis in the teaching of several law courses. It will then demonstrate how attendees can set up a wiki for their own classes.

### **Making Simulations Real: Using Simulations to Teach Doctrine, Skills and Professionalism Across the Curriculum**

*(Julie Goldscheid and Jenny Rivera, CUNY School of Law)* [D]

This workshop focuses on ways to use simulations based on social justice lawyering problems to teach doctrine, lawyering skills and professionalism. During this interactive session we will brainstorm, role play and use small groups to work through the stages of simulation development, focusing on how to design and use a social justice problem. Participants will leave with a template and individualized work plan for incorporating simulations based on curricular needs, faculty and student interests, and teaching goals.

### **Helping Students Self-Assess Critical Skills in Light of Professional Expectations: A Timekeeping Exercise**

*(Grace Wigal, West Virginia University College of Law)* [E]

This workshop will illustrate a timekeeping exercise that can be used in conjunction with a variety of drafting assignments or exercises. The timekeeping exercise asks students to describe, track, and bill their time on a project with a special focus on the following: (1) self-assessment of strengths and weaknesses in the production process, (2) self-diagnosis and prescription for future efficiency, and (3) preparation of a reasonable bill for the product. The exercise should make students more aware of themselves as professionals in the law firm setting and the hidden expectations of the law firm culture.

## **Session 7**

**(1:15-2:30 p.m.) Wednesday June 24**

### **Understanding Learning Disabilities and Implementing Effective Teaching Methods to Assist Law School Students Affected by Learning Disabilities**

*(Jacob M. Carpenter, DePaul University College of Law)* [A]

By understanding what a learning disability is, and is not, professors will realize that law students with learning disabilities can succeed in law school and as attorneys. During this workshop, attendees will participate in exercises that (1) demonstrate various learning disabilities common among law students and (2) replicate the difficulties law students with various learning disabilities encounter. The workshop will then address numerous techniques professors can use to assist students with learning disabilities more quickly and easily grasp the class material. Further, many of the techniques will benefit all students, not just those with learning disabilities.

### **It's All About Becoming a Lawyer: A First Class for Any Course**

*(Mary Lu Bilek, CUNY School of Law)* [B]

This interactive workshop puts participants in role as students in the first class of any course. The class is designed to set the stage for the kind of learning environment I hope to foster, as well as to situate the students on a path to professionalism and to suggest that the three years of law school are not just an academic enterprise, but rather an opportunity to develop professional identity, skills, habits, and values. The workshop has two parts. The first part is the actual class, which is very interactive and during which Institute participants will be in role as students. The second part asks participants to deconstruct the experience, working backwards to

identify the explicit and implicit messages about learning and professionalism embedded in the class.

### **Teaching Students How to Frame a Jury Case for Maximum Persuasion**

*(Gerald R. Powell and James E. Wren, Baylor Law School)* [C]

The workshop uses two fact situations as our working story samples. Workshop participants briefly tell the story as an advocate for either the plaintiff or defendant in each case, and then retell the story with adjustments. We explore how changes to the “framing” of the story change the effect. In the process, students absorb three principles of persuasive framing: (1) The first conduct examined frames the rest of the story; (2) Jurors are looking for conscious choices because motive matters; and (3) All people – including jurors – crave significance, so communicating the importance of the verdict matters.

### **Cultivating the Formation of Professional Identity--from the First Year to the Third Year**

*(Timothy Floyd, Mercer University School of Law)* [D]

At Mercer, the formation of professional identity is at the heart of the first year curriculum, in a required course on professionalism. The course reflects a belief that ethics teaching should focus on developing virtues that allow lawyers to serve clients, fulfill public responsibilities, and find meaning in their work. Our upper level externship course follows up this emphasis by making formation of professional identity the primary educational goal through readings, reflections, discussion and exercises. This session will describe and demonstrate ideas for fostering professional identity in both a large first year class and in an externship.

### **You've Got to Move It, Move It: Motivating and Moving Kinesthetic Learners**

*(Maureen B. Collins and Sonia Bychkov Green, John Marshall Law School)* [E]

This presentation features two lessons that involve all students but are designed to reach kinesthetic learners in particular, a group often overlooked in traditional law school instruction. Professor Collins will demonstrate her “living outline” lesson as participants identify related rules and create a human rule hierarchy. Professor Green will involve the participants in her lesson on rule interpretation and learning style identification with the use of a soccer ball and the “off-sides” rule. The goal is to get the audience moving and learning at the same time and show how this can be done in a classroom.

**Session 8**  
**(3:00-4:15 p.m.) Wednesday June 24**

**Interpersonal Dynamics**

*(Joshua Rosenberg, University of San Francisco School of Law)* [A]

This session will consist of some of the activities and ideas that form the classroom component for the class in Interpersonal Dynamics for Attorneys (see "Interpersonal Dynamics: Helping Lawyers Learn the Skills, and the Importance, of Human Relationships in the Practice of Law," 58 Miami L. Rev. 1225 (2004)). The concepts presented, and then practiced, in this session include (1) the importance of effective feedback and the concept of feedback as self-disclosure, (2) the need for self-awareness in the giving and receiving of effective feedback, and (3) the value of, and the means to, stay focused on the "here and now."

**Ground Control to Major Tom: A Model for Crafting the Formative Feedback Law Students Need as They Prepare for Launch**

*(Cindy R. Slane, Quinnipiac University School of Law, and Liz Ryan Cole, Vermont Law School)* [B]

Although both the Carnegie Report and Best Practices stress the critical role of formative feedback in professional education, available evidence suggests that most of the feedback law students receive is summative in nature: letter grades on end-of-term exams designed to rank students for prospective employers rather than guide them as they prepare for the

professional roles they will assume upon graduation. Positing that our collective failure in this regard may stem more from a lack of facility with crafting effective formative feedback than from a conviction that current practices are pedagogically sound, this workshop proposes a straightforward fix (a four-step, formative-feedback model grounded on improved fluency in the language of critique) and invites participants to learn-by-doing as they offer affirming and corrective formative feedback on a simulated feedback conference – in four-step format, of course!

**Best Intentions, Worst Results: The Potential Pitfalls of Innovative Teaching**

*(Nancy Soonpaa, Texas Tech University School of Law)* [C]

This session addresses some potential pitfalls related to innovative teaching and how to manage, minimize, and eliminate them. Pitfalls include challenges inherent in the innovations themselves, as well as resistance from students and misunderstanding of colleagues. The workshop will identify four to six examples of teaching innovations, including technology, multiple assessments, using creative non-law examples, small groups and peer assessment, and multiple-source assigned readings, and discuss how to anticipate and help to prevent problems with implementing them. The session will include time for the audience to share their own experiences, ideas, and preventative measures with the entire group.

**Teaching Students How to 'Think Like a Lawyer'**

*(Peter Wendel, Pepperdine University School of Law)* [D]

While virtually everyone agrees that the purpose of law school is to teach students how to 'think like a lawyer,' most lawyers and law professors say it is impossible to articulate what that means. Thinking like a lawyer is an active process; it cannot be described, it can only be experienced. This interactive workshop will challenge that assumption. It will offer a conceptual model of what it means to 'think like a lawyer' – as well as demonstrate how it can be taught.

**Ending Our Sermonizing: Experiencing Professional Responsibility**

*(David F. Chavkin, Washington College of Law, American University)* [E]

Although the Carnegie Foundation Report took legal education to task in several areas, it is perhaps in the "values" apprenticeship that American legal education has most failed students, clients, and society. Ethics remains "the dog" of the curriculum and too many schools continue to teach ethics as a rules-based course. In this workshop, we will explore a very different method of teaching ethics by integrating theory and practice. Through live-client representation, students finally see the ethical rules in context. Professional responsibility then comes alive for the first time.

**Implementing Best Practices and Educating Lawyers: Teaching Skills and Professionalism Across the Curriculum**  
**INSTITUTE FOR LAW TEACHING & LEARNING SUMMER CONFERENCE: JUNE 23-24, 2009**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 School: \_\_\_\_\_ E-mail: \_\_\_\_\_  
 Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Check the boxes for the workshops you wish to attend (only one per session):

Workshop Session 1: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E	Workshop Session 5: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E
Workshop Session 2: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E	Workshop Session 6: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E
Workshop Session 3: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E	Workshop Session 7: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E
Workshop Session 4: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E	Workshop Session 8: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E

Conference price is \$395, which includes all meals on Tuesday, June 23, and 2 meals on Wednesday, June 24 (Presenters \$175)

Enclosed is a check payable to Gonzaga University for \$395.00 (Presenters \$175)  
 Please charge my  Visa  MasterCard \$395.00 (Presenters \$175)

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 Institute for Law Teaching & Learning, Gonzaga University School of Law, Attn: Robbie McMillian, P.O. Box 3528, Spokane, WA 99220-3528.  
 For information, contact Robbie McMillian (rmcmillian@lawschool.gonzaga.edu; (509) 313-3740.

Tuesday, June 23, 2009					
8:00 a.m.	Registration & continental breakfast				
8:30 a.m.	Opening				
9:00 – 10:15 a.m. Workshops Session 1	[A] Best Practices and Positive Psychology	[B] Enriching Your Course with a Case File	[C] Learning is Social	[D] Alternative Teaching Methods:	[E] Thinking Critically about Teaching Goals Through Designing Effective Assessment Rubrics
10:15 a.m.	Break				
10:45 a.m. – 12:00 p.m. Workshops Session 2	[A] “Leaps of Faith”	[B] Introducing 1Ls to “Thinking Like a Lawyer”	[C] Why Tax Rules	[D] The Village Approach to Raising Professional Lawyers	[E] Integrating Writing into Casebook Courses without Significantly Increasing Grading
12:00 p.m.	Lunch				
1:15 – 2:30 p.m. Workshops Session 3	[A] Techniques to Improve the Analytical Skills of Students in Large Required Classes	[B] Experiential Exercises with Flowcharts Facilitate Learning Law	[C] Feedback on Feedback	[D] Festival of Damages Arguments	[E] <i>Interdisciplinary Instruction in the Millennial Age</i>
2:30 p.m.	Break				
3:00 – 4:15 p.m. Workshops Session 4	[A] The Subversive Art of Teaching Interviewing and Counseling	[B] A World of Yes	[C] Beyond the ADA	[D] The Application of Student Development Theory in Legal Education	[E] Life After Langdell
4:15 p.m.	Adjourn				
6:00 p.m.	Dinner				
Wednesday, June 24, 2009					
8:00 a.m.	Continental Breakfast				
8:30 a.m.	Re-opening				
9:00 – 10:15 a.m. Workshops Session 5	[A] Sneaking Skills and Professionalism into Every Course, Every Discussion, Every Day	[B] Creating a General Practice Skills Course	[C] Phenomenological Practitioner Research	[D] Bridging The Gap	[E] Exploring the Attorney-Client Dynamic in a 20-minute Counseling Exercise and Reflection
10:15 a.m.	Break				
10:45 a.m. – 12:00 p.m. Workshops Session 6	[A] Autonomy Support and Law School	[B] Everything We Need to Know About Teaching We Learned in Pre-school	[C] Using Wikis to Engage Your Students and Teach More Effectively	[D] Making Simulations Real	[E] Helping Students Self-Assess Critical Skills in Light of Professional Expectations
12:00 p.m.	Lunch				
1:15 – 2:30 p.m. Workshops Session 7	[A] Understanding Learning Disabilities	[B] It's All About Becoming a Lawyer	[C] Teaching Students How to Frame a Jury Case for Maximum Persuasion	[D] Cultivating the Formation of Professional Identity	[E] You've Got to Move It, Move It
2:30 p.m.	Break				
3:00 – 4:15 p.m. Workshops Session 8	[A] Interpersonal Dynamics	[B] <i>Ground Control to Major Tom</i>	[C] Best Intentions, Worst Results	[D] Teaching Students How to ‘Think Like a Lawyer’	[E] Ending Our Sermonizing
4:15 p.m.	Closing				
4:30 p.m.	Adjourn				