INSTITUTE FOR
Law Teaching and Learning

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Teaching Today's Law Students

JUNE 3-5, 2019

WASHBURN UNIVERSITY SCHOOL OF LAW

TOPEKA, KANSAS

http://lawteaching.org/conferences/

#ILTL2019

Conference Schedule at a Glance

SUNDAY, JUNE 2
5:00-7:00 PM
  Welcome reception

MONDAY, JUNE 3
8:00-8:30 a.m.
  Registration &
  Continental Breakfast

8:30-9:00 a.m.
  Opening and Welcome

9:00-10:00 a.m.
  Session 1 -- Plenary

10:00-10:30 a.m.
  Break

10:30-11:30 a.m.
  Session 2

11:30 a.m.-12:00 p.m.
  Break

12:00-1:00 p.m.
  Session 3

1:00-2:00 p.m.
  Lunch

2:00-3:00 p.m.
  Session 4

3:00-3:30 p.m.
  Break

3:30-4:30 p.m.
  Session 5

TUESDAY, JUNE 4
8:30-9:00 a.m.
  Continental Breakfast

9:00-10:00 a.m.
  Session 6

10:00-10:30 a.m.
  Break

10:30-11:30 a.m.
  Session 7 -- Plenary

11:30 a.m.-12:00 p.m.
  Break

12:00-1:00 p.m.
  Session 8

1:00-2:00 p.m.
  Lunch
  West Academic Presentation

2:00-3:00 p.m.
  Session 9 -- Plenary

3:00-3:30 p.m.
  Break

3:30-4:30 p.m.
  Session 10

WEDNESDAY, JUNE 5
8:30-9:00 a.m.
  Continental Breakfast

9:00-10:00 a.m.
  Session 11

10:00-10:30 a.m.
  Break

10:30-11:30 a.m.
  Session 12

11:30 a.m.-12:00 p.m.
  Break

12:00-1:00 p.m.
  Session 13

1:00-2:00 p.m.
  Lunch & Closing

Adjourn

Detailed Conference Schedule

<u>**SUNDAY, JUNE 2, 2019**</u>
5:00—7:00 p.m. Welcome Reception

<u>**MONDAY, JUNE 3, 2019**</u>
8:00—8:30 a.m. Registration and Continental Breakfast

8:30—9:00 a.m. Opening and Welcome

9:00—10:00 a.m. Session 1

[A] Plenary Session: Kids These Days: Discover How to Thrive in a Multigenerational University and Workplace
Sandra Simpson, Gonzaga University School of Law

This interactive session will take the participants through exercises aimed at understanding, embracing, and appreciating the numerous generations existing in our classrooms and our universities. Through this workshop you will learn what defines and connects your generation to the generations around you which will help you better communicate with others in your workplace.

10:30—11:30 a.m. Session 2

[A] Meeting Today's Law Students Where They are to Help Them Get Their Legal Writing Where It Needs to Be
Tim Duff, Case Western Reserve University School of Law

While today's law students have much to offer, they need help becoming the professional writers that they will need to be as complete lawyers: able to write effectively and efficiently—replicating the process over and over again. This workshop addresses two common problems: students' failure to understand the separate stages of the writing process and, more particularly, their misunderstanding of what editing actually requires.

[B] It's not "teaching to the test"—creating pedagogically sound and empowering lessons that weave bar exam-based formative assessments into the law school curriculum
Sara J. Berman, Director of Academic and Bar Success Programs at AccessLex Institute Center for Legal Education Excellence in Washington, D.C.
@PASSLawProf

Can law professors integrate experiential learning into traditional classrooms, with intentional awareness of the bar exam but without "teaching to the test" ? Yes! In this session, we will collaboratively share teaching techniques that integrate experiential exercises into doctrinal and skills courses, simultaneously creating an awareness for students about bar exam MBE, Essay, and MPT testing. We will work collectively, spring-boarding from actual past bar exam questions to weave these various exam formats thoughtfully into classroom and homework exercises that are easily adaptable to a variety of law school courses.

[C] Mental Constructs, Techniques, and Stories—Must-Have Tools for Authentic Teaching
Paul D. Callister, University of Missouri–Kansas City School of Law
Dr. Peter A. Hook, Cornell Law Library

One critical difference between experts and novices as they approach problems is that "experts notice features and patterns of information that are not noticed by novices." Experts use mental constructs, techniques, and stories to organize their thinking and facilitate seeing and solving problems. This session describe the general concept of constructs, techniques, and stories, including examples and types. It will illustrate how and when they are appropriately used. It will discuss their limitations. It will ask attendees to develop their own authentic voice by sharing their own constructs, techniques and stories with each

12:00—1:00 p.m. Session 3

[A] We Need to Talk: Providing Formative Assessment Through Live Critique
Amanda L. Sholtis, Widener University Commonwealth Law School
@LWritingProud

Law professors use many methods of formative assessment. One of the most engaging, effective, and underutilized forms is live critique. In live critique, a professor reads the student's work for the first time in front of the student and provides immediate feedback. The professor does not evaluate the work before or after the conference. This workshop will explore the benefits of live critique for students and professors and will provide suggestions for incorporating it into courses with large enrollments. Attendees will leave the workshop with insights, as well as numerous resources, so they can conduct their own live critiques.

[B] Maximum Engagement: Utilizing Technology in Large Law School Classes To Engage Students, Create an Active Learning Environment, and Improve Learning
April Gordon Dawson, North Carolina Central University School of Law

Faculty who teach large classes confront the long-existing challenge of making each class engaging and meaningful for all students. In this session, I will share practical ideas and best practices for using technology to facilitate maximum student engagement and create an active learning environment in large classes. During this interactive session, I will discuss and demonstrate the use of interactive polls, QR codes, Google Forms, ExamSoft, multi-media, and other technology tools.

Learning goals:
- Explore and gain insight into the creative ways to use multiple technological tools in large law school classes to increase active learning;
- Discuss best practices for the use of multiple technological tools in large classes; and
- Discuss the pedagogical benefits of utilizing each demonstrated tool.

[C] Self-Mastery For Law Students: How We Foster Qualities of Growth Mindset, Resilience, Grit, and Emotional Intelligence In Our Law Students
Rebecca Simon, USC Gould School of Law and UC-Irvine School of Law
Jarrett Green, USC Gould School of Law and UC-Irvine School of Law

This program will discuss: (1) how stress resiliency practices yield enhanced cognitive and academic performance in law school; (2) key scientific research supporting the link between these factors; (3) the five most common mindsets that law students and lawyers possess that lead to unnecessary emotional suffering and impaired cognitive performance; (4) the five competing mindsets that can be developed in order to improve emotional health and cognitive performance; (5) tangible practices for adopting these mindsets while in law school and beyond; and (6) how empowered mindsets foster qualities of growth mindset, resilience, grit, emotional intelligence, and other key self-mastery qualities.

1:00—2:00 p.m. Lunch

2:00—3:00 p.m. Session 4

[A] Brain-wise Lawyering for Clinical Law Students
Danielle R. Cover, University of Wyoming College of Law

This workshop's primary goal is to introduce educators to some basic principles of neurobiology and to provide examples and techniques for ways professors can use neurobiological principles to improve student performance. The workshop will include the following components:
- An introduction to neurobiology, including a handy three-dimensional model of the brain that you create using your actual hand;
- An exploration of ways that brain-wise concepts can be used in a variety of clinical teaching circumstances, settings, and environments; and
- Discussion and feedback surrounding the impact of brain-wise lawyering on the development of empathy.

[B] The Impact of Critical Reading on Law School Success
Jane Bloom Grisé, University of Kentucky College of Law

Law professors often assume that students come to law school with the ability to read, understand, and analyze cases and statutes. While some students enter law school with good critical reading abilities, others may struggle because their techniques are not effective. Research suggests that student reading strategies may be more predictive of law school success than LSAT scores. This presentation will focus on how all law professors can teach critical reading in connection with doctrinal, writing, or clinical classes. The session will offer practical suggestions that can be taught and incorporated into any class.

[C] Combining Video and Online Annotation/Discussion to Scaffold Legal Skills and Writing Development
Dr. Tina Popa, Graduate School of Business and Law, RMIT University, Melbourne
Dr. Christina Platz, Graduate School of Business and Law, RMIT University, Melbourne
Non-Presenting Author: Professor Kathy Douglas, Graduate School of Business and Law, RMIT University, Melbourne

This presentation discusses the use of technology through the adoption of video and online discussion to scaffold learning about legal skills. Developing appropriate legal skills is an integral aspect of the curriculum in legal education. Video, combined with online discussion, can be used to develop legal skills, enhance learning and support an active learning environment. However, successful implementation of this learning design requires consideration of the following challenges: the costs and time commitment associated with developing the video; the design requires assessment to motivate students to complete the tasks; and the skills need to be carefully scaffolded.

3:30—4:30 p.m. Session 5

[A] Welcoming Generation Z: Enhancing the Law School Experience of our Newest Law Students
Laura P. Graham, Wake Forest University School of Law
@LauraPGraham

This workshop will educate participants about the newest generation of law students: Generation Z. The workshop will explore (1) the personal traits of Gen Z students that may impact their law school experience; (2) the specific learning characteristics common to Gen Z students; and (3) how legal educators (professors and administrators alike) can adapt our teaching methods and other interactions with Gen Z students to maximize their learning. The workshop will include interactive segments focusing on enhancing collaboration among Gen Z students and framing feedback so that it encourages Gen Z students to adopt a mindset of growth and resilience.

[B] Can controlling the classroom undermine student-directed learning?
Selene Mize, University of Otago
@smize_otago

Students who use computers and cellphones during class tend to learn less well and receive worse grades. Controlling device use and other aspects of the classroom may be tempting, but could it interfere with students taking responsibility for their own learning? Relevant research on computer use, student note-taking when typing vs handwriting, and the difficulties of multi-tasking will be covered, along with the limitations of the research. This will be followed by small and large group sharing of experiences and perspectives, focusing on student autonomy and ways to encourage appropriate and beneficial behavior.

[C] The Value of Teaching and Assessing Metacognition in Law School
Jennifer A. Gundlach, Maurice A. Deane School of Law, Hofstra University
@jengundlach

This workshop will provide an overview of metacognition, which involves knowledge and regulation of one's learning and why it is important for law students. After a presentation detailing the results of a recent empirical study undertaken with first-year students at Hofstra Law School, participants will engage in an interactive dialogue to discuss methods for how law faculty might effectively teach and assess students metacognitive skills, including how to manage potential challenges for implementation. Examples of model exercises and instructional tools will be shared with those in attendance.

TUESDAY, JUNE 4, 2019

8:30—9:00 a.m. Continental Breakfast

9:00—10:00 a.m. Session 6

[A] Flipping Crazy --- Generation Z, the ABA, and a Crazy Little Thing Called Flipgrid
Robert Minarcin, University of Arkansas at Little Rock William H. Bowen School of Law
@badasslawprof

Add one part Generation Z, a student population with technology in their DNA and different learning expectations. Add one part ABA Standards, particularly Standards 302, 304, and 306, emphasizing self-evaluation, self-reflection, feedback, and performance. And one part Flipgrid, a video discussion platform where social learning happens. Shake well and served chilled. This presentation will discuss and demonstrate ways to use Flipgrid for professors to implement assessment, feedback, collaboration, discussions, and even virtual emails. A main goal will be to show that the ABA, Socrates, Langdell, and technology can all coexist and provide a better educational experience for everyone.

[B] The Secret Life of Students: Using Oral and Written Feedback for Teaching, Motivation, and Transmission of Professional Standards
Jennifer E. Spreng, Saint Mary's University School of Law

Want to know what students do with feedback you labor over with care? The truth can be depressing, but research shows strategically designed and implemented formative assessment and feedback opportunities are among the most effective methods for teaching, motivation, and transmission of professional standards. In this workshop, participants will penetrate students' "secret lives" with two goals: (1) to examine an evidence-based, progressive model of integrated oral and written feedback loops that sublimates into extended out-of-class, professor-student dialogue about individual continuous improvement; and (2) to explore how to implement such a model to maximize its pedagogical productivity and practical sustainability.

[C] A Lesson in Civility: How to Teach Law Students a Critical Aspect of Lawyering
David A. Grenardo, St. Mary's University School of Law
@StMarys_Law

The program provides a turnkey lesson plan on how to teach civility, including its importance and breadth, to law students based on the article, "A Lesson in Civility," which was published this spring in the Georgetown Journal of Legal Ethics. This interactive presentation will provide the participants with the substantive information, along with the visual and audio tools, to teach civility to their students in a variety of law classes.

10:30—11:30 a.m. Session 7

[A] Plenary Session: 50 Ways to Promote Teaching and Learning
Michael Hunter Schwartz, University of the Pacific, McGeorge School of Law
    @deanmhschwartz
Nancy Levit, UMKC School of Law

In this interactive presentation, two of the authors of the recently-published "50 Ways to Promote Teaching and Learning" will focus on a subset of recommendations from the article that focus on how law teachers can improve their understanding of their own teaching practices, learn more about best practices, and make changes to their teaching. Over the course of the session, participants will think, write, and discuss their teaching practices and brainstorm how those practices might be improved. At the end of the session, participants will catalog the various teaching techniques used by the presenters.

12:00—1:00 p.m. Session 8

[A] "When" a First Year Teacher Stumbles Across An Idea: Shifting the Focus to See the Big Picture and Small Details Together By Using an Appellate Case and Oral Argument
Jean Mangan, University of Georgia School of Law
@NerdSmidge

This workshop will look at the written judicial opinion issued by the Ninth Circuit in *Preap v. Johnson* and the subsequent United Stated Supreme Court oral argument in *Nielson v. Preap* to demonstrate to students how legal writing concepts affect the reader with the goal of strengthening the students' written analysis and arguments. Participants will take part in a simulated class to show how to use a case and oral argument to weave small details of legal writing into a larger whole and will learn one method to effectively transition the law student into the seat of the reader.

[B] Preparing the Law Students of Today for the Legal Tech of Tomorrow
Drew Simshaw, Gonzaga University School of Law
@dsimshaw

Artificial intelligence ("AI") is drastically transforming the legal services landscape. Among other impacts, AI has the potential to increase access to justice by lowering costs and expanding services to untapped markets. But reaching this potential will require the training of ethical, technologically competent lawyers. Preparing law students to effectively navigate this rapidly developing ecosystem will require addressing AI in theory, ethics, and skills-based courses. This workshop will identify several tactical and ethical challenges that law students will face when they encounter AI in practice, and will ask participants to consider the ways in which legal educators can begin to account for these challenges in the law school curriculum.

[C] 21st Century Outlining for Student Success!
Professor Patrick Gould, Appalachian School of Law

1L students who collect outlines from 2Ls and 3Ls often feel a sense of relief which is directly related to their conception that they have all they need to succeed in a specific course. Wrong! This workshop will teach participants how to engage their law students in classroom-based learning exercises that replicate science-based techniques of memory formation and gradual expertise development. The goal of this workshop is to teach the skills necessary to teach an inculcation of, and facility with, complex legal doctrine!

1:00—2:00 p.m. Lunch

[A] Optional Session: West Academic Assessment Solutions
Jeremy Pischke, West Academic
@WestAcademic

Join West Academic's Jeremy Pischke for a session about CasebookPlus and West Academic Assessment. Anchored by faculty-authored formative self-assessments keyed to popular casebooks, these tools allow students to test their understanding of core concepts as they are learning them in class. Adopt the CasebookPlus option of your text to provide your students with the tools they need to gauge their understanding of the subject, or subscribe to West Academic Assessment to provide all of your students with access to over 5000 multiple choice formative self-assessment questions across seventeen subjects. Each tool also includes sample short answer and essay questions in select subjects, customizable quizzes, and reporting to help you gauge student comprehension.

2:00—3:00 p.m. Session 9

[A] Plenary Session: Using Learning Assessment Techniques
Sophie Sparrow, University of New Hampshire School of Law
@sophie_sparrow

Many of us are familiar with Classroom Assessment Techniques (CATs) such as the "Minute Paper" and the "Muddiest Point." Developed over thirty years ago by Angelo & Cross, CATs allow teachers to find out how well students are achieving learning objectives. More recently, education experts Barkley & Howell Major designed 50 Learning Assessment Techniques (LATs), to seamlessly integrate teaching, learning, and assessment. In this session, participants will learn how to use and interpret LATs in their law school courses to improve today's students' learning.

3:30—4:30 p.m. Session 10

[A] Constructed Reality: Understanding the Generations to More Effectively Teach the Current (and Upcoming) Generation of Law Students
Mary Ann Becker, Loyola University School of Law

The youngest generation's experiences have resulted in a "constructed reality" for many of our current (and upcoming) law students, impacting how these students approach the study of law and their future professional life. In this workshop, I will illustrate the four factors that contribute to this generation's unique viewpoint and how this viewpoint impacts their legal education. Then, we will interactively develop and discuss effective teaching ideas related to these factors so that we can better prepare this generation of students for the "actual reality" of the law practice.

[B] Mirror, Mirror, on the Wall: Self-Assessment for Law Students Who Fear Reflection
Sue Payne, Emory University School of Law

Professor Payne will briefly review the research on why developing the ability to "look in the mirror" – that is, to self-assess – is so important for law students who want to succeed in law school and, ultimately, in law practice. She will also discuss the ABA's requirement that experiential courses "provide opportunities for student self-evaluation." (See, ABA Standard 304(a)(4).) Finally, she will demonstrate a variety of self-assessment methods that (1) can easily be incorporated into law school classes, (2) demystify self-assessment, and (3) help students develop a healthy attitude toward regularly looking in the mirror.

[C] Universal Design for (Law) Learning
Diane Klein, University of La Verne College of Law
Amber Bechard, University of La Verne LaFetra College of Education

Our workshop will explore and employ "Universal Design for Learning" approaches to effective instruction for law students who are neurodiverse and to facilitate disability accommodations. The workshop will involve multiple means of representation, expression and engagement, including brainstorming (solo then with a partner) specific challenges they have encountered as a learner or instructor; and "active learning" (e.g., a gallery walk to jot down and discuss in small groups instructional ideas for various challenging scenarios). We will talk about UDL principles, use video, and give examples of specific instructional strategies that are usable the next day.   Participants will leave with several practical ideas they can implement in their own classes and share with their law school colleagues.

WEDNESDAY, JUNE 5, 2019

8:30—9:00 a.m. Continental Breakfast

9:00—10:00 a.m. Session 11

[A] Combating the Epidemic of "I Did Everything I Was Supposed To Do": Teaching Adaptive Learning and Spaced Repetition to the Underprepared and Low-Performing Law Student for Bar Success
Brittany L. Raposa, Roger Williams University School of Law

The goal of this workshop is to demonstrate how we can teach underprepared and underperforming students, using principles of self-regulated learning, to study for the bar exam in an individualized way that works for them, increasing their chances of first-time bar passage. The workshop will begin with the participants getting a particular student profile, depicting the conventional "underprepared" and low-performing law student that many law schools are seeing today. The workshop will then take the "student" through what an in-house bar support course at a law school would teach them, specifically focusing on how to create individualized and effective study using adaptive learning and spaced repetition. This workshop creates the notion that, if student's follow this process during actual bar study after graduation, it increases their chances of bar success.

[B] Reasons and Methods for Teaching Self-Evaluation: Lessons from Primary and Secondary Education, Other Disciplines, and Clinical Practice
Carole Heyward, Cleveland-Marshall College of Law, Cleveland State University

In this workshop, we will explore why learning science and the practical considerations of professional law practice, compel us to teach our students the important professional skill of self-evaluation. Since little has been written about teaching law students to self-evaluate, we will explore lessons learned in other disciplines and primary and secondary education. Participants will then be asked to explore, in small groups, ideas about the most effective ways to teach students to engage in effective self-evaluation. Participants will receive a selected bibliography of sources discussing self-evaluation, suggested ways to teach self-evaluation, and rubrics for student self-evaluation.

[C] Shifting from "Did I teach X?" to "Did they learn X?"
Kimberly O'Leary, WMU-Cooley Law
Joni Larson, Zimmer Biomet

We teach doctrine through skills instruction by deliberately connecting doctrine to lawyering skills. We create active learning experiences and frequently assess in "doctrinal" classes, without any sacrifice in content coverage. Before the workshop, attendees can participate in a discussion thread and explore resources. During the workshop, we will discuss and demonstrate tools to enhance student learning; identify skills students will need to demonstrate that learning; ask guided questions; and help participants develop a lesson plan built around skills.

10:30—11:30 a.m. Session 12

[A] Utilizing Technology to Enhance Learning in and out of the Classroom
Robert L. Jones, Northern Illinois University College of Law

This workshop will demonstrate a variety of ways in which student engagement and assessment can be enhanced through the use of TopHat, Camtasia Studio, and Blackboard Collaborate. The workshop will demonstrate a range of pedagogical uses for TopHat, a web based clicker response system which allows students to use their computers and mobile devices to answer or post questions in and out of the classroom. The workshop will demonstrate how Blackboard Collaborate can be used with TopHat to offer synchronous online content. Finally, the workshop will demonstrate how to utilize Camtasia Studio to offer online content to flip classrooms.

[B] Integrating Empathy into the Law School Classroom: A Client-Focused Approach
Cheryl Bratt, Boston College Law School
Maureen Van Neste, Boston College Law School
   @VanNesteMaureen

In this workshop, the presenters will share specific strategies we've integrated into our first-year Law Practice curriculum at BC Law to help students develop empathic lawyering skills. We will discuss introducing the topic of empathy in early classes with a focus on the legal reader as a client, and share materials and exercises that will require students to step into a client's shoes. We will also discuss lessons from an interviewing simulation and live client exercise intended to strengthen students' empathic lawyering skills.

[C] Fostering a Climate to Facilitate Law Student Disclosure of Disabilities for Purposes of Receiving Accommodations
Chris Payne-Tsoupros, University of the District of Columbia David A. Clarke School of Law

Participants in this workshop will explore strategies for helping recognize signs that students may have a disability issue while maintaining confidentiality required under the law and strategies for encouraging a climate that encourages disclosure for purposes of obtaining an accommodation. This workshop will draw on research from the mental health and substance abuse fields regarding techniques to reduce feelings of shame or isolation that some students may experience. The workshop also will draw on research from the disabilities studies field with respect to fostering a climate of inclusion for students with disabilities that can encourage disclosure.

12:00—1:00 p.m. Session 13

[A] Active Learning for the Bar Exam
Heidi Ramos, Southern Illinois University School of Law

Even students who used active learning techniques while in law school seem to fall prey to the siren song of passive learning once they are introduced to commercial bar prep videos. With MBE scores at historic lows, reintroducing active learning techniques and their application to bar study is imperative. After all, low MBE scores illustrate either a deficiency in legal knowledge or its application. This presentation is a demonstration of how to use active learning techniques in the classroom and then collectively assess the success of such efforts with the introduction of sample bar questions.

[B] Teaching Leadership – from the Librarian!
Thomas Sneed, Washburn University School of Law

We know lawyers become leaders and leadership is a skill that can be learned. But who in the law school has the experience to take on this unique pedagogical role? What about the librarians? The library is very similar to a small business and the library director must take on a leadership role for the organization to work smoothly. Law librarians are equipped with the skills to engage this overlooked educational need.

This workshop will discuss the current environment for leadership instruction in law schools and a strong rationale for why librarians can step in to this role. Additionally, a framework for integrating leadership concepts into traditional law school courses with be discussed.

[C] Using Aggregate Performance Results and Data from MCQs and Rubrics in All First-Year Courses to Evaluate Student Learning
Ellen Pryor, UNT Dallas College of Law
Melissa Shultz, UNT Dallas College of Law
Eric Porterfield, UNT Dallas College of Law

Simply put, the era of multiple assessments in law school is now. With the arrival of this new era, law schools across the country are changing the frequency and nature of their assessments. This means that schools are now amassing—whether intentionally or not—earlier and more extensive data on student learning through their students' performance results on multiple-choice questions and rubric results or other scoring data on exams and papers. The million dollar question is: what good does this all this data do and how can law schools (and law professors) use performance data to optimize student learning and to improve their own teaching?

The presentation will focus on how to maximize the opportunities and minimize the challenges relating to the use of MCQ and rubric-based performance results across first-year courses to evaluate student learning and to make curricular adjustments. The presentation will focus on three areas in particular: 1) using feedback from multiple-course performance on MCQs and rubric-scored writings (essays and other written assignments) to diagnose and intervene with students by the end of the midterm period of the first semester; 2) connecting legal methods instruction and academic support to the content of and student performance in other first-year courses; and 3) fostering both student and professor metacognition, as well as self-regulated learning through across-course multiple-performance results.

1:00—2:00 p.m. Lunch and Closing

Adjourn