

Updated through July 2008

Bibliography of Books and Articles on Active Learning and other Techniques for Teaching Law¹

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General Thoughts on Law School Teaching

Seven guiding principles of teaching law:

1. Encourage student-faculty contact.
2. Encourage student cooperation.
3. Encourage active learning.
4. Give prompt feedback.
5. Emphasize time on task.
6. Hold high expectations.
7. Respect diverse student talents and students' diverse ways of learning.

Gerald F. Hess, *Teaching Law: Seven Guiding Principles*, THE LAW TEACHER, Spring 1999, at 7.²

“Fundamental lawyer skills” identified in the MacCrate Report, are: Problem-solving, legal analysis and reasoning, legal research, factual investigation, communication, counseling, negotiation, litigation and ADR procedures, organization and management of legal work and recognizing and resolving legal dilemmas. See ABA Section of Legal Education and Admission to the Bar, *Legal Education and Professional Development: An Educational Continuum* 138-40 (1992)(MacCrate Report).

“Fundamental values of the profession” identified in the MacCrate Report, are: Provision of competent representation, striving to promote justice, fairness and morality, striving to improve the profession, and professional development. MacCrate Report, *supra*, at 140-41.

Gerald F. Hess, *Heads and Hearts: The Teaching and Learning Environment in Law School*, 52 J. LEGAL EDUC. 75, 75-79 (2002)(Summarizing the research showing that the law school environment is stressful, intensely competitive, alienating, anxiety producing, isolating, intimidating, de-motivating and distressing. It emphasizes linear, logical,

¹ Organized alphabetically by author within each section. Please forgive any Blue Book errors. I have not proofed it that carefully.

² Hess and Steve Friedland are considered the gurus on law school teaching techniques. Hess runs the Institute for Law School Teaching at Gonzaga University Law School.

doctrinal analysis and de-emphasizes emotion, imagination, morality, respect, support, collaboration, inclusion, engagement, delight, and feedback.)

Women Law Students³

Lani Guinier, et al, *Becoming Gentlemen: Women's Experiences at One Ivy League Law School*, 143 U.PA. L. REV. 1, 18-21 (1994)(study of students from 1987 to 1992, showing that despite women's slightly higher entry-level credentials, men are three times more likely than women to be in the top 10% of their law school class; finding that women enter law school with strong attitudes about the social status quo, legal education, and public interest career goals and leave with corporate ambitions and some evidence of mental health distress; and revealing that women are alienated (and psychologically defeated) by the Socratic method. Women described the first year of law school as "a radical, painful, or repressive experience.").

Sari Bashi & Maryana Iskander, *Why Legal Education is Failing Women*, 18 Yale. J. L. & Feminism 389 (2006) (may be follow-up study to Guinier's study).

LINDA F. WIGHTMAN, LSAC RESEARCH REPORT SERIES, WOMEN IN LEGAL EDUCATION: A COMPARISON OF THE LAW SCHOOL PERFORMANCE AND LAW SCHOOL EXPERIENCES OF WOMEN AND MEN (1996)(empirical research showing that women have a slightly higher performance in college but a lower performance in law school than their male cohorts).

³ I include these citations because I have noticed that fewer women regularly volunteer to speak in law school classes.

Learning Style & Multiple Intelligences

James A. Anderson & Maurianne Adams, *Acknowledging the Learning Styles of Diverse Student Populations: Implications for Instructional Design*, in TEACHING FOR DIVERSITY 21-23 (Laura L.B. Border & Nancy Van Note Chism eds., 1992).

Yvonne R. Bell, *A Culturally Sensitive Analysis of Black Learning Style*, 20 J. BLACK PSYCHOL. 47, 47-61 (1994) and other articles cited by Jacobson, *infra*, at n. 4.

Robin A. Boyle & Lynne Dolle, *Providing Structure to Law Students – Introducing the Programmed Learning Sequence as an Instructional Tool*, 8 J. LEGAL WRITING INST. 59 (2002).

Robin A. Boyle & Rita Dunn, *Teaching Law Students through Individual Learning Styles*, 62 ALBANY L. REV. 213 (1998).

William C. Bradford, *Reaching the Visual Learner: Teaching Property Through Art*, THE LAW TEACHER, Fall 2004, at 13 (love this article).⁴

ELIZABETH J. DAVIS, *CHAOS IN THE CLASSROOM: A NEW THEORY OF TEACHING AND LEARNING* (Carolina Academic Press 2007)(based on cognitive learning theory, constructivist learning theory, and brain-based learning theory).

Kirsten A. Dauphinais, *Valuing and Nurturing Multiple Intelligences in Legal Education: A Paradigm Shift*, 11 WASH. & LEE RACE & ETHNIC ANC. L.J. 1 (2005).

Fred Galves, *Will Video Kill the Radio Star? Visual Learning and the Use of Display Technology in the Law School Classroom*, 2004 U. ILL. J.L. TECH. & POL'Y 195 (2004).

Karen Gross, *Visual Imagery and Law Teaching*, THE LAW TEACHER, Fall 1999, at 8.⁵

M.H. Sam Jacobson, *A Primer on Learning Styles: Reaching Every Student*, 25 SEATTLE U. L. REV. 139, 166-67 (2001)(my students use this article to self-identify their dominant learning/information absorption styles).

M.H. Sam Jacobson, *Learning Styles and Lawyering: Using Learning Theory to Organize Thinking and Writing*, 2 J. ASS'N LEGAL WRITING DIRECTORS 27 (2004).

⁴ Based on some anecdotal evidence, 30% of ASL students could be visual learners who prefer to absorb information through charts, diagrams, shading, color, flowcharts, video images, photographs, illustrations, and mind maps. M.H. Sam Jacobson, *A Primer on Learning Styles: Reaching Every Student*, 25 SEATTLE U. L. REV. 139 (2001).

⁵ The web address for The Law Teacher changes. As of August 2008, you could get to it at <http://www.law.gonzaga.edu/about-gonzaga-law/institute-for-law-school-teaching/>. Then click on the left hand tab for Law Teacher Newsletter. Or, do a Google search for the name of the newsletter (in quotation marks).

Paula Lustbader, *Teach in Context: Responding to Diverse Student Voices Helps all Students Learn*, 48 J. LEGAL EDUC. 402 (1998).

Matthew J. McCloskey, Comment, *Visualizing the Law: Methods for Mapping the Legal Landscape and Drawing Analogies*, 73 WASH. L. REV. 163 (1998)(showing ways to visually organize legal theory and doctrines) and other sources cited in Jacobson, *supra*, at nn. 59 & 135.

Kathleen A. McKee, *Learning Like Lawyers: Addressing the Difference in Law Student Learning Styles*, 2006 B.Y.U. EDUC. & L.J. 499.

William Wesley Patton, *Opening Students' Eyes: Visual Learning in the Socratic Classroom*, 15 LAW & PSYCHOL. REV. 1 (1991) (describing the use of visual organizers and T-line analysis of exam questions and answers).

Mary B. Ray, *How Individual Differences Affect Organization and how Teachers can Respond to these Differences*, 5 J. LEGAL WRITING INST. 125 (1999).

Andrew S. Watson, *The Quest for Professional Competence: Psychological Aspects of Legal Education*, 37 U. CIN. L. REV. 91, 111 (1968).

Ian Weinstein, *Testing Multiple Intelligences: Comparing Evaluation by Simulation and Written Exam*, 8 Clinical L. Rev. 247 (2001).

Ego Development and Other Generational Differences

Robin A. Boyle, *Generation X⁶ in Law School: How these Law Students are Different from those who Teach Them*, 56 J. LEGAL EDUC. 281 (2006).⁷

B. Glesner-Fines, *The Impact of Expectations on Teaching and Learning*, 38 GONZAGA L. REV. 89 (2002-03) (discussing generational bias and resistant learners).

Steven I. Friedland, *How we Teach: A Survey of Teaching Techniques in American Law Schools*, 20 SEATTLE U. L. REV. 1, 4-12 (1996). He describes nine positions of development that apply to law students. Based on these descriptions, many law students are in Position #1: "In this position the student sees the world in polar terms of we-right-good vs. other-wrong-bad. Right answers for everything exist in the Absolute, known to Authority whose role is to mediate (teach) them. Knowledge and goodness are perceived as quantitative accretions of discrete rightness to be collected by hard work and obedience (paradigm: a spelling test). A student who falls into this category 'has always taken it for granted that knowledge consists of correct answers, that there is one right answer per problem, and that teachers explain these answers for students to learn. He therefore listens for the [instructor] to state which theory he is to learn.'" *Id.* at 10, citing

⁶ The last-born GenXers entered law school in the 2003-04 academic year.

⁷ Very interesting reading and we are now teaching Millennial generation students. Babies born in 1982 are the leading edge of the Millennial generation.

WILLIAM G. PERRY, FORMS OF INTELLIGENCE AND ETHICAL DEVELOPMENT IN THE COLLEGE YEARS: A SCHEME (1970). Friedland describes Position #2, in which some law students will fall, as follows: “In this position, [a student] makes the same general assumptions [as the student in Position #1] but with an elaboration to the effect that teachers sometimes present problems and procedures, rather than answers, ‘so that we can learn to find the right answer on our own.’ [The student] therefore perceives the [class] as a kind of guessing game in which he is to ‘figure out’ which theory is correct...” *Id.* at 11. In Position #3, “the student recognizes the legitimacy of differences of opinion and ‘accepts diversity and uncertainty as legitimate but still temporary in areas where Authority hasn’t found The Answer yet.’” *Id.* Most law professors will be at Positions #5 to #9 of this developmental scheme. Thus, for professors, the ambiguity in the law, not the right or wrong answers, tends to excite. These differences in the level of comfort with ambiguity and nuanced analysis can create tensions in the classroom if the professor does not appreciate the expectations and anxieties of students that reflect their earlier developmental stage.

NEIL HOWE & WILLIAM STRAUSS, 13TH GEN: ABORT, RETRY, IGNORE, FAIL? (1993).

NEIL HOWE & WILLIAM STRAUSS, MILLENNIALS RISING: THE NEXT GENERATION (2000).

Rogelio Lasso, *From the Paper Chase to the Digital Chase: Technology and the Challenge of Teaching to 21st Century Law Students*, 43 SANTA CLARA L. REV. 1 (2002).

Tracy L. McGaugh, *Generation X in Law School: The Dying of the Light or the Dawn of a New Day?*, 9 LEGAL WRITING 119 (2003).

William B. Stoebuck, *Back to the Crib?*, 69 WASH. L. REV. 665, 676 (1994) (expressing concern about the apparent increase in the number of persons admitted to undergraduate schools, and later into law schools, who have not had traditional instruction in critical reading, critical reasoning, analytical writing, and civics, government, or the American legal system).

Adult Learners – Do Most Law Students Fall in this Category?
The Answer: Probably Not!

STEPHEN D. BROOKFIELD, UNDERSTANDING AND FACILITATING ADULT LEARNING: A COMPREHENSIVE ANALYSIS OF PRINCIPLES AND EFFECTIVE PRACTICES 5 (1986).

K. Patricia Cross, ADULTS AS LEARNERS (1981).

Gordon G. Darkenwald & Sharon B. Merriam, ADULT EDUCATION: FOUNDATIONS OF PRACTICE. (1982).

Malcolm S. Knowles, THE MODERN PRACTICE OF ADULT EDUCATION (1980).

Linda Morton, Janet Weinstein & Mark Weinstein, *Not Quite Grown Up: The Difficulty of Applying Adult Education Model to Legal Externs*, 5 CLINICAL L. REV. 469, 497 (1999).

**Passive vs. Active Learning
and
Self-Regulated Learners**

Robin A. Boyle, *Employing Active-Learning Techniques and Metacognition in Law School: Shifting Energy from Professor to Student*, 81 U. DET. MERCY L. REV. 1 (2003).

Gerald F. Hess, *Seven Principles for Good Practice in Legal Education: Principle 3: Good Practice Encourages Active Learning*, 49 J.LEGAL EDUC. 401, 402 (1999).

CHET MEYERS & THOMAS B. JONES, PROMOTING ACTIVE LEARNING: STRATEGIES FOR THE COLLEGE CLASSROOM (1993) (with chapters on informal small groups, cooperative student projects, simulations, case studies, guest speakers, and the effective use of technology).

Laurel C. Oats, *Beating the Odds: Reading Strategies of Law Students Admitted through Alternative Admissions Programs*, 83 IOWA L. REV. 139 (1997) (finding that successful students – those who out-performed their “indicators” -- were self-regulated learners who engaged in “active learning” techniques; finding that those who performed at or below their indicators were passive learners).

Michael L. Richmond, *Teaching Law to Passive Learners: The Contemporary Dilemma of Legal Education*, 26 CUMB. L. REV. 943, 955-56 (1995-96).

Michael H. Schwartz, *Teaching Law Students to be Self-Regulated Learners*, 2003 MICH. ST. DCL L. REV. 447 (2003).

Charles B. Sheppard, *The Grading Process: Taking a Multidimensional, “Non-Curved” Approach to the Measurement of a First-Year Law Students’ Level of Proficiency*, 30 W.

ST. U. L. REV. 177 n. 30 (2000) (describing bibliography author provides to his first-year students about how to become self-regulated, active learners -- including tips on study habits, preparing to take exams, and exam techniques).

Using Active Learning in College Classes: A Range of Options for Faculty (Tracey Sutherland & Charles Bonwell, eds., Jossey-Bass No. 67, Fall 1996)(pamphlet)(chapters on the active learning continuum; providing structure (the critical element); enhancing the lecture; writing exercises as active learning; using electronic tools to promote active learning; cooperative learning; and emerging issues in active learning).

WILLIAM M. TIMPSON ET AL., *TEACHING AND PERFORMING: IDEAS FOR ENERGIZING YOUR CLASSES* (1997) (with chapters on lecture; questions, answers and discussions; energy, creativity, and spontaneity; and three chapters on using theater techniques and improvisation in class).

BARRY J. ZIMMERMAN, *SELF-REGULATED LEARNING: FROM TEACHING TO SELF REFLECTIVE PRACTICES* (1998).

[No author], Note, *Making Docile Lawyers: An Essay on the Passification of Law Students*, 111 HARV. L. REV. 2027 (1998).

Learning Outcomes

B. Gleaner-Fines, *The Impact of Expectations on Teaching and Learning*, 38 GONZAGA L. REV. 89 (2002-03).

GREGORY S. MUNRO, OUTCOMES ASSESSMENT FOR LAW SCHOOLS (Inst. for Law School Teaching 2000).

Patrick T. O'Day, *Assessing What Matters in Law School: The Law School Survey of Student Engagement*, 81 IND. L. J. 401 (2006) (discussing the Law School Survey of Student Engagement (LSSSE) report).

Charity Scott, *How Well do we Engage our Students?*, 35 J.L. MED. & ETHICS 739 (2007) (discussing the LSSSE report).

Charles B. Sheppard, *supra*, at n. 40 (2000) (describing the stated learning objectives for each topic covered in the author's Property II class as: (1) learning the definitions of the words and phrases listed for the covered topic; (2) learning the circumstances in which certain key words are applicable; and (3) learning the legal doctrines that pertain to the matters listed for the covered topic).

Roy Stuckey, *Teaching with Purpose: Defining and Achieving Desired Outcomes in Clinical Law Courses*, 13 CLINICAL L. REV. 807 (2007).

Teaching Techniques In General

For a list serve of law professors interested in innovative teaching methods, *see* the AALS Teaching Methods mailing list at: secttm@lists.aals.org. To manage your subscription, go to <http://connect.aals.org/p/us/to/>

For websites and blogs:

- Barbara Glesner-Fines' *Teaching and Learning* website, at <http://www.law.umkc.edu/faculty/profiles/glesnerfines/bgf-edu.htm>.
- Steven Friedland's *Teaching and Learning* blog at <http://idd.elon.edu/blogs/law/>
- *Best Practices in Legal Education* blog, *see* <http://bestpracticeslegaled.albanylawblogs.org/>
- *Johnson and Johnson Cooperative Learning* website at <http://www.co-operation.org/>
- Ken Bain's *Montclair State Teaching and Learning* website, at <http://www.montclair.edu/academy/bibs.html>

Jane H. Aiken, et al., *The Learning Contract in Legal Education*, 44 MD. L. REV. 1047 (1985).

Filippa M. Anzalone, *It all Begins with You: Improving Law School Learning Through Professional Self-Awareness and Critical Reflection*, 24 HAMLINE L. REV. 324 (2001).

Susan J. Becker, *Advice for the New Law Professor: A View from the Trenches*, 42 J. LEGAL EDUC. 432, 439 (1992).

STEPHEN BROOKFIELD, *BECOMING A CRITICALLY REFLECTIVE TEACHER* (1995) (chapters on, among other things, using critical incident questionnaires to see ourselves through the eyes of our students; a good practices audit; and creating a culture of reflection).

Robin A. Boyle, *Employing Active-Learning Techniques and Metacognition in Law School: Shifting Energy from Professor to Student*, 81 U. DET. MERCY L. REV. 1 (2003).

Leslie L. Cooney, *Beyond Core Skills and Values: Integrating Therapeutic Jurisprudence and Preventative Law into the Law School Curriculum*, 5 PSYCHOL. PUB. POL'Y & L. 1123 (1999).

Corinne Cooper, *Letter to a Young Law Student*, 35 TULSA L.J. 275 (2000)(I gave this article to my LP students at the beginning of the semester as an introduction to law school culture. It discusses the Socratic method, student learning, student self-learning, competition, cheating, "what is legal thinking?, what is legal analysis?," the IRAC method, precedent, the importance of the rule of law, the nature of law as a profession,

your professional life begins now, and the courage to face the struggle ahead. Students thought it was helpful.)

Steven I. Friedland, *How we Teach: A Survey of Teaching Techniques in American Law Schools*, 20 SEATTLE U. L. REV. 1 (1996).

STEVEN I. FRIEDLAND & GERALD HESS, *TEACHING THE LAW SCHOOL CURRICULUM* (2004) (provides tips on approaches, materials, class exercises, “brief gems”, and evaluation of students).

Lani Guinier, *The Law School Matrix: Reforming Legal Education in a Culture of Competition and Conformity*, 60 VAND. L. REV. 515 (2007).

Nira Hativa, *Teaching Large Law Classes Well: An Outsider’s View*, 50 J. LEGAL EDUC. 95 (2000).

Gerald F. Hess, *Learning to Think Like a Teacher: Reflective Journals for Legal Educators*, 38 GONZAGA L. REV. 129 (2002-03).

Gerald F. Hess, *Monographs on Teaching and Learning for Legal Educators*, 35 GONZ. L. REV. 92 (2000), quoting DAVID W. JOHNSON, ET AL., *COOPERATIVE LEARNING: INCREASING COLLEGE FACULTY INSTRUCTIONAL PRODUCTIVITY* 6-8 (1991).

Dennis R. Honnabach, *Precision Teaching in Law School: An Essay in Support of Student-Centered Teaching and Assessment*, 54 U. TOL. L. REV. 95 (2002).

Sue Liemer, *Every Case Has Two Stories*, THE LAW TEACHER, Spring 2001, at 12 (what happened in real life to make someone bring a lawsuit; how did the lawsuit wind its way through the courts).

Mary Kate Kearney & Mary Jane Kearney, *Reflections on Good (Law) Teaching*, 2001 L. REV. MICH. ST. U. DET. C. L. 835 (2001).

Deborah Maranville, *Infusing Passion and Context into the Traditional Law Curriculum through Experiential Learning*, 51 J. LEGAL EDUC. 51 (2001).

James Maule, *Crumbling Myths and Dashed Expectations*, THE LAW TEACHER, Fall 2003, at 8.

Alice M. Noble-Alligire, *Desegregating the Law School Curriculum: How to Integrate More of the Skills and Values Identified by the MacCrate Report into a Doctrinal Course*, 3 NEV. L.J. 32, 35 (2002)(describing the skills taught through active learning in her property and trusts & estates classes).

Eric W. Oris, *Quality Circles in Law Teaching*, 47 J. LEGAL EDUC. 425 (1997)(using quality circles to invite students to give periodic feedback during a course).

Sallyanne Payton, *Essays on Legal Education: Is Thinking Like a Lawyer Enough?*, 18 U. MICH. J. L. REF. 233 (1985).

John M. Rogers, *Class Participation: Random Calling and Anonymous Grading*, 47 J. LEGAL EDUC. 73 (1997).

Joshua Rosenberg, *Teaching Empathy in Law School*, 36 U. SAN FRAN. L. REV. 621 (2002).

MICHAEL H. SCHWARTZ, EXPERT LEARNING FOR LAW STUDENTS (2008) (designed to help students build the analytical skills necessary to succeed in law school and on the bar exam – including assessment of time management, study environment, study skills and habits, discipline, mental outlook, and general health).⁸

Michael H. Schwartz, *Teaching Law by Design: How Learning Theory and Instructional Design can Inform and Reform Law Teaching*, 38 SAN DIEGO L. REV. 347 (2001).

Sheila Simon, *Teaching Active Reading*, THE LAW TEACHER, Spring 2001, at 11.

Sophie Sparrow, *Are we the Teachers we Think we are? Observing others Teach – Lessons for the Teacher*, THE LAW TEACHER, Fall 2004, at 3 (more on Teaching Squares).

⁸ For more publications on effective teaching by this prolific author, see <http://www.washburnlaw.edu/faculty/schwartz-michael-pub.php>.

Specific Teaching Techniques

Collections of Ideas

See citations in the Passive vs. Active Learning section, *supra*.

STEPHEN BROOKFIELD, *THE SKILLFUL TEACHER* (1990)(good discussion of active learning techniques with chapters on lecturing creatively, facilitating discussion, using simulations and role-playing, giving helpful evaluations, overcoming resistance to learning, and building trust with students).

DAVID ROYSE, *TEACHING TIPS FOR COLLEGE AND UNIVERSITY INSTRUCTORS: A PRACTICAL GUIDE* (Allyn & Bacon, eds. 2001)(chapters on classroom strategies; small group, peer learning and role-playing; teaching the large lecture class; teaching students how to learn; experiential learning; use of instructional technology; examinations; grading; managing problem situations; cheating; humor in the classroom; improving teaching performance; values and ethics; and have you chosen the right career (ha, ha)).

Steven Hartwell and Sherry L. Hartwell, *Teaching Law: Some Things Socrates did not Try*, 40 J. LEGAL EDUC. 509 (1988).

GERALD HESS & STEVEN FRIEDLAND, *TECHNIQUES FOR TEACHING LAW* (1999)(if you don't read anything else, read this).

Mary Kay Lundwall & Arturo L. Torres, *Moving Beyond Langdell II: An Annotated Bibliography of Current Methods for Law Teaching*, 2000 GONZ. L. REV. 1 (spec. ed. 2000).

Alice M. Noble-Allgire, *Desegregating the Law School Curriculum: How to Integrate More of the Skills and Values identified by the MacCrate Report into a Doctrinal Course*, 3 NEV. L.J. 32 (2002).

Craig T. Smith, *Teaching Students How to Learn in your Course: The "Learning-Centered" Course Manual*, 1 PERSP. TEACHING LEGAL RES. & WRITING 1 (Fall 2003), available at Westlaw 12 No. 1 PERSPEC 1.

Arturo L. Torres & Karen E. Harwood, *Moving Beyond Langdell: An Annotated Bibliography of Current Methods for Teaching Law*, 1994 GONZAGA L. REV. 1 (spec. ed. 1994).

Arturo L. Torres, *MacCrate Goes to Law School: An Annotated Bibliography of Methods of Teaching Lawyering Skills in the Classroom*, 77 NEB. L. REV. 132 (1998).

Games

Robin K. Craig, *The Plays the Thing: Learning Civil Procedure by Breaking the Routine*, THE LAW TEACHER, Spring 1999, at 4 (describing the use of the game “hot potato” to use rules of civil procedure governing joinder of claims and parties to “build a lawsuit”).

Brannon Heath, *The Research Quiz Show*, THE LAW TEACHER, Spring 2000, at 11.

Jennifer L. Rosato, *All I Ever Needed to Know about Teaching Law School I Learned Teaching Kindergarten: Introducing Gaming Techniques into the Law School Classroom*, 45 J. LEGAL ED. 568, 570-71 (1995)(author explains the use of games in class to increase student comprehension of a large amounts of discrete information, including a discovery game based on the Buffalo Creek disaster (Buffalo Creek Family Feud), a game for civil procedure class that examines class action rules (Class Action Jeopardy)⁹ and a game based on the TV series *Law and Order*).

Peer Teaching, Group Work, and Collaborative Projects

Kirsten K. Davis, *Designing and Using Peer Review in a First-Year Legal Research and Writing Course*, 9 LEGAL WRITING: J. LEGAL WRITING INST. 1 (2003).

Dorothy H. Evensen, *To Group or not to Group: Students’ Perceptions of Collaborative Learning Activities in Law School*, 28 SO. ILL. U. L. J. 343 (2004).

Barbara Glesner-Fines, *Teaching with Small Groups*, THE LAW TEACHER, Fall 1999, at 9.

Douglas R. Haddock, *Collaboration on Examinations*, THE LAW TEACHER, Fall 2002, at 1.

Elizabeth L. Ingelhart, et al., *From Cooperative Learning to Collaborative Writing in the Legal Writing Classroom*, 9 LEGAL WRITING: J. LEGAL WRITING INST. 185 (2003).

Angela M. Kupenda, *Risking Collaborative Learning in Core Courses*, THE LAW TEACHER, Spring 2002, at 6.

Vernellia R. Randall, *Increasing Retention and Improving Performance: Practical Advice on Using Cooperative Learning in Law Schools*, 16 T.M. COOLEY L. REV. 201 (1999).

Elizabeth Reilly, *Deposing the “Tyranny of Extroverts”*: Collaborative Learning in the Traditional Classroom Format, 50 J. LEGAL. EDUC. 593 (2000).

⁹ I developed a *Jeopardy* game to teach mediator ethics. Students play for Monopoly money and are quite competitive. I also developed a game that is a cross between *Who Wants to be a Millionaire* and *Survivor* to give an ADR overview lecture that doesn’t seem like a lecture. Students compete for a box of Lucky Charms, cans of sweet peas, and books no one else wants. Again, students are amazingly engaged and competitive.

Louis Sirico, *Try Peer Teaching*, THE LAW TEACHER, Fall 2003, at 1.

Louis J. Sirico, Jr., *Teaching a Collaborative Seminar*, THE LAW TEACHER, Fall 2002, at 5.

Brigette L. Willauer, Comment: *The Law School Honor Code and Collaborative Learning: Can They Coexist?*, 73 U.M.K.C. L. REV. 513 (2004).

Clifford S. Zimmerman, “*Thinking Beyond my own Interpretations:*” *Reflections on Collaborative and Cooperative Learning Theory in the Law School Curriculum*, 31 AZ. ST. L. J. (1999).

Problems

Mark Broida, *Creative Problem Solving*, THE LAW TEACHER, Spring 2001, at 9.

Bruce Green, *Teaching Lawyers Ethics*, 51 ST. LOUIS U. L. J. 1091 (2007) (providing a transcript of a discussion of a real-life ethics problem).

Suzanne Kurtz, et al., *Problem-Based Learning: An Alternative Approach to Legal Education*, 13 DALHOUSIE L. J. 797, 801-03 (1990).

Myron Moskovitz, *Beyond the Case Method: It’s Time to Teach with Problems*, 42 L. LEGAL EDUC. 241, 244 (1992).

Steven Shapiro, *Teaching First-Year Civil Procedure and other Introductory Courses by the Problem Method*, 34 CREIGHTON L. REV. 245 (2000).

Simulations

Karen Barton, et al., *Authentic Fictions: Simulation, Professionalism, and Legal Learning*, 14 CLINICAL L. REV. 143 (2007).

Jay Feinman, *Simulations: An Introduction*, 45 J. LEGAL EDUC. 469 (1995).

Paul S. Ferber, *Adult Learning Theory and Simulations – Designing Simulations to Educate Lawyers*, 9 CLINICAL L. REV. 417 (2002).

Margaret Hazen & Thomas Lee Hazen, *Simulation of Legal Analysis and Instruction on the Computer*, 59 IND. L. J. 195 (1983).

Suzanne Schmidt, et al., *Developing the Perspective of the “Lawyer as Problem Solver” through Selected Classroom Exercises and Simulations*, Session F12, ABA ADR Section Conference (April 2002)(on file with PMY)(describing an ADR clause drafting exercise,

negotiation exercise, a preventative problem-solving exercise, and a cross-cultural communication exercise).

Philip G. Schrag, *The Serpent Strikes: Simulation in a Large First-Year Course*, 39 J. LEGAL EDUC. 555 (1989).

Ian Weinstein, *Testing Multiple Intelligences: Comparing Evaluation by Simulation and Written Exam*, 8 CLINICAL L. REV. 247 (2001).

Skeletal or Guided Note-taking, Outline “Starter-Kits,”

or

Matrixes for Students to Complete

Kevin C. McMunigal, *Diagramming Crimes*, THE LAW TEACHER, Fall 2004, at 1.

Michael Schwartz, *Using Course Webpages to Fill Gaps Within Traditional Law School Instruction*, at <http://jurist.law.pitt.edu/lessons/> (discusses use of skeletal outlines to remedy poor note-taking skills of students).

Charles B. Sheppard, *supra*, at n. 42 (2000) (exercises include graphic organizers or other work product that is partially completed by the instructor and then fully completed by the students).

Socratic Method

Several scholars describe the Socratic method as “infantilizing, demeaning, dehumanizing, sadistic, a tactic for promoting hostility and competition among students, self-serving, and destructive of positive ideological values.” See Jack Himmelstein, *Reassessing Law Schooling: Towards a Humanistic Study of Law*, in PROJECT FOR STUDY AND APPLICATION OF HUMANISTIC EDUCATION IN THE LAW: HUMANISTIC EDUCATION IN LAW, MONOGRAPH I (1980).

June Cicero, *Piercing the Socratic Veil: Adding an Active Learning Alternative in Legal Education*, 15 WM. MITCHELL L. REV. 1011, 1016-19 & n. 34 (1989)(“It is virtually impossible to have a Socratic dialog with 200 students.”)

J.T. Dillon, *The Paper Chase and the Socratic Method of Teaching Law*, 30 J. LEGAL EDUC. 529 (1980)(describing the scenes in *The Paper Chase* between Kingsfield and his students as a “contest, not collaboration; more entrapment than inquiry.”)

Lani Guinier, et al, *Becoming Gentlemen*, *supra*, at 19-20.

Catherine W. Hantzis, *Kingsfield and Kennedy: Reappraising the Male Models of Law School Teaching*, 38 J. LEGAL EDUC. 155, 156, 158 (1988)(discussing Kennedy’s theory of class room oppression based on power distance, hierarchy, and aggression).

Orin S. Kerr, *The Decline of the Socratic Method at Harvard*, 78 NEB. L. REV. 113, 116-22 (1999).

Other scholars defend it as helping students develop sophisticated legal reasoning, independent thinking, verbal skills and the ability to think on “your” feet. See Ruta K. Stropus, *Mend It, Bend It, Extend It: The Fate of Traditional Law School Methodology in the 21st Century*, 27 LOY. U. CHI. L.J. 449, 453-72 (1996).

David D. Garner, *Socratic Misogyny? – Analyzing Feminist Criticisms of Socratic Teaching in Legal Education*, 00 [not a typo] B.Y.U. L. Rev. 1597 (2000).

For a discussion of **improving the use of the technique**, see Peggy C. Davis & Elizabeth E. Steinglass, *A Dialogue about Socratic Teaching*, 23 N.Y.U. REV. L. & SOC. CHANGE 249 (1997).

“Thinking Aloud” by the Professor

For a discussion of this technique in the context of medical education, see <http://www.uab.edu/uasomume/cdm/issue5.htm>. It allows the expert to show the novice the expert’s thinking and problem-solving methodology by saying aloud what the professor is thinking as he or she takes each step to solve the problem. The professor illustrates the reasoned approach to the problem.

Using Technology in Teaching

In General

See *Lessons from the Web*, at <http://jurist.law.pitt.edu/lessons/>.

Andrea Beckerman-Rodau, *The Novice's Guide to Teaching with Technology*, THE LAW TEACHER, Spring 2006, at 3 (covering e-mail; discussion boards; PowerPoint; audio files; and course management software).

Paul Caron & Rafael Gely, *Taking Back the Law School Classroom: Using Technology to Foster Active Student Learning*, 54 J. LEGAL EDUC. 551 (2004).

Kristin B. Gerdy, et al., *Expanding our Classroom Walls: Enhancing Teaching and Learning Through Technology*, 11 J. LEGAL WRITING INST. 263 (2005).

Rogelio Lasso, *From the Paper Chase to the Digital Chase: Technology and the Challenge of Teaching to 21st Century Law Students*, 43 SANTA CLARA L. REV. 1 (2002).

Deborah J. Merritt, *Legal Education in the Age of Cognitive Science and Advanced Classroom Technology*, 14 B. U. J. SCI. & TECH. L. 39 (2008).

Robert E. Oliphant, *Using "High-Tech" Tools in a Traditional Classroom Environment – A Two Semester Experiment*, 9 RICH. J. L. & TECH. 5, *24 (2002-2003) (discussing the benefits of active learning in the context of a high-tech classroom).

Jayne E. Zanglein & Katherine A. Stalcup, *Te(a)chnology: Web-Based Instruction in Legal Skills Course*, 49 J. LEGAL EDUC. 480, 480-92 (1999) (outlining the full integration of a threaded electronic discussion board, a Web-based textbook, class Web pages and e-mail in three courses – Negotiation, Transaction Practice (drafting), and Legal Writing).

Computer Graphics

William R. Anderson, *Computer Graphics in the Teaching of Administrative Law*, 38 BRANDEIS L.J. 229 (2000).

Email

Ron Brown, *Using E-Mail to Reinforce Learning*, THE LAW TEACHER, Fall 2005, at 1.

Electronic Discussion Boards

Charles B. Sheppard, *supra*, at n. 67 (2000) (describing the types of student comments on a TWEN discussion board that will earn point credit as: "(1) reflective or thoughtful comments about a rule of law or rules of law, a public policy, or the manner in which a rule of law is or, in the opinion of the student, ought to be applied; (2) original examples

of how a rule of law is or might be applied; (3) reflective or thoughtful questions about course material; (4) original, hypothetical problems that require the raising of issues and the application of rules of law studied in the course; (5) reflective or thoughtful answers to questions posed by another student; (6) constructive critique of another student's discussion board comment; or (7) reflections about learning strategies that have been employed by the student in the course, in another course).

Macros

Sarah E. Ricks, *Using Macros to Improve Consistency, Quality & Efficiency in Commenting on Student Writing*, THE LAW TEACHER, Spring 2005, at 1.

See also Clip Cache technology,
<http://www.newsroute.info/TechReviews/ClipCache.htm>.

Power Point

Ken Strutin, *Power Point Bibliography*, THE LAW TEACHER, Fall 2002, at 13 (listing resources for using PowerPoint effectively).

Alison Sulentic, *Adventures in Power Point: Teach with Punched-Up Visual Aids and See the Difference*, THE LAW TEACHER, Fall 1999, at 1.

See also SnagIt software:
<http://www.techsmith.com/snagit/education.asp?CMP=KgoogleSctedu> (about advanced graphic use in PowerPoint presentations)

TWEN and Other Course Management Systems

See <http://jurist.law.pitt.edu/lessons/lesnov03.php> (discussing two empirical research projects showing a direct correlation between TWEN site visits and grades in a course).

Ruth Buchanan & Sundhya Pahuja, *Using the Web to Facilitate Active Learning: A Trans-Pacific Seminar on Globalization and the Law*, 53 J. LEGAL ETHICS 578 (2003).

Larry Cunningham, *Using TWEN to Reach Evening Students*, THE LAW TEACHER, Spring 2006, at 12.

Joan M. Heminway, *Caught in (or on) the Web: A Review of Course Management Systems for Legal Education*, 16 ALB. L.J. SCI. & TECH. 265 (2006).

Marie S. Newman, *Not the Evil TWEN: How Online Course Management Software Supports Non-Linear Learning in Law Schools*, 5 J. HIGH TECH L. 183 (2005).

Paul Wangerin, *Technology in the Service of Tradition: Electronic Lectures and Live-Class Teaching*, 53 J. LEGAL EDUC. 213 (2003).

See <http://jurist.law.pitt.edu/lessons/lesmar03.php> for a discussion by Schwartz about the many ways he is using his webpage, including for practice exams that require less professor supervision or grading.

Video and Multi-Media

Fred Galves, *Will Video Kill the Radio Star? Visual Learning and the Use of Display Technology in the Law School Classroom*, 2004 U. ILL. J.L. TECH. & POL'Y 195.

Julian Hermida, *The Use of TV Shows in the Classroom*, THE LAW TEACHER, Spring 2005, at 6.

Kimberlee Kovach, *Virtual Reality Testing: The Use of Video for Evaluation in Legal Education*, 46 J. LEGAL EDUC. 233 (1996).

Elyse Pepper, *The Case for "Thinking Like a Filmmaker": Using Lars Von Trier's Dogville as a Model for Writing a Statement of Facts*, 14 J. LEGAL WRITING INST. 171 (2008).¹⁰

¹⁰ I have a copy of this disturbing and thoughtful movie about the abuse of power and knowledge to enslave someone (in this movie, the character played by Nicole Kidman). Great cast and play-like staging.

Active Learning in Specific Law School Classes¹¹

First-Year and Other Large Courses -In General

Charles Calleros, *Rules for Monica*, available at the Gonzaga Institutes website (*see n. 5 supra*) (using a video of a parent-child interaction to show first year students how rules develop).

Charles Calleros, *Using Classroom Demonstrations in Familiar Non-Legal Contexts to Introduce New Students to Unfamiliar Concepts of Legal Method and Analysis*, 7 LEG. WRITING 37 (2001)(expansion of *Rules for Monica* article; first year courses).

Kenneth D. Chestek, *Reality Programming Meets LRW: The Moot Case Approach to Teaching in the First Year*, 38 GONZAGA L. REV. 57 (2002-03).

Brady Coleman, *The Nature of Legal Truth*, THE LAW TEACHER, Fall 2006, at 5.

Andrea A. Curcio, et al., *Developing an Empirical Model to Test Whether Required Writing Exercises or Other Changes in Large-Section Law Class Teaching Methodologies Result in Improved Exam Performance*, 57 J. LEGAL EDUC. 195 (2007).

Carol R. Goforth, *Use of Simulations and Client-Based Exercises in the Basic Course*, 34 GEORGIA L. REV. 851 (2000).

Nira Hativa, *Teaching Large Law Classes Well: An Outsider's View*, 50 J. LEGAL EDUC. 95 (2000).

Sue Liemer, *Every Case Has Two Stories*, THE LAW TEACHER, Spring 2001, at 12 (what happened in real life to make someone bring a lawsuit; how did the lawsuit wind its way through the courts).

Nancy M. Mauer & Linda F. Mischler, *Introduction to Lawyering: Teaching First Year Students to Think Like Professionals*, 44 J. LEGAL EDUC. 96 (1994).

Stephano Moscato, *Teaching Foundational Clinical Lawyering Skills to First-Year Students*, 13 J. OF THE LEGAL WRITING INST. 207 (2007).

Susan E. Provenzano, *Teaching in Reverse: A Positive Approach to Analytical Errors in IL Writing*, 39 LOY. U. CHI. L.J. 123 (2007).

Philip G. Schrag, *The Serpent Strikes: Simulation in a Large First-Year Course*, 39 J. LEGAL EDUC. 555 (1989).

¹¹ I have learned that a technique discussed in the context of one class works as well in another class. I have also found that the legal writing techniques are very creative and often useful in other classes.

Sheila Simon, *Teaching Active Reading*, THE LAW TEACHER, Spring 2001, at 11 (getting students more deeply to analyze a court case by asking them to imagine it as a movie and to cast each of the parts).

Academic Support and Students with Special Learning Challenges

Robin A. Boyle, *Law Students with Attention Deficit Disorder: How to Reach Them, How to Teach Them*, 39 J. MARSHALL. L. REV. 349 (2006).

Leah M. Christensen, *Law Students who Learn Differently: A Narrative Case Study of Three Law Students with Attention Deficit Disorder (ADD)*, 21 J.L. & HEALTH 45 (2008).

Janet W. Fisher, *Change of Perspective: Reflections of a First-Year Academic Support Professor*, THE LAW TEACHER, Fall 2005, at 6.

Jennifer Jolly-Ryan, *Disabilities to Exceptional Abilities: Law Students with Disabilities, Nontraditional Learners, and the Law Teacher as Teacher*, 6 NEV. L.J. 116 (2005).

Dionne L. Koller, *Legal Writing and Academic Support: Timing is Everything*, 53 CLEV. ST. L. REV. (2005-06).

Melissa J. Marlow, *It Takes a Village to Solve the Problems in Legal Education: Every Faculty Member's Role in Academic Support*, 30 U. ARK. LITTLE ROCK L. REV. 489 (2008).

Ollivette E. Mencer, *New Directions in Academic Support and Legal Training: Looking Back, Forging Ahead*, 31 S.U.L. REV. 47 (2003).

Laurel C. Oats, *Beating the Odds: Reading Strategies of Law Students Admitted Through Alternative Admissions Programs*, 83 IOWA L. REV. 139 (1997) (finding that successful students – those who out-performed their “indicators” -- were self-regulated learners who engaged in “active learning” techniques; finding that those who performed at or below their indicators were passive learners).

Administrative Law

William R. Anderson, *Computer Graphics in the Teaching of Administrative Law*, 38 BRANDEIS L.J. 229 (2000).

Casey Jarman, *Real-Life Learning: Teach Students the Ways of the Administrative World*, THE LAW TEACHER, Spring 1998, at 8.

Bar Prep

Andrea A. Curcio, et al., *Does Practice Make Perfect? An Empirical Examination of the Impact of Practice Essays on Exam Performance*, 35 FLA. ST. U. L. REV. 271 (2008).

Christian C. Day, *Law Schools can Solve the “Bar Pass Problem” – “Do the Work!”*, 40 CAL. W. L. REV. 321 (2004).

Denise Riebe, *A Bar Review for Law Schools: Getting Students on Board to Pass their Bar Exams*, 45 BRANDEIS L.J. 269 (2007).

Vernelli Randall, *Passing the Bar* (1993), available at <http://academic.udayton.edu/aep/barpass> (providing a workshop packet on productive exam taking techniques).

Civil Procedure

Kevin M. Clermont, *Teaching Civil Procedure Through its Top Ten Cases, Plus or Minus Two*, 47 ST. LOUIS U. L.J. 111 (2003).

Robin K. Craig, *The Plays the Thing: Learning Civil Procedure by Breaking the Routine*, THE LAW TEACHER, Spring 1999, at 4.

Lawrence Friedman, *Law’s Arc*, THE LAW TEACHER, Fall 2006, at 1.

Mark S. Kende, *Circuses in the Law School Classroom*, THE LAW TEACHER, Spring 1998, at 3.

Deborah Maranville, *Using Technology, Modeling, and Teacher Feedback to Teach IRAC in Civil Procedure*, THE LAW TEACHER, Fall 2004, at 11.

Jennifer L. Rosato, *All I Ever Needed to Know about Teaching Law School I Learned Teaching Kindergarten: Introducing Gaming Techniques into the Law School Classroom*, 45 J. LEGAL ED. 568, 570-71 (1995)(author explains the use of games in class to increase student comprehension of a large amount of discrete information, including a game for a civil procedure class that examines class action rules (Class Action Jeopardy)).

Steven Shapiro, *Teaching First-Year Civil Procedure and other Introductory Courses by the Problem Method*, 34 CREIGHTON L. REV. 245 (2000).

Robert Vaughn, *Use of Simulations in a First-Year Civil Procedure Class*, 45 J. LEGAL EDUC. 480 (1995).

Clinical Teaching¹²

Joel Atlas, *Educating Students about the Critiquing Process in a Lawyering Skills Class*, THE LAW TEACHER, Fall 2006, at 10.

Beryl Bluestones, *Teaching Law Students to Self-Critique and to Develop Critical Clinical Self-Awareness in Performance*, 13 CLINICAL L. REV. 143 (2006).

Michael Meltsner & Philip G. Schrag, *Scenes from a Clinic*, 127 U. PA. L. REV. 1 (1978).

William P. Quigley, *Introduction to Clinical Teaching for the New Clinical Law Professor: A View from the First Floor*, 28 AKRON L. REV. 463, 487 (1995).

Roy Stuckey, *Teaching With Purpose: Defining and Achieving Desired Outcomes in Clinical Law Courses*, 13 CLINICAL L. REV. 807 (2007).

Constitutional Law

Robert P. Davidow, *Teaching Constitutional Law and Related Courses Through Problem-Solving and Role-Playing*, 34 J. LEGAL EDUC. 527-530-31 (1984).

David S. Day, *Teaching Constitutional Law: Role-Playing the Supreme Court*, 36 J. LEGAL EDUC. 268 (1986).

Barbara J. Flagg, *Experimenting with Problem-Based Learning in Constitutional Law*, 10 WASH. U. J. L. & POL'Y 101 (2002).

Sally Frank, *A City Council Examines Pornography: A Role-play for a Law School Class*, 21 WOMEN'S RIGHTS L. REP. 169 (2000).

Vincent Johnson, Film Review, *Teaching Transformative Jurisprudence: The Road to Brown*, 41 J. LEGAL EDUC. 533 (1991).

Contracts and UCC Sales

Ron Brown, *A Contracting Drafting Challenge*, THE LAW TEACHER, Spring 2001, at 4.

Miriam A. Cherry, *A Tyrannosaurus-Rex Aptly Named "Sue": Using a Disputed Dinosaur to Teach Contract Defenses*, 81 N.D.L. REV. 295 (2005).

Carol Chomsky & Maury Landsman, *Introducing Negotiation and Drafting into the Contracts Classroom*, 44 ST. LOUIS U. L. J. 1545 (2000).

Tom Gear, *Surfing for Contracts*, THE LAW TEACHER, Spring 2005, at 7.

¹² I am sure many more articles exist on teaching clinical programs. I did not cite many because my earlier research paper, that was the genesis for this list, focused on another topic.

Kenney Heglund, *Fun and Games in the First Year: Contracts by Role-play*, 31 J. LEGAL EDUC. 534, 535 (1981).

Curtis Nyquist, *A Method for Teaching Common Law Argument*, THE LAW TEACHER, Fall 2002, at 9.

Irma S. Russell, *Why I Use "Seinfeld" as Precedent*, THE LAW TEACHER, Fall 2002, at 12.¹³

Edith R. Warkentine, *Kingsfield Doesn't Teach my Contracts Class: Using Contracts to Teach Contracts*, 50 J. LEGAL EDUC. 112 (2000).

Edith Warkentine, *Why Teach Contracts Transactionally?*, 34 U. TOL. L. REV. 723 (2003). Appendices at 34 U. TOL. L. REV. 737 (2003).

Corporations and Corporate Finance

William J. Carney, *Teaching Problems in Corporate Law: Making it Real*, 34 GEO. L. REV. 823 (2000).

Eric J. Gouvin, *The Document Package Exam as a Teaching Tool*, THE LAW TEACHER, Fall 2003, at 5.

Criminal Law

Stephen D. Easton, *Turning Criminal Law Students into Prosecutors and Defense Attorneys (at Least for One Day)*, 48 ST. LOUIS U. L. J. 1217 (2004) (Easton has won several teaching awards at U. of Missouri-Columbia).

Tom Gear, *Nine Common Law Felonies and Pirates of the Caribbean*, THE LAW TEACHER, Spring 2004, at 13.

Kevin C. McMunigal, *Diagramming Crimes*, THE LAW TEACHER, Fall 2004, at 1 (showing the use of partially complete matrices).

Environmental Law

Christine Corcos, *Teaching a Megacourse: Adventures in Environmental Policy, Team Teaching, and Group Grading*, 47 J. LEGAL EDUC. 224 (1997).

¹³ I have the written scripts for the first and second seasons of Seinfeld.

Evidence

Robert P. Burns, *Studying Evidence Law in the Context of Trial Practices*, 50 ST. LOUIS U. L. J. 1155 (2006).

Kevin C. McMunigal, *Using Graphics to Teach Evidence*, 50 ST. LOUIS U. L. J. 1175 (2006).

Miguel A. Mendez, *Evidence: Using Casebooks, Problems, Transcripts, Simulations, Video Clips and Interactive DVDs*, 50 ST. LOUIS U. L. J. 1133 (2006).

Michael L. Seigel, *The Effective Use of War Stories in Teaching Evidence*, 50 ST. LOUIS U. L. J. 1191 (2006).

Externships

Erica M. Eisinger, *The Externship Class Requirement: An Idea Whose Time has Passed*, 10 CLINICAL L. REV. 659 (2004).

Mary J. Eyster, *Designing and Teaching the Large Externship Clinic*, 5 CLINICAL L. REV. 347 (1999).

Larry Krieger, *Go Forth and Prosper: The 10 Commandments of Externship Placement*, THE LAW TEACHER, Spring 1999, at 1.

Family Law

Marina Pouring, *Learning Outside the Classroom: Civil and Family Law*, THE LAW TEACHER, Fall 2005, at 3.

International Law

John K. Gamble, Jr., et al., *Roundtable on the Teaching of International Law*, 85 AM. SOC'Y INT'L L. PROC. 102 (1991).

Fleur Johns & Steven Freeland, *Teaching International Law Across an Urban Divide: Reflections on an Improvisation*, 57 J. LEGAL EDUC. 539 (2007).

Paul M. Secunda, *Arasoi O Mizu Ni Nagasu or Let The Dispute Flow To Water: Pedagogical Methods for Teaching Arbitration Law in American and Japanese Law Schools*, 21 OHIO ST. J. ON DISP. RESOL. 87 (2006).

Andrew L. Strauss, *Creating and Conducting In-Class Simulations in Public International Law: A Producer's Guide*, 4 ILSA J. INT'L & COMP. L. 669 (1998).

Legal Ethics and Professionalism

Bruce Green, *Teaching Lawyers Ethics*, 51 ST. LOUIS U. L. J. 1091 (2007) (providing a transcript of a discussion of a real-life ethics problem).

Robert P. Burns, *Teaching the Basic Ethics Class through Simulations: The Northwestern Program in Advocacy and Professionalism*, 58 AUT LAW & CONTEMP. PROBS. 37 (1995) available on Westlaw at 58-AUT LCPR 37.

Mary Daly & Bruce Green, *Teaching Legal Ethics in Context*, N.Y. ST. B. J., June 1998, at 6.

Steven H. Hobbs, *Hitting the Sweet Spot: Finding the Center in Teaching Professional Responsibility*, 51 ST. LOUIS U. L. J. 1269 (2007).

Alan M. Lerner, *Using our Brains: What Cognitive Science and Social Psychology Teach us about Teaching Law Students to Make Ethical, Professionally Responsible, Choices*, 23 Quinnipiac L. Rev. 643 (2004).

Lois R. Lupica, *Professional Responsibility Redesigned: Sparking a Dialogue Between Students and the Bar*, 29 J. LEGAL PROF. 71 (2004-05).

Ben Sheehy, *Sinners, Saints, & Lawyers: Exercises for Teaching Ethics*, THE LAW TEACHER, Spring 2003, at 4.

Stephen Simon & Maury Landsman, *Judicial Ethics Simulation Based Training*, 58 AUT Law & Contemp. Probs. 323 (1995), available on Westlaw at 58-AUT LCPR 323 (could be adapted for legal ethics training).

Maria Tzannes, *Legal Ethics Teaching and Practice: Are There Missing Elements?*, 1 T.M. COOLEY J. PRAC. & CLINICAL L. 59 (1997).

Christine Venter, *Encouraging Personal Responsibility – An Alternative Approach to Teaching Legal Ethics*, 58 AUT LAW & CONTEMP. PROBLEMS 287 (1995), available at Westlaw: 58-AUT L. & CONTEMP. PROBS. 287.

Steven Wechsler, *Attorney Trust Accounts: Teaching the Basics Using a Classroom Simulation*, THE LAW TEACHER, Spring 2000, at 8.

Legal Writing and Research

For examples of grading rubrics in the context of appellate briefs, client letters, memos, trial briefs, statutes, and jury instructions, *see* Grading Rubrics, available at http://www.lwionline.org/grading_rubrics.html.

See Gretchen Van Dam, *Web Tutorials for Teaching Legal Research*, at <http://jurist.law.pitt.edu/lessons/lesmay01.htm>

Debra M. Curtis, *You've got Rhythm: Curriculum Planning and Teaching Rhythm at Work in the Legal Writing Classroom*, 21 *TOURO L. REV.* 465 (2005).

Suzanne Darrow-Kleinhaus, *How I Compete with "the Donald" and Teach Them to Write: the Forensic IRAC*, *THE LAW TEACHER*, Fall 2005, at 15.

Brannon Heath, *The Research Quiz Show*, *THE LAW TEACHER*, Spring 2000, at 11.

Frank Houdek, *Our Question – Your Answers*, 5 No. 1 *PERSPEC.* 23 (1996) (summarizing legal writing instructors' techniques).

Elizabeth Inglehart, et al., *From Cooperative Learning to Collaboratively Writing in the Legal Writing Classroom*, 9 *J. LEGAL WRITING INST.* 185 (2003).

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James B. Levy, *Better Research Instruction through "Points of Need" Library Exercises*, 7 *J. LEGAL WRITING INST.* 87 (2001).

James B. Levy, *Escape to Alcatraz: What Self-Guided Museum Tours can Show us about Teaching Legal Research*, 44 *N.Y.L. SCH. L. REV.* 387 (2001).

Thomas M. McDonnell, *Joining Hands and Smarts: Teaching Manual Legal Research through Collaborative Learning Groups*, 40 *J. LEGAL EDUC.* 363 (1990).

Carol McCrehan Parker, *Writing Is Everybody's Business: Theoretical and Practical Justifications for Teaching Writing Across the Law School Curriculum*, 12 *J. LEGAL WRITING INST.* 175, (2006).

Nancy Millich, *Building Blocks of Analysis: Using Simple “Sesame Street Skills” and Sophisticated Educational Learning Theories in Teaching a Seminar in Legal Analysis and Writing*, 34 SANTA CLARA L. REV. 1127 (1994).

Susan E. Provenzo & Lesley S. Kagan, *Teaching in Reverse: A Positive Approach to Analytical Errors in 1L Writing*, 39 LOYOLA U. CHI. L.J. 123 (2007).

Terry J. Seligmann, *Beyond “Bingo!”: Educating Legal Researchers as Problem Solvers*, 26 WM. MITCHELL L. REV. 179 (2000).

Sophie Sparrow, *Practicing Civility in the Legal Writing Course: Helping Law Students Learn Professionalism*, 13 J. LEGAL WRITING INST. 113 (2007).

M. Anne Stalker, *Effective Advanced Legal Research Instruction*, THE LAW TEACHER, Fall 2006, at 15.

Cara Cunningham & Michelle Streicher, *The Methodology of Persuasion: A Process-Based Approach to Persuasive Writing*, 13 J. LEGAL WRITING INST. 159 (2007).

Susan E. Thrower, *Legal Writing Through Subject-Matter Specialties: A Reconciliation of Writing Across the Curriculum*, 13 J. LEGAL WRITING INST. 3 (2007).

Legislation

Ronald B. Brown, *Use Legislative Simulation as a Teaching Tool*, THE LAW TEACHER, Spring 1999, at 3.

Pre-Trial Practice

David A. Binder, et al., *A Depositions Course: Tackling the Challenge of Teaching Professional Skills Transfer*, 13 CLINICAL L. REV. 871 (2007).

Jennifer L. Rosato, *All I Ever Needed to Know about Teaching Law School I Learned Teaching Kindergarten: Introducing Gaming Techniques into the Law School Classroom*, 45 J. LEGAL ED. 568, 570-71 (1995)(author explains the use of games in class to increase student comprehension of a large amount of discrete information, including a discovery game based on the Buffalo Creek disaster (Buffalo Creek Family Feud)).

Property

Amanda G. Altman, *Everything I Needed to Know about being a Lawyer I Learned in Property*, 46 ST. LOUIS U.L.J. 821 (2002).

Roger Bernhardt & Joanne Martin, *Teaching the Basic Property Courses in U.S. Law Schools*, 21 PROBATE & PROP. 36 (Oct. 2007).

William C. Bradford, *Reaching the Visual Learner: Teaching Property Through Art*, THE LAW TEACHER, Fall 2004, at 13 (love this article).

Charles B. Sheppard, *supra passim* (2000) (describing the number of tools author provides to property students so they can become self-regulated learners; describing a number of assessment tools author uses, including variety of exam format, variety in exam content, quizzes -- both in-class and on-line -- with each quiz testing different skills, periodic graded essay assignments, and on-line discussion boards).

Joseph P. Tomain, *Lawyering in First-Year Property*, 33 J. LEGAL EDUC. 111, 118-19 (1983).

Judith B. Tracy, *I See and I Remember; I do and Understand”: Teaching Fundamental Structure in Legal Writing Through the Use of Samples*, 21 TOURO L. REV. 297 (2005).

Alan M. Weinberger, *Some Further Observations on Using the Pervasive Method of Teaching Legal Ethics in Property Courses*, 51 ST. LOUIS U. L.J. 1203 (2007).

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Carol Zeiner, *The Real Transaction as a Teaching Tool*, THE LAW TEACHER, Spring 2006, at 1.

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Thomas G. Field, Jr., *Colloquia Instead of Seminars?*, THE LAW TEACHER, Fall 2005, at 9.

Donna Grescher, *The Writing Tip of the Day*, THE LAW TEACHER, Spring 2002, at 3.

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Nancy Millich, *Building Blocks of Analysis: Using Simple “Sesame Street Skills” and Sophisticated Educational Learning Theories in Teaching a Seminar in Legal Analysis and Writing*, 34 SANTA CLARA L. REV. 1127 (1994).

Richard E. Redding, *Motivating Students to Read for Class: A Practical Tool*, THE LAW TEACHER, Spring 2005, at 12.

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Robin S. Wellford-Slocum, *The Law School Student-Faculty Conference: Towards a Transformative Learning Experience*, 45 S. TEX. L. REV. 255 (2004).

Tax

Michael Blissenden, *Teaching the Building Blocks of Income Tax Through the Use of Reflective Exercises*, THE LAW TEACHER, Spring 2006, at 7.

Stephen B. Cohen, *Words! Words! Words!: Teaching The Language of Tax*, 55 J. LEGAL EDUC. 600 (2005).

Robin Wright Westbrook, *All on the Same Page: Using Power Point in the Tax Classroom*, THE LAW TEACHER, Spring 2006, at 15.

Torts

Lawrence J. Brennan, *A Simulation of Direct and Cross Examination of an Expert Witness in an Excessive Force Case, Followed by a Discussion Analyzing its Legal and Strategic Aspects*, 512 PLI/Lit 135 (1994).

Christine Ver Ploeg, *Incorporating Skills Training in a Torts Class*, THE LAW TEACHER, Fall 2004, at 4 (using students from an arbitration class to hear cases presented by students in the torts class).

Trial or Appellate Advocacy

Sanford N. Greenberg, *Procedural Posture – The Underexplored Continent of Moot Court*, THE LAW TEACHER, Spring 2002 at 5.

Russell E. Lovell, II, *Lawyering from Day One: The First-Year Trial Practicum*, THE LAW TEACHER, Spring 2002 at 1.

Karen Mandel, *Simulation Training: The Quality Way to Go*, 11 No. 2 LWH 4 (1991)(discussing trial advocacy workshop designed by NITA).

Wills and Trusts

Alyssa A. DiRusso, *Tactile Learning in the Wills Classroom*, THE LAW TEACHER, Spring 2007, at 4 (love this article).

Diane Klein, *A Will-Drafting Exercise*, THE LAW TEACHER, Fall 2002, at 9.

Writing Center

Susan R. Dailey, *Linking Technology to Pedagogy in an Online Writing Center*, 14 J. LEGAL WRITING INST. 181 (2004).

Miscellaneous

Timothy S. Hall, J.D., *Using Film as a Teaching Tool in a Mental Health Law Seminar*, 5 HOUSTON J. HEALTH L. & POL'Y 287 (2005).

Jeffrey A. VanDetta, *Collaborative Problem-Solving Responsive to Diverse Learning Styles: Labor Law as an Active Learning Experience*, 24 N.C. CENTRAL L. J. 46 (2001).

Assessing Student Learning

In General

Assessments should be valid, reliable and fair. MICHAEL JOSEPHSON, *LEARNING AND EVALUATION IN LAW SCHOOL* 7 (M. Josephson 1984).

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