

The Learning Curve

SPRING 2002

INSIDE THIS ISSUE:

From the editor

This year is a milestone for me. I'm taking a year off from the law school to explore Europe and other places.

Ten years ago I attended the first national academic assistance workshop in Boulder, Colorado. I was new to the academic support community having taught legal writing up until that point. We worked hard all week—was it five days? I can't remember—and we stayed in the dorms at the university. It was an intense week.

My workshop leader was Laurie Zimet. I remember thinking how impossible it was going to be for me to generate the kind of enthusiasm, energy, and confidence that Laurie, Paula Lustbader and all the other workshop leaders generated. But I came away with enough information to open an academic support program at my law school about five weeks later. I'm astounded now at the sheer foolish wisdom and eyes-closed confidence that I must have been taken with. But with what I had learned the program started smoothly and has continued to grow ever since.

The really scary thing about all this is how quickly you become an expert. Many of us are experts because of the success of our programs and the publications we produce, and many of us are experts because we are the only ones at our law schools to do what we do. At times it's an extremely heavy burden.

But things are changing. One of the benefits I see to academic support is how it changes the culture of a law school—now there is a forum for discussing teaching methods and learning styles and asking questions about the way we do things in a law school. Another thing that has changed is that for the last few years Academic Support has been an AALS section—indeed we are the newest AALS section. But let's not get too taken up with being so nicely institutionalized—let's not lose sight of the spirit that inspires academic support.

Paul Bateman
Editor

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Message From The Chair

Linda Feldman
Brooklyn Law School

As the academic year draws to a close, I look back to the overwhelming success of the 2002 AALS Academic Support Section Program, in collaboration with the Teaching Methods Section, and look forward to the 2003 Program already being planned by Sheilah Vance (Villanova), Marty Peters (Iowa) and Nancy Soonpaa (Texas Tech). The Program, "Cultural Influences and Legal Education: Perspectives From Both Sides of the Podium" promises to be both engaging and thought provoking.

Perhaps because it is spring, I recently took the opportunity to clean my desk and go through some old files (it's amazing what you'll do to avoid grading appellate briefs) and came upon a memo dated May, 1992, asking permission of my Dean to attend an LSAC Academic Assistance Training Workshop in Boulder, Colorado. Ten years later, LSAC is

still supporting our efforts by sponsoring a host of regional conferences and, every other year, a major national conference. And so, this year, from June 19-22 we will meet in Seattle, hosted by the University of Washington School of Law. The Planning Committee, Kris Knaplund (UCLA), Jane Cross (Nova), Rod Fong (Santa Clara), Leslie Garfield (Pace), Orgena Lewis (South Texas) and Athornia Steele (Capital) has designed a workshop the theme of which can take Academic Support through the next ten years: "Building Our Community". I look forward to seeing many of my ASP colleagues in Seattle as we come together to build community.

A restful and productive summer to all.

Linda Feldman

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*Opinions expressed in this newsletter are not necessarily those of the Section
or the American Association of Law Schools*

Regent Offers Course on Advanced Legal Reasoning

L.O. Natt Gantt, II
Regent University School of Law

Like other law schools, Regent University School of Law has taken several measures to enhance its students' analytical and writing skills so that they will perform better on the bar exam and in the practice of law. One novel measure the school has adopted has been the addition of a two-credit course for third-year students entitled "Advanced Legal Reasoning, Analysis & Writing."

Jennifer Franklin, a former academic assistance instructor at Regent, and I structured the course to be for-credit to signify its importance in the law school curriculum and to provide students in the class with an extra incentive to take the course requirements seriously. In light of the course's for-credit status, we knew it could not be a bar exam preparation course because such a course would violate ABA standards for accredited law schools.

More importantly, however, I believed for several reasons that offering an advanced *skills*-based course was preferable to offering a substantive bar review program. First, such a course would better serve the long-term educational needs of students by teaching them important analytical and writing skills that are relevant not only to the bar exam, but also to problems they will face in their practice. Second, such a course better reflected my goal for law school academic assistance to provide students with fundamental skills that relate to any legal subject and to the practice of law. Substantive tutoring could therefore be left to commercial bar review services, who are in a better position than academic assistance professionals to tutor students on the substantive topics covered on the bar exam.

The course consists of two components. The first component is a traditional classroom component, which I teach. Students meet for

this component for the first few weeks of the semester and then only periodically throughout the remainder of the semester. In this component, I primarily utilize the text *Logic for Lawyers: A Guide to Clear Legal Thinking* by Ruggiero J. Aldisert (3rd ed., NITA, 1997) to lecture and direct discussion on advanced logical and analytical thinking. I also draw upon materials from *The Legal Writing Handbook: Analysis, Research, and Writing* by Laurel Currie Oates et al. (2nd ed., Aspen, 1998) to hone students' ability to write concisely and eloquently. Finally, I devote limited time to discussing techniques regarding exam preparation and exam taking. I distribute to the students detailed handouts on each of these topics.

In the second component, the students break down into small groups to complete take-home writing assignments from substantive professors who rotate among the groups. The students complete one assignment per week for the last twelve weeks of the semester. Each assignment differs, but most resemble traditional fact-pattern essay questions. Because the class is not designed to assess students' substantive knowledge of the law, the professors provide the students with resource materials needed to answer each question. These resource materials vary from short summaries of the relevant law to select citations of relevant statutes or cases.

Professors design the problems so that students need not spend more than four hours completing each assignment: three hours to study the law and one hour to write the answer. To improve students' ability to write under time pressure, students note when they start and finish each assignment and they complete the last assignment in class. After completing each assignment, students meet with their respective professors to receive individualized feedback on their writ-

ing, organization, and substantive analysis. Ninety percent of the students' grades is based on these assignments, and ten percent is based on class participation and attendance.

Regent first offered the course in the spring of 2001 and has offered it again this spring of 2002. It is too early to make definitive conclusions about the success of the course, but student response has been very positive. Enrollment in the course increased from 40 for its first year to 60 this year (out of 160 graduating students). Students have especially praised the benefits of the writing assignments. Although some have complained about the differences in the assignments and feedback from the various professors, others have appreciated the diverse insights they have gained from having different professors review their writing. Nearly all the students have appreciated how the course provides them with extensive writing practice and individualized feedback.

The course aspect that many students have found the least helpful has been the material on logic. Some students have appreciated learning legal logic because they believed it improved their ability to spot and avoid fallacious arguments. Others, however, found the material inaccessible and had difficulty relating it to real-world legal analysis. In this vein, some found the text *Logic for Lawyers* to be dry and hard to read. A few students suggested that the course employ an alternative, more accessible text on logic entitled *Attacking Faulty Reasoning: A Practical Guide to Fallacy-Free Arguments* by T. Edward Damer (3rd. ed., International Thomson Publishing, 1995). I have yet to scrutinize Damer's work fully but may incorporate the book into the class curriculum as I continue to refine and improve the course.

WHAT IS THE POINT? Teaching Ideas for Thesis Sentences

Kathleen Elliott Vinson
Suffolk University Law School

Using effective thesis sentences can dramatically improve a document by making it more reader-friendly and improving the author's writing and analysis skills. Thus, it benefits both the writer and reader. It forces writers to focus on their organization, sharpen their understanding of the legal issues, and continuously ask themselves - **what is the point** of this paragraph? Stating the point in thesis sentences also benefits readers, by guiding them throughout the document. After all, judges, lawyers, and clients expect to see the bottom line up front and have no time or tolerance to search for a buried point or conclusion in a document. Indeed, they are extremely busy and therefore, they can be impatient readers.

Many sources discuss and stress the importance of thesis sentences, yet they remain a common problem in students' writing. For example, in many legal writing texts, as well as legal writing classes and academic support programs, students are instructed to use thesis sentences to enhance their writing skills and facilitate readers' understanding. Students' memos and briefs, however, often lack thesis sentences. Below is a summary of teaching ideas to utilize when discussing thesis sentences. The ideas incorporate teaching methods that will benefit students with various learning styles. Perhaps using one, if not all of these methods, will help students understand **the point**.

Define thesis sentences in order to demystify them. Write the definition on the board and/or in a handout and read aloud the definition. Many students get confused by the terminology. For example, they get thesis paragraphs and thesis sentences confused because they both include the word “thesis.” Also, topic sentences and thesis sentences are sometimes used interchangeably and can cause confusion.

Compare and contrast a thesis sentence with a topic sentence and a thesis paragraph. Show a sample topic sentence next to a sample thesis sentence. Use imagery to illustrate the similarities of a thesis paragraph and thesis sentence. For example, just as a thesis paragraph serves as the road map of the document by laying out the organizational framework, thesis sentences serve as street signs for the reader, by stating the points of each paragraph.

Show good and bad examples of thesis sentences. Discuss what is good or bad about the samples. Ask the students how they could be improved. Discuss the purpose of thesis sentences.

Write thesis sentences. Start with a non-legal example then move on to a legal issue students are familiar with based on one of their legal writing memos or briefs.

Edit/Self-Critique thesis sentences through three methods: highlighting, copying and pasting, and cutting.

a. Highlighting.

When students hand in a draft of their brief or memo, ask them to highlight the thesis sentences in the document. Students should then draw an arrow from every sentence in a paragraph to the thesis sentence of that paragraph. Check to see if every sentence relates to the point in the thesis sentence of the paragraph.

b. Copying and Pasting.

When handing in their draft of a brief or memo, ask students to copy and paste all of their thesis sentences onto one separate page and attach it to their document. Students can check their organization by reviewing the thesis sentences.

c. Cutting.

Perhaps the most compelling exercise that drives the point home is to cut out the first sentence of every paragraph in an extra copy of a student’s document. Each sentence should be on a separate slip of paper. Fold the slips of paper and put them in a hat or bowl. Bring them to class and ask each student to pick out a slip of paper and read it aloud. Then ask the students if the sentence is an effective thesis sentence or how it could be improved. Ask the students to see if they can identify what section of the argument/discussion the sentence most likely belongs in (is it a thesis sentence in the explanation section or application section?) Students will quickly realize that many of the sentences that need improvement tend to merely state a specific fact in a case rather than **the point** of the case.

AALS New Orleans, January 2-6, 2002

SECTION PROGRAM :

THE PROBLEM STUDENT - CAUSES & CURES

Editor's note: Barbara Glesner Fine's message was ready in time for a December newsletter, but I couldn't get the newsletter out on time. Sorry Barbara. Barbara is now the past chair. But here is Barbara's message from last December:

At the AALS annual meeting (New Orleans January 2-6, 2002) the Academic Support Section will co-sponsor its Program with the Section on Teaching Methods. The program is entitled *The Problem Student: Causes & Cures* and we hope to draw a wide spectrum of faculty to the session. The goal of the session is to engage participants in a discussion of when, how and why they encounter problems with students and how they can develop concrete steps to address those problems. The underlying message is one familiar to the academic support community— "There are no problem students... only problems we have with students." The joint Program is set for 10:30 a.m.-12:15 p.m., Saturday, January 5, 2002.

The program will feature an interactive format — a tradition among both

Sections' programs in the past, but still something of a novelty in AALS

programs. The Program will feature short vignettes of student-faculty interactions followed by small-group discussions and "report backs" about each vignette. The vignettes will be taken from the "Critical Incidents" video series developed by the Learning and Teaching Centre of the University of Victoria.

The attendance and leadership of academic support faculty will be critical to the success of the program, so come early, join in and help us all learn more about how to help all students achieve success in law school.

Peace,
Barbara Glesner Fines
Section Chair

New Director at Nova Southeastern

Richard Grayson has taken over as Director of the Academic Resource Program (ARP) at Nova Southeastern University Law Center in Fort Lauderdale, FL. Richard's duties will include supervising teaching assistants, advising students about academic support, and assisting students preparing for the bar examination. Richard will coordinate with the Student Affairs office to assist students in academic difficulty, etc.

Richard graduated from the University of Florida College of Law with high honors, and served as a staff attorney in social policy at UF's Center for Governmental Responsibility. He has a B.A. in political sci-

ence and an M.F.A. in creative writing from Brooklyn College, CUNY, and an M.A. in English from the College of Staten Island, CUNY. Richard has taught undergraduate legal studies, writing, literature, business, and computer education courses at Nova Southeastern University, Arizona State University, Florida International University, Florida Atlantic University, Long Island University and the City University of New York. He is the author of nine books of fiction.

Last Summer's Regionals

LSAC 2001 Summer Regional Academic Assistance Workshops

Last summer saw four regional academic assistance workshops scheduled throughout the nation in June and July. Workshops were held at Capital, Nova, and Brooklyn Law Schools. Due to severe and extensive flooding throughout the Houston area, the Southwest regional at the University of Houston Law Center had to be cancelled just a few days before it was scheduled.

With the staggered dates of the workshops through June and July, and with two-day formats, many participants attended more than one workshop. The Midwest regional held at Capital University Law School, Columbus, Ohio was dedicated to Bar passage issues (look for a full report in the next issue.) The theme for the South Regional Workshop held at Nova Southeastern University, Shepard Broad Law Center, Ft. Lauderdale was *Academic Assistance for the Non-Traditional Law Student*. The Northeast Regional at Brooklyn Law School featured enough information to warrant concurrent sessions and walking tours by Ken Rosenblum.

Jane Cross, Nova Southeastern University, Shepard Broad Law Center, Ft. Lauderdale filed the following report of the South Regional Workshop:

It Was So Electric That The Lights Blew Out! LSAC South Regional Academic Assistance Training Workshop - Jane Cross

The first day of the south regional workshop was so electric that the next day the lights went out at Nova Southeastern University Law Center! Undaunted, the participants at the workshop quickly relocated to the Health Professionals Building where the presentations resumed.

What blew the lights out? It must have been the current surging through the dynamic topic: "Academic Assistance for the Non-Traditional Law Student." This topic

attracted attendees and presenters from all over the country, each generating an electric field of enthusiasm for these issues.

On the first day, Dean Joe Harbaugh gave a vibrant welcome at the opening lunch. In his address, he voiced concerns about bar passage rates and the effect on minority law school graduates. Paul Bateman and Carolyn Nygren then lit up the workshop with their respective presentations. Paul used PowerPoint and the internet to provide a robust presentation on "Ten Tips for Academic Support." Carolyn gave a vivacious introduction to the Myers-Briggs Type Indicator (MBTI) and conducted an MBTI self-evaluation.

Later in the afternoon, Steve Friedland moderated a spirited discussion with law students from the University of Miami and Nova Southeastern University on their experiences with academic assistance as non-traditional law students. The day ended with a dinner at Café de Paris on Las Olas Boulevard in Fort Lauderdale. During the dinner, the Honorable Jane Fishman shared her experiences her insights on academic assistance and legal education.

The next day, as noted earlier, the lights went out. The conference participants packed up and moved to another building where the workshop continued. On that day the dazzling program included presentations by Darby Dickerson, John DiPippa, Richard Graves, Jennifer Kamita, Joanne Harvest Koren, Debra Lee, Michael Masinter, Carolyn Nygren, Mark Padin, Ken Rosenblum and Charlotte Taylor.

Carolyn and John started with a brilliant presentation on "Using MBTI in Academic Support for Non-Traditional Law Students." Their informative discussion was followed by Richard's hip multimedia presentation on "Teaching to the Common Denominator."

The morning session ended with Charlotte's magnificent talk appropriately entitled "Don't Give Me a Fish – Teach Me to Fish: Identifying and Serving the Needs of Non-Traditional Law Students." Joanne then delivered a vigorous Keynote Luncheon speech as the participants feasted on world famous Tom Jenkins Barbecue.

The afternoon continued with more exciting presentations. Ken and Joanne shared the wealth of their considerable experience by discussing "Academic Assistance for Part-time Evening Students." Debra vivaciously imparted her research and experience in her presentation on "Academic Support Strategies for International and ESL Students: A Needs Analysis for Designing Courses or Teaching International Students." Jennifer then enthusiastically provided her insights on "Summer Programs for Non-Traditional Law Students." She then teamed up with Mark for an active discussion on "Counseling for Non-Traditional Law Students."

The workshop ended as it began with a discussion of bar passage concerns. Darby and Michael heartily provided a well-researched discussion of "Bar Passage Issues and the Non-Traditional Law Student. The workshop ended with a fun-filled outing to the Marlins Game. The Marlins won 13-1, with an impressive grand slam in the fifth inning.

On this wonderful weekend, there was incredible support at Nova from Kathy Cerminara, Renea Robson, Linda Lahey, Joanne Hurley and Richard Corybons. Student assistants, Zakkiyyah Terrell, Migdalia Perez, and Kelly Daoud, also provided notable support. In addition, the planning committee of Darby Dickerson, Joanne Harvest Koren, Ruth McKinney, Carolyn Nygren, and Mark Padin all intrepidly and tremendously supported and assisted Jane Cross in coordinating the workshop.

Last, but not least, many thanks are due to Kris Knaplund and Kent Lollis whose guidance and support made this workshop

Northeast Regional Workshop:

Held July 19 and 20, the Northeast regional at Brooklyn Law School featured sessions on program structure and content, target audience, participant selection, effective use of teaching assistants, and budgetary and staffing considerations. The conference also featured a mentor training session where academic support professionals with less than five years of experience were paired with veteran ASP professionals.

Linda Feldman, Brooklyn Law School, opened the workshop and welcomed participants and speakers. Leslie Garfield, Pace, led a participatory session, *Tell us what you want*, that generated issues and concerns to be addressed by speakers during the workshop. Leslie's session was followed by two concurrent sessions: Teresa Wallace, Widener University School of Law, and Charlotte Taylor, DePaul University College of Law, offered advice on starting an ASP program or overhauling an existing one. David Nadvorney, CUNY-Queens College School of Law, gave expert advice on programs for upper division students.

The first day ended with greetings from Joan G. Wexler, Dean of Brooklyn Law School. The Dean's greeting was followed by dinner at Padre Mio in DUMBO (down under the Manhattan Bridge!). Kent Lollis, the LSAC's VP for Minority Affairs, was the key note speaker. After-dinner strollers took a moonlight walking tour of historic Brooklyn Heights.

The second day began with concurrent sessions on politics, technology, cloning, and answers to issues raised on day one. Adam Todd, Salmon P. Chase College of Law, Jennifer S. Kamita, Loyola Law School, Los Angeles, and Mark Padin, Nova Southeastern University, Shepard Broad Law Center, gave directions on *How To Make Friends and Influence Faculty*.

Kelly Koenig Levi, Pace University School of Law, in *Inventing the Better Mouse* dis-

cussed using web design and technology for academic support teachers. Kris Knaplund, UCLA School of Law, presented an interactive session on teaching assistants: how to get the faculty on board, recruit students, train them, set up effective sessions, and measure their success in *Bring in the Clones*. And in *You Asked For It, You've Got It* participants revisited issues and concerns raised at day one's opening.

Saturday afternoon's first session, *Listen to Us* featured a student panel moderated by Charlotte Taylor, DePaul University. The panel was followed by Small Group Mentor Sessions with individualized, candid one-on-one or small group exchanges, matched by program type or subject area.

Linda Feldman and Ken Rosenblum, Touro Law Center provided the program wrap-up.

And Ken Rosenblum offered a walking tour across the Brooklyn Bridge, with dinner in Chinatown.

Program organizers included Linda Feldman, Brooklyn Law School; Ken Rosenblum, Touro College; Leslie Garfield, Pace University; Kelly Levi, Pace University.

Recent scholarship:

Two articles of interest by Sam Jacobs at Willamette, one just out, the other forthcoming:

M. H. Sam Jacobson, A Primer on Learning Styles: Reaching Every Student, 25 Seattle U. L. Rev. 141 (2001).

M. H. Sam Jacobson, How Students Absorb Information: Determining Modality in Learning Styles, 8 J Legal Writing ___ (2001) (forthcoming).

“Building Our Community”: LSAC National Workshop set for June 19-24, 2002.

University of Washington School of Law.

The LSAC is again generously sponsoring a national Academic Assistance Training Workshop this June. The LSAC has sponsored a national workshop every other year since 1992, with regional workshops occurring in the off years. The workshop's theme is “Building Our Community.”

By now you should have received a mailed copy of the registration materials as well as email announcements via the listserve from Kris Knaplund.

Here are some details: Registration fee of \$200 covers round-trip excursion travel and conference meal costs, except Friday's dinner (on your own). Attendees must pay their own room expenses. Hotel: Elliot Grand Hyatt Seattle, 721 Pine Street, Seattle, WA 98101. To get the workshop rate, you must call the hotel by Wednesday, May 1. Registration must be received by May 10 to avoid the \$50 late fee.

Program:

Program Design for Newcomers
New Ideas in Program Design
Data Collection and Evaluation
Designing and Implementing New Ideas
Who is Being served
Summer Session Design
Using TAs Effectively
Programs for Improving bar Pass
Technology and Web Design
Professional Development
Program's for today's Students.

The workshop organizing committee :

Kris Knaplund, UCLA; Jane Cross, Nova Southeastern University—Shepard Broad law Center; Rodney Fong, University of San Francisco School of Law; Leslie Garfield, Pace University School of Law; Gena Lewis, South Texas College of Law; Thorny Steele, Capital University Law School; Kent Lollis, LSAC.

Program Teaching and Administration

A Backlash Response

Adriana Morino Nevárez
DePaul University College of Law

We in the Academic Support Business, all too aware of our tenuous position within legal academia, must each year face the tedious chore of not only demonstrating our programs' successes but also justifying our existence through annual statistical analysis reports. And, aside from the modicum of appreciation from our law school colleagues, unfortunately at times there is also the backlash by students with which we must contend.

The Academic Support Program at DePaul University College of Law is a first-year student program. The services we offer are quite varied: a study guide library, practice exams, an ASP web page, monthly workshops, weekly classes, study group facilitation, and academic counseling. With the exception of the weekly classes, any first-year student can avail her/himself of our services. Well you guessed it. The weekly classes exclusivity has been a cause for backlash for several years, and this academic year we took a proactive approach.

Our response to this backlash was twofold. First, we made available weekly class materials to all first-year students by placing these materials on reserve at the law library at the conclusion of our classes. Instead of distributing class materials little by little during each

class session, we assembled them into a thick packet and distributed them at the start of each substantive law section. These packets contain "big picture" themes, IRAC exercises, sample outlines and flowcharts, multiple-choice questions, and short hypotheticals for writing practice. So even if a student does not attend our weekly classes, she or he could still receive the benefits.

Second, we designed substantive course workshops that summarize the thick packet as well as the three weeks we spend covering the material. During this academic year we offered workshops in Torts, Constitutional Law, Criminal Law and Property, and each was well attended-especially our "All I Need to Know About Torts I Learned From My Mother" workshop (title courtesy of former ASP Assistant Director, Charlotte Taylor). While it did take some work to develop clear and concise one-hour presentations, the bulk of the work was already past us in the creation of our class materials.

While we have still heard grumblings from students, our backlash response has met with high praise. Ultimately, we do what we must for our love of teaching and the satisfaction we derive from that look of recognition when it first all comes together for a student.

From the Editor: "The Learning Curve" is intended to be an informal newsletter reporting on issues and ideas for law school academic support professionals.

Please contact me with ideas, etc., at pbateman@swlaw.edu, 213-738-6750, at Southwestern University School of Law, Los Angeles.

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