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Paula Lustbader

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Conclusion: Adapting the Seven Principles to Legal Education

Paula Lustbader

Applying these principles to legal education does not require a complete overhaul of legal pedagogy. Nor does it require legal educators to embrace all aspects of the principles. In fact, several of these principles—in all or in part—are now evident in many law schools. These principles work in combination to enhance student learning, as evidenced by the following comments that students made when they were asked what helped them learn.

These quotations (very slightly edited) are from students who participated in the video project, *Teach to the Whole Class: Barriers and Pathways to Learning*, produced in 1997 by the Institute for Law School Teaching. The students came from six different law schools: Brooklyn, North Carolina, Iowa, New Mexico, Seattle, and Hastings. They were asked to respond to two questions: What occurred in the classroom that interfered with your ability to learn? What occurred in the classroom that enhanced your learning? Although they were not prompted by a discussion of the seven principles, many of their comments addressed the seven principles of good teaching practice.

Good practice encourages student-faculty contact.

When a professor exhibits an air of humanness toward his or her students, it just goes a long way in the student's heart, especially a first-year law student, toward feeling like the professor is in the classroom not only to teach the students the law but to welcome them into the legal profession. And the professors that exhibited that air by and large motivated me to work the hardest in their classrooms.

Good practice encourages cooperation among students.

Some of the people I disagree with the most were in my section, and we came to really care about each other by understanding you can have different viewpoints. You can argue opposite sides and really believe them and still be good friends. And I think that's something valuable for law practice. You need to leave the courtroom and still be able to have a camaraderie or friendship with each other.

Good practice encourages active learning.

We were given in-class assignments where we would work with a partner and then we'd come together as a class and discuss what were the good points and what could have been brought out. We were given a sample exam, and the

teacher went over the sample exam. I felt at the end of that course, right before my final, that I had learned something in that course. I felt like I knew I was on track and knew what to expect.

Good practice gives prompt feedback.

One of the things that I thought helped a lot my first semester was the fact that we were able to get a lot of feedback with the professor through the use of weekly quizzes which were optional. I think it helped students that may have had difficulty approaching a professor because it gave some basis for approaching the professor. For example, if you didn't do well on the weekly quiz, you could go to the professor based on that. You didn't fear that your question would be viewed as a stupid question, because if you're asking a question based on a quiz, this is something the professor thought was important, so you can go ahead and ask the question on it.

We've had practice examinations in a couple of classes. And that actually helped us a lot. We would get some kind of feedback, and it works both ways. The professor gets an idea of what it is that we're actually grasping, and it gives us an idea of what it is that we're doing right or what it is that we're doing wrong. At least you start to learn what it is to really be a law student.

Good practice emphasizes time on task.

I had a professor who took the time to prepare the syllabus and put questions within each case. I found myself completely following him in class. The best thing about knowing the questions is that no matter how difficult the subject is, you can prepare for the class. You're not just reading the case and briefing a case and showing up in class. You know what to expect.

Good practice communicates high expectations.

If you have a minority student who's articulate and intelligent, don't treat them like they're an exception to the rule. I'm tired of professors expecting underachievement from me and when I achieve they treat me like I'm a special prize. I would strongly suggest that you *not* treat your minority students who do well as exceptions to the rule because it is very, very disheartening.

Good practice respects diverse talents and ways of learning.

If you try to break up the grading and give different modes for people to express themselves and prove their academic achievement, in the long run you will benefit and the students will do better and you will have a more happy law school group of students.

I liked the professors who tried to accommodate every possible learning style. They would have video presentations, they'd break us into small groups, then we'd meet back in large groups. And the thing that I really liked is that we ended up taking or doing role-playing in the positions of every possible person: the client, the attorney, the judge, and every different situation you could ever be in—negotiations, mediations, trials, initial interviews, conferences with your client, just everything. And we would have to challenge our own assumptions about clients' given fact patterns. We had to see how we interact with people, what problems we have or difficulties we have, what we take to the interaction, how we benefit, and how our different experiences affect an interaction and make it successful or unsuccessful. It meant that every person in this group of sixteen students spoke, that they'd find a niche

where they felt comfortable. There was a venue for every different kind of person with every different kind of learning style. And it was just an incredible experience for me.

As these student comments indicate, the seven principles help to create a more effective learning environment for students. But students are not the only beneficiaries when these principles are implemented: teachers, staff, and future clients also benefit. The seven principles work together to create a positive learning environment and increase personal satisfaction for all involved in the learning enterprise. And because these principles maximize the learning experience for all students, as graduates entering the legal profession they will be better prepared to serve their clients.

Let this be the first of many discussions among legal educators about these seven principles and about other principles that might better prepare students for the practice of law.