

An Annotated Bibliography on Law Teaching

By Mary Olszewska and Thomas E. Baker

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This annotated bibliography¹ is offered as a resource to law teachers. It self-consciously and selectively surveys books and more recent articles with an emphasis on teaching qua teaching. It does not include articles specific to particular courses or subjects. Each entry appears only once. The categories and assignments are somewhat subjective but helpful for canvassing a rich literature. The online resources themselves include still more bibliographies.

Books on University Teaching

Ken Bain, *What the Best College Teachers Do* (2004): Based on research and observation of selected outstanding teachers; includes the latest research and studies on learning; organized around six questions: what do the best teachers know about how students learn?, how do they prepare to teach?, what do they expect from their students?, how do they conduct class?, how do they treat their students?, and how do they evaluate their students and themselves? If you read this book you will be a better teacher next semester.

Donald A. Bligh, *What's the Use of Lectures?* (2000): Answers the questions “what can lectures be used for?,” “how should they be used?,” “what can lectures achieve?,” “what factors affect the

acquisition of information?,” “what lecture techniques apply these factors most effectively?,” “how can other methods, particularly discussion methods, be combined with lecturing?,” and “what is needed in preparation?”; provides suggestions in light of psychological and experimental evidence on ways of organizing information, teaching a single idea, using handouts and feedback techniques, and overcoming common difficulties in learning.

L. Dee Fink, *Creating Significant Learning Experiences: An Integrated Approach to Designing College Courses* (2003): “[Lays] out a new vision of what teaching and learning can be, based on three major ideas: significant learning, integrated course design, and better organizational support”; urges teachers to shift from a “content-centered approach” to a “learning-centered approach”; describes a taxonomy of significant learning; presents the key ideas of integrated course design “for achieving a more challenging set of learning goals”; provides conceptual and procedural tools to create significant learning experiences and change one’s teaching.

Donald L. Finkel, *Teaching with Your Mouth Shut* (2000): Premised on Dewey’s principle “that no thought, no idea, can possibly be conveyed as an idea from one person to another”; undermines the notion of “teaching as telling” by arguing that learning comes only from experience, not words; illustrates, chapter by chapter, different ways to create *experiences* out of the abstract, verbal concepts in books, including allowing the books and students to do the talking, teaching through writing, and designing a course that provides experience and provokes reflection; aims “to provoke reflection on the many ways teaching can be organized” and “to provoke fruitful dialogue about teaching and learning among people who have a stake in education: teachers, students, parents, school administrators, policymakers, graduate students, and citizens who care about the quality of education in their nation.”

¹ This bibliography was prepared for the panel on “Diverse Teaching Methods Designed to Improve the Education of Law Students” at the 62nd Annual Meeting of the Southeastern Association of Law Schools (Aug. 3, 2009).

Stanley Fish, *Save the World on Your Own Time* (2008): Poses the question what should—and shouldn't—college and university professors and teachers do; responds that the job of a university teacher is to “(1) introduce students to bodies of knowledge and traditions of inquiry that had not previously been part of their experience; and (2) equip those same students with the analytical skills ... that will enable them to move confidently within those traditions and to engage in independent research after a course is over”; argues that “preaching or urging a political agenda” or attempting the “moral improvement” of one’s students is not an appropriate academic enterprise.

Inspiring Teaching: Carnegie Professors of the Year Speak (John K. Roth ed., 1997): Compiles 19 essays contributed by winners of the Carnegie Professor of the Year award that include personal, practical, and philosophical reflections on the exemplary practices that characterize the award winners’ teaching successes; “identifies characteristics, practices, and philosophies that inspire teaching” and “highlights teaching that inspires valuable characteristics, practices, and philosophies.”

Joseph Katz & Mildred Henry, *Turning Professors into Teachers: A New Approach to Faculty Development and Student Learning* (1993): Based on two research projects involving faculty members from 15 U.S. institutions; written for faculty and administrators in all disciplines; counters “the notion that teaching is a static art and the even more passive idea that good teachers are born”; broadly surveys the present state of “knowledge of faculty development and student learning and the need for a different approach” and reviews the basic foundational principles of their research; seeks to promote “the transformation of student passivity into active learning”; emphasizes the importance of learning through a process of personal discovery and presents “an inquiry-oriented approach” to faculty development; recommends some tools for understanding student learning; provides reports, critiques, and detailed accounts of faculty carrying out the authors’ inquiry-based approach to student learning and faculty development.

Linda B. Nelson, *Teaching at Its Best: A Research-Based Resource for College Instructors* (1998): A concise summary of teaching options and innovations that evolved out of an instructional handbook originally written for faculty and teaching assistants at Vanderbilt University; addresses the tasks that need to be done before the semester or quarter begins; describes not only “what to say and do on the first day of class” but also “how to set policies, tones, and a productive learning environment for the entire term from that first day on”; “presents an extensive and varied menu of the most effective teaching techniques and formats available at the college level”; describes discipline-specific methods (e.g., writing, math, foreign language, and science); offers guidance on evaluating student learning and assessing instructor effectiveness.

Judith Grunert O’Brien et al., *The Course Syllabus: A Learning-Centered Approach* (2d ed. 2008): Addresses student learning and responds to the question “what do students need to know to derive maximum benefit from their educational experience?”; designed to help plan, compose, and use a learning-centered course syllabus; provides descriptions and examples of content to include in a course syllabus.

Maryellen Weimer, *Learner-Centered Teaching: Five Key Changes to Practice* (2002): Addresses the question “[w]hat do we know about learning that implicates teaching?”; “shows how to tie teaching and curriculum to the process and objectives of learning rather than to the content delivery alone”; provides ideas and examples of concrete instructional policies and practices that promote learning; describes in detail five areas of instructional practice that need to be changed to make teaching learner-centered (divide power in the classroom between teacher and students, *use* content instead of *covering* it, establish the role of the teacher as facilitator and guide not as performer, place the responsibility of learning on the student, and involve students in the evaluation process); explores issues of implementation and offers advice on instructional improvement.

Books on Law Teaching

Stacy Alexander et al., *Legal Education for the 21st Century* (Donald B. King ed., 1999): Addresses a wide range of legal education issues for a broad audience including law students, pre-law students, teachers, administrators, and lawyers; compiles essays from 34 authors about major issues facing legal education as it enters the 21st century; posits that if legal educators and legal professionals consider legal education as a field or a subject of study and undertake action to reconceptualize law schools, then 21st-century law schools will remain “centers of excellence” and “provide the best possible lawyers and leaders”; each chapter focuses on an aspect of legal education including change, diversity, transition to practice, technological developments and issues, teaching, scholarship, ethics, constituent (faculty, student, administration) concerns, comparative and international perspectives, and law schools and organizations.

Gerald F. Hess, *Monographs on Teaching and Learning for Legal Educators*, 35 *Gonz. L. Rev.* 63 (2000): Strictly speaking this is an article, not a book, on law teaching, but this article reviews and annotates 17 books on the subject and its footnotes contain citations to many more books.

Howard E. Katz & Kevin Francis O’Neill, *Strategies and Techniques of Law School Teaching* (2009): Begins with the preliminary stage of planning a course and takes the reader all the way to writing and grading the final examination; emphasis is on the new teacher but contains day-to-day suggestions for new and veteran teachers alike.

Duncan Kennedy, *Legal Education and the Reproduction of Hierarchy: A Polemic Against the System* (2004): “Proposes a radical egalitarian alternative vision of what legal education should become, and a strategy, starting from the anarchist idea of workplace organizing, for struggle in that direction”; attacks legal education by arguing that “law schools are intensely *political* places, in spite of the fact that they seem *intellectually unpretentious*, barren of theoretical ambition or practical vision of what social life might be”; maintains that legal education “contributes to the reproduction of

illegitimate hierarchy in the bar and in society” and encourages first-year law students to resist the ideological training and indoctrination of their law professors for service in the hierarchies of corporate capitalism.

Elizabeth Mertz, *The Language of Law School: Learning to “Think Like a Lawyer”* (2007): Applies an anthropologist’s analysis to the linguistic patterns of the first-year law school classroom; argues that the case dialogue persists because it fits and reenacts an autonomous legal epistemology resulting in the suppression of alternative perspectives and analyses of reality.

Madeleine Schachter, *The Law Professor’s Handbook: A Practical Guide to Teaching Law* (2004): Designed to aid the transition from practitioner to professor or assist current professors in reflecting on their teaching techniques; begins with the stated premise that even though “you’ve mastered a high level of substantive expertise, refined your advocacy and negotiation skills, and have extensive experience in analytical thinking, writing, and other scholarly pursuits, that doesn’t necessarily mean that you’re prepared to educate others”; provides resources and practical knowledge on how to educate others through chapters about deciding to teach, designing a course, conducting class, evaluating and interacting with students, and assessment; offers a general guide designed to encourage and facilitate teachers in creating and refining their own unique way of teaching.

Patricia L. Smith & Tillman J. Ragan, *Instructional Design* (3d ed. 2005): Intended to assist those who are interested in facilitating learning through instructional design; provides “mainstream” instructional design and alternatives, innovations, and enrichments; emphasizes the foundations and first principles of instructional design, which can be adapted to fit one’s unique perspectives.

William M. Sullivan et al., *Educating Lawyers: Preparation for the Profession of Law* (2007): One of a series of reports on professional education issued by The Carnegie Foundation for the Advancement of Teaching. This two-year study of teaching and

learning in contemporary American and Canadian law schools relies on intensive field work conducted at 16 law schools during the 1999–2000 academic year; seeks to foster in the legal academy more focused attention on the actual and potential effects of the law school experience on the formation of future legal professionals; explores intellectual cognitive training, preparation for practice, and formation of professional responsibility that law school provides; recognizes the priority of analytical thinking in preparing lawyers, but also endorses curricular and pedagogical teaching centered on law practice; proposes an integration of student learning of theoretical and practical legal knowledge and professional identity; promises to rethink the educational cliché of “thinking like a lawyer.”

Teaching the Law School Curriculum (Steven Friedland & Gerald F. Hess eds., 2004): compiles the wisdom of hundreds of legal educators into one resource that provides approaches, materials, exercises, “brief gems,” and feedback and evaluation tips for 15 of the most common law school courses; offers tons of ready-to-use and practical ideas, suggestions, alternatives, and new and interesting perspectives provided by law teachers for law teachers and “pre-tested” by the contributors; belongs on the shelf of every teacher of a first-year subject; succeeds a first edition published in 1999 that also is worth tracking down.

Articles on the Student Perspective

Joan Catherine Bohl, *Generations X and Y in Law School: Practical Strategies for Teaching the “MTV/Google” Generation*, 54 *Loy. L. Rev.* 775 (2008): Explores the characteristics of the current generation of law students; focuses on their technological experience and habits; suggests strategies for integrating that experience and those habits into a holistic classroom experience.

Robin A. Boyle & Rita Dunn, *Teaching Law Students Through Individual Learning Styles*, 62 *Alb. L. Rev.* 213 (1998): “[S]urveys the literature criticizing the traditional methods of law school teaching and explores the growing movement

advocating that law schools should experiment with research on learning styles”; “shows the results of . . . testing of the St. John’s law students and recommends instructional strategies that are complementary to the learning styles identified by the assessment . . . used”; “explains the usefulness of ‘homework prescriptions.’”

Robin Boyle, Jeffrey Minneti & Andrea Honigsfeld, *Law Students Are Different from the General Population: Empirical Findings Regarding Learning Styles*, 17 *Perspectives: Teaching Legal Res. & Writing* 153 (2009): An empirical study of how law students have diverse learning styles from each other and from students in other fields of study; draws some inferences about how teachers ought to teach law students.

Diana R. Donahoe, *Bridging the Digital Divide Between Law Professor and Law Student*, 5 *Va. J.L. & Tech.* 13 (2000): An article online and in print about that divide; examines the gap between the generations of teachers and students regarding the use and the influence of technology in learning.

Alice K. Dueker, *Diversity and Learning: Imagining a Pedagogy of Difference*, 19 *N.Y.U. Rev. L. & Soc. Change* 101 (1991–1992): Proposes a “pedagogy of difference” to meet the needs of diverse students and to take advantage of the diversity among law students; advocates a law school curriculum for “connected teaching,” based on learning theory and the diverse styles of learning among students.

Gerald F. Hess, *Listening to Our Students: Obstructing and Enhancing Learning in Law School*, 31 *U.S.F. L. Rev.* 941 (1997): “[C]ombines current findings from higher education literature with real life experiences of diverse students in law school today”; argues that “law teachers can improve their teaching and increase the learning of all students by listening to students’ perceptions of the teaching/learning environment in law school”; describes “two branches of higher education literature that illustrate the importance of teachers listening to their students’ views of teaching and learning”—adult education and the classroom assessment movement; “reports the observations

and suggestions of diverse students describing their learning experiences in law school.”

Lawrence S. Krieger, *Institutional Denial About the Dark Side of Law School, and Fresh Empirical Guidance for Constructively Breaking the Silence*, 52 J. Legal Educ. 112 (2002): Describes “recent psychological research on the components of happiness and life satisfaction, which “provides an objective framework for understanding the pervasive problems in legal settings and thus can lead to constructive discussion and intervention”; “review[s] empirical and anecdotal evidence of the dark side of law school, the process of denial among faculty, and failing paradigms at the heart of legal education”; discusses the “helpful recent research” and concludes “by suggesting individual and collective faculty approaches based on this research.”

James B. Levy, *As a Last Resort, Ask the Students: What They Say Makes Someone an Effective Law Teacher*, 58 Me. L. Rev. 49 (2006): “[G]oes right to the source by asking ‘the patients’ what they think” to describe the results of a student survey conducted at two law schools “that asked students to give their opinions about what makes someone an effective, and conversely an ineffective, law school teacher”; “discusses the interdisciplinary research on the effect of socio-emotional considerations on learning”; argues that “law professors need to redefine their notion of teaching competence to include not only mastery of instructional techniques like the Socratic method and use of classroom technology, but also an appreciation of the importance of, and facility with, the skills needed to foster an effective classroom socio-emotional climate.”

Ruth Ann McKinney, *Depression and Anxiety in Law Students: Are We Part of the Problem and Can We Be Part of the Solution?*, 8 Legal Writing 229 (2002): Emphasizes the self-efficacy theory of human behavior from social psychology; examines the traditional law school environment; identifies some possible reforms of legal education; offers concrete examples of lesson plans, course policies,

and teacher behaviors that will encourage students to set appropriate goals and then help them work toward achieving those goals.

Cathaleen A. Roach, *A River Runs Through It: Tapping into the Informational Stream to Move Students from Isolation to Autonomy*, 36 Ariz. L. Rev. 667 (1994): Explores the problem of student isolation in law school, particularly how it affects minority and nontraditional students; examines learning theories to cope with and overcome isolation; criticizes the “methodolatry” of traditional legal education.

Kennon M. Sheldon & Lawrence S. Krieger, *Does Legal Education Have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Well-Being*, 22 Behav. Sci. & L. 261 (2004): Provides a brief overview of the self-determination theory (SDT) of optimal motivation; applies measures from SDT “to assess whether students evidence negative changes in their motives or values during their first year of law school”; describes the hypotheses, methods, and results of two studies they conducted, which found that law students experience declining happiness and well-being during their first year in law school.

Articles on Teaching Methods and Learning Theory

James Eagar, *The Right Tool for the Job: The Effective Use of Pedagogical Methods in Legal Education*, 32 Gonz. L. Rev. 389 (1996–1997): Examines the pedagogical tools available to law teachers; seeks to increase instructors’ awareness of how and when to rely on particular teaching methods.

Jay M. Feinman, *Simulations: An Introduction*, 45 J. Legal Educ. 469 (1995): “[P]resent[s] a general framework for developing and using simulations, in the hope that doing so will improve our thinking about the topic and help teachers who wish to use simulations”; discusses the attributes of effective simulations; “identifies and discusses the issues involved in the design of a simulation”; facilitates the planning process of a simulation “by providing a check list of key issues to consider.”

Jay Feinman & Marc Feldman, *Pedagogy and Politics*, 73 Geo. L.J. 875 (1985): Begins with “some stories about . . . dissatisfaction with traditional legal education”; believes that “only by constructing a new consciousness of law, lawyering, and learning can law schools perform their most basic task: the training of competent lawyers”; asserts that an alternative conceptual framework to the current approach is needed “for understanding legal education in relation to legal theory and lawyers’ practice”; describes an unconventional alternative approach the authors used to teach “Contorts,” which combines legal research and writing with the substantive courses of contracts and torts.

Gerald F. Hess, *Principle 3: Good Practice Encourages Active Learning*, 49 J. Legal Educ. 401 (1999): Explains what active learning is and why it is important; identifies the barriers to active learning and provides ways to overcome them; explains several active learning methods common in legal education and suggests ways to implement them.

Jacqueline D. Lipton, “*Ph.D. Lite*”: *A New Approach to Teaching Scholarly Legal Writing*, 2009 Cardozo L. Rev. de novo 20, available at <<http://www.cardozolawreview.com>>: Sets out a “Ph.D. lite” methodology for teaching law school seminars, patterned after graduate education; argues that the proposed model will be popular with students and professors alike.

Deborah Maranville, *Infusing Passion and Context into the Traditional Law Curriculum Through Experiential Learning*, 51 J. Legal Educ. 51 (2001): Argues that (1) “passion and context are central to effective legal education” and (2) “for many students experiential learning is a superior method for generating passion and providing important types of context”; provides a range of concrete suggestions for how to integrate experiential learning into the traditional curriculum; suggests “that experiential learning methods can provide useful opportunities for feedback to both teachers and students.”

Vernellia R. Randall, *The Myers-Briggs Type Indicator, First Year Law Students and Performance*, 26 Cumb. L. Rev. 63 (1995–1996): “[E]xplore[s] the relationship between learning style and performance;” utilizes the Myers-Briggs Type Indicator (MBTI) to classify students into four learning preferences (extraversion v. introversion, sensing v. intuitive, thinking v. feeling, judgment v. perception) and discusses how and why a person’s learning preference affects learning and performance in law school; argues that “student anxiety can be lessened with improved legal instruction and with a legal pedagogy” that “includes understanding how students learn and helping students to develop strategies for learning that are consistent with their learning styles.”

Michael Hunter Schwartz, *Teaching Law by Design: How Learning Theory and Instructional Design Can Inform and Reform Law Teaching*, 38 San Diego L. Rev. 347 (2001): “[E]xamines the law school Vicarious Learning/Self-Teaching Model in light of learning theory and instructional design”; “identifies and explores three factors that have caused law school teaching to remain stagnant;” “explores learning theory, focusing on the three major schools of learning theory—behaviorism, cognitivism, and constructivism—and on the aspects of these theories most relevant to designing law school instruction”; “describes the processes involved in instructional design, comparing how law professors design instructions with how professional instructional designers practice in their field”; “offers a dramatically different approach to law school instruction, an approach more likely than current law teaching methodologies to produce effective, efficient, and appealing law school instruction”; includes an illustrative sample lesson plan.

Michael Hunter Schwartz, *Teaching Law Students to Be Self-Regulated Learners*, 2003 Mich. St. DCL L. Rev. 447 (2003): “[A]rgues that we should teach our students to be self-regulated learners;” “addresses the rationales for the creation of a self-regulated learning curriculum for law students;”

“describes the design of such a curriculum, and reports the results of [the author’s] law school’s trial offering (on a pilot basis) of an introductory program designed to teach new law students to be self-regulated learners.”

Paul T. Wangerin, *Learning Strategies for Law Students*, 52 Alb. L. Rev. 471 (1988): Defines and discusses “metacognition”; “discusses several studying and learning strategies, including strategies for teacher study, time management, efficient reading, note taking, review, and problem solving”; “concentrates on studying strategies principally useful to law school students, including ‘component’ legal analysis and case briefing”; concludes with a reiteration that “the studying strategies discussed are in fact adaptable to law school learning processes and law school students can benefit from the use of these strategies.”

Articles on Cooperative Learning

Carole J. Buckner, *Realizing Grutter v. Bollinger’s “Compelling Educational Benefits of Diversity” — Transforming Aspirational Rhetoric into Experience*, 72 UMKC L. Rev. 877 (2004): “[E]xamines the Supreme Court’s rhetoric in *Grutter* regarding the educational benefits of diversity, including the evidence submitted in *Grutter* indicating that the benefits derive from full participation by students of diverse backgrounds in the law school classroom”; “contextualizes the analysis further by examining the wealth of evidence regarding the experiences of minority law students”; “provides a race-conscious analysis of the cultures and learning styles of Hispanic, African American, Asian American and Native American students”; “discusses a multiculturalist approach to creating a more relational, student-centered cooperative learning environment, and includes student assessments of classroom environments in which these procedures were implemented.”

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): Describes “the philosophical and educational differences between traditional legal pedagogy and Cooperative

Learning”; defines Cooperative Learning as “a structured, systematic instructional strategy in which small groups work together toward a common goal”; discusses “why we should use it in law schools, and review[s] the components of effective Cooperative Learning”; discusses the “problems of using Cooperative Learning in an adversarial educational environment such as law”; “describe[s] the response of both the students and the faculty to Cooperative Learning”; “recommend[s] strategies for using Cooperative Learning in a competitive, adversarial environment, including discussing the role of faculty.”

Articles on Classroom Environment and Professor Behavior

Bryan Adamson, Lisa Brodoff, Marilyn Berger, Anne Enquist, Paula Lustbader & John B. Mitchell, *Can the Professor Come Out and Play?—Scholarship, Teaching, and Theories of Play*, 58 J. Legal Educ. 481 (2008): An extensive analysis of the literature on childhood play as it relates to cognitive activity; relates the theory to creative problem solving and innovations; links scholarship and teaching.

B. Glesner Fines, *The Impact of Expectations on Teaching and Learning*, 38 Gonz. L. Rev. 89 (2002–2003): “[E]xplores the research on expectation effects in education and offers suggestions for putting the research into practice”; “describes two forms of expectation effect,” the self-fulfilling prophesy and the self-sustaining expectation effect; “suggests that faculty can improve legal education by critically examining their assumptions and attitudes”; examines “biases relating to groups of students”; “addresses high-expectation teaching methodologies”; “concludes by addressing concerns about institutional resistance to raising expectations.”

Gerald F. Hess, *Heads and Hearts: The Teaching and Learning Environment in Law School*, 52 J. Legal Educ. 75 (2002): “[E]xplores the question [w]hy is the teaching and learning environment so important?”; “addresses the negative effects of the law school experience on students and the role of the teaching and learning environment in inhibiting and enhancing student learning”;

“reviews models of effective teaching and learning environments”; “addresses the question *[h]ow can law teachers and their students create and maintain an effective teaching and learning environment?*”; “articulate[s] eight components of an optimal classroom environment for legal education: respect, expectations, support, collaboration, inclusion, engagement, delight, and feedback.”

Gerald F. Hess, *Learning to Think Like a Teacher: Reflective Journals for Legal Educators*, 38 Gonz. L. Rev. 129 (2002–2003): “[A]ddresses the role of reflection in the education of professionals, including teachers”; “focuses on reflective journals as devices for the professional development of teachers”; “contains recommendations for law teachers who want to enhance their teaching by keeping a reflective journal.”

Paula Lustbader, *Principle 7: Good Practice Respects Diverse Talents and Ways of Learning*, 49 J. Legal Educ. 448 (1999): “The seventh principle asks educators to respect all forms of diversity—not only differences in ethnicity, race, gender, age, sexual orientation, and cultural and socioeconomic background, but also diverse learning styles, forms of intelligence, previous experiences, levels of preparation for learning, external environments, values, and goals”; focuses on the issues that flow from the latter set of diversities; argues that “[r]especting diversity does not require us to lower standards and compromise the profession,” but it does “require us to expand our definition of excellence to include a more comprehensive range of skills and abilities.”

Articles on Student Assessment

Lynn M. Daggett, *All of the Above: Computerized Exam Scoring of Multiple Choice Items Helps to: (A) Show How Exam Items Worked Technically, (B) Maximize Exam Fairness, (C) Justly Assign Letter Grades, and (D) Provide Feedback on Student Learning*, 57 J. Legal Educ. 391 (2007): “[R]eviews a few core psychometric concepts: validity and reliability (two properties of all good exams), formative and summative evaluation

(two different purposes of exams), and the specific norm-referenced and criterion-referenced categories of exams”; “describes the typical sorts of data available from computerized scoring of multiple choice exams and the uses of this data for law faculty”; provides “concrete examples”; “does not review the pros and cons of multiple choice formats.”

Philip C. Kissam, *Law School Examinations*, 42 Vand. L. Rev. 433 (1989): “[E]xplores the values, limits, and adverse effects of our system of law school examinations”; “provides a ‘systemic analysis’ and a ‘total critique’ by assessing the structure, contextual relationships, values, and adverse effects of law school examinations”; “describes the nature of law school examinations and the reading, interpretation, and grading”; examines the social and personal context and positive and negative aspects of blue book exams; describes changes that could mitigate the adverse effects of the blue book system. Read any article you can find by this teacher’s teacher.

Terri LeClercq, *Principle 4: Good Practice Gives Prompt Feedback*, 49 J. Legal Educ. 418 (1999): Begins with the notion that “[k]nowing what you know and don’t know focuses learning” and that “[w]ithout feedback, none of us could know whether we clearly understood what we thought we understood”; provides several methods for offering feedback that are not burdensome for the teacher; discusses the different types of feedback and their pros and cons; discusses other sources of student feedback (self, peers, professionals, computers) and feedback for faculty and institutions.

Greg Sergienko, *New Modes of Assessment*, 38 San Diego L. Rev. 463 (2001): “[D]iscuss[es] ways in which the quality of assessment can be evaluated”; explores the strengths and weaknesses of essay exams because they “are the predominant mode of examination in law school”; “deals with non-instructor assessment and multiple-choice questions as alternatives to essay exams.”

Sophie M. Sparrow, *Describing the Ball: Improve Teaching by Using Rubrics—Explicit Grading*

Criteria, 2004 Mich. St. L. Rev. 1 (2004):
“[A]dvocates using rubrics to change grading practices on an individual, as opposed to an institutional level”; defines rubrics as “detailed written grading criteria, which describe both what students should learn and how they will be evaluated”; “shows how rubrics enhance learning and teaching”; “discusses how professors ease their grading burden when they adopt rubrics”; “describe[s] a method of developing rubrics.”

Online Resources

American Bar Association, Section of Legal Education and Admissions to the Bar,
<http://www.abanet.org/legaled/home.html>

Association of American Law Schools,
<http://www.aals.org>

Barbara Glesner Fines, Teaching and Learning Law Resources for Legal Education,
<http://www.law.umkc.edu/faculty/profiles/glesnerfines/bgf-edu.htm>

Best Practices for Legal Education blog,
<http://bestpracticeslegaled.albanylawblogs.org>

CALI, The Center for Computer-Assisted Legal Instruction,
<http://www.cali.org>

The Cooperative Learning Center at the University of Minnesota,
<http://www.co-operation.org>

Elon University, CELL Blog, Center for Engaged Learning in the Law,
<http://idd.elon.edu/blogs/CELLblog>

Institute for Law Teaching and Learning, sponsored by Gonzaga University School of Law and Washburn University School of Law,
<http://lawteaching.org>

Online Academic Support Program for Law Students, Learning Styles and Law Students,
<http://www.onlineasp.org/study/study00b.htm>

Research Academy for University Learning, Montclair State University,
<http://www.montclair.edu/academy/bibs.html>

Shreyer Institute for Teaching Excellence, Pennsylvania State University,
<http://www.schreyerinstitution.psu.edu>

University of Minnesota Law School Library Teaching Tools for Law School Faculty,
<http://local.law.umn.edu/library/teaching.html>

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