Integrating Skills and Professionalism into Doctrinal Courses Without Greatly Increasing Faculty Workload

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• Lightyears Ahead
Expanding Upon What You Are Doing

- More Ideas for Integrating Skills/Values/”Real World” Learning into Doctrinal Courses [“Learning in Context”]
- Measuring Whether It Is Working
- Developing Scholarship Based on Teaching
Lawyering Effectiveness Skills & Values
The Message:
In Doctrinal Courses Can We Really Teach and Assess

- Fact Finding?
- Drafting?
- Time/Record Keeping?
- Collaboration?
- Identifying and grappling with ethical issues?
- And more??

GET REAL!
Issues/Barriers

- Professors
- Students
But I don’t know . . .

• And this is where
Integrating Factual Development/Factual Research

• Change your hypos
• Have students ask questions to tie fact gathering to legal doctrine
• Watch for opportunities in cases: *Walker v. Norwest* [Rule 11 case – “too hard to find citizenship of all defendants”]

If you do this in class, ask a fact investigation question on an exam
Communicating to Different Audiences

• Come prepared to interview client to get information that will allow you to [insert doctrine you are teaching]

• Prepare to explain answer to hypo to:
Observations/Research Collaboration

• Courtroom Observations
• Family court TROS;
• Crim Court prob cause hearings;

Present results???

• Real World Research Collaborations [e.g. Assessing Use and Understanding of Certificates of Confidentiality – NIH funding – student interviews IRB chairs and legal counsel; code survey; do legal research; write & present];
Teaching multiple skills/values through a single exercise

• In one drafting exercise you can teach/assess all or some of these [with varying degrees of professorial work]:

  Drafting
  Ethics/Professionalism Rules
  Factual Investigation
  Legal Research
  Collaboration
  Time Management/Record Keeping
How?

• Exercises – large section courses:
  - **Complaint Exercise**: ethics; application of substantive law to facts; drafting; factual research; legal research; [could also include time keeping collaboration]
  - **Corporations/Partnerships**: [drafting, negotiation, collaboration, legal analysis]
  - **Contracts [or any other class] memo**: drafting, legal analysis, collaboration, time/record keeping

• Upper Level Class:
  - **Estate Planning [or Real Estate Transactions, or Tax or . . .]** [interviewing/fact gathering; drafting; collaboration; legal analysis]
Grading – Back to the Talk Title

- **Points for “good faith” effort** – no actual grade [minimal professorial review];

- **Collaboration** – one product for teams of 3 or 4 [80 people/grade 20 memos];

- **Develop rubric and train TAs to grade** [checking for reliability]
Creativity/Innovation

• [http://www.youtube.com/watch?v=xi5LESZ7Kc](http://www.youtube.com/watch?v=xi5LESZ7Kc)
Switching Gears
Important to test our assumptions
Example – Do Formative Assessments Improve Student Learning
Assessing Our Teaching

• Pick a question you want an answer to:
  • Have I taught my students to analyze/interpret statutes or regulations
  • Can I develop a way to incorporate videos into my class and assessments – does that improve learning?
  • Does drafting a “complaint/contract/will” improve student learning of the applicable doctrine
  • Does assessing differently eliminate the performance score gap
Scholarship of Teaching and Learning

Stereotypes Abound But If Done Right – It’s No Joke
Observational/Empirical

- Research and situate in existing literature [law and other disciplines]
- Explain innovation or methodology you are examining
- If empirical explain study design/methodology
- Discuss implications
- Admit/explore weaknesses
- Suggest further exploration
Empirically Testing Assumptions Research Overview

- ID research question
- **Find Social Science Collaborator** *
- Choose Research Method
- Design study*
- Get Human Research Subject Approval
- Perform Study
- Data Analysis & Interpretation
- Write up study
- * Handout gives example of a study question/gathering evidence; also handout of social science collaborators
Your turn