

Teaching Legal Research and Writing
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How to Get the Most Teaching Bang for Your Buck out of Every Legal Writing Assignment

For a terrific general bibliographic resource on scholarship about teaching legal writing, check out the Legal Writing Institute's Monograph Series, available here:

<https://www.lwionline.org/publications/monograph-series>

Each volume contains links to a curated set of scholarly articles on the relevant topic. I particularly recommend these volumes of the Monograph Series:

- Volume 1: The Art of Critiquing Written Work
- Volume 2: The New Teacher's Deskbook
- Volume 3: Teaching Legal Writing: Theory
- Volume 7: The New Teacher's Deskbook Update

For collections of shorter essays on teaching legal writing, I recommend browsing these excellent publications:

Perspectives: Teaching Legal Research and Writing

<https://info.legalsolutions.thomsonreuters.com/signup/newsletters/perspectives/>

The Second Draft

<https://www.lwionline.org/publications/second-draft>

For advice on specific topics this AALS session covers, here are some scholarly articles to get you started:

Background on Some Key Learning / Teaching Principles

Cognitive Science: How Students Learn

- Elizabeth Adamo Usman, “Making Legal Education Stick: Using Cognitive Science to Foster Long-Term Learning in the Legal Writing Classroom,” 29 Geo J. Legal Ethics 355 (2016)
- James McGrath, “Planning Your Class to Take Advantage of Highly Effective Learning Techniques,” 95 U. Det. Mercy L. Rev. 153 (2018)
- Hillary Burgess, “Deepening the Discourse Using the Legal Mind’s Eye: Lessons From Neuroscience and Psychology that Optimize Student Learning,” 29 Quinnipac L. Rev. 1 (2011)
- Serge A. Martinez, “Why Are We Doing This? Cognitive Science and Nondirective Supervision in Clinical Teaching,” 26 Kan. J. L. & Pub. Policy 24 (2016)

Assessment

- Steven J. Johansen, “What Were You Thinking? Using Annotated Portfolios to Improve Student Assessment,” 4 J. Legal Writing Inst. 123 (1998)
- Herby Ramy, “Moving Students from Hearing and Forgetting to Doing and Understanding: A Manual for Assessment in Law School,” 41 Cap. U. L. Rev. 837 (2014)
- Karen McDonald Henning & Julia Belian, “If You Give a Mouse a Cookie: Increasing Assessments and Individualized Feedback in Law School Classes,” 95 U. Det. Mercy L. Rev. 35 (2018)
- Olympia Duhart, “It’s Not for a Grade: The Rewards and Risks of Low-Risk Formative Assessment in the High-Stakes Law School Classroom,” 7 Elon L. Rev. 491 (2015)

Teaching Students to be Self-Motivated, Reflective, Life-Long Learners

- Deborah L. Borman, “Fast Track Your Mindset: Engineering Confidence and Streamlining Feedback for Full Steam Success in Legal Practice,” 49 U.S.F. L. Rev. Forum 40 (2015)
- Kaci Bishop, “Framing Failure in the Legal Classroom: Techniques for Encouraging Growth and Resilience,” 70 Ark. L. Rev. 959 (2018)

- Scott Freuhwald, “Teaching Law Students How to Become Metacognitive Thinkers: Helping Students Develop Their Mental Apps”
(https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2243128)
- Renee Nicole Allen and Alicia Jackson, “Contemporary Teaching Strategies: Effectively Engaging Millennials Across the Curriculum,” 95 U. Det. Mercy L. Rev. 1 (2018)

The Assignment

Designing the Problem

- Lorraine Bannai et al., “Sailing Through Designing Memo Assignments,” 5 J. Legal Writing Inst. 193 (2001)
- Lenore F. Carpenter and Bonny Tavares, “Learning By Accident, Learning By Design: Thinking About the Production of Substantive Knowledge in the LRW Classroom,”
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3212985
- Beth Hirschfelder Wilensky, “Assignments with Intrinsic Lessons on Professionalism (Or, Teaching Students to Act Like Adults Without Sounding Like a Parent),” 65 J. Legal Educ. 622 (2016)

Before You Assign the Problem

- Miriam E. Felsenburg and Laura P. Graham, “A Better Beginning: Why and How to Help Novice Legal Writers Build a Solid Foundation By Shifting Their Focus from *Product* to *Process*,” 24 Regent U. L. Rev. 84 (2011-12)
- Judith B. Tracey, “I See and I Remember; I Do and I Understand: Teaching Fundamental Structure in Legal Writing Through the Use of Samples,” 21 Touro L. Rev. 297 (2005)
- Terrill Pollman, “The Sincerest Form of Flattery: Examples and Model-Based Learning in the Law School Classroom,” 64 J. Legal Educ. 298 (2014)

After Students Submit Their Work

- Anne Enquist, “Critiquing and Evaluating Law Students’ Writing: Advice from Thirty-Five Experts,” 22 Seattle U. L. Rev. 1119 (1999)
- Jane Kent Gionfriddo, “The ‘Reasonable Zone of Right Answers’: Analytical Feedback on Student Writing,” 40 Gonz. L. Rev. 427 (2004-05)

- Robin S. Wellford-Slocum, “The Law School Student-Faculty Conference: Towards a Transformative Learning Experience,” 45 S. Tex. L. Rev. 255 (2004)
- Cassandra L. Hill, “Peer Editing: A Comprehensive Pedagogical Approach to Maximize Assessment Opportunities, Integrate Collaborative Learning, and Achieve Desired Outcomes,” 11 Nev. L. J. 667 (2011)
- Anne Enquist, “Critiquing Law Students’ Writing: What Students Say is Effective,” 2 J. Legal Writing Inst. 145 (1996)
- Patricia Grande Montana, “Better Revision: Encouraging Writers to See Through the Eyes of the Reader,” 14 J. Legal Writing Inst. 291 (2008)
- Mary Beth Beazley, “The Self-Graded Draft: Teaching Students to Revise Using Guided Self-Critique,” 3 J. Legal Writing Inst. 175 (1997)
- Christy DeSanctis and Kristen Murray, “The Art of the Writing Conference: Letting Students Set the Agenda without Ceding Control,” 17 No. 1 Persp: Teaching Legal Res. & Writing 35 (2009)
- Terri LeClerq, “The Premature Deaths of Writing Instructors,” 3 Integrated Legal Res. 4 (1990-91)
- Cassandra L. Hill and Katherine T. Vudakin, “Now I See: Redefining the Post-Grade Student Conference as Process and Substance Assessment,” 54 Howard L. J. 1 (2010)