

REPEATERS IN LRW PROGRAMS

BY GRACE WIGAL

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Brutal Choices in Curricular Design ... is a regular feature of *Perspectives*, designed to explore the difficult curricular decisions that teachers of legal research and writing courses are often forced to make in light of the realities of limited budgets, time, personnel, and other resources. Readers are invited to comment on the opinions expressed in this column and to suggest other “brutal choices” that should be considered in future issues. Please submit material to Helene Shapo, Northwestern University School of Law, 357 East Chicago Avenue, Chicago, IL 60611, phone: (312) 503-8454, fax: (312) 503-2035.

The Legal Research and Writing (LRW) faculty members are meeting on a warm, sunny day in May. The tone of the meeting has been upbeat so far—everyone in attendance is relieved that the school year is over. But faculty members ultimately must turn to the agonizing task of deciding what to do about the students who did not pass LRW. Sound familiar?

I direct the LRW Program at the West Virginia University College of Law, and I always dread the last task of the year—reviewing the files of students who did not pass. Although our first-year writing program usually has no more than five students who fall into the nonpassing category, the number occasionally climbs as high as seven or eight (of approximately 145 students in the first-year class).¹ Not surprisingly, my level of angst at this last LRW faculty meeting usually is directly proportional to the number of students on the “fail” list.

I’ve often heard other directors say that no student should fail the LRW program they have implemented, and I feel the same way. Students in

our program have numerous opportunities to rewrite assignments. Furthermore, they have a variety of avenues to get individual help: (1) they are permitted to get peer feedback on early assignments; (2) the LRW faculty members maintain an open-door policy and meet regularly with individual students; (3) student teaching assistants are available to read drafts and assist struggling students; and (4) a writing specialist conducts grammar/mechanics workshops and also works individually with students on drafts of papers.

With all these opportunities for assistance, why do students fail? We have discovered that the nonpassing student usually falls into one of two groups: (1) those who either “blow off” the course or don’t have the discipline to maintain the pace of the course and produce written submissions in a timely manner, or (2) those who work hard but simply need more time to master the underlying skills necessary to competently think, write, and speak as a lawyer. Because the work product of students in these two categories usually reveals a consistent pattern of poor performance, my colleagues and I can readily agree that these students should repeat the course.

However, a student sometimes falls into a third category: the student who barely misses passing the class because of one or two poor grades. Before deciding to fail this student and thereby have the student repeat the full-year course, my colleagues and I look carefully at the student’s pattern of writing grades and the student’s performance on in-class exercises. If this review reveals that the student’s overall work product reflects a mastery of essential skills, then the LRW faculty may decide that the student should pass the class on the basis of participation and performance. Our syllabus, in fact, notes that each LRW faculty member reserves the right to add a participation factor into the final grade for the year. Thus, a student who has mastered the skills and has participated meaningfully in the course need not be disproportionately penalized by occasional poor performance.

Who Should Repeat?

My conversations with other directors about students who fail lead me to believe that most law schools have a situation similar to that at West Virginia: a small percentage of students fail at the

“With all these opportunities for assistance, why do students fail?”

¹ This number does not include the students who have dropped out of the course before the end of the year. Students drop for a variety of reasons, e.g., health problems, a decision to go part time, fear of failing the course, the need to concentrate on other courses because of a low GPA, etc. These students also will be repeating the course the following year, sometimes driving our repeating student numbers as high as 15.

“Skill building is a highly individualistic task, and any good skills program will give individual students many opportunities for feedback and practice.”

end of each year.² A few directors have said, however, that aside from the students who drop the course before it is completed, they generally have no students who work through the entire course and then fail at the end of the year. I was taken aback when I learned that some programs may not have students who fail, but I then realized that this phenomenon can be explained, at least in part, by program design. Skill building is a highly individualistic task, and any good skills program will give individual students many opportunities for feedback and practice. In schools having a reasonable student-LRW teacher ratio, the LRW teacher will have more time to track individual students, schedule conferences, and read redrafts and rewrites of papers. In fact, the program is likely to be designed to provide rewrite opportunities (or multiple drafts) for all major writing assignments in the course. This attention the LRW faculty member gives to each student throughout the course permits the student to better understand his or her own strengths and weaknesses in analysis and writing so that the student can target goals to achieve with each draft or rewrite. With instructor guidance in this continual rethinking and redrafting process, even the weakest students are likely to raise their grades enough to pass the course.

Clearly, LRW teachers in good writing programs deserve medals for assuming the Sisyphean task of helping individuals overcome their specific weaknesses. But there is a danger in providing too much help. As one director noted, permitting students to rewrite all papers sometimes allows the weakest students to pass when they really aren't ready to function independently of the assistance offered through program resources. These students aren't fully prepared to move on to more advanced writing tasks in upper-level courses or summer clerkships where they will be expected to work independently and efficiently under the pressure of a deadline.

The American Bar Association's *Sourcebook on*

² This article repeatedly draws upon information I have acquired through conversations and e-mail correspondence with other LRW program directors. Thus, this article is based on anecdotal information and not a scientific collection of data.

*Legal Writing Programs*³ notes that one of the goals of a good legal writing program is to teach students to educate themselves:

It is ... highly valuable for law students to learn how to educate themselves on legal doctrines with which they have no previous familiarity, to determine the issues involved in the problem under consideration, and to begin formulating a research strategy to find a solution. They need to attain confidence that, when faced with an unfamiliar issue or area of law, they will be well equipped to master the subject and solve the problem within a reasonable time.

... Legal writing teachers do not teach a body of knowledge (such as contract law or civil procedure). They teach an art which students can master only by learning decision-making skills that are based on professional judgment.⁴

Thus, the *Sourcebook* recognizes that an LRW program should give each student the opportunity to achieve the level of skill mastery that will permit the student to work independently to solve legal problems.

Some law schools, including West Virginia, have taken a “hard-nosed” approach to the problem of students who demonstrate only marginal skills at the end of the first-year LRW program.⁵ West Virginia has decided to “raise the bar” in two ways: (1) the last two assignments of the year cannot be rewritten, and (2) the student must earn a grade of C or above to pass the course. Several years ago, we adopted the “no rewrite”

³ ABA Section on Legal Education and Admission to the Bar, *Sourcebook on Legal Writing Programs* (1997).

⁴ *Id.* at 35, 52.

⁵ Some law schools have legal writing and academic support programs that extend through the three years of law school. In those schools, the first-year LRW faculty may feel that a very weak student can continue to improve skills through upper-level programs that offer continued instruction in the basics. The upper-level programs can assume the responsibility of moving the weak student to a level of proficiency before graduation. However, in schools that have full-time writing professionals teaching only in the first year, there may be very little opportunity for students to get the kind of practice and feedback that they need to continue to improve their lawyering skills. Thus, the first-year LRW program carries the heavy responsibility of helping each student become proficient in many of the basic skills needed for the practice of law.

policy for the last two of the eight yearly LRW assignments to put the burden back on students to draft an effective document under the pressure of a deadline (what the lawyer does in practice).⁶ While preparing these two writing assignments (an intra-office memorandum of law and a trial court brief), the students can get help from the LRW faculty member, teaching assistant, and writing specialist, but the papers may not be rewritten after submission.

The last two assignments build on the skills learned throughout the year and reflect the kind of research and writing tasks the students will be expected to undertake as first-year clerks. Thus, when deciding at the end of the year whether a student should retake the course, faculty members can compare the student's performance on the last two assignments to performance on the earlier assignments that were rewritten with assistance. A disparity in performance can indicate that the student is not ready to work independently of the writing program.

Not allowing rewrites at the end of the year also permits the LRW faculty member to give a more objective opinion when speaking to a student's prospective employer who has called for a recommendation. For example, I recently got a call from a Washington, D.C., law firm considering a second-year student for a summer position paying almost \$2,000 per week. The lawyer who called was keenly interested in whether the law student's writing portfolio contained documents that had not been rewritten with instructor guidance. In other words, the lawyer was trying to assess whether the student's excellent LRW grade and writing samples accurately reflected the work the student would be able to do as a summer clerk. I responded that two of the documents in the folder were not rewritten under my guidance, but that the student may have redrafted in response to comments I made on the papers when I graded them. Thus, the documents were an accurate reflection of the kind of work the student would

⁶ We continue to have a high student-teacher ratio in our program (55 to 1) and were faced with the problem of not having enough time to go through a rewrite process on all assignments during the year. In discussing student and instructor needs, we came to realize that there was a good reason not to rewrite every assignment and a good time to ask students to begin to produce documents that did not need multiple revisions with instructor help.

do as a clerk with a minimal amount of guidance from a supervising attorney.⁷

The second way West Virginia addresses the problem of the student with minimal skills is to require the LRW student to pass the course with a C.⁸ Years ago, the College of Law faculty agreed that students must demonstrate more than a "barely passing" skill level and ability to problem-solve before leaving the LRW program. Therefore, the student with a grade below C at the end of the year must repeat the year-long course.⁹

The faculty felt that the stringent grade requirement was important for several reasons. First, the law school faculty noted that competency in written communication is a prerequisite for the practice of law. Second, as the only law school in the state, the College of Law has a special duty to prepare students to be leaders in their communities and to be successful in their practices. Most of our graduates begin their practice of law in a relatively small firm setting (two to 10 attorneys). They report that they don't have the luxury of being closely supervised by a mentor during their early years of practice, but instead are expected to "pull their own weight"

⁷ Some of today's practicing attorneys have graduated from strong writing programs offering extensive instruction, individual consultation, and opportunities to rewrite. These attorneys sometimes distrust the final work product offered by the student as a writing sample. They remember how much help was available to them, and as potential employers they are now concerned about whether the writing sample reflects the student drafter's ability or the ability of those who may have assisted the student in creating the document.

Hiring attorneys' distrust of writing samples was documented in a recent National Law Journal article. Ritchenya Shepherd, *Firm Exam Tests Writing Skills* Nat'l L.J. (Feb. 15, 1999) at A16. The article describes a timed exam designed by a Chicago labor and employment boutique firm. The applicant is given a hypothetical fact pattern and a packet of case law and is asked to draft a brief supporting summary judgment in the case. *Id.*

One member of the firm explained that the test is given because excellent law school grades aren't always indicative of an ability to produce good written documents in a timely manner. She noted another advantage: the written product will reflect the applicant's ability to edit the document. She said that the student applicant's writing portfolio may contain only documents that have been rewritten multiple times with the help of a teacher or teaching assistants, and that such documents do not truly reflect the student's own editing skills. *Id.*

⁸ In fact, this requirement is not limited to the LRW course. At West Virginia, students must pass all the required skills courses with a grade of C or better. The requirement makes sense in light of the studies conducted by the American Bar Association that document the value of skills in the practice of law.

⁹ The University of Missouri-Kansas City School of Law also requires students to pass LRW with a C.

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almost immediately. They also report that the five skills they use most often (in descending order) are problem solving; oral communication; written communication; legal analysis and reasoning; and reading and interpreting legal opinions, statutes, and regulations.¹⁰ These (and other) skills are taught in the first-year LRW course.

A third reason the faculty imposed the “C to pass” rule is that the College of Law wanted its graduates to be marketable outside the state and recognized that a graduate who can demonstrate solid communication skills will have more choices.¹¹

When deciding to raise the grade requirement at West Virginia, the faculty did not consider the correlation between skills mastery and the likelihood of passing the bar exam on the first try. But it is a concern that has been compounded by the recent development of the Multistate Performance Test (MPT) as a component of the bar exam. The MPT, which was developed by the National Conference of Bar Examiners to assess “six fundamental skills lawyers are expected to demonstrate,” was first available in 1998 and now has been adopted as part of the bar exam in many states, including West Virginia.¹² The MPT is a 90-minute test that asks the test taker to read a case file and a library of materials, including legal authority. The test taker then must assess the client’s legal problem and draft one or more legal documents related to the problem.¹³ Clearly, the test taker who “barely passes” the LRW course because he or she has not mastered the professional skills that permit quick and accurate

assessment of legal problems and their solutions will be at risk when taking the performance test.

West Virginia is not alone in being concerned about skill mastery;¹⁴ other schools have adopted these and other approaches to assess and improve student achievement. For example, a recent article in *Perspectives* described a very different approach to discovering which students have mastered LRW skills: second-semester LRW students at Howard University must complete a timed test that mimics the MPT.¹⁵ The test not only helps them prepare for the skills component of the bar exam by showing them what will be expected, but also encourages them to review the content of the LRW program before taking the test. Furthermore, the “mock MPT test” gives the LRW faculty at Howard an additional tool to assess achievement of individual students.¹⁶ In fact, after giving the test for the first time, the director noted that the results suggested “too many students are dependent upon help from others (both LRW faculty members and classmates) for analysis of the law for their regular LRW papers . . . and [that t]hey have not yet learned to analyze and synthesize the law quickly and well enough on their own.”¹⁷

Whether deciding to require a higher grade to pass the course, to require students to demonstrate mastery without rewrite opportunities, to limit students’ opportunities for collaboration, or to administer an achievement-type writing test at the end of the year, program directors are making “brutal choices” in program design that will allow the LRW faculty to better assess individual achievement when deciding who should “fail.” These choices address the concern articulated by the director who thought that her weakest students were being permitted to leave LRW without necessary skills. On the other hand,

¹⁰ West Virginia University College of Law Self-Study Committee, *Self-Study Report*, ch. 7 at 6 (September 2000) (prepared for Reaccreditation Site Review Team from the American Bar Association and the Association of American Law Schools).

¹¹ Law firm salaries have skyrocketed in urban areas, making out-of-state jobs very attractive to College of Law graduates. Our placement office reports that the top third of the class is being heavily recruited and that many 1999 and 2000 graduates have taken jobs in other states.

¹² National Conference of Bar Examiners, *Multistate Tests* (last updated October 5, 2000) <<http://www.ncbex.org>>. At the time I visited the site, 25 jurisdictions had adopted the MPT.

¹³ Examples of documents the applicant might draft are a memorandum of law, a letter to a client, a trial or appellate brief, a will, a settlement proposal, etc. *Id.*

¹⁴ Some schools that are concerned about bar passage offer courses or workshops that help third-year law students polish their writing skills. See Nancy L. Schultz, *There’s a New Test in Town: Preparing Students for the MPT*, 8 *Perspectives: Teaching Legal Res. & Writing* 14 (Fall 1999).

¹⁵ Steven D. Jamar, *Using the Multistate Performance Test in an LRW Course*, 8 *Perspectives: Teaching Legal Res. & Writing* 118 (Spring 2000).

¹⁶ The test counts as 10 percent of the final grade for the course.

¹⁷ *Id.* at 122.

deciding to have students repeat the course creates a number of problems.

Problems with Having a Student Repeat the Course

Most schools assign a repeating student to a different teacher with the belief that the student will benefit from working with someone who has a slightly different approach to teaching, presents the material with new language, and uses a “new” set of assignments. In theory, the repeater finds the course easier the second time around and appreciates the opportunity to hone his or her skills while improving the course grade. In fact, most students do adopt this attitude, work very hard, and demonstrably improve their skills. Unfortunately, however, some students resent having to take the course a second time and become the human example for the adage that “you can lead a horse to water, but you can’t make it drink.” In either case, retaking the course is a burden to the student, and the repeating student is a burden for the LRW instructor.

Problems for the Student

Repeating the course is a hardship for the student for the obvious reason that the demanding workload requires a serious investment of time and energy. However, repeating the course can be problematic for a number of less obvious reasons. First, the LRW class is usually an “overload” class for the student in the second year. The student does not want to get behind in credit hours and therefore seeks permission to “overload” his or her schedule with the LRW course. Often, the student who is struggling in LRW is the student who should not be taking an exceptionally heavy course load.

Second, the LRW class may conflict with other upper-level classes that the student would like to take, and the LRW class thereby bars the student from taking the preferred class.¹⁸ Even if the two classes do not overlap, the student’s writing deadlines in LRW can conflict with deadlines in upper-level classes.

Third, some schools make LRW a prerequisite to upper-level writing courses. As a result, the

¹⁸ Of course, students can come up with novel ways to try to get around this problem. In one instance, I discovered that a repeating student was enrolled in another course taught at the same time as his LRW course. He was attending that course when he skipped my LRW class!

repeating student is not permitted to enroll in courses such as “Appellate Advocacy,” “Legislative Drafting,” or a required seminar without first passing the LRW course. Because West Virginia has adopted this approach, the repeating student must wait until the third year of law school to take the upper-level skills course.

Fourth, the repeating student must bear the embarrassment of attending a first-year course; despite the repeater’s efforts in trying to keep a low profile, first-year students usually know by the second week of school that a “repeater” is in the class. Furthermore, the second-year teaching assistants in the program recognize the repeater as a classmate who obviously failed the course. This somewhat awkward situation can make the repeater reluctant to seek help from the teaching assistant.

The above-described stigma and scheduling burdens associated with repeating the course usually prompt repeating students to ask whether alternative arrangements can be made for improving writing skills and passing the course.

Problems for the Teacher

Having a repeating student in the class can be difficult for the faculty member as well. A first reason is that the institution can view a repeater as an overload student rather than an enrolled student in a capped section. Most schools distribute the first-year students evenly throughout the LRW sections, keeping in mind that class size should be limited. However, the school might then add repeaters to a class without regard to how large the class becomes!

Unfortunately, adding a repeater to a faculty member’s class roll can create a second problem: the effect may be equal to adding several students to the class. The repeating student has known skill deficiencies and usually needs special guidance from the beginning of the course when analysis is the focus of the classroom interaction. LRW professionals in many programs continue to teach more than 45 first-year students each semester, thereby already exceeding the maximum 45-1 student-faculty ratio recommended by the ABA in its publication *Sourcebook on Legal Writing Programs*.¹⁹ Placing repeating students in already

¹⁹ The ABA’s *Sourcebook on Legal Writing Programs* recommends a maximum 35-1 ratio for the LRW teacher who is also teaching another course in the curriculum, and a maximum 45-1 ratio for the teacher who is not teaching another course.

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over-enrolled classes places an exceedingly heavy burden on the teacher.

A third problem for the teacher results from the repeater's lack of understanding of his or her weaknesses. Although most LRW programs change their assignments each year, the teacher has to deal with questions such as “Do I really have to sit through this class again? I've already done all this. Could I just turn in the assignments?” Or the student may ask for a waiver on the early, more simplistic assignments. Of course, the early foundational classes and assignments probably focus on the links that are missing for the struggling student and provide precisely the kind of review the student needs. The student's lack of understanding of the importance of the basic building blocks that underlie good analysis and legal writing, or the student's disregard of the writing program's schedule or deadlines, puts an additional burden on the instructor to counsel and motivate the repeater to stay involved in the course work, meet deadlines, and be successful.

Finally, a repeater can bring a poor attitude that “infects” the classroom atmosphere. For example, a student who complains on a consistent basis can, at a minimum, irritate classmates. In a worst-case scenario, the student can criticize the class and teacher so vehemently and consistently that other members of the class adopt the repeating student's attitude, e.g., “This class is too time-consuming. I have better things to do.”

With this many problems in having students repeat the course, it is surprising that LRW faculty members are ever willing to fail a student!

Alternatives to Having the Student Repeat the Course

Because of the burdens on both the student and the instructor in having the student repeat the entire LRW course, schools have adopted a number of ways to provide review through alternative mechanisms.

Perhaps the most novel alternative was suggested and then implemented by Sam Jacobson, professor of LRW at Willamette University College of Law, in the 1994–95 school year. Because of exceptionally heavy enrollment that year (and, presumably, a high fail rate), Professor Jacobson designed a special four-week course and offered it on a trial basis in the summer to students

who did not pass LRW.²⁰ This course, which “was designed to provide an intensive work experience in a small class setting,”²¹ has proved to be so successful that Willamette now offers the summer course on a permanent basis. By teaching a small number of students, whose problems could be diagnosed and targeted, the instructor was able to work individually with the repeating students and provide consistent and timely feedback on a series of smaller assignments that gradually built to complicated problems. This summer program addressed the needs of individual students while also addressing most of the problems noted above with having a student repeat the LRW course.

But most law schools do not have the monetary resources to devote to a special summer course, and because the number of repeaters is small, cannot support the program by charging tuition and fees. Therefore, these schools have developed alternative ways to deal with students who need additional help.

Some schools permit the repeating student to skip the first semester and repeat only the second half of the course—the spring semester. This is usually where the student experienced the most difficulty because the course work grew appreciably more difficult as the year progressed. The drawback to this approach is that when a student repeats only the more difficult semester, the student is deprived of the opportunity to practice the basic skills covered in the first semester. It is this early “skill-drill” that the weak student probably would benefit most from repeating. On the other hand, if the student repeats only the first semester, then the student does not have the opportunity to write the more difficult assignments that caused the student to fail the previous year. Therefore, the student never gets the opportunity to feel confident about his or her level of proficiency.

Other LRW programs are willing to assign a grade of Incomplete at the end of the year and allow the student to work through the summer on one or more assignments to improve competency. But this alternative may place an unfair burden on

²⁰ For a detailed description of the summer program, see M.H. Sam Jacobson, *Providing Academic Support Without an Academic Support Program*, 3 *Legal Writing*, *The Journal of the Legal Writing Institute* 241 (1997).

²¹ *Id.* at 242.

the LRW teacher if the teacher isn't being paid to teach this "independent study" course to a student who needs supervision. Furthermore, there is no assurance that the student will succeed after one or two rewrites, and the LRW faculty member may find that the student must repeat LRW anyway.

In at least one school, the LRW program addresses the repeater problem by barring the LRW student who does not pass the first-semester course from registering for the second-semester course. Other schools encourage or permit the weakest students to opt out of the second semester of the first-year LRW course and then come back as second-year students to take the complete course again. Thus, in both instances, the repeating student is not technically a repeater in the eyes of other students, and the LRW faculty member is spared both the time involved with working with the student through the second semester and the agonizing task at the end of the year of deciding whether the student should pass the course.

Another option is to place the repeating students in a special one-semester class in the fall of their second year. The instructor of this class would consider students' prior experiences and existing skills when creating a special syllabus tailored to the needs of this special group of students. The down side to this option is that taking the LRW instructor out of the first-year course might result in overloading other LRW instructors' first-semester classes.

Finally, although no law school seems to have taken this route, a summer tutorial for law students who do not pass LRW might be an economically feasible solution to the problems noted above. The failing student could be given a grade of Incomplete at the end of the year and enrolled in a summer tutorial designed to offer review and additional practice. The LRW teacher would have the responsibility of designing the tutorial and grading the final work product of the repeating student. However, the day-to-day operations of the tutorial would be closely monitored by a student teaching assistant who is familiar with the materials and problems and capable of providing instruction and assistance. Thus, the LRW teacher, who typically is a nine-month employee, would have time to do other things during the summer months.

The Student Who Fails Twice

Although rare, students sometimes fail the LRW course a second time, raising another question: Should a student who has failed twice be permitted to take the course a third, or fourth, or fifth time until the student passes?

Some schools have made the decision to say no and have imposed a two-year rule.²² Under the two-year rule, a student may take the course twice, but will be dismissed from school if the student does not pass the course the second time. The two-year rule usually is applicable to all required classes; therefore, the LRW program is not singled out as the "weeder class" (although in reality, repeating students usually find it easier to pass other law courses on the second try). Usually, a student may petition for readmission after being dismissed under the two-year rule.

I think most LRW professionals would favor a two-year rule. Because most LRW programs operate on very limited budgets, LRW professionals are sensitive to resource issues associated with the student who repeats and repeats. After two tries, most LRW professionals would probably say that the resources being consumed in trying to help a third-time repeater would be better used to help other students in the LRW program. Furthermore, the problems associated with having a repeating student are only compounded when the student is repeating a third or fourth time.

LRW professionals would favor the two-year rule for another reason. The two-year rule places a burden on the student to show that he or she should be permitted to graduate from law school.²³ After working closely with a student for two years, LRW professionals have a good sense about whether the LRW student is going to be able to function in a setting that requires the student to exercise professional skill and judgment, as well as meet deadlines. If the student does not pass LRW on the second try, the instructor should be able to take the position that the student will not be able to competently perform the duties of a lawyer and should not be allowed to put clients at risk.

²² *E.g.*, Northwestern School of Law at Lewis and Clark, Chicago-Kent College of Law, George Washington University School of Law, Howard University School of Law.

²³ Directors in schools with the two-year rule say that virtually all students are successful in passing the course the second time because they know they must succeed if they want to graduate.

“Should a student who has failed twice be permitted to take the course a third, or fourth, or fifth time until the student passes?”

Conclusion

LRW programs teach essential lawyering skills, and the LRW professional has the opportunity to assess a student's progress in ways that other law professors cannot. Thus, LRW programs have a special burden in deciding which students should repeat the course to acquire mastery of fundamental skills. Often, the LRW professional finds that tough choices must be made in designing a curriculum that will permit the teacher to provide necessary individual assistance to a student, and at the same time will provide the teacher the opportunity and tools to accurately judge the student's progress. Those choices should result in a program of instruction that makes it possible for the LRW faculty member and the student to confidently agree at the end of the year that the student is prepared to move on to higher-level skill training in the process of becoming a lawyer.

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