

# Teaching Legal Writing in the 17th Grade: Tips for Teaching Career Students Who Fly Nonstop from First Grade to First Year

By Jan M. Baker

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On the first day of classes last fall, one of my legal writing students introduced himself as a “17th grader.” The entire class chuckled, then several other students introduced themselves as 17th graders. I was both amused and intrigued by this self-titling, and I began to question why these 1Ls would describe themselves this way. When I started looking at the number of students in my classes who came straight to law school following a 16-year educational journey, I was surprised to find that half of my students were 17th graders. To reach this subset of first-year law students, I needed to find out who they were and how to teach them.

## Who Are the 17th Graders?

The 17th graders are those students who travel nonstop from first grade to law school. Generational studies show that the 17th graders entering law school this decade are a part of the “Millennial” generation, also known as “Generation Y.” Though some generational studies vary the dates slightly, this group includes individuals born between 1981–2000.

Researching information on Generation Y, I compiled a list of characteristics that the experts say describe this generation. In short, the 17th graders are a cool, smart, pampered, nurtured, tech-savvy, high-maintenance, flip-flop-wearing, performance-minded, peer-loving, extracurricular-oriented, diverse consumer group with poor social skills and helicopter parents. Certainly exceptions apply, but these characteristics describe most of our entering 1L students.

## How Do We Teach 17th Graders?

Generation Y students are seeking energized teachers who recognize “customized ring tones,” encourage problem solving, provide constant and consistent feedback, respond to verbalized expectations, encourage visual learners *and* peer learners, provide a large glossy of the “big picture,” and foster a balance of school work and real life. Just how do we bundle all of those expectations into an effective teaching model? A few suggestions:

### 1. Focus on the Student

The 17th graders are eagerly anticipating their new academic journey, but they are young enough to show insecurity. These students have been doing “school” for a long time, and they are good at it.

Some embrace the challenge and jump into the exploration of legal writing with fervor. Those students can be both a joy and a burden. Like new puppies, they pursue everything with such enthusiasm that they sometimes make big messes. With those students, the challenge comes in bridling that enthusiasm and focusing them on the work. Other 17th graders are so completely overwhelmed by the law school experience that they become paralyzed with fear. They are so focused on how hard their lives have become that they lose the ability to focus on anything else—including legal writing.

I have to reach both groups before I can teach them. How? I make great efforts to get to know my students individually. I learn to recognize their customized “ring tones” by finding out where they have been and where they plan to go. I purposefully make the classroom a professional but low-pressure environment so that the students will open up to me and to each other. I also enjoy working one-on-one with students in conferences regarding their

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course work. As they get to know me, students will come to conferences in veiled efforts to solicit advice on career issues, job issues, and student life issues. It always helps to remember that 17th graders, like the rest of us, will have flat tires, broken water pipes, malfunctioning alarm clocks, and nights of barking dogs.

## 2. Focus on the Work

The 17th graders are born consumers. This means that as teachers, we need to sell the “product”—this bundle of lawyering skills that make up legal writing. We have to package the new reading, thinking, and writing skills in a way that these tech-savvy, market-driven students will embrace. They want to know how they will use the product before they buy it. So, on the very first day of class, I show my students the “big picture.” I tell them a story about the legal process—from the client coming in the door with a dog bite—all the way to the appeal. We talk about the reading, thinking, and writing the lawyer will do along the way.

I also try to package and market the product in an attractive way. Varying the classroom structure and dynamic can have a tremendous impact on the 17th graders. Getting away from a traditional lecture and opting for a day of group work or mock arguments can engage students in a remarkable way. The goal is to get them thinking and talking about the work. The more they test the product, the more they will be inclined to believe in it and buy it.

Ordering from the catalog of legal writing products can be intimidating, frustrating, and confusing for 17th graders. This is especially true for those students who have never been subject to substantive critique. Many of the 17th graders arrive in their first year of law school with great confidence in their writing abilities. However, with the right approach, you can overcome the defensive student who believes the writing skills package she acquired in undergraduate school (and which was no doubt inflated regularly with praise and rewards of As and A+s) is sufficient for law school.

Understanding the consumer nature of the 17th graders has helped me overcome student anxiety and has given me some satisfaction in seeing my students leave legal writing with the essential skills they need to think analytically, and to write clearly, effectively, and accurately.

## 3. Model and Require Professionalism

For years, I have told my students that I think of my classes as opportunities to train future colleagues. The legal writing class is really where the 17th graders get their first taste of professionalism, and it is very important that I set a professional tone in my classroom.

I try to model professionalism in my classes, and I require students to return professionalism in the way they interact with me and with their fellow students. My students expect me to come to class on time and prepared. I expect the same from them. I expect my students to turn in assignments on time, and they expect me to give them timely feedback on those assignments. I respect my students in class, and I expect them to be respectful and courteous to me and to their classmates.

I’ve learned that if I set the tone for a professional class, the students will start to police themselves. Fostering that professionalism also helps my credibility when it comes to grading. If my students respect me for the work I do in the classroom, they are less likely to take out their grade frustrations on me. Instead, they will come to me for guidance on making their work product better.

I also like my students to know that I’m approachable. I like them to know that they can, within clearly marked boundaries, come to me with questions and issues of all kinds. I emphasize the need for boundaries only as a reminder that the 17th graders have been nurtured by parents who consider these “children” to be their peers. Since childhood, the 17th graders have had a say in the family’s choices regarding everything from restaurants to vacation spots. Making sure they understand that appropriate boundaries exist between faculty and students is important in mentoring them professionally.

#### 4. Laugh a Little

In the years I've been teaching, I've found that humor has a way of displacing so many negative issues that can arise in law school. Having a sense of humor is vital to success in the classroom. If I can laugh at myself or laugh along with students as they traverse the nebulous academic terrain of the 17th grade, I have a much better chance of keeping their attention and winning their respect. Humor keeps us humble and human.

As I go through the course, I can tell when it's time to go "off script" and lighten things up. I like to bring news clippings to class—especially the police blotter from our campus newspaper. Those stories often lead to funny and interesting class discussions on potential legal issues. Students also love war stories—they especially like the one about me storming out of a Family Court ladies room with the toilet seat liner flapping out of the back of my suit. If I can maintain a sense of humor and interject it at appropriate times throughout the course, the students will actually look forward to the time they spend in the legal writing classroom.

#### 5. Give 'Em All You've Got

My best classes exhaust me. But, some days the lights just come on, and when you see it start to happen, it can be a miraculous thing. When you give the students everything you have in a class—whether you are cruising the surface of a general discussion or buried deep in how to prove a conclusion of law—they will respond to your efforts. That flickering "I get it!" that you see in one student's eyes will start to show up all over the classroom. Those are the days that I feel like the luckiest person in the world. Why? I teach 17th grade.

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#### Another Perspective

“Teaching effectiveness is related to the way in which students learn. Accordingly, significant recent developments in learning theory have been learner-centric. The results of this body of research have included, among other things, a validation of the efficacy of active learning processes, a nuanced and applied knowledge of learning styles, and a heightened awareness of the possible effects of personality types on learning. Law scholars have begun to integrate these findings into broader theories of legal education in an effort to bring some rationality to legal pedagogy.”

—Joan MacLeod Heminway, *Caught In (or On) the Web: A Review of Course Management Systems for Legal Education*, 16 Alb. L.J. Sci. & Tech. 265, 279–280 (2006).