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THE “RELAY” TEAM-TEACH APPROACH: COMBINING COLLABORATION AND THE DIVISION OF LABOR TO TEACH A THIRD SEMESTER OF LEGAL WRITING

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I. Introduction

Busy legal writing professors can add a third semester of legal writing (i.e., an advanced legal writing course) to their teaching load by using the “relay”² team-teach approach. Not all law schools provide a third semester of legal writing, and “[m]ost LRW programs are only two semesters by default, not design.”³ But by using the relay team-teach approach, a third semester can be designed with collaboration and the division of labor as key components.

The relay approach uses the division of labor concept by dividing a class into units with each legal writing professor individually teaching one unit and then handing the class to the next professor, much like a relay race with a runner running one section of the track and then handing the baton to the next runner.

¹ I thank Legal Writing Professor Sandy Patrick for initially developing a workshop on team teaching that led me to write this article. I also thank Legal Writing Professor Anne Vilella for her insightful views on team teaching.

² Gail Riddell, *Team Teaching vs Relay Teaching*, Tag Newsletter, Sept. 1992, at <www.tag.ubc.ca/resources/tapestry/archive/92/s921.html>. “Relay” is interchangeable with other terms. One is “serial.” James R. Davis, *Interdisciplinary Courses and Team Teaching* 7 (1995). A second is “tag.” U. Western Ont., Teaching Large Classes, at <www.uwo.ca/tsc/tlc/lc_part3d.html#01> (last visited July 15, 2004). A third is “take-turn.” Barbara Leigh Smith, *Team-Teaching Methods*, in *Handbook of College Teaching: Theory and Applications* 127, 133 (Keith W. Prichard & R. McLaran Sawyer eds. 1994).

³ Randall S. Abate, *The Third Time Is the Charm*, The Second Draft, May 2002, at 7.

Although the division of labor, by dividing the work among individuals, seems to emphasize the individual, the individual actually is part of a team. Collaboration exists because “[c]ollaboration means working together for a common end,”⁴ and legal writing professors do work together in planning, teaching, and evaluating a third-semester course with the common end of providing critical legal skills to students.

In our program, we use the relay approach to teach an elective advanced legal writing class in the fall and spring semesters. It is a three-credit seminar class with up to 16 students. The course begins with an “Introduction” class and ends with a “Reflection” class, and in between consists of a “menu”⁵ of four units: (1) statutes, (2) contracts, (3) judicial opinions, and (4) legal correspondence (along with an “oral presentations” component at the end). Our choice of this menu of units “recognizes that professional writing spans a variety of documents . . . and gives all students the value of a writing survey.”⁶ An equivalent number of class days are allotted to each unit. Each unit includes an in-class peer review session and one major writing assignment (consisting of a draft and then the final paper). At the end, students fill out class evaluations for each professor.

II. The Advantages of the Relay Team-Teach Approach

Those using the relay approach benefit from the division of labor. They attain expertise because of specialization and save time because of efficiency. Terms such as “specialization” and “efficiency” create an image of professors as mere classroom automatons. But concern that the division of labor will dehumanize professors is unfounded because “[f]aculty are not, clearly, replaceable parts of a machine” but are instead “autonomous individuals.”⁷ They are not

⁴ Mary Susan E. Fishbaugh, *Models of Collaboration* 4 (1997).

⁵ See Abate, *supra* note 3, at 7.

⁶ Nancy Soonpa, *A Retrospective on Three Teaching Experiences*, The Second Draft, May 2002, at 4.

⁷ James L. Bess, *Tasks, Talents, and Temperaments in Teaching*, in *Teaching Alone, Teaching Together* 24 (James L. Bess ed. 2000).

“confined to a very few simple operations”⁸ but can, instead, in a relay team-taught course, freely shift from unit to unit. The opportunity to move from unit to unit avoids the problem of demoralization and dehumanization.⁹ Thus, the potential problems associated with the division of labor are avoidable while its advantages are significant and benefit professors and students.

A. The Expertise Advantage

The division of labor creates “many advantages” and one advantage, according to Adam Smith, is that “[e]ach individual becomes more expert in his own peculiar branch.”¹⁰ This is true for legal writing professors team teaching a course that is divided into several units. A team member teaching the “statutes” unit, for example, focuses on statutes to the exclusion of other subjects and this specialization leads to expertise in that subject. Further, the shortened teaching period (e.g., one quarter of the class if there are four units) allows a team member to expend extra effort during the short teaching period without fear of “burning out.” For the team member teaching the statutes unit, the extra effort could, for example, be helping a legislator draft a bill. Such extra efforts, made possible by the division of labor, further develop a team member’s expertise.

The expertise generated by the relay approach benefits not only professors, but also students. After all, “people with specialized knowledge and skills are the best source of ‘opinion’ about a particular domain, and lay people (for example, students) can learn by questioning them to test their wisdom.”¹¹ This “question and answer” process occurs in law school. Thus, students benefit from professors with expertise who can confidently answer their questions, and the relay team-teach approach provides such expertise. As one third-semester student noted, “The team approach provided an opportunity for the students to have a professor with more expertise or experience in an area than would have probably been possible had there been only one professor.”

⁸ Adam Smith, *The Wealth of Nations* 987 (Edwin Cannan ed. 2003) (1776).

⁹ Bess, *supra* note 7, at 24.

¹⁰ Smith, *supra* note 8, at 18, 22.

¹¹ Bess, *supra* note 7, at 241.

B. The Timesaving Advantage

The division of labor saves time. The “subdivision of employment in philosophy ... [and] every other business ... saves time,” stated Adam Smith.¹² Likewise, in education, “[t]eam teaching saves time,”¹³ especially if a relay team-teach approach is used. Saving time is important because educators often complain about their lack of time,¹⁴ and this complaint is echoed by legal writing professors.¹⁵ The lack of time might be a reason why a third semester is not offered. If so, the relay approach provides a possible solution. In a four-unit course, the relay approach requires a time commitment of merely one-quarter of the semester from each team member because the teaching is divided among four team members. Of course, “one quarter” is an approximation because educators are not assembly line workers producing a fixed product in precise amounts within precise time frames. Also, collaborative activities such as team meetings do take time. But a team member responsible for teaching a part of the course saves time by preparing curriculum, teaching classes, meeting with students, and grading assignments for only that part of the course. Thus, “[a] three-semester program can be structured so that workloads are manageable for ... instructors,”¹⁶ permitting them to provide a third semester that might not otherwise exist.

III. Planning and Teaching a Relay Team-Taught Course

Careful planning is vital to the success of a relay team-taught course. Careful planning ensures that classes proceed smoothly despite the potential for confusion due to multiple professors teaching the course. Careful planning also ensures that the separate units form a unified, coherent whole. The

¹² Smith, *supra* note 8, at 18.

¹³ Nicholas C. Polos, *The Dynamics of Team Teaching* 12 (1965). But some argue that “[t]eam teaching is not a timesaver.” Judith A. Winn & Trinka Messenheimer-Young, *Team Teaching at the University Level: What We Have Learned*, 18 *Tchr. Educ. & Special Educ.* 223, 228 (1995).

¹⁴ Winn & Messenheimer-Young, *supra* note 13, at 226; Fishbaugh, *supra* note 4, at 12.

¹⁵ See Linda Edwards, *A Chance to Teach Analytical Skills Intentionally and Systematically*, The Second Draft, May 2002, at 1.

¹⁶ Abate, *supra* note 3, at 7.

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importance of careful planning is shown by the negative experience of one university where a team of five to nine faculty members team-taught an introductory course in architecture using the relay approach. Students complained about faculty members failing to coordinate and communicate with each other. The students encountered “a poorly organized curriculum, lack of clear expectations, and . . . gaps and redundancies in the reading, the presentations, and the assignments.”¹⁷ Thus, careful planning is necessary to ensure a satisfactory experience for students and professors, and satisfaction is more likely if the planning recognizes what is required in the pre-class, during-class, and post-class periods.

A. The Pre-Class Period

Before the course begins, all team members should meet to, first, agree on a common text to be used in all four units. A common text helps bind the separate units together by serving as a common focal point throughout the course. A common text also provides consistency because it is used in all the units. The chosen text could focus on style such as *Expert Legal Writing*¹⁸ or on substance such as *Writing for Law Practice*.¹⁹ The particular text chosen is less important than having a common text. As one third-semester student stated, “Something that helped the consistency was having the LeClerq [sic] book that all professors made assignments from and references to. Each assignment we turned in had to reference LeClerq [sic], so we had a consistent style guide.”

Second, the team members should create a comprehensive syllabus to ensure curriculum cohesiveness. The syllabus, like the common text, benefits students by serving as a fixed point for them throughout the course. Creating a syllabus forces team members to address the following questions:

1. What subjects will be covered? A variety of subjects are possible including statutes, contracts, judicial opinions, legal correspondence, wills, advanced research, and mediation. Some factors to consider include the needs of the students and the

institution, and the expertise and interests of the professors.

2. How many subjects will be included? The answer could be three, four, or five. It seems three is the minimum number that still provides sufficient variety, and five is the maximum number that provides variety without overwhelming students with too many subjects and transitions.

3. What is the order of the subjects? The order is flexible. One factor could be the mere scheduling requirements of the professors. Another could be the subjects chosen—that is, perhaps some subjects should be placed first because they serve as an introduction to the other subjects.

4. Who teaches a particular subject? Consider the expertise of the professors. Consider also their preferences. The “preferences of faculty” are important because “individuals whose temperaments are matched to their assigned tasks will perform more effectively (on the assumption that higher motivation and commitment are generated).”²⁰ But because preferences can change, flexibility is required.

5. What are the reading and writing assignments and the due dates for each unit? One major writing assignment for each unit (in a three-, four-, or five-unit course) should provide students with a manageable workload. Any more and the workload could be overwhelming. Also, provide the same amount of time for assignments to be turned in. These identical aspects ensure fairness and promote course uniformity. The objective is not to produce identical units devoid of creative variety, but to create enough similarities among the units to develop a reassuring rhythm for students that counters disruptions caused by the transitions between units.

B. The During-Class Period

If possible, all team members should attend the first class to emphasize the “team” aspect of the course. Students will welcome this additional opportunity to meet with professors because the time they have to become acquainted with professors in each unit is much shorter than in their other classes.

¹⁷ Smith, *supra* note 2, at 133.

¹⁸ Terri LeClercq, *Expert Legal Writing* (1995).

¹⁹ Elizabeth Fajans et al., *Writing for Law Practice* (2004).

²⁰ Bess, *supra* note 7, at 17.

In the first class, students should be introduced to the relay team-teach approach. This introduction is needed because most students probably have not experienced a relay team-taught course. First, explain that the relay team-teach approach will differ from their other classes, but that certain benefits gained from this approach (e.g., expertise) will benefit them. Second, explain the goal of the course, and that this goal will remain the same throughout the course. The students' realization that the course goal remains the same throughout the course helps them view the course as an integrated package. Third, inform students of the "open-door" office policy allowing students to see any professor at any time and not only during the time when the professor is teaching a unit. "I like being able to ask one professor a question, even if it is not about that professor's [sic] unit, and get an answer from that professor (either the professor knows the answer already or is willing to talk to the other professor[s] to get the answer)," commented a third-semester student. Finally, explain the purpose of having students write their names on a sheet of folded paper placed in front of their desk. It eases the transition between units. As one student stated, "One thing I think helped me was the name placards, so that professor's [sic] did not have to keep asking names, but could still address us personally."

Another simple technique that eases the transition between units is for the professor teaching the last class of the unit to remind students of the upcoming transition to a new unit. The professor can identify the next professor and provide a brief overview of the next subject. "I appreciated on a professor's last day when the professor would remind us it was his or her last day and tell us a little bit about the professor doing the next unit," commented a third-semester student.

For the last class of the course, the professor conducting the class should be the same professor who conducted the first class. The familiar face at the last class will help students achieve a sense of "completeness" for the course. During the last class, the professor should find time to summarize and synthesize. This reminds students of the "big picture" for the course. Time should also be available for students to reflect on their classroom experience. Their reflections, in addition to

providing helpful feedback to the professors, makes them participants in the team-teach process.

C. The Post-Class Period

After the last class, team members should meet for three reasons. One is to discuss grades. A possible (and simple) grading scheme for a student's *final course grade* is to average the student's grades from the major assignment in each unit. For a student's grade *within each unit*, a uniform grading scheme should be applied by all the team members. Grade factors such as extra points for class participation should be agreed on by the entire team. This uniformity ensures fairness in the grading process.

A second reason to meet is to evaluate the course. Team members can review the text, the syllabus, the assignments, and other parts of the course. They can exchange views on what did and did not work, what should continue, what should be modified, and what should end. The lessons learned can generate ideas on how to improve the next class, and as research shows, more ideas are generated from people working in groups.²¹

A third reason to meet is to foster a "collaborative climate."²² Such a climate is characterized by trust, and trust produces beneficial results including helping team members "stay focused on the goal," "communicate more effectively," and "be more open to criticism and risk."²³ These characteristics make it more likely that a team-teach effort succeeds.

IV. Conclusion

A third semester of legal writing is possible through the relay team-teach approach. By gathering a team and then dividing the work among team members, the relay approach combines collaboration with the division of labor. The combination produces a team of interested, expert professors teaching a course that provides necessary legal skills to students.

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²¹ Davis, *supra* note 2, at 81.

²² *Id.* at 94.

²³ *Id.*

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