

2023

Peer Review in Advanced Legal Writing Course

Patricia Montana

St. John's University School of Law, grandep@stjohns.edu

Follow this and additional works at: <https://scholarship.law.slu.edu/lj>



Part of the [Law Commons](#)

Recommended Citation

Patricia Montana, *Peer Review in Advanced Legal Writing Course*, 68 St. Louis U. L.J. (2023).

Available at: <https://scholarship.law.slu.edu/lj/vol68/iss1/3>

This Article is brought to you for free and open access by Scholarship Commons. It has been accepted for inclusion in Saint Louis University Law Journal by an authorized editor of Scholarship Commons. For more information, please contact [Susie Lee](#).

PEER REVIEW IN ADVANCED LEGAL WRITING COURSES

PATRICIA MONTANA*

ABSTRACT

This Article adds to the conversation about peer review, discussing specifically the numerous benefits peer review brings to an advanced legal writing course. The Article illustrates how to effectively integrate peer review into an advanced legal writing course. Peer reviews can support student learning and improve students' legal analysis and writing, among other things. Thus, the Article encourages law professors to experiment with peer review exercises and incorporate them into their advanced legal writing courses.

* Patricia Montana is a Professor of Legal Writing at St. John's University School of Law. She has been teaching legal writing and other skills courses at St. John's law school for over 20 years and has written extensively on legal writing theory and pedagogy and professional skills instruction. She is the author of the book *Navigating Law School's Waters: A Guide to Success*, a practical guide on how to prepare for the first year of law school. She is also the founder and Director of the Street Law: Legal Education in the Community Program, where law students teach a practical law course to high school students in the community.

INTRODUCTION

Peer review is the process in which students review and critique each other's work. It is an effective pedagogical approach that not only involves students in the learning process, but also teaches them the knowledge, skills, and values essential to becoming expert legal writers. It is not a new or innovative teaching methodology, nor is its implementation particularly complex. Indeed, many legal writing professors have experimented with some form of peer review at one time in their teaching. In fact, there is ample literature discussing peer review and weighing the advantages and disadvantages of introducing it in the first-year legal writing curriculum.¹ Interestingly, much of that scholarship is focused on designing peer reviews in a way that overcomes the many challenges of using them with novice legal writers in a typically competitive and time-constrained first-year legal writing class.² Yet, surprisingly, there is little scholarship on the ease and value of using peer review in advanced legal writing courses.³

1. See, e.g., 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); Marilyn R. Walter, "Writing as Conversation": Using Peer Review To Teach Legal Writing, 16 J. LEGAL WRITING INST. 411 (2010); Kirsten K. Davis, *Designing and Using Peer Review in a First-Year Legal Research and Writing Course*, 9 J. LEGAL WRITING INST. 1 (2003); Jo Anne Durako, *Peer Editing: It's Worth the Effort*, 7 PERSP.: TEACHING LEGAL RSCH. & WRITING 73 (1999).

2. See, e.g., Elizabeth Frost, *Cross-Section Peer Review in First-Year Legal Research and Writing*, 22 PERSP.: TEACHING LEGAL RSCH. & WRITING 25, 25-26 (2013) (describing a peer review exercise in which students from different sections of legal writing swap and critique memorandum drafts on different topics in order to avoid the "inherent limit[at]ions]" of cheating, competition, and biased audience in a first-year legal writing course); Jessica L. Clark, *Peer Review: Using Time, Place, and Manner Constraints to Maximize Learning*, 22 PERSP.: TEACHING LEGAL RSCH. & WRITING 20, 20 (2013) (developing a peer review exercise using a sample memo on an unrelated assignment to avoid the "constraints" of first-year students using their own work); Karen J. Sneddon, *Revising Revision in the Classroom*, 15 PERSP.: TEACHING LEGAL RSCH. & WRITING 130, 130-31 (2007) (using a sample memo for students to review, rather than their own work, to "combat" student "consternation," "apprehensive[ness]," and "embarrass[ment]" about sharing their own work with others in a first-year legal writing class and acknowledging that "integrating peer review into the legal writing classroom can be tricky").

3. And the writing that does exist on the topic is typically part of a broader discussion about advanced legal writing teaching practices generally, and not specifically about peer review. See, e.g., Judith Rosenbaum, *New Directions in Advanced Legal Writing Courses*, 19 PERSP.: TEACHING LEGAL RSCH. & WRITING 134, 138 (2011) (redesigning an advanced legal communication course to include, among other things, a structured peer review of each writing assignment); Cara Cunningham & Michelle Streicher, *The Methodology of Persuasion: A Process-Based Approach to Persuasive Writing*, 13 J. LEGAL WRITING INST. 159, 166-67 (2007) (describing how peer review is an integral part of teaching persuasion in an advanced writing class); Lissa Griffin, *Teaching Upperclass Writing: Everything You Always Wanted to Know But Were Afraid to Ask*, 34 GONZ. L. REV. 45, 49 (1999) (recommending adding a peer review to an upper-level writing experience); but see Ruth Anne Robbins, *Varying the Traditional Methods of Peer Editing*, 15 SECOND DRAFT

Perhaps that's because there is no dispute as to its positive impact on student learning in an advanced legal writing setting whereas there is much skepticism over whether first-year law students—inexperienced legal writers—are capable of effectively peer editing. This uncertainty, in turn, might have led to an extensive discussion in the legal writing academy about whether peer review is sensible in first-year legal writing classes, but not much discussion concerning its applicability in advanced ones. In other words, peer review is an obvious useful method in advanced legal writing courses and thus happens quite routinely without much notice or debate.

Alternatively, however, there might be little scholarship on the subject because peer review in advanced legal writing classes has been overlooked or undervalued. In that scenario, there is a missed opportunity that must be explored. Regardless of the reason, the goal of this Article is to add to the conversation about peer review, paying particular attention to the numerous benefits peer review brings to an advanced legal writing course. In the end, the Article encourages law professors to consider peer review exercises and integrate them into their advanced legal writing classes, and, to the extent they are already using them, to do so more frequently and intentionally.⁴

Specifically, the Article first addresses why peer review is most appropriate for an advanced legal writing course and explains how many of the drawbacks discussed in the literature are more pronounced in, or unique to, first-year legal writing classes, and thus are not a concern, or at least are less of one, in advanced legal writing classes. Next, it discusses the many benefits of a peer review exercise, especially when used with upper-level students, and how those benefits far outweigh any of its limitations. Finally, the Article illustrates how to effectively integrate peer review into an advanced legal writing class. Using my advanced legal writing course as a model, the Article describes the structure and design of a peer review that can successfully support student learning and ultimately improve students' legal analysis and writing. Given the relative simplicity of incorporating peer review in an advanced legal writing course and its substantial benefits to students' legal writing and professional development, law professors should capitalize on peer review as a teaching methodology.

15, 15-16 (2001) (exclusively discussing variations of peer editing exercises in an advanced brief writing course that include critiquing argument sections of two actual opposing briefs as well as a fact section of the students' own prior work).

4. About 10 years ago, I wrote an article proposing that peer review be integrated across the curriculum, into both doctrinal and skills classes alike. *See generally* Patricia Grande Montana, *Peer Review Across the Curriculum*, 91 OR. L. REV. 783 (2013). At that time, I had just started assigning peer review exercises in my advanced drafting class. This Article builds on that piece and my experience, as I have used peer review in that class continually since then, giving it greater attention and focus, and making various enhancements, many of which are described *infra*.

PEER REVIEW IS BEST SUITED FOR AN ADVANCED LEGAL WRITING COURSE

Peer review is most effective for students who have already developed the foundational skills of legal analysis and writing and experienced several iterations of the writing, rewriting, and revising process first. The reason is simple: without this experience, students lack the knowledge and expertise to comfortably give and receive feedback from peers, effectively self-edit, and appropriately advise others on what works and what does not.⁵ In short, they do not yet have a “solid grasp of the principles of legal writing” and are “unsure as to what is good writing and what is poor writing.”⁶ This usually does not occur until after students have taken two full semesters of legal writing in their first year—that is, after they have learned not only how to analyze legal problems, but also how to communicate their analysis in writing clearly and coherently.

Much of the early part of legal writing is devoted to teaching analysis; students learn, among other things, how to read statutes and cases, synthesize rules, apply them appropriately to a set of facts, and predict a likely outcome or support an argument. This is all new to them, as is the written structure of a legal analysis. As novice legal writers, they also must learn how to use, explain, and organize authority and present either a predictive analysis or a persuasive argument in a way that addresses the needs of the legal reader. This core competency is developed over the course of the first year, as students work on a variety of legal documents (i.e., client letter, interoffice memorandum, legal brief) and are required to submit drafts and revisions of those drafts for comment and a grade. During this time, students are not only developing their legal analysis and writing skills, but also building confidence in their abilities and forming relationships with their peers as colleagues. Until then, they are novices with only tenuous connections to their classmates. Consequently, student feedback is likely to be unreliable, uninformed, untrustworthy, and unhelpful.⁷

5. For an in-depth discussion about how collaborative learning, including an activity like peer review, is not appropriate for novice learners, see John S. Elson, *The Case Against Collaborative Learning in the First-Year Legal Research, Writing, and Analysis Course*, 13 *PERSP.: TEACHING LEGAL RSCH. & WRITING* 136, 137 (2005) (“What [collaborative learning] advocates have yet to explain is how students can be expected to critique meaningfully other students’ use of case law, assess other students’ critique of their own use of case law, or cooperate in drafting legal analyses or arguments without first learning on their own both what the underlying conventions for the use of precedent are and how to begin to go about applying those conventions.”).

6. Sneddon, *supra* note 2, at 130-31 (explaining how novice learners have anxiety about sharing their work and find it difficult to critique others because of their inexperience with legal writing).

7. Karin Mika, *A Lesson About Teaching for the Teacher: The Unintended Benefit of Peer Review*, 33 *SECOND DRAFT* 46, 47 (2020) (sharing how in her experience, her “best students have done excellent peer reviewing, while [her] less serious often gave reviews that were not at all helpful and actually harmful to the reviewed student”).

Or worse, students might “say the wrong thing, thereby complicating a learning process that is already steep and challenging.”⁸

Indeed, legal writing is an incredibly difficult and deeply personal experience. New legal writers are especially vulnerable when they are required to share their writing with their peers; they are likely to feel unsure or embarrassed about their work, especially if confused, self-conscious, or uncertain about their legal analysis or writing.⁹ Moreover, they might be hesitant to share because they do not have a good sense as to the quality of their work or how it compares or stands up against their peers’.¹⁰ Additionally, there’s the risk that the peer “editor may be too effusive, causing false expectations in the writer, or too harsh, deepening the insecurity of the new legal writer.”¹¹

This apprehension and resistance toward sharing their writing is only exacerbated by the competitive nature of the first year of law school, where legal writing is not only a requirement for graduation, but also likely subject to a mandatory curve, thereby making final grades in legal writing extremely important.¹² Stated simply, student competition is pervasive. As a consequence, “competition for grades can yield less rigorous peer reviews.”¹³ Moreover, the “most obvious risk of a peer review exercise in the competitive law school environment [is] students’ fear that sharing their work with or giving constructive criticism to classmates might give others an opportunity to ‘steal’ their ideas and gain an unfair advantage in grading.”¹⁴ And certainly that fear can be a reality. “[W]hen reviewing a paper that they themselves are trying to write, students may be tempted to cheat or may inadvertently borrow analysis or

8. Libby A. White, *Peering Down the Edit*, 16 PERSP.: TEACHING LEGAL RSCH. & WRITING 160, 162 (2008) (describing the “downside of the newbie editor commenting on the newbie legal writer” in a first-semester legal writing course).

9. See Clark, *supra* note 2, at 20 (designing a peer review exercise using a sample memo on an unrelated assignment to “account for various challenges in peer review in the first-year classroom, including students’ fear of embarrassment”).

10. Sneddon, *supra* note 2, at 130 (explaining student apprehension over sharing their work with others, including possible embarrassment because of their “perceived inadequate work” or “reluctan[ce] to use peer review if they have had prior peer review experiences that yielded inconsistent quality comments”); see also Beth H. Wilensky, *How I Finally Overcame My Apprehension About Peer Review*, 33 SECOND DRAFT 69, 69 (2020) (describing how she overcame her worry over student embarrassment and aversion to sharing their work with others and incorporated a simple peer review exercise into her legal practice class with favorable results).

11. White, *supra* note 8, at 162.

12. Davis, *supra* note 1, at 4 (noting the obvious “pitfalls” of introducing a peer review exercise in a first-year legal writing course, including the “competitive law school environment”).

13. Frost, *supra* note 2, at 25.

14. Davis, *supra* note 1, at 4; see also Sneddon, *supra* note 2, at 130 (“Students are competing against their fellow students academically and may be wary of sharing their carefully crafted ideas.”).

even text from their classmates.”¹⁵ As a result, students might not only be resentful about sharing their work, but also might resist meaningfully participating in the critique and elect not to exchange ideas openly and honestly. In short, “[i]n classes with a forced grading curve, some students who feel they are in competition with their classmates might not always give thorough or helpful feedback on competitors’ papers.”¹⁶ This outcome would be counterproductive and only intensify the stress for first-year legal writing students.

Lastly, there is a simple practical reason why the first-year legal writing curriculum is ill-suited for peer review: there is no time in class or space in the syllabus for peer reviews. A first-year legal writing program is jam-packed. In addition to learning the basics, described *infra*, students must learn to research, write, and rewrite at least one predictive and one persuasive piece of writing. And students must receive written feedback from their professors on their research and first drafts before revising. This takes time and must occur over several weeks, leaving little room to add a peer review, which is time intensive in itself.¹⁷ Although there is the possibility of assigning peer reviews outside of class as homework, the first year of law school is already so taxing on student time that that option seems particularly burdensome.¹⁸ Therefore, given the demands and time-constraints of a first-year legal writing course, along with student inexperience, competitiveness, and hesitancy, the first-year legal writing classroom is not the best place to introduce peer review.

Rather, peer review should be integrated into an advanced legal writing course, where students are more practiced, assured, and skilled, and competition has likely eased because mandatory curves are less common. By that time, students have developed a core competency in legal analysis and writing, understand the organization of a legal analysis or argument, appreciate the role of audience, and have substantially more experience in self-editing, revising, and receiving feedback. As a result, they are more confident in their work and more

15. Frost, *supra* note 2, at 25. Frost also describes another problem that occurs when students critique a paper that they themselves have been drafting. *Id.* Students are unable to “simulate the writer’s audience” because they know the material too well. *Id.* (“Students reviewing a paper on their own topic might be so wrapped up or well versed in the material that they can’t provide as neutral an assessment of content as an uninformed reader could.”).

16. *Id.*

17. See Rosenbaum, *supra* note 3, at 138 (finding that “there is rarely enough time for the students to read the papers, respond to [the] prompts, and discuss their assessments with each other” in a first-year course).

18. See Davis, *supra* note 1, at 3-4 (“[G]iven the demands of the first-year of law school, the peer review assignment could not take too much time outside of class to complete because students might focus only on the time burden and not realize the benefits of the assignment.”).

willing to share their analysis and writing with others.¹⁹ Moreover, they have likely built friendships with their classmates and solid collegial working relationships with their peers, leading to greater trust in their ideas and openness to their critiques. Lastly, and equally important, there is much more time and space in the syllabus to engage in collaborative writing exercises in an advanced legal writing class, where the goal of the course is to enhance and reinforce strong analytical and writing skills, rather than teach the fundamentals from the ground up. Though peer review is certainly possible in a first-year legal writing course, the conditions of an advanced legal writing course are far more amenable for a cooperative, productive, and successful peer review experience.

THE VALUE OF PEER REVIEW IN AN ADVANCED LEGAL WRITING COURSE

Opportunities for collaborative and active learning, practice in professionalism, and continuous assessment and feedback are central to enhancing the learning experience for students and developing more competent legal writers and practice-ready professionals. Peer review not only encompasses all these opportunities but also is an effective pedagogy for improving student proficiency in a host of lawyering skills.²⁰

While there are numerous opportunities to work collaboratively in law school, collaborative *legal writing experiences* should be compulsory.²¹ Legal writing is not a solitary activity, but rather a social collaborative one. Lawyers regularly collaborate with others, sharing their research, exchanging ideas, discussing strategy, and soliciting written and oral feedback on their legal analysis and writing, among other things. Without question, “[i]deas are improved[,] and thoughts are clarified by sharing them with others.”²² “In fact, successful practitioners pride themselves on their team spirit and willingness to trust in the advice and feedback of others.”²³ With the inherent “competitive and individualistic” nature of law school, it’s important that legal writing professors create conditions in which students can collaborate more.²⁴ And peer review is

19. See Rosenbaum, *supra* note 3, at 138-39 (finding that advanced students “are more comfortable with peer review and are more comfortable evaluating each others’ work and being evaluated by other students”).

20. See generally Montana, *supra* note 4, at 786-92.

21. See Ann Piccard, *Using Peer Editing to Supplement Feedback*, 15 SECOND DRAFT 14, 14 (2001) (assigning a peer-edit of the Statement of Case section of the students’ brief in second semester of their first year legal writing despite a course policy prohibiting collaboration to “overcome [the] dilemma” that the policy is “contrary to real-world experience” and thus give students an opportunity to experience the benefits of collaboration).

22. Montana, *supra* note 4, at 788.

23. *Id.*

24. Walter, *supra* note 1, at 425 (describing how using peer review teaches students to be “good colleagues”); see also Davis, *supra* note 1, at 3 (advocating adding a peer review experience to a first-year legal writing course and arguing that doing so “can complement and build upon the

the perfect methodology to create those conditions and teach students to be collegial and work cooperatively, the way lawyers often must in practice.²⁵

Indeed, peer review demands teamwork. Students must support each other socially, emotionally, and academically. Through the experience, they build trust in and respect for each other, provide mutual support and help each other succeed.²⁶ This, in turn, produces improved student wellness, higher academic achievement, and greater student success in legal analysis and writing.²⁷

Peer review is also a form of active learning, which likewise improves academic performance. Rather than passively learning about good (and poor) writing or receiving instruction on how to evaluate and edit their own writing through lecture or reading, students are forced to engage with the revision and editing process and see firsthand what is sound legal analysis and effective legal writing and what is not.²⁸ Additionally, peer review requires that students explain their critiques, answer questions, defend their writing choices, and reflect on their writing—all active learning activities.²⁹ In sum, students “become responsible for their own learning.”³⁰

core skills taught in a legal writing course, help students develop practice skills such as cooperation, rewriting, and editing, and better prepare students for their careers as lawyers”).

25. Walter, *supra* note 1, at 425 (explaining how law practice, while competitive too, “is often collegial, because people must work in teams and even work collaboratively with lawyers on the other side”).

26. See Hill, *supra* note 1, at 672 (“One of the most obvious benefits for students is the opportunity for them to work as part of a team, providing mutual support and helping each other succeed.”); see also Elizabeth M. Bloom, *A Law School Game Changer: (Trans)formative Feedback*, 41 OHIO N.U. L. REV. 227, 245 (2015) (“[P]eer interactions have greater balance than those between student and professor and enable students to stimulate and scaffold each other[’]s learning.”).

27. See generally Montana, *supra* note 4, at 789-90; see also Bloom, *supra* note 26, at 245 (Peer assessment “experiences help students develop skills of metacognition as they negotiate meanings and share strategies to construct knowledge with their peers.”).

28. See Bloom, *supra* note 26, at 245 (“Providing peer feedback enhances student engagement with assessment criteria and development of self-regulation skills in large part because it is a lot more challenging to produce feedback for others than to merely receive it or produce it for oneself.”); see also Yvonne M. Dutton & Margaret Ryznar, *Law School Pedagogy Post-Pandemic: Harnessing the Benefits of Online Teaching*, 70 J. LEGAL EDUC. 252, 257-58 (2021) (explaining how formative assessments “encourage students to develop self-regulated learning,” which research shows “increase[s] students’ motivation in the classroom”).

29. Kristina L. Niedringhaus, *Teaching Better Research Skills by Teaching Metacognitive Ability*, 18 PERSP.: TEACHING LEGAL RSCH. & WRITING 113, 116 (2010) (“Self-regulated learners spend time reflecting on what they have learned and what they need to spend additional time learning.”); see also Paul L. Caron & Rafael Gely, *Taking Back the Law School Classroom: Using Technology to Foster Active Student Learning*, 54 J. LEGAL EDUC. 551, 553 (2004) (“Somewhat counterintuitively, both reading and reflecting are critical elements of active learning.”).

30. Dajiang Nie, *Advancing Student Learning Experience: Peer Assessment in Advanced Legal Research Classes*, 114 LAW LIBR. J. 369, 374-75 (2022) (“Simply remembering, understanding, and applying learned skills are not enough to deliver feedback to peers. Peer

Moreover, peer review teaches professionalism—that is, how to act responsibly, respectfully, and respond appropriately and positively to others.³¹ It teaches students not only how to receive and give feedback, but also how to be receptive to feedback.³² To be sure, students who are receptive to feedback will perform better than those who view feedback “defensively or with apprehension.”³³ Thus, the more opportunities students have to “receive *and* provide feedback, the more likely they are to increase their receptiveness to feedback.”³⁴ And because a successful legal practice entails an openness to differing viewpoints and critiques, receptiveness to feedback is an essential trait that law students should learn to cultivate:

Like much legal work, providing feedback can be costly and time consuming, so it is imperative that those receiving feedback value the information and know how to respond to it efficiently and effectively. When attorneys or law students act defensively in the face of feedback, they are essentially using up a finite resource in a way that serves neither their own professional development nor their clients. In contrast, those who demonstrate an appreciation for feedback both in their professional conduct and in strengthening their work product are more likely to succeed at becoming better lawyers and more valuable colleagues or employees.³⁵

By receiving constructive feedback on their work from someone other than their legal writing professor, students also hear and learn from a diversity of voices. Accordingly, students “open their minds to other possibilities when they see how different writers approach and analyze the same problem or task.”³⁶

Giving feedback and knowing how to do so in a useful and supportive way is an additional important byproduct of peer review. Students must be able to

assessment asks students to critique and comment on the work of others to engage in those cognitive skills, so that assessors are more involved in the learning process.”); *see also* Bloom, *supra* note 26, at 231-32 (providing concrete formative assessment suggestions, including peer review, to encourage students to “engage with, and ultimately take control of the feedback process to empower self-regulated learning and mastery of material”); *see also* Niedringhaus, *supra* note 29, at 114 (encouraging professors to promote metacognition—“understanding when and why to apply a particular skill”—so that students can regulate their own learning and transition the skills they learn from the classroom to practice).

31. *See* Montana, *supra* note 4, at 791-92.

32. *See* Sammy M. Mansour, *Fostering Receptiveness to Feedback*, 98 MICH. BAR J. 48, 48 (2019).

33. *Id.* (advocating that professors train students to be more receptive to feedback to prepare them for the realities of law practice). “Being receptive to feedback means the recipient is open to seriously considering others’ input rather than reflexively defending their work and discarding the professional experience of others.” *Id.* at 49.

34. *Id.* at 49.

35. *Id.* at 48.

36. Hill, *supra* note 1, at 673. For example, a “student may take notice of a novel argument in a peer’s memorandum, or a classmate’s impressive use of persuasive writing techniques” or “may see how a different precedent case can provide further support for a rule of law.” *Id.*

provide a critique that is coherent, clear, specific, and informative, and not confusing, contradictory, vague, or unhelpful. “Producing feedback is not easy, because offering feedback in peer assessment requires that assessors have a deeper understanding of learned knowledge and skills.”³⁷ Furthermore, feedback involves more than just simply pointing out what works and what doesn’t or finding mistakes and correcting errors; rather, expert assessors provide explanations and illustrations, ask clarifying questions, and suggest solutions. It is the assessor “who must think through all the rules, understand what the writer is saying, and comment coherently.”³⁸ These are all critical “analytical and evaluative skills.”³⁹

What’s more, as recipients of feedback, students must learn to process, reflect on, and successfully incorporate the feedback into their revisions. Indeed, it is “a basic expectation of attorneys” that they are capable of evaluating their own work and the work of others.⁴⁰ In this way, peer review “helps students learn to articulate criticism in a coherent and constructive manner, thoughtfully evaluate feedback from peers, and selectively integrate that feedback into their own writing.”⁴¹ Having had the opportunity to evaluate strong as well as weak writing, students will “gain a more intuitive sense of good work” and, in the end, will be encouraged to emulate good writing.⁴² When students transfer these skills to their next writing project, the growth is quite meaningful, and the positive effects are long-term.⁴³

In essence, students become better editors of their own work. “By editing and commenting on someone else’s work, [students] can heighten their awareness of the writing process and learn to apply those same skills to become good editors of their own work.”⁴⁴ There is an obvious benefit to looking at someone else’s work on the topic and recognizing that there are different,

37. Nie, *supra* note 30, at 374-75.

38. White, *supra* note 8, at 160.

39. Nie, *supra* note 30, at 375.

40. *Id.* (“Those skills learned in peer assessment provide lifelong benefit to learners because the skills transfer to future professional law practice settings.”).

41. Davis, *supra* note 1, at 3; *see also* Hill, *supra* note 1, at 672-73 (Students learn to “hone their abilities to carefully review and evaluate constructive criticism, resolve any conflicting suggestions, and carefully integrate specific feedback into their own papers.”); *but see* White, *supra* note 8, at 161 (suggesting that the students who benefit most are the ones who are “already doing a pretty good job with legal writing” and for all others the “peer-editing process does not seem to make an impact”).

42. Nie, *supra* note 30, at 375 (“After assessing peers’ work, the assessing skills learned from peer assessment also helps assessors evaluate their own work.”).

43. Susan M. Taylor, *Students as (Re)Visionaries: Or, Revision, Revision, Revision*, 21 *TOURO L. REV.* 265, 282-84 (2005) (describing the benefits of a peer review exercise in first-year legal writing course, including that it “reinforces students’ understanding of legal writing and analysis” and “enhances one’s ability to transfer those skills from one writing project to another”).

44. Walter, *supra* note 1, at 413.

equally reasonable, and effective approaches.⁴⁵ “Getting insights into different problem solutions, analytical approaches, and writing styles is an often unstated benefit that students are quick to appreciate.”⁴⁶ “A student is more likely to be critical of his or her own paper if that student has seen another paper with which to compare and contrast.”⁴⁷ Moreover, students “improve their abilities to engage in critical thinking and legal analysis” and become more sensitive to the needs of their reader.⁴⁸ Peer review thus underscores the importance of both audience and self-criticism.

Peer review also helps build student confidence in their work, thereby increasing their willingness to engage more in, and dedicate more time to, the recursive writing process.⁴⁹ Students are avidly curious about how their classmates are performing and whether their peers are experiencing similar analytical, organizational, writing, or other challenges on an assignment. The same curiosity over their classmates’ writing exists for issues that students find simple or straightforward. In short, students want to know that their experience (good or bad) is normal. Therefore, peer review gives students the opportunity to see that their peers’ struggles and successes are similar, if not identical, to their own. “They no longer feel that they are alone; they see that others share their same enthusiasm or questions and concerns about the law.”⁵⁰ And they learn that their peers have similar ideas about the analysis and how to organize it, explain it, and persuade the reader.⁵¹ Thus, “by reviewing a classmate’s assignment, students have a rare opportunity to read another student’s work product closely and, from this experience, assess their own development in the course.”⁵² This unique perspective provides the social and emotional support

45. Mika, *supra* note 7, at 48 (explaining how students found the critiquing the most beneficial part of a peer review assignment). Students reported that “seeing the work of others enabled [them] to be able to look at their own work with ‘fresh eyes’ and look at writing from the vantage point of the reader.” *Id.* Students also commented how they were able “to understand that there were various ways of going about completing a task that did not come down to ‘the right words’ or what . . . the teacher[] might necessarily want in an assignment.” *Id.*

46. Durako, *supra* note 1, at 76 (encouraging professors to incorporate peer editing into a first-year legal writing class and “demonstrate” to students “how peer editing is in their best interest”).

47. Taylor, *supra* note 43, at 286.

48. Hill, *supra* note 1, at 674 (“Students learn to be cognizant of the reader’s needs and sensitive to the importance of clarity and precision in their writing.”); Davis, *supra* note 1, at 2 (“[T]hrough their roles as readers and editors, students learn to focus on the needs of their audience, a sensitivity essential for successful writing to the courts, other lawyers, and clients.”).

49. See Hill, *supra* note 1, at 674; see also Davis, *supra* note 1, at 3 (“Additionally, peer review can give students confidence in their editing and writing skills that they may not otherwise gain from the teacher-student editing process.”).

50. Montana, *supra* note 4, at 789.

51. *Id.*

52. Hill, *supra* note 1, at 673.

that is often needed for students to confidently ask questions, seek guidance, and make needed changes to their own writing.⁵³

Lastly, peer review also provides students with more continuous and immediate feedback, allowing them to “stay engaged with and on top of their own learning.”⁵⁴ Indeed, the American Bar Association’s Standard 314 now requires law schools to “utilize both formative and summative assessment methods in its curriculum to measure and improve student learning and provide *meaningful feedback to students*.”⁵⁵ The intention of formative assessments is to “improve student learning by offering students intermediate feedback during the learning process” itself.⁵⁶ Those assessments should “provide students with a low-stakes environment in which to practice and master relevant content and skills.”⁵⁷ Peer review is a type of formative assessment that creates this environment and delivers prompt feedback, thereby serving the objectives of Standard 314.

All in all, peer review fosters exceptional student learning. Students will “improve their writing skills, increase their confidence levels, develop strong peer relationships, and perceive the writing process as a positive and useful experience.”⁵⁸ Simply put, “[p]eer editing helps students become better legal writers,”⁵⁹ an overarching goal of any advanced legal writing class.

53. *Id.* at 672.

54. *See* Montana, *supra* note 4, at 794.

55. ABA Section of Legal Educ. and Admissions to the Bar, *2023-2024 Standards and Rules of Proc. for Approval of L. Schs.*, https://www.americanbar.org/groups/legal_education/resources/standards/ [<https://perma.cc/78U4-NTSA>] (emphasis added). According to Interpretation 314-1, formative assessment methods are “measurements at different points during a particular course or at different points over the span of a student’s education that provide meaningful feedback to improve student learning.” *Id.*

56. Nie, *supra* note 30, at 373 (proposing a framework for incorporating peer assessment into an advanced legal research course); *but see* Mika, *supra* note 7, at 47 (finding that student reports on the peer feedback they received in a rubric-less peer review of an email memo were “lukewarm” with most students “comment[ing] that the feedback received did not really cause them to rethink too much of the content or order of discussion in their assignment”).

57. Dutton & Ryznar, *supra* note 28, at 256-57 (suggesting that “traditional live law school instruction can benefit by borrowing from certain online teaching methods” that emerged during the pandemic’s emergency remote teaching).

58. Hill, *supra* note 1, at 669-70 (proposing that “professors strategically use collaborative peer editing as part of their assessment plans to both improve and gauge student learning.”).

59. *Id.* at 674.

DESIGNING AN EFFECTIVE PEER REVIEW TO INTEGRATE IN AN ADVANCED
LEGAL WRITING COURSE*The Class*

I incorporate peer critiques into my *Drafting: Federal Civil Practice* course, a limited enrollment, upper-level advanced legal writing class that simulates a complex litigation in federal court.⁶⁰ It is a one-semester, three credit elective open to 16 second- or third-year students that meets once a week for three hours.⁶¹ The purpose of the course is to teach students how to draft the legal papers necessary to prosecute a civil action in federal court.⁶² By the end of the course, students should have developed competency in advanced legal analysis and writing, as well as other important lawyering skills. The specific learning objectives listed on my course syllabus are as follows:

[S]tudents will be able to (1) gather key information, organize the information gathered and present it to various audiences; (2) conduct a persuasive fact analysis; (3) understand and comply with rules of civil procedure; (4) draft effective pleadings and discovery requests; (5) write persuasive letters to opposing counsel; (6) organize briefs involving sophisticated and complex mixed legal/factual issues; (7) write briefs centered around a cohesive and persuasive theme; (8) write effective rebuttals using clear and concise arguments; (9) assess differing lawyering strategies and their impact on prosecuting an action; and (10) spot and analyze issues of professional responsibility.

Uniquely, the class is designed to immerse students in the everyday practice of law by simulating the progression of a single case and tracking how it might evolve in practice, from its inception—a meeting with the prospective client—to its conclusion—a final judgment on its merits.⁶³ Hence, the entire semester is tied to a single case involving a same-sex claim of workplace sexual harassment under Title VII of the Civil Rights Act of 1964.⁶⁴ “The students take up the case in the pre-litigation phase and follow it through discovery and motion briefing, to the final phase, an opposition to a motion for summary judgment,”

60. Patricia Grande Montana, *Legal Education Reform: Simulating Complex Litigation Practice in an Advanced Legal Writing Course*, 1 ZEITSCHRIFT FÜR DIDAKTIK DER RECHTSWISSENSCHAFT 318, 330 (2014).

61. *Id.* at 330, n.98 (describing that at St. John’s University School of Law, students are required to satisfy an advanced practice writing requirement before graduating. This course is one of over 30 courses that satisfy that requirement.)

62. *Id.* at 330.

63. For a more detailed discussion about this course and its goals, *see id.* at 318-19 (proposing an advanced legal writing course that simulates complex litigation practice as a place where students can prepare to be more “practice ready” lawyers).

64. *Id.* at 330.

representing the plaintiff-employee throughout.⁶⁵ The problem is factually complex to approximate the realities of law practice: “the parties, witnesses, and other actors are well-developed and have rich personalities and diverse characteristics of real people.”⁶⁶ And the law is accessible to students, as the federal statute and cases interpreting it are well-organized and relatively straightforward.⁶⁷ Throughout the course students are presented with a myriad of activities a practicing attorney might handle if the case were actually litigated in federal court.⁶⁸

The Writing Assignments

Significantly, the class incorporates many different writing experiences and presents numerous opportunities for students to write, rewrite, revise, and polish. To begin, students prepare for their initial meeting with the client by brainstorming and drafting interview questions. After meeting with the client and deciding to pursue litigation in federal court, students prepare and draft a complaint, and then critique and respond to the complaint from the perspective of the defendant-employer. Next, the course moves into the discovery phase of litigation, at which point the students draft a number of discovery demands, including contention and identification interrogatories, document requests, and requests for admissions. Not atypical of a federal litigation, the parties reach an impasse over the discoverability of certain documents, thus requiring the students to write a demand letter to opposing counsel. When the parties are unable to resolve their dispute without court intervention, the students must prepare and draft a motion to the court, asking that the court compel the defendant to produce the requested documents.

Lastly, despite the discovery motion being decided favorably for the plaintiff-students, the defendant ultimately moves for summary judgment dismissing the complaint. The students receive the defendant’s memorandum of law in support of its motion; they then must research, organize, and write an opposition brief—the final writing project for the course. For each of these writing assignments, the students produce drafts which they then receive comments on. These comments are provided either written or orally, and come from individual feedback, group feedback, or a combination of both. Students then revise their drafts for a grade. Of course, the most notable feature of the course is the use of peer reviews, which provide the students with an additional source of feedback.

65. *Id.*

66. *Id.* at 328.

67. *Id.* at 329.

68. *Id.* at 332.

The Peer Reviews

Given the volume of writing, the course relies heavily on peer reviews to provide feedback on the more substantial writing projects, including the complaint, motion to compel brief, and summary judgment opposition brief. The students are told at the outset that peer reviews will be an integral part of the course and they can expect to critique (and receive critique on) several different pieces of writing as well as collaborate with different classmates each time. The process and purpose of the peer reviews are likewise explained, giving students adequate notice that they must produce respectable, complete drafts, and engage in good faith, honest feedback for the peer review exercises to be successful.

Additionally, the students understand that the pairs for each exercise are assigned randomly using the automatic group assignment feature on Canvas, but with adjustments, if needed, mostly to ensure that students are not paired with the same classmate more than once.⁶⁹ The goal is for students to experience different readers, hear from different voices, and observe different approaches to organization as well as writing styles. The peer reviews are not graded; however, their effort and the quality of contribution is factored into their overall class participation score for the course.⁷⁰ The students also know that the peer critique is not anonymous, which encourages students to be accountable for submitting good drafts and engaging fully and respectfully in the exercises.⁷¹ Hence, students begin the peer review experience with very clear expectations.⁷²

69. Because I preview the student drafts before the peer critique exercise, I can make changes to better balance the pairs. For example, if there are students who turned in less than complete or satisfactory work, I might pair them together. Or if there are very strong students in the class, I might pair them together at least once so that they get the benefit of each other's insight. Or if there is a weak student who I know would benefit from the knowledge of a stronger student, I might pair them together. In short, my preview of the student drafts before the pairings are finalized allows me to make any needed adjustments to ensure that the peer review experience is most successful for all students.

70. Evaluating the peer review itself and assigning it a grade is certainly another way to build out the exercise and encourage more consistency and good faith effort, particularly if full participation is a concern. *See, e.g.,* Cunningham & Streicher, *supra* note 3, at 166-67 (describing how students are evaluated on their peer review work and revisions based on that review).

71. For an argument that peer reviews should be conducted anonymously, *see* Nie, *supra* note 30, at 392-93 (reasoning that students should participate anonymously in peer assessments to "improve the performance of assessors" as well as "mitigate the negative interpersonal factors . . . such as peer pressure, threats to psychological safety, and the moral dilemma between loyalty and honesty to friends"); Bryan Schwartz, *Making it 'Click'—Tailoring a Professor-Specific Peer Review Exercise*, 30 PERSP.: TEACHING LEGAL RSCH. & WRITING 27, 31 (2023) (recommending that peer review with first-year legal writing students be completed anonymously to "allow[] for more honest feedback and prevent[] the reviewers from worrying about being too harsh or critical").

72. *See* Schwartz, *supra* note 71, at 30 ("[A] successful peer review exercise requires clear messaging before implementing," emphasizing the "purpose and intention" of the exercise and underscoring the "professional identity benefits to students"); *see also* Durako, *supra* note 1, at 76

For each of the peer reviewed writing assignments, the students submit complete first drafts as part of the peer review and then have an opportunity to incorporate the peer feedback and revise those drafts before submitting a final rewrite for a grade. Though the drafts are counted toward their class participation score for the course, and students must submit timely and satisfactory drafts, the first drafts are not independently graded.⁷³ Moreover, for the summary judgment opposition brief, which is quite substantial and lengthy (up to 16 pages in total), the students draft it in sections and receive peer review feedback on each of the sections separately.⁷⁴

The peer review exercises are very structured; there are several stages to each exercise, which ask the students to provide general feedback before specific comments, and require discussion, collaboration, and reflection throughout. But before students exchange their papers, they are asked to write down their most pressing questions, doubts, or concerns about their work. These thoughts will eventually be shared with their partner so that the critique can be certain to address them, but to avoid any anchoring bias in the commenting this does not occur until the exercise is nearly complete. And because the peer review guidelines might address their specific concerns anyway, students are instructed not to refer to them until the end.⁷⁵

To complete the peer review, the students are advised to read the draft several times, each time with a different purpose, and are given written guidelines with critiquing criteria to evaluate each other's drafts. In their first read, the students read the draft from beginning to end without stopping, and without commenting or marking it up in any way. When they finish that read, they are asked to jot down their general impressions on the draft. This instruction is purposefully vague to allow students to react to the draft, positively, negatively or with questions, or in some other unscripted way, as responses do

("[W]hen you share your goals for the assignment, students feel like partners in the learning process.").

73. Specifically, my course rules state as follows: "Though the drafts will not be graded, you must submit complete and polished drafts. Failure to submit a timely satisfactory draft will result in a lowered final grade for the course." See Montana *supra* note 60, at 335.

74. A sexually hostile work environment claim has four distinct elements: (1) the plaintiff was subject to unwelcome sexual conduct; (2) the conduct was severe or pervasive; (3) the conduct was directed at the plaintiff because of her sex; and (4) there is a basis for employer liability. *Id.* at 330. As the first element is undisputed in our case, the assignment is broken up into these sections, in this order, which also reflects the order in which they would appear in the brief: (1) thesis and summary judgment standard subhead; (2) subhead on severe and pervasive work environment; (3) subhead on because of sex; and (4) subhead on employer liability. See *id.* at 332; Montana, *supra* note 4, at 809, 811-12.

75. See Montana, *supra* note 4, at 801 ("Though it might seem more responsive to address them immediately, students should focus on the exercise criteria first. Oftentimes, the professor's guidelines are drafted with student problem areas in mind; thus, by following them, students will eventually address all of their peers' questions or concerns in a better-thought-out way.").

and should vary. Crucially, this first reading also guarantees that students view their role more broadly because they are prevented from immediately fixing mistakes and making line edits. Because they must read once through first without making any comments, they are forced to evaluate the draft holistically, thereby improving both the substance and tone of their feedback.

When the students read the draft a second time, the guidelines focus them on legal reasoning and large-scale organization first. Though small-scale organization, paragraphing, topic sentences, style, grammar, punctuation, citation, and other non-analytical errors are important, they are intentionally not part of this second review.⁷⁶ In other words, priority is given to analysis, organization, and coherency. They are instructed to focus on the “macro-edit[s]” and not to be distracted by the “micro-edit[s]”; they should set them aside until the following review.⁷⁷ It is clear that the goal of this second review is not to proofread.

Rather, the primary goal of the second review is for students to assess the strength and structure of the document’s analysis and determine whether the writing has effectively met the needs of the reader. The guidelines are detailed and provide clear criteria and directions in this regard.⁷⁸ For organization, the guidelines direct students to identify the various “parts” of the document. For example, for the persuasive documents, students might be asked to isolate each legal point and then identify each analytical part of that point—that is, the rule, rule explanation, application, argument of facts, distinguishable authority, counterarguments, etc. They can do so by either marking or highlighting the “physical and intellectual locations within [the] document”.⁷⁹

For the analysis, the guidelines provide a series of evaluation questions that are tailored to the issues and relevant authority resolving those issues. For example, the students might be asked to evaluate whether and how the writer addressed a leading case or prevailing argument. Importantly, the students are not simply checking whether the writer has completed the writing task; rather, they are asked to explain *how* the writer has done so. In fact, all the questions

76. *See id.* at 797 (recommending that professors peer reviews such that legal reasoning and organization are the only elements evaluated). “Other non-analytical problems could still be addressed by the professor and students, just not through the vehicle of peer review. If a professor prefers to address both legal reasoning and presentation in a single exercise, it should be designed with this hierarchy in mind: analysis before presentation. Students should be made to internalize this hierarchy through clear guidelines and critiquing criteria that put analysis first.” *Id.*

77. *See* Taylor, *supra* note 43, at 266-67, 270-72 (discussing the differences between “macro editing,” which involves looking at the “broad picture” and evaluating audience, tone, and coherency, and “micro editing,” which involves “check[ing] all the details” of the document, including style, spelling, grammar, and punctuation).

78. *See* Hill, *supra* note 1, at 689 (recommending “[d]etailed and clear criteria” that students are “effectively guide[d] . . . through the peer-review process”); *see also* Walter, *supra* note 1, at 415-17 (describing differences between reader-based feedback and criterion-based feedback).

79. *See* Montana, *supra* note 4, at 799-800.

require that the students provide a rationale for their comments, making them accountable for their feedback and ensuring a more consistent effort. They must evaluate the effectiveness of the writer's choices. They must offer suggestions for improvement or comment on what worked or what did not so that the students can apply that feedback to other places in their writing. Moreover, the evaluation questions reinforce what has been taught in class and are deliberately crafted to target the most important, challenging, and vulnerable sections of their analysis and writing.⁸⁰ Of course, students are encouraged to be positive and respectful in their commenting. In that vein, they are instructed to offer meaningful and constructive comments, to provide helpful illustrations, and to ask probing questions to clarify meaning and help with organization.⁸¹

Then, finally, in the last read, the students are asked to make "micro-edits," focusing on paragraphing, topic sentences and transitions and commenting on brevity, clarity, tone, style, grammar, spelling, punctuation, citation, as well as the overall professional look of the document. Afterwards, the students will review the specific questions or concerns their partners had noted earlier, making sure to answer and address them if the critique had not already covered them. Through these multiple reads and tailored feedback addressing the analytical and organizational components of the writing as well as the mechanics, the students receive invaluable written feedback on their analysis and writing.

Discussion with Peers

After the students complete the written critique, they exchange papers with their peers and review the feedback. They then take turns explaining their feedback, answering questions, raising issues, and clarifying points.⁸² They "discuss ways to implement their recommendations and debate different approaches to [the] analysis and writing."⁸³ Not surprisingly, "[t]hese conversations tend to become very animated and often lead to more comprehensive and richer feedback."⁸⁴ Students will often reflect on their writing choices and brainstorm fixes to problems together, spontaneously collaborating on reorganization and revisions. These conversations occur in class, which allows me to not only observe but also to facilitate and answer questions, address concerns, and nudge students in the right direction. Therefore,

80. Schwartz, *supra* note 71, at 27, 29-30 (assigning first-year students a peer review exercise of an ungraded assignment using guided questions tailored to professor's grading rubric as a way to "show the students what [the professor] think[s] about when grading each part of their written work" and finding that the exercise was beneficial to "promoting professional identity formation").

81. Griffin, *supra* note 3, at 74 (listing "directive v. facilitative, discouraging v. encouraging, insulting v. inspiring" as different styles of critiques).

82. See Durako, *supra* note 1, at 76 ("Questions seem to spur more revision than edit marks alone.").

83. Montana, *supra* note 4, at 801.

84. *Id.*

the post critique peer conversations provide students with additional prompt and useful feedback and further motivate students to transfer their newly acquired knowledge to their writing while revising.

Reflection

Once the students have wrapped up their discussions, I ask them to reflect on their peer review experience both in their role as assessor and recipient of the feedback, considering, for example, what was most challenging or surprising about the experience. Specifically, they must explain what they learned and how they will apply those lessons to their current piece of writing as well as future writing projects. In short, they must think about their reaction to the feedback and how they will respond to the comments.⁸⁵

For this reflection portion of the peer review, I require the students to post written responses to a “Discussion” prompt on Canvas, so that they are visible to the entire class, along with my replies.⁸⁶ “By requiring the students to engage in a discussion in writing (as opposed to orally), the students are forced to think about their learning more actively.”⁸⁷ An additional benefit of the discussion board is that it engages all students, as everyone is required to participate, and they do so seriously because their responses are viewable by all.⁸⁸ Students also benefit from reading about their classmates’ experiences and seeing that they were comparable and led to similar lessons. This naturally boosts student confidence and increases mutual trust in and respect for their peers’ ideas and advice. But, most importantly, the reflection encourages students to be self-regulated learners—that is, to be self-critical and aware of their own learning

85. See, e.g., Durako, *supra* note 1, at 76 (suggesting that writers create an “annotated, revised draft to explain how they responded to the comments of peer editors”). “By paraphrasing and describing the edited suggestions, the writers have to reflect on the comments, evaluate them, and decide whether or how to respond. This process of weeding through peer critique is a key skill.” *Id.*

86. See Dutton & Ryznar, *supra* note 28, at 259-60 (detailing numerous ways law professors can use learning management systems, like Canvas, to deliver formative assessments, including discussion boards, where professors can ask “the more theoretical questions that stimulate class discussion”).

87. Anthony S. Niedwiecki, *Lawyers and Learning: A Metacognitive Approach to Legal Education*, 13 WIDENER L. REV. 33, 67 (2006).

88. See Dutton & Ryznar, *supra* note 28, at 269-71 (describing how asynchronous online classes that require students to submit quizzes, discussion board posts, poll answers, etc. lead to “universal class participation” and “ensure[] a diverse classroom with a range of opinions and experiences to share”); see also Niedwiecki, *supra* note 87, at 66-67 (proposing that law school curriculum introduce learning theory and how message boards are one way to facilitate metacognition).

successes and deficits and plan changes to their processes and writing accordingly.⁸⁹

Debrief with Professor

The final part of the peer review exercise is the class debrief. This debrief directly responds to the written reflections and addresses any issues and questions that might have arisen during the critique. Together, we try to identify themes in the feedback and consensus about the analysis, organization, and writing.⁹⁰ It's also a chance for me to discuss main takeaways, reiterate important lessons, illustrate key concepts, and suggest ways to apply what they learned to their current and future writing tasks. These types of debriefs are invaluable for students.⁹¹ “[P]rofessors have an opportunity to summarize and emphasize major teaching points, reclaim some control over the content being discussed, and provide key information and examples for students to evaluate their learning and development.”⁹² Because it is a three-hour seminar, the entirety of the peer review, from the students’ multiple readings of the drafts, to the discussions, reflections, and finally the class debrief, all occur in class.⁹³ It is an incredibly rich and collaborative exchange of information and ideas. In the end, the students have a stronger foundation on which to revise their analysis, rethink their organization, and polish their writing.

CONCLUSION

While it's clear that peer review exercises have been explored in first-year legal writing classes, it's less evident that they have been used in advanced legal writing classes. Given that upper-level students are better poised to engage in meaningful peer and self-critique, an advanced legal writing course is a more

89. See Niedringhaus, *supra* note 29, at 115-17 (discussing how reflection is one way to promote metacognition “[b]ecause metacognitively aware students can assess their strengths and weaknesses and plan how to correct weaknesses, they will be able to apply knowledge and skills from law school to new situations in practice”); Caron & Gely, *supra* note 29, at 553 (“Reflecting allows students the opportunity to ‘integrate and appropriate new knowledge.’ Presented with information that challenges what they believe to be true, students are forced to evaluate their preconceptions and formulate new processes and conclusions.”).

90. See Montana, *supra* note 4, at 802 (“The most productive sessions involve an in-class discussion led by the professor during which the students share what they learned from the editing process as well as from the critiques they received.”).

91. See Rosenbaum, *supra* note 3, at 139 (finding that engaging the whole class in a “roundtable discussion” after the peer reviews is “incredibly rich” and “generate[s] lots of follow-up comments from other students”).

92. Hill, *supra* note 1, at 702-03.

93. But if time were a constraint, certainly professors can move some of it out of the class as homework. See, e.g., Cunningham & Streicher, *supra* note 3, at 166 (detailing the process for assigning peer-review in an advanced writing class that includes assigning peer critiques as homework).

appropriate context for peer review exercises. The benefits of peer review exercises are numerous, including reinforcing students' understanding of legal writing organization and techniques, teaching them to work cooperatively and be more receptive to critique by others, honing their own self-editing skills, and appreciating the recursive process of writing. In the end, they develop into better legal thinkers and writers. As such, professors should be encouraged to experiment with peer review exercises, integrating them into their advanced legal writing courses.

