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## Better Together: Building Community in the LRW Classroom

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## **BETTER TOGETHER: BUILDING COMMUNITY IN THE LRW CLASSROOM**

OLYMPIA DUHART\*

### ABSTRACT

*Better Together: Building Community in the LRW Classroom emphasizes the importance of building a strong community within the Legal Research and Writing (“LRW”) classroom. A robust LRW community helps mitigate the stress associated with the course and equips students to manage the rigorous demands of law school. Given the challenges facing today’s law students and the unique challenges that characterize LRW, developing community in the LRW classroom should be a primary focus of effective law school training. This Article highlights the work of Thomas Hawk and Paul Lyons, who have studied the concept of “pedagogical caring” in higher education. The Article also provides concrete steps LRW professors can take to build community in class, including the implementation of curricular components, active teaching methods, and activities beyond the classroom. The positive impacts of a strong LRW classroom community are achievable through small changes and will help students develop resilience and training for years to come. Applying the principles of “pedagogical caring” to the LRW Classroom makes students more receptive to constructive feedback, better prepares them for law practice, and leverages the social nature of the human brain. Most importantly, building community is central to student success.*

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## I. INTRODUCTION

Never underestimate the power of a Disco Ball.

The shiny sphere not only works wonders for nightclubs, weddings, and hair salons,<sup>1</sup> but it can also instantly lift the spirits of stressed out 1Ls working on a major motion brief. When the mirrored ball is hung from the ceiling at sunset, it can transform a study hall into an “LRW Lounge.” More importantly, it can set the stage for a community of learners ready to tackle some of the most challenging parts of the Legal Research and Writing (“LRW”) class.

Though it collides with what many law professors and students expect about the law school experience, research confirms that creating a sense of community in school has a positive impact on student learning outcomes.<sup>2</sup> Building community also supports well-being, an essential facet of successful lawyering. Given the special stresses of LRW, LRW professors should be intentional about building community in their classrooms. These goals are especially critical in today’s climate.

This article will explore the value of building community in the LRW classroom. Part II examines the special challenges for today’s law school students and also emphasizes the unique challenges that characterize LRW. Part III addresses the pedagogical benefits of creating a community of writers; these benefits include building resilience, training for practice, leveraging the social nature of the human brain, and easing the anxiety that often marks LRW. This part highlights the work of Thomas Hawk and Paul Lyons, who have studied the concept of “pedagogical caring” in higher education. Part IV of this article provides concrete steps LRW professors can take to build community in class. These steps include curricular components, active teaching methods, and activities beyond the classroom. The Appendices feature a few simple strategies LRW professors can use to transform their classrooms into a community.

## II. LAW SCHOOL IS HARD – LRW IS HARDER

As one writer has noted: “That law school is stressful is assumed.”<sup>3</sup> Indeed, the extraordinary stress of law school is legendary and has been captured for decades in memoirs, popular culture, and war stories. The challenging nature of law school is also reflected in the brutal statistics that reveal pervasive mental

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1. Lia Picard, *Let’s Have a (Disco) Ball*, N.Y. TIMES (Apr. 26, 2022), <https://www.nytimes.com/2022/04/26/style/disco-ball-comeback.html> [<https://perma.cc/F69Q-QD4B>] (noting the spike in Disco Ball interest in recent years. Long associated with Black and gay underground clubs, Disco Balls are now used to elevate moods in public and private spaces).

2. JOSHUA R. EYLER, *HOW HUMANS LEARN: THE SCIENCE AND STORIES BEHIND EFFECTIVE COLLEGE TEACHING* 84–85 (2018) (highlighting research that shows a sense of belonging is connected to student success in several important ways).

3. Nancy J. Soonpaa, *Stress in Law Students: A Comparative Study of First-Year, Second-Year, and Third-Year Students*, 36 CONN. L. REV. 353, 353 n.4 (2004).

health challenges, which were exacerbated during the novel Coronavirus-19 (“COVID-19”) pandemic.<sup>4</sup> Though most law students enter law school with a mental health profile similar to the general public—with depression rates under 10%—by the end of the first semester, depression rates rise to 27%, and by the end of three years, nearly 40% of law students experience depression.<sup>5</sup> Since the COVID-19 pandemic, reports of mental health challenges among law students and lawyers have been even more alarming.<sup>6</sup> Isolation and remote instruction exacerbated student depression and anxiety rates.<sup>7</sup> In addition, the hardship of the pandemic was made worse by the stress related to racial injustice<sup>8</sup> and the wide-sweeping social and political unrest during the same period.<sup>9</sup>

“In fact, the prevalence of major depressive disorder among graduate and professional students [was] two times higher in 2020 compared to 2019 and the prevalence of generalized anxiety disorder [was] 1.5 times higher than in 2019.”<sup>10</sup> By fall 2021, nearly 69% of law students surveyed reported that they needed help for mental health or emotional challenges in the past year.<sup>11</sup> Thus, instead of some law students struggling with mental health or emotional

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4. See *Coronavirus Disease (COVID-19) Pandemic*, WORLD HEALTH ORG., <https://www.who.int/europe/emergencies/situations/covid-19> [https://perma.cc/NYW7-3MZ2] (discussing the global outbreak of the coronavirus disease 2019 (COVID-19), its progression to a pandemic, and the subsequent transition from a Public Health Emergency of International Concern (PHEIC) to a long-term management approach). The outbreak of the infectious disease was classified as a pandemic on March 11, 2020. *Id.*

5. Janet Thompson Jackson, *Legal Education Needs a Wellness Reckoning*, U.S. L. WEEK (Apr. 7, 2021, 2:01 AM), <https://news.bloomberglaw.com/us-law-week/legal-education-needs-a-wellness-reckoning> [https://perma.cc/NGX5-T9U4]. See also David Jaffe et al., *It’s Okay to Not Be Okay: The 2021 Survey of Law Student Well-Being*, 60 UNIV. LOUISVILLE L.J. 441, 443 (2022) (“Previous literature has shown that professional degree-seeking graduate students, including medicine and law, experience higher rates of depression and anxiety than other graduate students. Medical students and law students may also have higher rates of substance use issues than other graduate students.”).

6. Jackson, *supra* note 5.

7. *Id.*

8. Michele Okoh & Inès Ndonko Nnoko, *The Need for Social Support from Law Schools During the Era of Social Distancing*, 16 FIU L. REV. 117, 126 (2021).

9. *Id.* at 117.

10. IGOR CHIRIKOV ET AL., SERU COVID-19 SURVEY: UNDERGRADUATE AND GRADUATE STUDENTS’ MENTAL HEALTH DURING THE COVID-19 PANDEMIC 1 (UC Berkeley 2020) (“The percentage of graduate and professional students who screened positive for generalized anxiety disorder is higher among low-income or poor students; Latinx, American Indian or Alaska Native, and multiracial students; women, transgender, and non-binary students; gay or lesbian, bisexual, queer, questioning, asexual, and pansexual students; and caregivers of other adults . . .”). *Id.* at 5.

11. Karen Sloan, ‘Our Law Students Need Help.’ Study Finds Higher Rates of Mental Health Problems, REUTERS (July 13, 2022, 1:55 PM), <https://www.reuters.com/legal/legalindustry/our-law-students-need-help-study-finds-higher-rates-mental-health-problems-2022-07-13/> [https://perma.cc/66GQ-PBZR].

challenges, *most* law students are now struggling with well-being. The special burdens inherent in LRW likely heighten challenges for these students.

The LRW classroom is often a challenge for even the best law students. In casebook classes, some students can “hide” until the final exam. LRW demands constant feedback and engagement, which is meant to improve student performance but is often a serious source of stress for students being evaluated. LRW also has multiple deadlines throughout the semester; it can be punishing for students still struggling with time management. LRW is necessarily iterative and builds on the development of skills over time. Not surprisingly, time limitations, deadlines, and exams all rank as “significant stressors” for law students.<sup>12</sup> Further, interpersonal relationships typically suffer during the period of professional education;<sup>13</sup> this problem creates more isolation for law students. Finally, LRW taps into something inherently personal about the writing process. While students are never happy with a poor grade in a casebook class, they can feel more personally dejected when their writing falls short.<sup>14</sup> Writing—even technical legal writing in law school—carries a personal attachment.<sup>15</sup> As Professor Suzanne Rowe has observed: “One of the greatest challenges facing legal writing students is accepting constructive criticism.”<sup>16</sup> All of these facts make LRW even more daunting.

### III. THE BENEFITS OF CREATING COMMUNITY IN LRW

The naturally occurring challenges of LRW—coupled with the recent spike in mental health challenges triggered by the pandemic—make a compelling case for creating a supportive LRW classroom community. Further, the research on cognitive science and learning theory reveals that students perform better when they feel that they are part of a community of learners.<sup>17</sup> Research has demonstrated that positive “social-psychological factors are necessary components to cognition.”<sup>18</sup> This section addresses the pedagogical benefits of creating a community in the LRW classroom; these benefits include building

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12. Soonpaa, *supra* note 3, at 359.

13. *Id.*

14. In addition, students often get their first law school grade in LRW. See Suzanne E. Rowe, *Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice*, 29 STETSON L. REV. 1193, 1210 (2000).

15. See Melissa Kruse, *How to Respond to Student Writing: 10 Ways to Give Feedback that Sticks*, READING & WRITING HAVEN, <http://www.readingandwritinghaven.com/responding-to-writing-10-ways-to-give-feedback-thats-sensitive-to-students-internal-dialogue> [https://perma.cc/7PQ8-ZQ5S] (“Responding to writing is challenging because...writing is vulnerable. People have an emotional connection to the words they put on paper.”).

16. “Even if your early work is not graded, receiving extensive feedback for revisions can create stress.” See Rowe, *supra* note 14, at 1210.

17. EYLER, *supra* note 2, at 84-85.

18. *Id.* at 84.

self-efficacy, training for practice, leveraging the social nature of the human brain, and easing the law school anxiety often amplified in the pressurized LRW classroom. The starting point is the theory of “pedagogical caring” studied by Thomas Hawk and Paul Lyons.<sup>19</sup>

Over six semesters, Professors Hawk and Lyons studied the ethic of care, pedagogical caring, and pedagogical respect in an MBA program.<sup>20</sup> In addition to the analysis of student responses to survey questions about faculty caring, Hawk and Lyons conducted a meta-analysis of caring and respect literature in a teaching-learning context.<sup>21</sup>

Pedagogical caring and pedagogical respect would have us develop a repertoire of skills and dispositions that enhance the pedagogical relationship, a portfolio of pedagogical activities that offer guided participation and practice, and scaffolding approaches to help our students become more competent in the content and skills of the course, more self-directed in their learning, more cultivating of the value of relationships, and more capable in modeling an ethic of care to others. Faculty must extend recognition respect to all students as unique, developing human beings and appraisal respect for the development they make in the three arenas.<sup>22</sup>

In the LRW classroom, creating a culture of “pedagogical caring” through community-building strategies offers rich opportunities to improve student performance and boost student well-being. It also helps LRW professors build community in their classroom; “a classroom environment [that] . . . engenders a sense of community and mutual respect” allows students to “academically engage and succeed because they feel safer.”<sup>23</sup>

First, self-efficacy is a wonderful, proven benefit to a positive classroom community. Self-efficacy, marked by a “belief in one’s capabilities to organize and execute the courses of action required to attain designated types of performances,”<sup>24</sup> translates to better performance in the classroom. Indeed, students who feel like they have more personal control over their own learning

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19. See generally Thomas F. Hawk & Paul R. Lyons, *Please Don’t Give Up On Me: When Faculty Fail to Care*, 32 J. MGMT. EDUC. 316, 321 (2008) (describing pedagogical caring as “an ethic of care within the learning–teaching context”). See also NEL NODDINGS, *THE CHALLENGE TO CARE IN SCHOOLS* 173-175 (1992) (providing a foundation for thinking about caring in education).

20. Hawk & Lyons, *supra* note 19, at 317.

21. *Id.* at 318–19.

22. *Id.* at 324.

23. Claudia Escobar, *Toward Belonging in the Community College Classroom*, U.C. DAVIS WHEELHOUSE, Apr. 2023, at 2, [https://education.ucdavis.edu/sites/main/files/misc/wheelhouse\\_research\\_brief\\_vol\\_8\\_n\\_1\\_v3.pdf](https://education.ucdavis.edu/sites/main/files/misc/wheelhouse_research_brief_vol_8_n_1_v3.pdf) [<https://perma.cc/E8U7-F4A5>].

24. Helen Withy, *A Brief Introduction to Self-Efficacy*, The Education Hub (Sept. 23, 2019), <https://theeducationhub.org.nz/a-brief-introduction-to-self-efficacy/> [<https://perma.cc/RSK5-PXF8>] (quoting psychologist Albert Bandura, who developed the concept of “self-efficacy” in the 1970s).

and behavior are more likely to achieve at higher levels.<sup>25</sup> Increased student choice and control over the learning environment leads to an increase in student motivation.<sup>26</sup> Self-efficacy is promoted by a collaborative approach to learning.<sup>27</sup> The most successful classroom climates are jointly created by the teacher and students.<sup>28</sup> More importantly, the power-sharing is an essential component of building community in the classroom.<sup>29</sup> Empowered students make the teacher-student relationship less adversarial.<sup>30</sup> And one more bonus? The instructor has a more positive experience in the classroom as well.<sup>31</sup>

Given these positive responses—more motivation, better content connection, a stronger sense of the class as a community, and fewer classroom management issues—it is not surprising that teachers also benefit when they share power with students. It's a pleasure to work with students who are less passive, more interested, and willing to work!<sup>32</sup>

Students who believe they are mutually responsible for the development and maintenance of the learning community are more likely to provide constructive input to the classroom.<sup>33</sup> And students who believe they have more control over their own learning report a wide array of benefits; what students believe regarding their own abilities impacts everything from participation in activities to job interviews.<sup>34</sup> Self-efficacy also makes it more likely for students to replicate their successes and minimize their failures.<sup>35</sup>

In addition, the human brain is “social,” and a sense of belonging is critical to learning.<sup>36</sup> Research has consistently demonstrated that individuals are “more likely to learn more when they learn with others than when they learn alone.”<sup>37</sup> “Humans are social animals, and we feed off each other’s emotions. This is as

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25. MARYELLEN WEIMER, LEARNER-CENTERED TEACHING, FIVE KEY CHANGES TO PRACTICE 38 (2d ed. 2013).

26. *Id.*

27. *See id.* at 97.

28. *See id.* at 95.

29. *Id.* at 97.

30. *Id.*

31. *Id.*

32. *Id.*

33. CATHY N. DAVIDSON & CHRISTINA KATOPODIS, THE NEW COLLEGE CLASSROOM 216 (2022) (quoting bell hooks).

34. *See WEIMER, supra* note 25, at 17.

35. Ali Asghar Hayat et al., *Relationships Between Academic Self-Efficacy, Learning-Related Emotions, and Metacognitive Learning Strategies with Academic Performance in Medical Students: A Structural Equation Model*, BMC MED. EDUC., Mar. 17, 2020, at 2. (“Academic self-efficacy is one of the important factors influencing academic performance.”) *Id.* (“Therefore, it is concluded that highly self-efficacious students experience more positive emotions while studying and learning, which can, in turn, lead to better academic performance.”) *Id.* at 9.

36. EYLER, *supra* note 2, at 84.

37. WEIMER, *supra* note 25, at 40.

true in the classroom as it is in the movie theatre.”<sup>38</sup> A strong classroom community leverages the social nature of the human brain and positive emotions. “Research on positive emotions and learning reveals that the single most important strategy we can use to help our students to succeed in our courses is to care about them as learners and as human beings.”<sup>39</sup> Positive learning climates that support social relationships and community are powerful student motivators.<sup>40</sup> Student motivation is evinced by class participation, completion of group work, and effort devoted to studying and assignments.<sup>41</sup>

Next, building community in the classroom helps prepare students for practice. Professor Heidi Brown stresses the value of law students helping each other in school.<sup>42</sup> According to Professor Brown, student-to-student support directly relates to the practice of law.<sup>43</sup> A community of care allows students to amplify their own “authentic advocacy voice” and models “how to make our profession better.”<sup>44</sup> Professional identity formation is also enhanced through an intentional, proactive approach to law student well-being.<sup>45</sup> The special ethical responsibilities law students will soon have as practicing attorneys make it especially important to take steps “to ensure that law students are as mentally and emotionally well-prepared for serving clients as they can be.”<sup>46</sup> Furthermore, the revised ABA Standard Interpretation 303-5 now emphasizes “well-being practices considered foundational to successful legal practice.”<sup>47</sup> Being intentional about building a community of care in the classroom fosters this practice.

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38. JAMES LANG, *SMALL TEACHING: EVERY DAY LESSONS FROM THE SCIENCE OF LEARNING* 200 (2d ed. 2021).

39. EYLER, *supra* note 2, at 129.

40. LANG, *supra* note 38, at 200.

41. *Id.* at 200-01.

42. Heidi K. Brown, *Nervous About Class Participation as a New 1L Law Student?*, MEDIUM (Aug. 20, 2021), <http://heidikristinbrown.medium.com/nervous-about-class-participation-as-a-new-1l-law-student-df7a6316e785> [https://perma.cc/9NFD-FMMC].

43. *Id.*

44. *Id.*

45. Jaffe et al., *supra* note 5, at 452-53, 484, 496. (“What is clear is that our law students need help.”) (sounding the alarm about student well-being) *Id.*

46. *Id.* at 443; see Soonpaa, *supra* note 3, at 356; see also SHAILINI JANDIAL GEROGÉ, *THE LAW STUDENT’S GUIDE TO DOING WELL AND BEING WELL* 17 (2021); Rosario Lozada, *10 Steps to Identify Irrational Resistance to Self-Care*, A.B.A. J., (Aug. 6, 2020, 12:46 PM), <https://www.abajournal.com/voice/article/identifying-our-irrational-resistance-to-self-care> [https://perma.cc/LXZ2-UWDE].

47. AM. BAR ASS’N SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR, *ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS* 19 (2023); see also Neil W. Hamilton & Louis D. Billionis, *Revised ABA Standards 303(b) and (c) and the Formation of a Lawyer’s Professional Identity, Part 1: Understanding the New Requirements*, NAT’L ASS’N FOR L. PLACEMENT (May 2022), <http://www.nalp.org/revised-aba-standards-part-1> [https://perma.cc/5F5H-SNHR].



Finally, effective teachers should help prepare students to successfully handle the rigors of a demanding course. In LRW—a class characterized by multiple demands and the challenges associated with receiving writing feedback—professors should position students to fully embrace the growth-mindset advanced by psychologist Carol Dweck.<sup>48</sup> A “growth mindset” suggests that “everyone can change and grow through application and experience.”<sup>49</sup> Growth mindsets can be cultivated; moreover, cognitive neuroscience research confirms that growth mindsets lead to better academic gains.<sup>50</sup> LRW professors have special opportunities to help their students develop “increased responsibility and autonomy.”<sup>51</sup> Creating community and adopting the principles of “pedagogical care” in the LRW classroom does not weaken the rigor of the LRW classroom; rather, it better equips the students to handle the demands of the course and succeed.

There are numerous pedagogical benefits to building community in the LRW classroom. Creating a community in LRW strengthens academic self-efficacy, better prepares students for law practice, leverages the social nature of the human brain, and helps mitigate the stressful demands of LRW without compromising rigor.

#### IV. CONCRETE STEPS FOR CREATING COMMUNITY IN LRW

Given the multiple benefits of creating community in the LRW classrooms, LRW professors should be creative about finding pedagogical activities to build a strong LRW community in class.

Pedagogical caring and pedagogical respect would have us develop a repertoire of skills and dispositions that enhance the pedagogical relationship, a portfolio of pedagogical activities that offer guided participation and practice, and scaffolding approaches to help our students become more competent in the content and skills of the course, more self-directed in their learning, more cultivating of the value of relationships, and more capable in modeling an ethic of care to others.<sup>52</sup>

LRW professors can implement several practical strategies to create community in class. These strategies range from curriculum components to active teaching methods to creative activities beyond the classroom that build community in the LRW class.

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48. See CAROL S. DWECK, *MINDSET: THE NEW PSYCHOLOGY OF SUCCESS* 6, 7 (2006) (sharing research that demonstrates that a fixed or growth mindset is the key to success).

49. EYLER, *supra* note 2, at 197.

50. *Id.* at 197-98.

51. WEIMER, *supra* note 25, at 204.

52. Hawk & Lyons, *supra* note 19, at 324.

### *Start on Day One*

Even before the first assignment is posted, LRW professors can convey an ethic of caring to students through language and tone communicated in the syllabus and other introductory materials. The importance of setting the groundwork for a community of learners cannot be overstated. Small actions can create the foundation for a healthy learning environment and relay to students “that they have a support network they can go to before they come to you with questions.”<sup>53</sup> In my own class, I include language in my Day One Memo where I acknowledge the challenges of LRW, but emphasize that I welcome their input.<sup>54</sup> Following the pandemic, I also added a section in my syllabus on well-being modeled from Professor Heidi Brown’s syllabus to explicitly acknowledge the challenges we have faced and to remind my students that I care about them as human beings.<sup>55</sup>

### *Share Power*

Researchers point to shared power as a potent boost to academic self-efficacy.<sup>56</sup> How do professors share power? Solicit feedback. Welcome it, normalize it, make a mid-course correction.<sup>57</sup> LRW professors can also take more steps to create ownership in the course. For instance,

students can be polled on their learning objectives, and the class can agree to goals that can be incorporated into the syllabus . . . . Students can also share what they hope to accomplish throughout the year and to identify concrete steps about how they will meet their goals. The goals and steps lists could then be compiled into one document, distributed to the class, and used as a “roadmap” throughout the year.<sup>58</sup>

### *Get Meta with It*

Another key component to self-efficacy is self-reflection. Lawyers are lifelong learners, and law students need to practice the skill of self-reflection and assessment. “Self-regulated learning, or expert learning, involves ‘planfulness, control and reflection’ that is self-directed and goal-oriented.”<sup>59</sup> Metacognitive goals can be achieved through cognitive protocols,<sup>60</sup> which can be used

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53. DAVIDSON & KATOPODIS, *supra* note 33, at 46.

54. For an example of this type of language, see the excerpt in Appendix A.

55. This language also appears in Appendix A.

56. DAVIDSON & KATOPODIS, *supra* note 33, at 47-48.

57. *Id.*

58. *Id.*

59. *Id.* at 48.

60. Others may refer to the same format as “reflective papers” or “journals.” I am thankful to Professor Sophie Sparrow for introducing me to this term and method at the start of my law school teaching career. A sample is included in Appendix B.

throughout the course to help students reflect on their goals, work product, and progress. They can also be used to prompt students to think about how they each contribute to and benefit from the classroom's learning community. Sharing the results of a cognitive protocol further enhances the community of learners by revealing that many students struggle with the same challenges. LRW Professors can collate the results and review them anonymously to highlight common challenges and progress. Emphasizing the difficulty LRW presents for many students also reinforces that the community-building efforts do not displace the challenging nature of the class.

### *Model and Cultivate Caring*

“Clearly, the instructor has the opportunity to model and exemplify caring behavior.”<sup>61</sup> This strategy is perhaps the most rewarding and accessible. When possible, LRW professors should express gratitude to students for their hard work and professionalism. The professor can also reinforce gratitude practice by encouraging students to express appreciation to classroom visitors – law librarians, 2Ls or outside speakers – who share their expertise with the class. Simply inviting students to write a hand-written “Thank You” note or well-crafted “Thank You” email to a visitor is an effective way to cultivate a habit of gratitude.<sup>62</sup> As Psychologist Dacher Keltner notes, “[t]alking about areas of gratitude, in classrooms, at the dinner table or in the diary, boosts happiness and social well-being and health.”<sup>63</sup> As we now know that happiness and social well-being fuel learning, gratitude should be a constant component of the LRW classroom. The classroom gratitude practice is effective modeling and doubles as a community-builder when the student-volunteer drafting the letter writes the letter on behalf of the class. It is also a bonus lesson on civility for future lawyers.

### *Support the Social Nature of Learning*

Creativity and freedom from the norms of law school pedagogy open the door to an expansive universe of community-building activities in the LRW classroom. LRW Professors can use many different and exciting practices to build a more social learning environment. First, I start by inviting students to come up with a class “name.” One of my classes was named “Out of the Ordinals”—a play on the BB rule on the ordinal spacing rule<sup>64</sup>—and it helped

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61. Hawk & Lyons, *supra* note 19, at 322.

62. This method was suggested by Professor Wendy-Adele Humphrey, who never misses an opportunity to create a positive experience for her students or colleagues.

63. David DiSalvo, *Forget Survival of the Fittest: It is Kindness That Counts*, SCI. AM. (Feb. 26, 2009), <http://www.scientificamerican.com/article/kindness-emotions-psychology/> [<https://perma.cc/2WTZ-GLL6>]; see also DACHER KELTNER, *THE POWER PARADOX: HOW WE GAIN AND LOSE INFLUENCE* 234 (2017) (discussing the value of compassion and gratitude).

64. THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION 90 (Columbia L. Rev. et al. eds., 21st ed. 2020) (noting under Bluebook Rule 6.2(a), ordinals are treated as single capitals for spacing).

us build our own team. The team metaphor was reinforced with custom “Out of the Ordinals” stickers for each class member, and custom T-shirts for me and my Research Assistants.



The social nature of learning is also captured in my LRW Lounge, a late-night mash-up of a study hall and an indie lounge where students are invited to bring their last final memos to me for extra help (this is in addition to and after the mandatory individual conference). As the big memo due date approaches, I post flyers to the LRW Lounge and invite them to join me. I also remind them that it is a “private party” for my class only. Attendance has been consistently strong since I started this practice more than ten years ago. My LRW Lounge builds on novelty, shared goals, and the social nature of the human brain to transform a typically high-stress period into an engaging event for our class. At LRW Lounge, which is always optional,<sup>65</sup> students meet in a hall from 5 p.m.-midnight to get feedback on their drafts. I provide food and music (sometimes I play the class “Playlist” I have assembled from their walk-out songs all semester; other times, students are subjected to my Prince catalogue and Talking Heads). There are earplugs, coffee, water, fruit, chips, sandwiches, and cookies. Really good cookies. Students can stay as long as they want, and I make the rounds wearing our “team” shirt. My Research Assistants also appear to help with citations in the “VIP” lounge – the tables at the front of the hall. And, of course, I hang a Disco Ball from the ceiling. Even for stressed out 1Ls finalizing their huge memo at the end of the semester, it works its magic.

## V. CONCLUSION

Although LRW can be grueling, the stress can be mitigated through an intentional approach to creating community in the LRW Classroom. Given the special challenges that confront today’s law students and the inherent difficulty of LRW, LRW professors should embrace the opportunity to build community in LRW. There are extensive benefits to applying the principles of Pedagogical Caring to the LRW Classroom. A strong sense of community in LRW makes

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65. Another nod to shared power and self-determination.

students more receptive to constructive feedback, better prepares them for law practice, and exploits the social nature of the human brain. Most importantly, building community is central to student success.

Indeed, building community in LRW helps mitigate the anxiety of the course while equipping students to handle the rigorous demands. Further, there are limitless ways LRW professors can build community in their classrooms. As the Appendices show, there are several small changes that can be made to allow LRW professors to transform their classrooms into a supportive community. Finally, while this article is focused on LRW, creating a community of learners should truly be a focus of all effective law school teaching.<sup>66</sup>

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66. The concept of creating community and building professional identity has been raised before, and beyond the LRW classroom. *See, e.g.*, Jan L. Jacobowitz, *Cultivating Professional Identity & Creating Community: A Tale of Two Innovations*, 36 U. ARK. LITTLE ROCK L. REV. 319, 336 (2014) (“Those of us who believe that it is possible to teach and develop analytical, skillful lawyers who simultaneously maintain their sense of selves and find not only success, but well-being and fulfillment in the practice of law, are hopeful that these goals will become a mainstay of legal education . . . .”) (offering examples of curricular reform that can be used to promote professional identity formation and promote well-being).

APPENDIX A<sup>67</sup>*Excerpt from Day One Memo in LRW:*

21. If there is anything I can do to make your LRW experience more fulfilling for you, please let me know. LRW is a demanding course, but it can be very rewarding. Your comments, input and suggestions are appreciated. I will treat you with consideration and respect, and I expect the same from you.

*Syllabus Excerpt:**A Note About Well-Being*<sup>68</sup>

As your professor, I care deeply about your mental, emotional, and physical health and well-being. And I try to tend to mine as well. Since March 2020, we have individually and collectively been navigating the traumatic experience of the pandemic. It has been especially difficult because it never seems to end. We have sheltered-in-place for extended periods of time, been limited in our social activities, and many among us have been grappling with worries about health and financial matters affecting our friends, family, and classmates. These additional challenges exacerbate an already stressful law school experience. Together, by honoring and talking openly about these issues, we will pave the way for you to thrive throughout your first year of law school. In our legal writing classroom, we will cultivate a collaborative space in which to support one another.

The legal writing faculty at NSU Law<sup>69</sup> is sponsoring programs to support your well-being. We know that writing and the pressures of deadlines can be incredibly stressful. I am also going to be bringing in speakers to address these issues. Finally, I will post selected recommended readings and exercises to cultivate our individual and collective well-being throughout this coming year. These are optional but designed to help each of us build mental, emotional, and physical strength to achieve our greatest potential. I will be reading the materials and doing the exercises alongside you.

I am available to talk to each of you about any of these issues. If you are experiencing stress, burnout, anxiety, depression, or other mental health or well-being issues this year, please do not hesitate to reach out to me. I am always happy and willing to talk to you, and if you need help that I cannot provide, I

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67. Appendix A includes sample language that can be used to help establish a supportive tone for Day One.

68. This section of the syllabus is usually printed in a distinct color (royal blue) for emphasis.

69. Fortunately, at my institution our LRW Program has offered workshops on Writing and Well-being for more than ten years. We expose students to chair yoga, nutrition tips, fitness advice and meditation at lunch-time programming as the first big memorandum deadline approaches.

can guide you to the right people and resources. It may feel intimidating to reach out, but please know that I am here to support you. I am proud to be your professor and I look forward to seeing each of you flourish in our course and thrive as human beings.

APPENDIX B<sup>70</sup>

## ABA Standards 302 and Interp.

Standard 302. LEARNING OUTCOMES A law school shall establish learning outcomes that shall, at a minimum, include **competency** in the following: (a) Knowledge and understanding of substantive and procedural law; (b) Legal analysis and reasoning, legal research, problem - solving, and written and oral communication in the legal context; (c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and (d) **Other professional skills needed for competent and ethical participation** as a member of the legal profession.

Interpretation 302-1 For the purposes of Standard 302(d), other professional skills are determined by the law school and may include skills such as, interviewing, counseling, negotiation, fact development and analysis, trial practice, document drafting, conflict resolution, organization and **management** of legal work, collaboration, cultural competency, and **self-evaluation**.

## Cognitive Protocols

- Required in this class
- Graded for “good faith effort”
- Opportunity for you to evaluate the process
- Even better: Opportunity for self-reflection while there is still time to make corrections
- Practice of lifelong learning (essential to effective lawyering)

*Cognitive Protocol: Thinking about Writing*

1. You just submitted your *first* piece of legal writing. What do you think is the strongest feature of your memorandum? (Be specific)
2. What did you struggle with most as you attempted to complete this assignment?
3. How many hours did you take to complete this assignment? Include researching, drafting, editing and feedback sessions.
4. What would you do if you had one extra week to complete this assignment?
5. What are your writing goals for the next writing assignment?

70. Appendix B includes some sample PowerPoint slides introducing the metacognitive work that we will complete throughout the semester. It also links the work directly to the law school accreditation standards. The bottom box contains a sample “Cognitive Protocol” that student complete after each major writing assignment.



