How the Mini-Conference Transformed the Wallflower
(and other suggestions for satisfaction-inducing individual conferences)

By Jennifer L. North

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All legal writing professors are well acquainted with conferencing as a fundamental and indispensable component in teaching writing. Though exhausting, conferencing is absolutely my most favorite time of the year. I won't pretend that I am all smiles during these weeks, but if taken as a whole, conferences provide us, as legal writing professors, the best opportunity for instantaneous work satisfaction. What follows are suggestions, in three parts, on making the most of the conference experience for you and your students.

Part I – Pre-Conference Conferences

Conducting individual conferences was my saving grace as a new legal writing adjunct. The classroom was brand-new to me, but one-on-one meetings had always been a strength. As we all know, students can be toughest on legal writing teachers, and new ones at that. But the opportunity to sit down with students face-to-face always renewed their enthusiasm for the project, and my faith in me.

It is therefore no surprise that conferences are frequently reported by students to be some of the most valuable time spent during their legal writing classes. Professors get to witness lights going on all over the place, and students leave the office with much less frustration and much more confidence than when they came in. By continuing to prepare anew for each semester's round of conferences, I found I could ensure my own continued enthusiasm for my profession and allow myself to see each new student as a unique individual with valuable input for that year's class.

Realizing that I did some of my best work one-on-one, I wondered why I should wait until four or five weeks into the semester to meet with each of my students individually. That is the time frame where the students may have a draft written for a first memo, or may have already turned in a final draft. Either way, the time for grades was near, and the anxiety was on the rise. We were also already knee-deep in fact patterns, rule breakdowns, annotated outlines, local rules, and the dreaded


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Perspectives: Teaching Legal Research and Writing is published in the fall, winter, and spring of each year by West.

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Published by Thomson Reuters as a service to the Legal Community.
Bluebook. There was no time to learn about my student other than to find out that this person had just written a horribly unorganized memo, or had completely missed the point of the assignment. Confusion clearly did not breed contentment. It was more of a sheriff-outlaw gunfighter standoff. And we all know in that case, only one gets out alive.

A few years ago, I started instituting another mandatory conference into my first-semester syllabus. This one was to take place no later than the second week of school, and the preparation was minimal for my student and me. Prior to the conference, the students submitted a very short biographical form answering questions on what they had done in college, significant work experience, interests outside the classroom, what area of law they might be interested in, and, finally, whether they had any questions for me. The conferences were only scheduled for 10 minutes, but as far as time-to-value ratio, they far exceeded later conferences that concentrated on our writing projects. Now, that is a hard truth to confront, considering how much time and effort we dedicate to a typical week or two of individual conferences. But the established foundation of knowing my student first as a person, and second as my law student, truly set the desired tone for the rest of the year.

The Mini-Conference, as it was cleverly named, had several advantages, and most of them redounded to me. I will admit I had an ulterior motive for these early meetings. Because I am a fairly reserved person, I have at times been described as hard to read. This was not a compliment. So naturally the primary objective for the individual meeting was for my student to get to know me! In those first few minutes of the semester, I was able to connect with my student in a way that rarely happened after a whole year in my class. This allowed me to present myself in a situation where I knew my own personality would come through, which I was certain, if my students could get to know, they would surely like. It all worked as planned.

Secondary benefits were numerous. I found out fantastically interesting things about my students and discovered common interests. Knowing something about their lives outside of the classroom kept me focused on them as multidimensional beings, and not just the kid with the telltale IM-ing smile during class. In other words, it helped me like them too.

By meeting my students so early, I was easily the first law professor they got to spend time with as they started law school. That’s an advantageous position to have, as making a lasting impression on their education is something we all feel so privileged to do. Even more altruistically, it introduces the students to the concept of getting to know their other professors much earlier. Often, in larger sections, doctrinal professors have much less ability to meet individually with each of their students. If the students take the initiative to meet their professors before the last week in the semester when they are in panic mode, it can only be a good thing.

These meetings also allowed me to introduce them to the concept of office hours. It had been my experience that students rarely utilized office hours early in the semester, and by the time they realized what they were for or gathered the courage to come in, we had lost a lot of valuable learning time, but built up a fair amount of frustration. Once they came to my office for the Mini-Conference, I told them there was no excuse that they didn’t know where my office was, and so I expected to see them for office hours. It was a good-humored jab, but it was serious too.

Overall, when I met my students individually early in the semester, I found that I was much more patient with them later on, and felt more invested in helping them move toward their goals. I worked more intensely to think of how to reach them and incorporated more ideas on ways to present the material. As for my students, I found that they were much more upbeat about my class and were more open to the “process.” They had more trust in what I asked them to do, and obstacles to learning that had been present in prior classes seemed to diminish.

2 Yiles. More work!!

3 Wellford-Slocum, supra at 291.

4 Id. at 271.
Most students report conferences as being one of the best experiences about their legal writing classes. But conferences are also exhausting.

Part II – Prepare for Conference – For the Professor

Now, law school cannot be all fun and games and chitchat, so the conduct of later conferences must be focused and structured. Taking some time to prepare yourself and your students for these conferences will allow you to squeeze as much value out of the conference as possible.

As noted, most students report conferences as being one of the best experiences about their legal writing classes. In conferences the learning experience is enhanced, and concepts are more readily established in their permanent legal analysis framework. But conferences are also exhausting. As the professor, you must be present for each student and be actively listening for problems in his or her legal analysis. Then you must be ready to propose solutions or strategies to combat those weaknesses and do so within a very short period of time. All of this takes an enormous amount of mental energy.

Planning your conference schedule

Taking this energy depletion factor into account, make sure to plan breaks between conferences—and I don't mean just a night's sleep. I once worked with a very dedicated legal writing professor who started conferences at 7 a.m. on Monday and literally met with students every half hour until 7 p.m. There may have been a very short break for lunch, but other than that, he never fell behind schedule. As you can see, his conferences were complete by Tuesday. I don't recommend that approach, especially since my recovery time from something like that would take me the rest of the week. What I do recommend though is determining how many conferences you want to do in a row (I usually do three or four) and then schedule in a 15- or 30-minute break. The stress you save yourself from a more rigid schedule will not just be helpful to you, but to your students as well. They will be getting you at your best, no matter if they are the first or last student to meet with you that week.

Professor as Coach

Strive to foster a mentoring or coaching relationship with your students. Build a collaborative working alliance to become a “capable and trustworthy ally.” Model for them future relationships they will have with their colleagues and clients. It's easy to fall into an adversarial relationship as soon as the professor returns graded projects. If you have incorporated the Mini-Conference into your curriculum, this stage will go much more easily, and your students will have more reason to trust your evaluation.

Keep students active by asking open questions

Encourage students to take the lead in conference. Don't allow them to be passive and think this is their own private class. In order for them to improve, they must take responsibility for their own learning. Practicing verbal communication is also a vital component to their education. By promoting self-sufficiency and independence, you will help your students improve, and your impact as a teacher will be more transformative.

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5. Id. at 282.

6. Id. at 293.

7. Id. at 298.

8. Id. at 264.
In conducting the conference, remember the verbal, and even more so, the nonverbal actions that are conducive to creating a positive learning environment. Think about the physical arrangement of the conference area as well as your physical interaction with the student (modeling/mirroring behavior that validates concerns and feelings). Many professors like to meet with their students at a round table rather than across a desk. This is one example of shaping the physical environment so your student is most open to hearing constructive criticism.

Verbally, try not to dominate the conversation. Ask open questions for the students to explain their choices. Ask them to provide examples of how to improve sentences or transitions from point to point. Ask them about their choices of authorities. Ask them to reconstruct portions of their writing to be more concise, or be more logical in the flow of information. The key is to make them do the work. The more they have to put their own thought process into words, the more revealing weaknesses become to them, and the easier it is for you to diagnose problem areas.

Be on the alert for obstacles to learning

Students are only starting to build their own frameworks for legal analysis. A big problem we encounter is we forget how it is we know what we know. In order to truly access that information, we have to take time to either recall how we gained our knowledge or reconstruct how someone would gain that knowledge. Think about the building blocks; we take these things for granted until we are really conscious of thinking through the process. It’s helpful to remind them that the writing process is “messy, recursive, convoluted, and uneven.” Tell them to get comfortable with being uncomfortable. You may have to repeat this several times before they accept this reality.

Watch for students who seem more interested in proving you are wrong than in being open to learning. Here again, usually the best approach is to ask questions, which helps them to hear their own analysis. Allow students to have some power to present their points, and acknowledge if their concerns are valid. Give options on paths to take for improvement. Give feedback in the role of the reader—how will an experienced attorney react to the document? As a professor, you represent this expert legal reader, and so the potential disagreement with you personally is deflected to the neutral audience. This helps them to have perspective on the goal and not on protecting their pride.

A common complaint is that the student spent so much time on the project, but that the grade hardly reflects that effort. This is probably true, so try to disassociate the idea that effort equals an A. The goal is to produce a quality document. This usually does require hard work, but the quality of that work is what matters, not the amount of time working on it. I like to remind students of my goal for them—and that is the long-term goal of being competent legal researchers and writers by the end of the year, not just the end of the semester, or even on each individual project. This is also a good time to remind them of the necessary but messy process of learning to write.

Beware, too, of the very passive student, who appears to understand but has no questions. This student is most likely confused beyond belief and
Conferences are a good time to gauge where they are emotionally. Showing empathy or understanding can go a long way toward easing their fears and opening the door to learning.

Student anxiety frequently inhibits the learning process. Conferences are a good time to gauge where they are emotionally. Showing empathy or understanding can go a long way toward easing their fears and opening the door to learning. Validate concerns, but move to concrete solutions to help them feel like they have control over their own learning.

Set concrete goals when you conclude the conference
In concluding the conference, help the student set a few specific goals for the rewrite or future assignments. Using an office memorandum checklist or rubric can help students maintain focus in particular areas when determining where to use their time. Even if the conference did not go that well, leaving students with a task they feel confident about accomplishing will enable them to think more positively as they go out the door.

Part III – Prepare for Conference – For the Student
Making students aware of the plan for the conference avoids wasted effort on your part if they come unprepared, and allows the most educational value to be gained in a restricted amount of time. In order to inform the student on what to expect from the conference, and what I expect of them, I provide them with the following information as a handout in class or simply posted on our TWEN® Discussion page.

You are responsible for the conduct of the conference, just as you are in charge of your own education. Learning to write is a skill, and the process is interactive. You cannot be a passive observer in conference. Because the professor has spent several hours in class and on your written work providing feedback so far this semester, do not expect the professor to give you a private tutorial repeating information you’ve already heard. Actively listening to students and working to identify solutions for weaknesses during conference is demanding for the professor. As part of your learning process, you must also actively participate by practicing to communicate your legal analysis. Ask your own questions, provide thoughtful input, and gain deeper understanding by being prepared to focus on the assignment. Don’t forget to take notes.

A few general questions to get you started planning the course your conference should take:

Do you understand all the professor’s comments on your written work? Sometimes students think they understand the comments, but it’s important to be sure you confirm your understanding for your own learning process. The professor should also be made aware of comments that are not clear and given the opportunity to provide clarity.

Do you think there are contradictions or conflicts within the comments? Have you read them very carefully and still think they are contradictory? Ask your professor to explain the distinctions.

■ How can you make improvements based on the comments—not only to the specific thing the professor has marked, but is there a lesson you could carry over into other parts of the memo? If the lesson can’t be carried over, do you understand why not?

■ Do you understand the writing process? Can you reproduce this process on your own? Where do you start?
While you are wrapped up in grading for the next week or so, the students have time to take charge and make a conference plan of their own. It’s never too early to gently prod them into self-reliance. Here’s to many happy conferences!

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Another Perspective

“… a poor legal writing grade most often results from problems … in two distinct areas that should be analyzed separately: (1) the writing process, and (2) the resulting substance of the student’s writing. To maximize the post-grade conference’s value as a teaching opportunity, the legal writing professor should therefore organize the post-grade conference as a review of these two distinct areas in which students can falter. Instead of focusing on point deductions and marginalia, the conference should first deconstruct the writing process through a student interview and then deconstruct the student’s written product.”


Can you brief a case with your issue in mind?
Can you break down a rule? Do you know how to choose cases to support your points?

Can you produce an annotated outline?
Do you understand how to organize main points and incorporate minor points?

Do you understand the purpose of each section of the memo? Do you understand what goes into each portion of the memo?

Do you understand what you should be doing during the editing process? Did you refer to the Redbook for any style, grammar, or punctuation questions? Do you understand how to use the Bluebook? Can you see any patterns to how to use the Bluebook? Do you understand the purpose and use of the Local Rules?

Conclusion

Since conferences demand such an enormous amount of time and effort during the semester, it makes sense to do some planning to make the most of that individual time with your students. It is tempting to jettison preparation, since conferences usually follow a harrowing grading whirlwind, and recovering from that is generally the first thought on our minds. But you needn’t wait until after grading to get in the right frame of mind—you can take a few minutes during class to discuss with your students what to expect at conference and what their responsibilities are. Provide them with information like the items above that will shift the conduct of the conference to them. While you are wrapped up in grading for the next week or so, the students have time to take charge and make a conference plan of their own. It’s never too early to gently prod them into self-reliance. Here’s to many happy conferences!

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