

# Teaching Law by Design



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*Engaging Students from the Syllabus  
to the Final Exam*

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**CAROLINA ACADEMIC PRESS**  
Durham, North Carolina

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**Library of Congress Cataloging-in-Publication Data**

Schwartz, Michael Hunter.

Teaching law by design : engaging students from the syllabus to the final exam /  
Michael Hunter Schwartz, Sophie Sparrow, Gerald Hess.

p. cm.

Includes bibliographical references and index.

ISBN 978-1-59460-497-3 (alk. paper)

1. Law—Study and teaching—United States. 2. Law teachers—United States—Hand-  
books, manuals, etc. I. Sparrow, Sophie. II. Hess, Gerald F., 1952- III. Title.

KF272.S37 2009

340.071'173—dc22

2009013705

Carolina Academic Press  
700 Kent Street  
Durham, NC 27701  
Telephone (919) 489-7486  
Fax (919) 493-5668  
[www.cap-press.com](http://www.cap-press.com)

Printed in the United States of America

*This book is dedicated to*

My mother, Alice Gokkes, whose unfailing belief in continuous self-improvement—  
even at age 80—has inspired my own efforts to grow

~Mike

Layne, Mike, and Amanda—my family of teachers and writers

~Gerry

Kai, Silas, and Chris, three of my best teachers

~Sophie



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# Preface

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In this book, we seek to apply the enormous body of research on teaching and learning to legal education. Our goal is to provide concrete suggestions about how to design and conduct all aspects of teaching law students, from sequencing a course to grading an exam. While new and experienced teachers can apply the book's principles to any law school class, we have primarily focused on translating nuts-and-bolts teaching and learning techniques to doctrinal classes.

We invite you to read the chapters and appendices sequentially or individually, depending on your interests, competing demands, and students. We hope the book helps you and your students enjoy teaching and learning in law school. At the same time, we caution you not to feel compelled to adopt every suggestion in this book. Not only have none of us adopted every suggestion in this book, but we doubt anyone could do so. Instead, make small rather than wholesale changes, evaluate the effectiveness of every new practice you try, keep doing the things that work, discard the things that don't work, and, above all, aspire to continuous improvement.

The first chapter provides a legal education-focused overview of the research on teaching and learning. The second chapter captures the student perspective on law teaching and learning. Chapters 3 through 7 focus on fundamental elements of teaching: course design, class design, teaching methods, and assessment. Chapter 8 focuses on things law teachers can do to systematically improve themselves as teachers.

In writing this book, we are fortunate to benefit from the vast research on teaching and learning in higher education and studies of law students and legal education. A list of teaching and learning resources is at the end of the book; we encourage you to explore these further.

While we wrote this book in an effort to share what we believe to be core principles of teaching and learning, the book also is sort of a white paper for the "Context and Practice Casebook" series from Carolina Academic Press. The series is designed to apply the principles from this book, as well as other insights and recommendations from *BEST PRACTICES IN LEGAL EDUCATION* (CLEA 2007) and *EDUCATING LAWYERS* (Jossey-Bass 2007), to the creation of law school course materials.

We wish to thank the many people who made this book possible. We appreciate the support of our respective law schools and the patience of our families. We are grateful to our many students, who had no choice but to help us learn from our mistakes.

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