

ONE KEY TO SUCCESS: WORKING WITH PROFESSORS . . . *OUTSIDE* THE CLASSROOM*

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When a new law student visualizes a law professor, the threatening and loathsome figure portrayed in Hollywood films may come to mind.¹ Another image may be of the white-wigged, black-robed figure in England. With these menacing, stereotypical characters in the imaginations of new law students, even the most confident and daring student may hesitate to approach the professor. Although in reality law professors *are* intimidating people, these depictions typically are not accurate. Law professors are, for the most part, normal people, despite the numerous degrees, certificates, and mastery of the Socratic method² that they possess.

Interaction with the professor in the classroom setting is inevitable. The fear that this experience elicits in the student is understandable, even expected. However, the classroom experience is only one facet of legal education. There is so much more the student should experience, including interaction with the professor *outside* the classroom. This Essay will focus on why this out-of-classroom interaction can be one of the most fulfilling in the law school experi-

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1. The most common character that law students envision is the notorious Professor Kingsfield played by actor John Houseman in *The Paper Chase* movie and television series.

2. See MERRIAM-WEBSTER'S COLLEGIATE DICTIONARY 1115 (10th ed. 1996), which defines the Socratic method as a "philosophical method of systematic doubt and questioning of another to elicit a clear expression of a truth supposed to be implicitly known by all rational beings." "Law school instruction typically uses the Socratic method, or some variation of it The Socratic instructor does not present an analysis of a legal issue to students who passively record that analysis in their notes; rather, the students themselves construct the analysis in response to questions the instructor poses." Richard Warner et al., *Teaching Law with Computers*, 24 RUTGERS COMPUTER & TECH. L.J. 107, 112 (1998).

ence.

For some students, a law school's academic support program can be the key to a student's success. Two main components of these programs are the student and the professor.³ At many schools, the days of *The Paper Chase*⁴ have given way to an era in which professors spend significant time meeting with and counseling students. The many forms of student-professor interaction include office hours, individual conferences, electronic communication, and mentoring programs. Each student, through self-motivation, has the responsibility to seek out these opportunities.⁵

I. OFFICE HOURS

Student consultation is mandated by the American Bar Association,⁶ and office hours are one way professors comply with the ABA provision. Office hours are established times during the week when the professor is available to students outside of the classroom. If the professor does not keep regular office hours, the student should

3. See, e.g., STETSON UNIV. COLLEGE OF LAW, 9 KEYS OF THE ACADEMIC SUCCESS PROGRAM TO ENHANCE YOUR LAW SCHOOL EXPERIENCE (1999–2000) [hereinafter 9 KEYS]. This flyer, distributed to new law students during orientation, “outlines . . . [Stetson's Academic Success Program] offerings and stresses the student's own initiative as the key to success. The flyer lists names of faculty and staff members who are available to help.” Memorandum from the Academic Support Committee Chair, Professor J. Tim Reilly, to the Faculty of Stetson University College of Law 4 (Sept. 16, 1999) (on file with the Author). The Law School Admissions Council's 1995 Academic Assistance Conference in San Diego stressed that Academic Success Programs “should be designed to reduce the student's feelings of isolationism and the stigma associated with seeking help.” *Id.* at 1. One exceptional academic support Web site was prepared by Professor Vernellia Randall of the University of Dayton School of Law. The URL for the site is <<http://www.udayton.edu/~aep/aep/htm>>.

4. See JOHN JAY OSBORNE, *THE PAPER CHASE* (1940) (as indicated in *supra* note 1, this book was made into both a motion picture and television series).

5. See 9 KEYS, *supra* note 3. The ninth key, “Your Own Initiative,” states: “This is the most important key in selecting and utilizing these opportunities to enhance your law school achievement, confidence and professional development.” *Id.*; see also James Jay Brown, *Forging an Analytical Mind: The Law School Classroom Experience*, 29 STETSON L. REV. 1135 (2000). Professor Brown notes that “[s]elf-motivated! [and] [s]elf-starting! . . . go a long way in describing better students.” *Id.* at 1148.

6. AMERICAN BAR ASS'N, STANDARDS FOR APPROVAL OF LAW SCHOOLS, Standard 404, Responsibilities of Full-Time Faculty (stating that ABA-accredited schools must maintain certain standards, including: “(1) Faculty teaching responsibilities, including carrying a fair share of the law school's course offerings, preparing for classes, *being available for student consultations*, and creating an atmosphere in which students and faculty may voice opinions and exchange ideas.” (emphasis added)).

approach the professor after class to schedule a meeting.⁷ The content of what may be discussed during an office hours meeting is up to the professor. For example, some professors believe in an “open door” policy whereby the student can seek “advice on personal and legal problems, course selection, career planning, and how to succeed in other classes.”⁸ Other professors believe that office hours should be limited to “question[s] or . . . comment[s] about the class.”⁹

Under either scenario, the student should take advantage of the professor's office hours for numerous reasons. First, if the student is having difficulty understanding the class material and is afraid to ask about it in class, then he or she can meet with the professor individually to go over the problems. Second, the student may be interested in the subject matter and may want information regarding how to ultimately get a job in that field.¹⁰ Third, the professor can recommend outside readings or study aides, many of which contain additional problem sets or practice exams. The professor may be willing to review the student's answers to these sample exams, which is invaluable in preparing the student for the final exam.¹¹

7. Due to demanding time constraints, some professors do not hold regular office hours. See Philip C. Kissam, *Conferring with Students*, 65 UMKC L. REV. 917, 920–21 (1997). However, this should not discourage the student from seeking an individual conference with the professor.

Scheduling individual conferences is easy to encourage and implement, for example, by scheduling with individual students at the end of daily class sessions.

The great advantage of the scheduled conference, of course, is the advance commitment by both participants to thinking about, or at least clearing time for, a full consideration and discussion of the relevant subjects.

Id. at 927. This type of meeting falls under the category of individual conference, as opposed to office hours, and will be further explored in Part II of this Essay.

8. Susan J. Becker, *Advice for the New Law Professor: A View from the Trenches*, 42 J. LEGAL EDUC. 432, 445 (1992). As Professor Becker notes, “[S]everal students sought my advice on how to deal with obnoxious roommates, one student asked my help in preventing his grandfather's eviction from an apartment, and another asked about defenses to a paternity action.” *Id.* at 445 n.50.

9. *Id.* at 445. Professor Becker espouses this latter, limited approach: “You can reach a satisfactory middle ground by reserving set office hours each week . . . [and] [t]ell them . . . that you will NOT provide legal or personal advice and will not serve as a tutor.” *Id.*

10. Even if the professor follows the limited availability approach, as discussed above, most professors are willing to direct the student to someone who can help him or her with this information. See *id.* at 445. In choosing not to answer these types of questions, Becker “referr[ed] the student to someone more qualified to deal with such things, such as the campus counseling center or the law school placement office.” *Id.*

11. Some professors are able to provide such assistance with the help of teaching assistants. See, e.g., Kissam, *supra* note 7, at 928. “After each student had completed

Finally, law professors are some of the best sources for letters of recommendation, especially if the professor knows the student and is not merely making a recommendation based on the student's grade in that course.

Stress management is critical to success in law school and the professor who has an "open door" policy may help the student in this area, as well.

Many students . . . experience psychological stress in law school as a consequence of the severe demands on their time, especially during their first year, the importance of law school grades for employment and the competitiveness of law school grading systems, and their fundamental concerns about who they are and what their legal futures may portend.¹²

Stress is inevitable. Many students turn to families, spouses, and friends to deal with the pressures of law school. Unfortunately, some turn to other sources, such as alcohol or drugs, and, as a result, most schools have instituted intervention programs to reach these students. The student who turns to the law professor for help will be taking advantage of the law professor's unique role: unlike counselors and non-lawyer family members and friends, the law professor was once a law student.¹³ Who knows better what the student is feeling and experiencing than the law professor who once stood in those same shoes?

Cultivating a relationship outside the classroom will help the student focus on what is really important. The professor can offer guidance and reassurance regarding how important such things as class standing, grade point average (GPA), and law review are in ultimately securing a job. The student utilizing the law professor's

three practice examination questions which the teaching assistants commented on under my supervision, the final examination answers in this course as a group were, not surprisingly, quite superior to those written in previous years." *Id.*

12. *Id.* at 919.

13. Other sources of on-campus support include the dean of students, director of student services, school counselor, or academic support coordinator. Students might also turn to self-help literature. See, e.g., AMIRAM ELWORK & DOUGLAS B. MARLOWE, STRESS MANAGEMENT FOR LAWYERS (2d ed. 1997); Vernellia R. Randall, *University of Dayton School of Law, On-Line Academic Assistance for Law Students, Academic Excellence Program, Law Students, Stress Management* <<http://www.udayton.edu/~aep/aep/htm#LawStudents>> (visited Mar. 30, 2000); see also Sally Ginsberg Waters, *A Selected Bibliography*, 29 STETSON L. REV. 1323 (2000).

knowledge and experience will realize that, while these things are important, they are merely factors that an employer considers when hiring.¹⁴ Contrary to the rumors that circulate during, and immediately after, first-semester exams, class standing and GPA are not the *only* considerations by perspective employers.¹⁵

Although students should seek out their professors, they must also realize that a professor's time is valuable and should be respected. Students should prepare for the meeting and know what they would like to discuss. A statement like, "I don't know what's going on," or "I missed class last Tuesday and need to know what was covered," will incur the wrath of many professors. On the other hand, statements like, "I have an entry in my notes from class that seems to conflict with information in the text and I need help in resolving the conflict," "I tried to work problem three at the end of the chapter and have some questions about the answer I drafted," or "I'm having trouble grasping the concept of promissory estoppel. I've re-read my classnotes and consulted a hornbook, but still cannot piece it together," will lead to a more productive meeting. Don't ask if you haven't attempted to figure it out. Like the rule in a law office: Don't ask the partner unless you've first attempted to look up the answer elsewhere, like in the rules of civil procedure.

Through office hours, the student has an indispensable tool available to guide him or her toward success in law school. It is unlikely that a professor would turn a student completely away; however, based on the nature of the problem, time constraints, or unavailability, the student's and the professor's needs may be better served by an individual conference as opposed to office hours.

II. INDIVIDUAL CONFERENCES

14. "Law faculty are in a good position to provide individualized advice on the curriculum and at least some of its relationships to legal practices, and they are also in a position to provide authoritative perspectives on the important, but limited relevance, of grades." Kissam, *supra* note 7, at 919.

15. Statistically, if the rumors were true, at least 50% of graduating law students would be unemployable. Common first-year rumors include: professors have to fail a certain number of students, no matter what their actual performance is on the exam (also known as "the weeding-out process"); if you don't make it on law review, moot court, or trial team, forget about getting a job when you graduate; and other types of stress-instigating statements that wreak havoc on the mental stability of the beginning law student.

The individual conference is one way professors have helped to initiate the out-of-classroom relationship.

Speaking generally, there are three basic values that might be obtained from productive conferences between individual law students and individual law faculty. These are (1) the possibilities for many kinds of individualized instruction, (2) the values that can be produced by mentoring relationships, and (3) the possibility of providing law students with some practice in, and perhaps modeling of, the conferences between less experienced and more experienced attorneys which occur in practice situations.¹⁶

The individual conference can be used for a number of reasons, including: going over a paper or exam; asking questions about an assignment or subject matter; discussing career goals. Whatever the case may be, the conference is interactive and often much less intimidating than speaking out in class.¹⁷ It is a way to assuage the fears of asking the "stupid" question.¹⁸ By affording the student the opportunity to ask questions outside of the classroom, away from the criticism of his or her peers, the individual conference setting actually promotes the student's mastery of the subject area.¹⁹ Once again, however, if individual conferences are voluntary, no one but the student can seize the opportunity.

Students should note that conferences allow professors to get to know them. If professors are impressed with the student's performance both in and out of the classroom, the professor might recommend the student for open research assistant positions or coveted

16. Kissam, *supra* note 7, at 918.

17. One of the benefits of a student-faculty conference in relaxed atmospheres, as noted by Professor Kissam, is that it "encourage[s] risk taking on both . . . parts about topics to research or theoretical approaches to attempt in analyzing a legal problem." *Id.* at 927; see also Susan B. Apel, *Principle 1: Good Practice Encourages Student-Faculty Contact*, 49 J. LEGAL EDUC. 371 (1999) (discussing the importance of faculty-student interaction).

18. In her advice to new law professors, Professor Becker observes:

A subject often debated by law faculty is whether there is such a thing as a stupid question from a law student. . . . [I]t is wise to treat every student inquiry with respect, since the question that at first blush seems inane may, upon further reflection, become the inspiration for your next law review article.

Becker, *supra* note 8, at 441-42.

19. In other words, the conference setting may afford the student the opportunity to ask the question that may make the difference in his or her understanding of the subject.

scholarships. Thus, students should also consider the value of individual conferences from a “long-term” view.

Although office hours and individual conferences are great resources, they may not be available or may be impractical for some students or professors. The student facing this situation should not despair. With the wave of technology, professors have made themselves accessible to their students outside of the classroom beyond the in-person meeting. The use of electronic communication further enhances the relationship between the student and the professor.²⁰

III. ELECTRONIC COMMUNICATION

One of the best inventions for student-professor interaction outside of the classroom is the Internet. E-mail, course Web sites, and virtual chat rooms²¹ offer interaction outside of the classroom without the constraints of scheduling and location. “E-mail can be used for a number of purposes, including: continuing discussions beyond the limited time available in the classroom, answering questions that students were not able to ask in class (due to time constraints or shyness), [and] conducting optional or required short-answer quizzes”²² Through the use of e-mail, the professor can respond to student questions at times convenient for him or her, and, accordingly, is more likely to respond. Further, the student can draft the comment or question in an articulate manner, thus avoiding the fears of the in-person, or in-class contact. The computer places an “imaginary” safety wall between the professor and the student, which in turn helps the student feel more confident and less intimidated.

Another useful facet of electronic communication is for review purposes. Study groups can compose and send to the professor a number of questions with which the entire group has had trouble; this method alleviates the professor having to respond individually to a number of students asking virtually the same questions. In addition, through the use of e-mails and discussion groups, the pro-

20. “E-mail and [on-line] discussion groups can expand the walls of the classroom by facilitating continuing contact between professor and student.” Warner et al., *supra* note 2, at 143–44.

21. A discussion group or chat room “is essentially a private Internet-style forum for electronic discussion.” *Id.* at 143.

22. *Id.*

fessor can gauge where the group, as a whole, is having trouble and focus class discussion on this area.²³ In sum, electronic communications, when used in combination with live contact, help foster the learning experience.

IV. FACULTY MENTORS

Although not all law schools have a formal mentoring program in place, students should take advantage of the faculty's expertise and mentoring abilities.

In American graduate schools, the customary practice or device for addressing student concerns about curriculum, career orientations, the psychological stress of graduate study and the development of personal identity has been the mentoring relationship in which a more experienced professional takes personal interest in a graduate student's career and provides various sorts of guidance and assistance.²⁴

As discussed above, even though the professor's in-class persona appears unapproachable and intimidating, things often change outside the confines of the structured classroom setting. In schools that have a formal mentoring program in place, there are a limited number of faculty members available.²⁵ Each mentor may have anywhere from one to thirty mentees. This results in good-intentioned faculty members with insufficient time to initiate the mentor-mentee relationship. Consequently, it is incumbent on the individual student to be assertive and to seek out those faculty members who have volunteered to be mentors.

If the school does not have a formal mentoring program, students should not be shy about seeking advice from faculty members — and other administrators such as the dean of students or the

23. *See id.* at 143–52. Professors can use e-mail “to pose additional hypotheticals, address policy considerations or doctrinal subtleties there was insufficient time to discuss in class, and clarify areas about which students seemed confused.” *Id.* at 144.

24. Kissam, *supra* note 7, at 919. Professor Kissam further states, “[W]hile the structure of American law schools is not conducive to long-term mentoring relationships for many or even any students, more productive student-faculty conferences in law school settings could provide some of the guidance and assistance of graduate school mentoring if necessarily of a more limited kind.” *Id.*

25. “[T]he relatively large student to faculty ratios at most law schools limit the possibilities of achieving . . . the values of long-term mentoring relationships.” *Id.* at 918.

director of career services — about options and goals for future employment. Find the publication or Web site that provides biographies for faculty members. Study where the professors went to school and where they worked after graduation. Students should then seek out those professors who worked where the student thinks he or she might like to work. For example, if a student wants to be a prosecutor, the student should seek out those professors who were assistant state attorneys or assistant United States attorneys before they entered academia. Alternatively, to open a dialogue, students can meet and speak with professors who went to their undergraduate institution or with whom they have another common bond.

To maximize the law school experience, students must establish relationships with professors outside of the classroom. Students will need employment references for their resumé and letters of recommendation that describe them as a person, not just a grade in a course. Establish the relationships early. For many activities and jobs, students need guidance from the very first semester. If students wait until their last semester to seek help — it might be too late.

Another way to find a faculty mentor is to participate in extracurricular activities. Try out for moot court or trial team.²⁶ If a student makes it, he or she may end up working closely with the faculty coach, who the student can then consult on other matters. Alternatively, join a club — such as the International Law Society or the Environmental Law Society — and get to know the club's faculty advisor by attending meetings and participating in club projects.

Whatever the student decides to do — he or she should take advantage of the law school's most valuable resource, the faculty. Students should not be timid or scared — law is not the profession for these emotions. A student should not pout because he or she thinks a professor was mean to him or her in class. Students must take charge of their future by forging valuable relationships with professors outside of the classroom.

CONCLUSION

26. See Darby Dickerson, *In re Moot Court*, 29 STETSON L. REV. 1217 (2000); Karen A. Williams, *Trial Advocacy: The Use of Trial Skills in Non-trial Experiences*, 29 STETSON L. REV. 1229 (2000).

The old adage is really true: Law school is what you make it. The law school's faculty can be a student's most valuable resource. While the lessons learned in the classroom are important, the lessons to be learned outside of the classroom are equally important. But, students must make the first move: they should stop by during office hours, make an appointment for an individual conference, or send an e-mail. Just one meeting can change a student's law school experience: it can provide the answer to a nagging question, provide previously un-thought-of career possibilities, lead to other law-school opportunities, such as research positions, and provide a foundation for later job references. The possibilities are endless — but can be realized only with initiative.