RETURN OF THE SAGE (ON THE STAGE)?

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I. INTRODUCTION

The Covid Care Crisis had an enormous impact on the legal academy, and specifically on the way that law professors conducted their classrooms. It is unquestionable that the March 2020 nationwide emergency conversion to remote teaching, followed by the commonly experienced year or more of hybrid teaching changed the way faculty structured their law classrooms. These changes led to some rocky teaching seas for many, as faculty adjusted to the need to find new ways to interact with students and ensure learning, even while physically separated. Many professors have touted the experience as a challenge that reenergized their teaching techniques through the incorporation of skills, assessments, and new ways of structuring material. But not all professors saw these changes as a move in the right direction, or as having any lasting power. As such, the full time return to the classroom sparks a debate in legal education—whether faculty will embrace a return to the old ways, a continuation of new ones, or creations of entirely new paths forward.

I am not the first to reflect on the changes in legal education from pre-pandemic to post-pandemic, nor to view the post-pandemic choices in teaching for faculty as a crossroads.[1] And as a recent survey implied, the experiences of students during the pandemic was perceived quite differently across different law schools, and thus all faculty may not even be facing the same decision paths in considering their pedagogy.[2] This work, however, will focus specifically on the premise that the pandemic caused the transition of many faculty from being a traditional "sage on the stage"

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1. *See generally* Katherine Pratt, *Reflections on Law Teaching at the Post-Pandemic Crossroads*, 19 PITT. TAX REV. 217 (2022).

2. Tiffane Cochran & Sherrie Godette*, Law School in a Pandemic Ungrouped: How Online J.D. Experiences Varied Across Students*, ACCESSLEX INST. 3 (June 20, 2023), https://www.accesslex.org/sites/default/files/2023-06/Law-School-in-a-Pandemic-Ungrouped-Rev.pdf.

where they were the center of learning, to instead being a skills based "guide on the side" in the law classroom, where they created different kinds of opportunities for student learning because of the new teaching situations in which we all operated. In Part II, this work explains the two models referenced. In Part III, it discusses how the pandemic caused a shift for many in teaching styles and why many faculty believe this was a positive step in legal education. Part IV tackles our current situation now that faculty and students have largely returned to the classroom full time by weighing changes in teaching techniques for both their positive and negative traits, as well as for their permanency, and discusses why we may see faculty questioning how to move forward in running a law classroom. Part V offers some thoughts on how faculty can think about approaching their law classroom moving forward, as well as tips for bringing appropriate techniques to the classroom to maximize student learning.

II. "SAGE ON THE STAGE" VERSUS "GUIDE ON THE SIDE"

It is well established that the traditional law classroom has a faculty-student hierarchical setting.[3] This stands in stark contrast to many other types of classrooms, where the teacher is usually considered a partner with students for learning.[4] When thinking about the role of a teacher in the classroom through this lens, many academics have divided the possibilities into two distinct takes on the role: "sage on the stage" (sage) or "guide on the side" (guide).[5] A sage is often thought of as an authority figure standing up front, using their expertise to share knowledge with students through teacher-centric lectures and presentations.[6] By contrast, being a guide is employing teaching techniques where the faculty member primarily uses skills-based scenarios to engage students in their own first-hand learning through projects and student-driven experiences.[7]

3. Pratt, *supra* note 1, at 218–19.

4. *Id.* at 220.

5. Marianne M. Jennings, *In Defense of the Sage on the Stage: Escaping from the "Sorcery" of Learning Styles and Helping Students Learn How to Learn*, 29 J. LEGAL STUD. EDUC. 191, 191 (2012).

6. Alison King, *From Sage on the Stage to Guide on the Side*, 41 COLL. TEACHING 30, 30 (1993).

7. *Id.*

There is no question that traditionally, the sage has been the focus point in legal education for a long time, particularly in doctrinal classes.[8] Qualities of this teaching model have been defined as:

- transferring knowledge and skills from faculty to students;
- filling 'passive' students with knowledge and skills;
- classifying and sorting students into categories;
- maintaining a competitive organizational structure;
- conducting education within a context of impersonal relationships; and
- assuming anyone with expertise in law can teach without specific educational training.[9]

One particular quote that sums up the experience for many with sages is as follows:

"The concept of the 'sage on the stage' is personified by the professor who begins a class with the words, 'My job is to talk and your job is to listen, and let us hope we both conclude our jobs at the same time.'"[10]

It is important to note that this style—the authority figure at the front of the room, isn't always entirely merely lecture or presentation, but also encompasses in the law classroom other ways of being "on stage"—the extensively discussed Socratic method. The Socratic method—where the teacher is the lynchpin of discussions with individual students one at a time, is considered by many as no less teacher-centric and still not what many consider active learning.[11] This authority figure approach was often taken for a variety of reasons—including because it was how law faculty themselves were taught,[12] and generally relies on a command of the physical space of the room, a personal connection with students, the establishment of authority, or even the intimidation of students by faculty to command the personal attention necessary by students for a teacher to deliver the information planned for that class session.[13] Although the Socratic method is sometimes touted as the faculty member being a

8. Vernellia R. Randall, *Increasing Retention and Improving Performance: Practical Advice on Using Cooperative Learning in Law Schools*, 16 T.M. COOLEY L. REV. 201, 205 (1999).

9. *Id.*

10. Filippa Marullo Anzalone, *It All Begins with You: Improving Law School Learning Through Professional Self-Awareness and Critical Reflection*, 24 HAMLINE L. REV. 324, 328 n.13 (2001).

11. Catherine Bramble & Rory Bahadur, *Actively Achieving Greater Racial Equity in Law School Classrooms*, 70 CLEV. ST. L. REV. 709, 735–36 (2022).

12. Pratt, *supra* note 1, at 222.

13. Rory Bahadur & Liyun Zhang, *Socratic Teaching and Learning Styles: Exposing the Pervasiveness of Implicit Bias and White Privilege in Legal Pedagogy*, 18 HASTINGS RACE & POVERTY L.J. 114, 125 (2021).

facilitator as opposed to lecturer, in fact, some have offered that the Socratic method is often, in the end, more about the teacher and their ability to manipulate the student, than it is about student learning at all.[14] The sage approach, whether through lectures or the Socratic method has been said to sometimes leave students who are meant to be engaged in the learning feeling, "passive, powerless, and unknowing."[15]

However the sage approach is used, or why, the common thread when it is employed that leads students to believe there is learning happening in a classroom run this way is the perception that the in-person atmosphere is charged with information that a faculty member is delivering.[16] That belief has long been enough to command the respect and attention that students have said they need to believe that they are being well educated.[17] Additionally, in law classrooms specifically, some faculty assert that the sage approach is utilized successfully because this structure of imparting information is in alignment with how faculty believe students need to think for the bar exam and how they will receive information in practice.[18]

By contrast, there is another way to run a classroom. The role of "guide on the side" is sometimes likened to that of being a coach—someone who is "unlocking a person's potential to maximize their own performance."[19] This approach creates a "communal learning setting" where teachers and students jointly pursue learning activities.[20] In recent years, particularly since the ABA Council on Legal Education has required experiential education credits toward graduation,[21] law students may have found faculty members taking on these coaching roles more often, particularly in classes that are classified under this requirement as "experiential" based—the classes geared by their structure toward teaching practical skills, such as drafting, simulation, or practice-based courses.[22]

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14. Zach Caceres, *The Fragility of the Socratic Method*, MEDIUM (Apr. 28, 2014), https://medium.com/@zachcaceres/the-fragility-of-the-socratic-method-3d57d0a19a0a.

15. Bahadur & Zhang, *supra* note 13, at 125.

16. *See* Peter Scales, *'Sage on the Stage' or 'Guide on the Side*,*'* COLL. JOBS (June 6, 2019), https://college.jobs.ac.uk/article/sage-on-the-stage-or-guide-on-the-side-/.

17. *See id.*

18. Stephen M. Johnson, *The Course Source: The Casebook Evolved*, 44 CAP. UNIV. L. REV. 591, 603 (2016).

19. Michael R. Koval, *Legal Environment De-Densified: Making It Work by Letting Them Go*, 23 ATL. L.J. 64, 75 (2021).

20. Pratt, *supra* note 1, at 225.

21. *ABA Standards and Rules of Procedure for Approval of Law Schools 2014-2015*, 2014 A.B.A. STANDARDS & RULES PROC. FOR APPROVAL L. SCH. § 303(a)(3), at 16.

22. *ABA Standards and Rules of Procedure for Approval of Law Schools 2022-2023*, 2022 A.B.A. STANDARDS & RULES PROC. FOR APPROVAL L. SCH. § 304(a), at 20.

This classroom structure, by design, shifts at least some of the learning away from the teacher being at the center of all discovery or validation of information, and instead to the students themselves driving the processes necessary for their learning under the supervising hand of the faculty member.[23] Whether shepherding in-class discussion groups, simulations, problems to be solved during the class period, writing exercises, or the like, the teacher's role in this model is to *guide* students through hands-on activities that students engage with to produce the necessary information about the subject matter, make connections to material, and give students opportunities to practice any needed skills.[24] Thus, as its name suggests, the teacher is guiding the learning process rather than being the central focus of it.[25]

The transition from urging teachers to transition from being a "sage to guide" began in the 1950s with research into how students learned.[26] The rise of the guide on the side approach as an alternative to teacher centric learning was thus tied to the preliminary development and understanding of learning styles and theories regarding active learning, thus birthing the movement to move the burden of learning to the individual students rather than on the professor.[27] The conclusions that were drawn from this initial work were that even though the lecturer-teacher centric format had existed since Socrates (and thus the Socratic method), students were nevertheless passive learners, merely being filled up with knowledge by the teacher, and this ultimately was not effective.[28]

The modern literature on the higher education level thus began to circulate the conclusion that the sage model was not working, and therefore, other methods of teaching were necessary for *real* learning to take place.[29] Teachers were urged to become choreographers for learning and active processing opportunities rather than mere imparters of knowledge.[30] The prevailing thought supporting this model asserts that the technique "force[s] students to take upon themselves responsibility for their own intellectual and moral development."[31]

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23. *See* Pratt, *supra* note 1, at 220.

24. Bahadur & Zhang, *supra* note 13, at 125.

25. Scales, *supra* note 16.

26. Jennings, *supra* note 5, at 193.

27. Peter L. Davis, *Why Not a Justice School? On the Role of Justice in Legal Education and the Construction of a Pedagogy of Justice*, 30 HAMLINE L. REV. 513, 545 (2007).

28. Jennings, *supra* note 5, at 194.

29. *Id.* at 209.

30. Davis, *supra* note 27.

31. *Id.* at 552.

However, in current times, there is true disagreement as to the efficacy of employing learning styles and their connection to pedagogical methods and models for designing classroom instruction.[32] Such modern thinking has challenged whether the presumption that the sage on the stage is prima facie ineffective is also true.[33] Although it has been asserted that "[t]he cliché of the sage on the stage has been relegated to the fossil museum along with other tired teaching techniques," this is also not completely true.[34]

If you see yourself as a sage on the stage in the classroom, you are likely not alone in the legal academy. While many of those interested in pedagogy have urged faculty to "give up" this role and develop a more active learning environment, there are many reasons why that hasn't happened pervasively throughout legal education.[35] Obstacles, such as teacher training and traditional legal casebooks have stood in the way of these changes.[36] Other obstacles include simple, good old-fashioned inertia in how we approach our classes year to year, an interest in the substance of the material more than the pedagogy of it, or a firm belief in the success of the teacher-centric model.[37]

As such, despite the many advances that in fact have been made in pedagogy throughout legal education during the past twenty years or more, the pandemic panic when classrooms converted to remote revealed that many faculty nationwide were not prepared to engage students using any pedagogical structures other than the traditional sage model. But when suddenly the world of teaching was completely different, and faculty were required to connect with students in ways they had not done before (or likely wished to do before), many faculty faced a huge investment of time and energy in thinking about their teaching and striving to find ways that were effective to meet their student needs. And now that faculty and students alike have returned to the classroom space full-time, many faculty are left wondering what to do with all those efforts—and how to move forward now that they've gone back.

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32. Jennings, *supra* note 5, at 209.

33. *Id.*

34. Filippa Marullo Anzalone, *Some Musings on Teaching Legal Research*, 20 Leg. Writ. 5 (2015).

35. Tracy L. McGaugh, *Laptops in the Classroom: Pondering the Possibilities*, 14 PERSP. TEACHING LEGAL RSCH. & WRITING 129, 163–64 (2006).

36. Johnson, *supra* note 18, at 603.

37. *Id.* at 592–93.

III. PANDEMIC TEACHING SHIFTS

When in-person learning ceased suddenly in March 2020 and all-remote learning became immediately necessary, many faculty quickly learned that their teacher-centric model was not working as expected, for a variety of reasons. First, it can be much harder to capture students' undivided interest by being a mere talking head in a small box on a screen. In a physical classroom, students are a so-called captive audience and have a limited availability of distractions (not to say there are none) and faculty can be engaging in a physically shared space. However, when students were at home and logging in from various places in their residences, there were endless distractions available to students. Additionally, many students had no cameras or didn't (or couldn't) turn them on, and as a result, faculty had little to no means of enforcing their attention—compared to in-class where students simply had fewer places to hide from a sage dominating the classroom.

Second, except for maybe a select few personalities, charisma doesn't resonate as well through a computer screen as it does in person. What can be an absolutely captivating discourse in person can be supremely flat on screen, due partially to any individual faculty member and the personal interactions upon which that personality can build throughout the semester. Third, with students remote, faculty had less tangible, immediate feedback from their students, something that an experienced law faculty member learns to look for to gauge engagement fairly quickly. A room full of confused, bored, disengaged people is fairly easy to spot in person—whether it is looking at body language during class, or participating in casual conversations before and after class, or even during breaks.

Even students who may be too intimidated to ask questions during formal class time may show their need for more connection in the spaces between formal class time. But on a screen, despite any efforts to log on early or stay late, and the ability to take a really close up look at students' faces (if on camera), student disengagement was still easier to hide in the online environment. Students may have been more likely to log in immediately at the start of class and log out immediately after. Compounding this, if there was a large class online, you may not have been able to see all students at once on a single screen. And of course, if students had no camera use at all, a faculty member simply couldn't have any clues as to the students' state of engagement.

As a result, faculty who had never considered using in-class activities, group work, or any type of informal interim assessments, began to see that

their "usual" teacher-centric classroom routine needed supplementing, and to see the potential value of changing up the business of their teaching.[38] While some faculty would say this teaching model shift was inevitable regardless of the pandemic, due to the general use of technology by students in and out of classes,[39] many faculty were unprepared to make significant changes about student learning when the time came to do so quickly.[40]

There were essentially two major shifts that many faculty reported when adjusting their teaching during the pandemic and its aftermath during the time period that their "normal" classroom routine was disrupted.[41] One involved more of the accoutrements of teaching—such as adding visual presentation materials, or alternative presentation mediums that they may not have used when in the classroom, while the second represented a change more fundamental to the teaching itself.[42]

As to the first, many faculty changed their presentation style—many from mere audio presentations (talking and more talking) punctuated by a few highlighting visuals—something on the white board or the occasional slide, to instead adding a wide variety of interactive documents, multimedia, detailed visual media, and the like.[43] This decision to change the presentation of their materials to incorporate other mediums was for many merely a nod to what they saw as the limits of a remote learning platform—they simply wanted to create or use something that took the focus off them as a teacher merely being a tiny talking box on the screen during class time. For others, it was a genuine attempt to increase engagement with the material through student interaction with some other presentation method of the information. Even this small shift represents a transition in mindset, as "multimedia displays shift students' focus away from the professor by relegating them to a postage stamp on the screen, making them a true 'guide on the side' instead of the all-knowing 'sage on the stage.'"[44]

38. Alison M. Mikkor, *When the Professor Has No Clothes*, 25 J. LEGAL WRITING INST. 61, 63 (2021).

39. Inara Scott, Elizabeth Brown & Eric Yordy, *First Do No Harm: Revisiting* Meriwether v. Hartop *and Academic Freedom in Higher Education*, 71 AM. U. L. REV. 977, 979 (2022).

40. Randall, *supra* note 8, at 266.

41. Pratt, *supra* note 1, at 218.

42. *Id.*

43. Cecilia A. Silver, *The Writing's on the Wall: Using Multimedia Presentation Principles from the Museum World to Improve Law School Pedagogy*, 126 DICK. L. REV. 475, 486 (2022).

44. *Id.* at 499.

Regardless of the reason for adopting them, the use of visuals in this way can be good pedagogy,[45] and there has been increasing use of them by some faculty even pre-pandemic. But there was also a lack of urgency by many throughout the legal academy to make this a daily or frequent practice pre-pandemic. The belief that the traditional, faculty-centered, orally-conducted law classroom was "enough" was simply so prevalent for many teachers in law, that change seemed unnecessary. In short, it took the forced modality switch to remote teaching for many faculty to reconsider this aspect of their teaching.

But the second kind of change that faculty made was a larger one that created a new way to interact with students and impacted learning in an even larger way.[46] Many faculty worked to ensure engagement of students with whom they had no in-person interaction by newly building different kinds of student activity touchpoints throughout a course—as a way to try to keep students on track and connected to the material, and one that would give faculty feedback on their students consistently throughout a semester in which they never physically crossed paths.[47] Such changes truly transformed these faculty members—whether they intended to or not—from sage to guide. These touchpoints included a variety of activities—such as low or no stakes daily, weekly, or periodic assessments; practice writing; small group discussions, either in breakout rooms or using the discussion board function of a learning management system.[48] In these instances, the very nature of the interactive time between faculty and students was changed in a large way.

In retrospect, the reasons for these fundamental changes are clear—online instruction requires something different from us as law teachers than may have been demanded in the physical classroom space.[49] After all, as it is well established that even the configuration of an in-person physical classroom space can change the role or relationships of a teacher, such as

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45. *See* Ghulam Shabiralyani et al., *Impact of Visual Aids in Enhancing the Learning Process Case Research: District Dera Ghazi Khan*, 6 J. EDUC. & PRAC. 19 (2015).

46. *See* Maria Barron et al., *The Changing Role of Teachers and Technologies Amidst the COVID 19 Pandemic: Key Findings from a Cross-Country Study*, WORLD BANK: BLOGS (Feb. 18, 2021), https://blogs.worldbank.org/education/changing-role-teachers-and-technologies-amidst-covid-19-pandemic-key-findings-cross.

47. *See* Susan D'Agostino, *How COVID Spurred Digital Innovation and Empathy*, INSIDE HIGHER ED (Oct. 19, 2022), https://www.insidehighered.com/news/2022/10/20/how-covid-spurred-online-education-innovation-and-empathy.

48. *See* Annie Galvin Teich, *Strategies for Educators to Thrive in Post-Pandemic Teaching*, FIERCE EDUC. (June 18, 2021, 8:00 AM), https://www.fierceeducation.com/best-practices/strategies-for-educators-to-thrive-post-pandemic-teaching.

49. *See* David I. C. Thompson, *Elements of Effective Online Instruction in Law*, 65 ST. LOUIS UNIV. L.J. 703, 716 (2021).

whether students sit in straight rows facing the faculty member or in a more connected, collaborative way, and as such, it was inevitable that remote or hybrid learning would also do so.[50] Faculty who were able to determine that they could not simply replicate what they had been doing in-person truly engaged in serious thought about pedagogy—for many of them, far outstripping their previous role of simply talking in the front of the room and using their judgement to determine whether themself and the class truly "finish at the same time."

Once it became clear that COVID-era education was different for many law faculty, it brought to the forefront the question of the role of the faculty member in the classroom for those who had never considered it. Additional changes in interactions with students rolled along as well. There was, by necessity, a shift to virtual office hours, and a flexibility in meeting with students at "nontraditional" times. Many faculty reported informally an uptick in students utilizing the availability of office hours because of this flexibility, or simply because meeting remotely can feel less intimidating for some students. Some faculty created group drop-in office hours to encourage informal conversations. Some faculty even further explored the uses of their learning management system and experimented with "flipping" the classroom for the first time—having videos or readings covering the doctrinal law completed by students outside of class time and using the time together to work through problems or analysis.[51] Such a move truly brought the faculty member away from being the center of learning. Even though they may not have consciously planned to, each of these moves fundamentally changed the role of the faculty member in student learning to that of a guide.

Now that our law classrooms have largely moved back to in-person physical education, the question must be asked whether these changes faculty made in the presentation styles or teaching fundamentals are going to continue. Or will faculty decide—or students ask—to go back to the law classrooms of the past? The answer is not as simple as many might think.

IV. POST-COVID TEACHING ADJUSTMENTS

Many faculty will talk of the joy that they experienced sometime in 2021 or 2022 when they and their students were able to return full-time to the classroom. After all, many of us became teachers because we love the

50. *See* Ellen M. Callinan, *Take Charge of Your Training Room*, *in* 3 PERSPS. TEACHING LEGAL RSCH. & WRITING 1, 8 (1994).

51. *See* Jennifer Rosa, *Flipped Learning: Promoting Collaboration, Cooperation, and Civility*, 96 MICH. Bar J. 56, 56 (2017).

connection that we make with students—and for many of us, that means an in-person connection. At the AALS conference in January 2023, faculty connected over this celebration, whether informally or through a series of programs designed to debrief the experience of having converted remotely and lessons learned from it.[52] At that same time, there was much talk about "being back" both referring to in-person conferences and the classroom—and for many, the implication that legal education was "back to normal."

But the return to teaching in a physical classroom has also led to many questions, including questioning whether there is a "back to normal" for anyone teaching. For many, this return requires faculty to ask themselves what kind of teachers they want to be going forward—what they want to keep from their changed teaching experiences, and what they want to toss. Fundamentally, the very essence of how faculty ensure student learning is at stake. For former sages who may have become guides, they need to determine whether they want to readapt their newly found guide status for use in the physical classroom or return to their teacher-centric ways. For those who never made a change, they may for the first time be seeing the impact on students and their institutions by colleagues who did shift their approach and start to question whether they should now be considering doing so. Overall, faculty should be asking themselves whether they will still be conducting an engaging and productive class in the post-COVID era of law teaching.

It is undeniable that for some faculty, a return to "normal" could also mean a return or reset to their pre-pandemic teaching styles and the structure of their classes. I can personally recall the feeling of pure relief stepping into a full classroom for the first time post-pandemic and the overwhelming feeling that I could "get back to normal" in my work now. However, I quickly learned that there was no going back. I learned that my post-pandemic teaching does not mirror my pre-pandemic style—and so while things feel like I've gone back to "normal" it is really a new normal.

While there have been many academic sessions in the past year on the "good" that has come out of the pandemic as it relates to teaching, and faculty sharing silver linings that they learned from it, some faculty may not be so on board with continuing the way things have been most recently. In their haste to return to that perceived "normal," faculty might abandon the pedagogy progress that was made toward good teaching in law schools through shifts in their teaching styles. To examine this, it is helpful to think about the two kinds of changes that were made separately—the changes in

52. *See generally 2023 Annual Meeting: How Law Schools Can Make a Difference*, ASS'N AM. L. SCHS. (Jan. 3, 2023), https://am.aals.org/wp-content/uploads/sites/4/2022/12/am2023_mainProgram.pdf.

presentation styles, and then the fundamental changes in teaching through assessments and activities and realize that some of these changes may stay while others may not, and that we may end up in a situation where a faculty member can no longer be entirely labeled a sage or a guide.

Additionally, it is important to remember that there are two potentially very different perspectives on how classrooms should be post-pandemic. The first is that of the teacher—examining their own teaching before the pandemic, versus now, and making decisions from their viewpoint on how to proceed. But the second driving force may be the students' perspective on how classrooms are run. It is important that faculty consider not only their own views as to effective learning but take in into account the changes and experiences of the students during the past few years as well.

A. The Sage on the Stage Stays Engaged?

Although being a sage person is undeniably a compliment,[53] in recent times, being called "sage" as a teacher has become a "derogatory term."[54] Long before the pandemic, the idea of promoting the lone teacher at the front as effective was deemed "heretical" in "higher education because the lecturer has been portrayed as an uncaring Luddite who needs to be moved along into retirement in spite of pension plan problems."[55] However, others have questioned that condemnation. The "sage" approach has been debated and defended before, and its defense is worth another look in the modern era.[56]

The first question really needs to be whether being a sage on the stage is *all* bad. Some faculty will insist that telling interesting and amusing stories, and imparting knowledge in a performative manner, is *fun* for the faculty member and students alike, making a positive learning environment.[57] For many, being that center of the universe in a learning environment absolutely can be a joy—and develop a positive connection between students and faculty that enhances all learning. The sage model may have survived because faculty like it and believe in it.

Given that many faculty embrace their sage status, these teachers may have seen the changes they made to their "traditional" classes as temporarily necessary to meet the ongoing emergency. Additionally, many

53. *Sage*, MERRIAM WEBSTER, https://www.merriam-webster.com (last visited Sept. 20, 2023) (defining sage as "wise through reflection and experience").

54. Jennings, *supra* note 5, at 220.

55. *Id.* at 192.

56. *Id.*

57. Eileen A. Scallen, *In a World of Vanishing Trials: Why the Evidence Course Matters More than Ever – And Could Matter Even More*, 36 REV. LITIG. 513, 521 (2016).

experienced faculty have been teaching their doctrinal courses the same way for many years, and perhaps even the same way as they experienced them during law school. Thus, any changes that they made in that methodology were possibly viewed by them as having been necessary stop gap measures for an extraordinary time, and that's it—not a true shift in pedagogy approach at all.

This lack of interest in changing by faculty can also be tied to a resistance to outside input in their classrooms. Specifically with regard to their role in the classroom, it has been pointed out that, "[a]ny time that educational policies encourage faculty to move from 'sage on the stage' to 'guide on the side' protests arise that faculty control is necessary to insure effective, challenging education."[58] Given the known stagnancy of faculty, and their known resistance to change (particularly when involuntary), it is not unreasonable to consider that for some, of course it took a worldwide emergency to enact a shift in teaching styles.[59]

In considering the first universe of change—presentation of information—the guide technique of providing notes or visuals became more prevalent. As many faculty did not have a whiteboard easily available to them (or could not figure out how to employ it in the platform), they prepared PowerPoint slides to share with the class. These may have been created as a substitute for some use of the board at the front of an in-person classroom, to emphasize points and concepts. However, because many faculty created visual aids simply to have "something else" for students to look in an effort to hold the attention of students who were attending class from home (with all of its comforts), many faculty may believe that the reasoning for continuing to use these visual aids has disappeared—now that they are back in the classroom, information can again be imparted the "usual" way.

Additionally, concerns have been expressed that this use of visual aids amounts to "spoon-feeding" or doing the heavy lifting for students.[60] Extensive use of visual aids can sometimes be considered contrary to professors' learning goals, even though students may want them.[61] If, for example, "the professor's purpose is to ask a challenging legal question,

58. Barbara Glesner Fines, *Competition and the Curve*, 65 UMKC L. REV. 879, 898 (1997).

59. *See generally* Melissa Nikohl, *Why Teachers Don't Like Change & How to Change Their Mindset*, MELISSA NIKOHL (Oct. 5, 2019), https://melissanikohl.com/why-teachers-dont-like-change-how-to-fix-their-mindset/.

60. *See* Kenneth Nehrbass, *How Do You Distinguish Between Spoon-Feeding and Student Support?* CAL. BAPTIST U. TEACHING & LEARNING CTR. BLOG (Feb. 8, 2022), https://blogs.calbaptist.edu/cbutlc/2022/02/08/how-do-you-distinguish-between-spoon-feeding-and-student-support/.

61. *See* Shabiralyani et al., *supra* note 45, at 228.

and perhaps make it more challenging to understand by using sound alone, then visual assistance would frustrate the professor's purpose,"[62] resulting in a conflict between the professors' goals and the student's desires in a class. Rather than having a thoughtful process of determining which visual aids are adding to the learning or taking away from it, some faculty may find the elimination of them an easier solution, relying on their teaching techniques before they were created.

As to the second universe of changes—those more fundamental to teaching techniques–those changes may be being reconsidered as well. When faculty were concerned that they could not see the students in person, and were not convinced—or even able to judge at all—through regular class meetings that students were keeping up with their class preparation and the course pace, many implemented short formative frequent assessments to keep students on track—such as a quick review question at the beginning of every class, required summative practice quizzes periodically through the course, or writing assignments requiring students to reflect on and show fluency in the material. At the time, these seemed necessary to ensure that a faculty member could get the feedback they had previously believed they had gotten in person through other means, such as informal discussions.

However, upon the return to the classroom, it is possible that faculty are abandoning those measures that fundamentally changed their teaching for a variety of reasons. First, they are undeniably labor intensive for a faculty member. Unless deemed absolutely necessary to gauge process, many faculty do not wish to continue the effort of keeping up with the pace of creating and reviewing assessments throughout courses that were traditionally taught without these features. In addition, that need may not feel *real* for many faculty any longer because many believe they can better engage students and gauge their progress by simply being together in a classroom (like they were before)—making all those additional efforts may not feel worthwhile of their time. It is true—it generally is easier to walk into class, start talking, and eventually grade one final at the end of the term, rather than be in a constant feedback loop with students.

Further reasons why some of the "guide" features implemented in classrooms in the past few years may disappear may be driven from the student perspective. For some students who were in law school pre-pandemic, or otherwise experienced "traditional" methods of legal education (read: no assessments throughout the semester)—continuing the

62. Fred Galves, *Will Video Kill the Radio Star? Visual Learning and the Use of Display Technology in the Law School Classroom*, 2004 U. ILL. J.L. TECH. & POL'Y 195, 250 (2004).

practice of engaging students through frequent interactions and assessments can cause friction in the classroom, whether through pushback during the class, or through poor course evaluations of faculty. There exist plenty of students who just want to be left alone to master the material on their own schedule, and they may try to push faculty into abandoning more "progressive" classroom structures through their complaints and other negativity. These students want what they perceive as "normalcy" too, and for some of them, having to do periodic work throughout the semester in many classes in law school is not what they understand to be normal. Additionally, for them, only having to prove their learning at the end of a course may very well be easier from their point of view than the constant work throughout the course to demonstrate their learning.

This pushback is real. As a faculty member who has always used enhanced visuals and incorporated assessments into courses but expanded that practice during remote and then hybrid teaching—and then kept that model into the post-pandemic return to the classroom—I directly experienced this feedback from students, both in person through conversations and also through course evaluations. Some examples of student feedback I received during the pandemic can be paraphrased as the following:

During remote or hybrid terms:

-The practice [assignments] made me feel connected to the course even though we did not meet in person.

-I liked having the opportunity to practice multiple choice and writing before the final to make sure I was on the right track.

-I liked the flexibility of earning points toward my final grade on my own time and in different assignments rather than having it all rest on the end.

While there are still students who appreciate the methodology post-pandemic, I am seeing more comments currently that are paraphrased as:

- I disliked having to check the syllabus for when all the assignments were due, it took away from my time to prepare for class with the material.

-There was too much "busy work" in the semester, it took away from my studying.

-There is too much out-of-class work, I need more time to actually prepare for class briefs.

I saw students who truly put effort into their self-directed assignments—asking questions while working on them, spending many hours on them, and seeking additional feedback on their work beyond any debrief that I conducted. However, I also saw students undeniably appear to "phone it in" with assessments and even case briefs, submitting the bare

minimum necessary to receive any credit for several assignments. I even saw students skip these assignments altogether, and when questioned, admitted that they sacrificed whatever points were available from those assignments as a measure of time and effort—essentially communicating that the time and effort didn't appear "worth it" to them.

What I don't know is whether in many instances these approaches stemmed from a true perception by a student of what was needed for success in the class (despite the information I provided to them), whether this was all the work a student was ever going to do in any class, or whether I was seeing a partially-done job by some students because those students simply didn't buy into this work being *real learning* in the classroom and thus not worthy of their time and efforts. Based on the comments I read in my course evaluations, at least a significant portion of the class firmly believed the latter.

It is also clear that reversals to the first changes during the pandemic—attempts to return to more traditional methods of building visuals collaboratively in class rather than pre-providing—visual aids has been met negatively. Even though I use some type of visual enhancement in every class session, whether I write on the board or have an online posted handout (including PowerPoint), I have been inundated with requests and feedback not only for more PowerPoints on every subject, but for more detailed PowerPoints, and for the PowerPoints to be released earlier. Even when I create resources and load them into the LMS and have them come "live" at the start of class (and remain open for the remainder of the term), I have been criticized by students that these resources need to include more of the specific, finer points of information that we cover in class and be released before class begins so that students don't need to take notes. Even though I record all my classes and make them available to every student, I additionally receive comments that it would just be "easier to have a PowerPoint that spells it out than to review a recording." Such feedback may support the argument that these tools were in fact spoon-feeding, and thus justifying their discontinuance.

While many may argue that we shouldn't make pedagogical decisions based on student evaluations, it is important to remember that not all faculty have the luxury of ignoring student evaluations and feedback, even though those comments may be contrary to well thought-out educational goals and techniques. Even though it has been determined that women and faculty of color are often rated lower than their peers, untenured faculty are often still

at the mercy of this process.[63] Even for those who have job security, evaluations may impact future additional compensation or opportunities, and as such, it is unfair to simply argue that this feedback shouldn't be part of a faculty member's decision-making process.

So where does that leave the prospect of a widespread return of the sage in legal education? Obviously, academic freedom would allow that faculty have the wide latitude to teach in the style they choose in the classroom.[64] But the important reality is that they should choose carefully what that style is, and make sure they are maximizing learning even when "returning" to more traditional methods. For those who choose to start, continue, or return to a teacher-centric model, there are ways to make that method a great learning experience for students.[65] *Here are some summarized tips to ensure engagement as a sage:*

1. Open with a grabber, such as a political cartoon, a story, a clip, or even a question a student has asked in between classes.

2. Make your lectures interactive.

3. Do not merely repeat what is in the textbook. Build on that information.

4. Be sure that your content reflects the very latest research, laws, and case decisions.

5. Lectures must contain humor. If the lecturer is not funny, find someone who is, in a clip, in a reading, in a cartoon.

6. Lectures must humanize the people involved in the topic of the lecture.

7. Make sure to include learning by listening, learning by sight, and learning by touching.

8. Make your lectures interdisciplinary.

9. Lectures should motivate, challenge, and inspire.

10. When you get to the end, Stop! Instead of trying to cram more material in, try saving the last few minutes of class for questions. Or, use the last few minutes to present your grabber—what you will be covering in the next class. Think of it as linking your classes together. Finish before their backpacks begin to zip.[66]

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63. *See* Colleen Flaherty, *Teaching Evals: Bias and Tenure*, INSIDE HIGHER ED (May 19, 2019), https://www.insidehighered.com/news/2019/05/20/fighting-gender-bias-student-evaluations-teaching-and-tenures-effect-instruction.

64. Cary Nelson, *Defining Academic Freedom*, INSIDE HIGHER ED (Dec. 20, 2010), https://www.insidehighered.com/views/2010/12/21/defining-academic-freedom.

65. Jennings, *supra* note 5, at 233–35.

66. *Id.*

In short, an effective sage is still an engaging teacher who, even when operating at the center of the learning process, engages students through different thought patterns, senses, and ideas, and makes that important connection with students.

B. Guide on the Side Survives?

On the other hand, the pandemic created, at least temporarily, a new cohort of faculty who have changed their teaching styles in the classroom from faculty to student centered. Looking at this transition for many faculty from sage to guide, we must ask whether this change really is an improvement, and if it is, is it sustainable? Is being a guide on the side all it seems to be, and does it really work in a law classroom? While many may answer yes, the answer is not as perfectly clear as many might think. Some in education believe that acting as a mere guide might be making teachers more passive, rather than "proactive and reactive"—traits associated with good teachers.[67] Those with that perspective argue that "the . . . emphasis on 'student friendly pedagogy' has made of the professor a congenial traffic officer."[68] However, despite the criticism for the guide relationship that many faculty develop with students, it is also true that "lowered standards or minimal expectations need not result from a respectful and supportive relationship with students."[69] Indeed, "such a relationship is crucial to student willingness to engage themselves in dialogue."[70] And as such, the guide approach may be the more successful one.

In fact, some in education have asserted that faculty will *need* to become or stay as guides if they haven't already—and that the sage on the stage model will not resonate with the new generation of law students—generation Z, now beginning to fully populate classrooms.[71] While students still need "professors to take the lead in active learning," it is argued that we now have entirely different students than whom we saw before the pandemic, who will simply not tolerate teacher-centric lecturing from an authority figure as being productive.[72]

Additionally, we know that in today's world students have more distractions and attention grabbers than ever before, and even with a return

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67. Sophie M. Sparrow & Margaret Sova McCabe, *Team-Based Learning in Law*, 18 J. LEG. WRITING INST. 153, 198 (2012).

68. Jennings, *supra* note 5, at 220.

69. Glesner Fines, *supra* note 58, at 898.

70. *Id.*

71. Robert Minarcin, *OK Boomer – The Approaching DiZruption of Legal Education by Generation Z*, 39 QUINNIPIAC L. REV. 29, 59 (2020).

72. *Id.* at 52.

to the physical classroom, a permanent change in classroom structure can be necessary to meet students where they are regarding their attention spans and expectations.[73] On the other hand, it is important to remember that this doomed prediction regarding students and their inability to concentrate has been shouted for some time now, due to increased use of technology in the classroom and previous changing generation populations—which may or may not be any more relevant right now.[74]

There may be many reasons why faculty who have morphed, even temporarily, into being guides will stay guides. First, and not discounted—inertia—again. Once pushed into a change, for many it may be easier to stay with that change. It is easy to posit that once faculty have done the hard work to convert the way they teach a course, even if pushed to do so by forces outside of their own making, this is now their new normal and they are simply going to stay the course.

The second reason faculty may stay as a guide is the student's expectations which stem from these changes, or the new generation. Overall, it seems clear that there are many students in our classrooms who prefer *any* other method of learning *other* than a teacher-centric lecture.[75] Many of today's students have grown up with guides in the classroom—in fact in some K–12 classrooms, the teachers do very little of what some of some older generations might consider "real" teaching (standing in the front of a room imparting knowledge), and instead run their classrooms as cooperative work environments. The benefits of group learning are "undisputed, with proponents noting that all learning is 'inherently social.'"[76] Getting students to change their learning habits now, in what for many of them is their seventeenth or more consecutive year in a classroom, seems not only nearly impossible but counterproductive.

If we then take the perspective that a new generation of students are attuned to, and will expect classrooms with guides and not sages, we must also take into account that some faculty will stay or even become guides because they need to meet those student expectations. This pressure could come from students' preconceived notions of how classes should be, or even the handed-down knowledge from upper-class colleagues. If a particular class recently had been conducted in a more interactive way, and

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73. Thomson, *supra* note 49.

74. *See* Camille Broussard, *Teaching with Technology: Is the Pedagogical Fulcrum Shifting?* 53 N.Y. L. SCH. L. REV. 903 (2008).

75. Aleszu Bajak, *Lectures Aren't Just Boring, They're Ineffective, Too, Study Finds*, SCIENCE (May 12, 2014), https://www.science.org/content/article/lectures-arent-just-boring-theyre-ineffective-too-study-finds.

76. Kenneth R. Swift, *The Seven Principles for Good Practice in [Asynchronous Online] Legal Education*, 44 MITCHELL HAMLINE L. REV. 105, 132 (2018).

a faculty member now makes a change away from that, they can be sure that the new group of students will know about this change and follow up with them about it. While again, allowing student opinion to drive teaching may draw criticism—it is not unreasonable for any faculty member to consider that feedback.

Of course, the main reason to be that guide in the classroom is to *actually* be a more effective teacher, and not just *appear* to be one. First, for a guide, this may result in enhancing the classroom experience with visual aids. Using tools to enable students to see, hear, and interact with materials in different ways than merely a faculty member talking, is actually more inclusive for all students with differing abilities.[77] These add-ons do not need to be just for show, as many have asserted that "[p]roviding handouts does not spoon-feed students with information," but "[r]ather, handouts help offer qualitative improvements to lectures."[78] There are ways to increase this inclusivity without negative consequences in real learning.

Second, successful guides demonstrate a fundamental change in their teaching—answering the question as to where the knowledge and learning is coming from differently. One of the most important accomplishments of guides on the side is that they help students develop skills that enable them to learn how to learn.[79] Self-directed learning is an important skill that sets students up for success in all areas of their professional lives, and teaches them more than the doctrine of a particular class.[80] Being focused only on a teacher-centric "knowledge transfer" process, no matter how engaging, isn't going to accomplish that learning goal. Additionally, for certain kinds of learning, "knowledge transfer" is not even an effective technique.[81] For example, professional identity education, by its nature, requires less mere knowledge transfer and more in-depth active building of framework and concepts that can only come from the student and not the professor.[82]

The "constructivist" theory of learning asserts that learning cannot be delivered to students—knowledge is not a package that can be presented, but rather students must "actively construct" understanding from the

77. *See* Silver, *supra* note 43,44 at 499.

78. Nehrbass, *supra* note 60.

79. *See* Lisa Petro, *How to Put Self-Directed Learning to Work in Your Classroom*, EDUTOPIA (Apr. 14, 2017), https://www.edutopia.org/discussion/how-put-self-directed-learning-work-your-classroom.

80. *Id.*

81. *See* Hamdi Serin, *A Comparison of Teacher-Centered and Student-Centered Approaches in Educational Settings*, 5 INT'L J. SOC. SCI. & EDUC. STUD. 164, 164–66 (2018).

82. Louis D. Bilionis, *Law School Leadership and Leadership Development for Developing Lawyers*, 58 SANTA CLARA L. REV. 601, 626 (2018).

sources of information that they have access to, including their instructor.[83] If faculty are going to stay—or become—guides on the side, how can they ensure they are enabling students to engage in this construction so that this method is truly effective? There are a few important techniques to consider to ensure guides are effectuating true learning:[84]

- enable students to practice frequently with the material;
- allow your students to make mistakes—mistakes allow students to grow from experiences;
- show students how to navigate material rather than "carrying" them through it;
- offer feedback after listening, to know individual needs; and ask open-ended questions that require independent thinking

Using these techniques, the guide on the side technique may survive the pandemic and represent a productive shift in law classrooms post-pandemic.

Advocates of each teaching style can make extensive arguments for why their approach to teaching can be the best, and it would appear that circumstances can support the use of each style in the modern law classroom. So, post-pandemic and moving forward we find ourselves asking the question—which is right? Which kind of teachers should we be?

V. THOUGHTS FOR THE FUTURE

From experienced teachers reeling from emergency pandemic methods employed, to new teachers just starting out, to those that have spent their careers thinking about pedagogy, the only clear answer to these questions is, not surprisingly for a law school environment, it depends. The easy reason is that of course, there isn't a right answer at all—and there probably never was. Instead of one choice, doesn't it matter who the teacher is, what they are teaching, who they are teaching, and what the learning outcomes of the class or the program are? Won't the technique that will be most effective depend on *all* these factors? But how do we know in each circumstance if we have effective, good teaching? It has been asserted that "[g]ood teaching is more like the U.S. Supreme Court's test for

83. Scales, *supra* note 16.

84. *See* Dan Jones, *Guide on the Side(lines)*, EDUTOPIA (May 22, 2015), https://www.edutopia.org/discussion/guide-sidelines; Thom Markham, *Why a 21st Century Teacher Isn't Just a "Guide On The Side,"* EDNEWS DAILY, https://www.ednewsdaily.com/why-a-21st-century-teacher-isnt-just-a-guide-on-the-side/ (last visited July 6, 2023); Rachelle Doorley, *Be the "Guide on the Side,"* TINKERLAB (May 11, 2010), https://tinkerlab.com/be-the-guide-on-the-side/.

pornography, to wit, you know it when you see it."[85] But is that really the way we want to approach our classrooms—we'll know we're getting it right if and when we see it?

The problem may be even bigger than only choices about the best teaching approach. It may be that we can't solve that problem at all until we solve larger systemic confusion about the purpose of legal education in general and the methods in which it trains lawyers. The answer may first need to be to one that is far more fundamental a question in legal education, and one with even fewer concrete answers—what is the purpose of the law school classroom, and what should we be teaching in it? While the transmission of "expert knowledge" still remains important, it is unquestionable that the training of a lawyer requires more than mere information transfer.[85] The question of the full extent of what that "more" is—and how it should happen, perhaps should be driving the discussion on how the teaching is happening, and not the other way around. Only then can we determine which classroom models meet all the needs of legal education—whatever those may be.

As another facet, if the bar exam is to be taken in consideration as part of this answer and of the changes expected in lawyer training, then the NextGen bar exam, coming in the not too distant future, certainly expands, bends, and modifies traditional, expectations for legal education, potentially foretelling the need for models of teaching that have connected skills and law doctrine in new ways.[86] If we thus instead consider the bar exam encompassing practical training as a driving force in how we think about legal education, then perhaps the pandemic—and all the changes we experienced during it, were mere catalysts for other more significant changes in legal education that we will now face, and will themselves now dictate teaching in the future, and wasn't itself the defining event at all.

It may be instead that everything we knew about teaching pre-pandemic is now quite wrong, having nothing to do with any efforts in changing pedagogy because of it. The return to the classroom must bring the question of whether students' learning would be different post-pandemic even if no changes had been made in teaching, but instead were merely inevitable challenges that we would have faced anyway. Perhaps that new generation of students coming into law schools would themselves be the catalyst for change, with the transition from millennials to Gen Z

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[85] Jennings, *supra* note 5, at 225.

85. Louis D. Bilionis, *Bringing Purposefulness to the American Law School's Support of Professional Identity Formation*, 14 U. ST. THOMAS L.J. 480, 489 (2018).

86. *About the NextGen Bar Exam*, NEXTGEN BAR EXAM, https://nextgenbarexam.ncbex.org/ (last visited June 21, 2023).

now reaching a critical mass such that we'd be scrambling to adjust our teaching in response to them anyway. In this case, the pandemic did us a favor in accelerating this reckoning with a crisis in teaching—an opportunity to solve it sooner rather than later.

Or perhaps the pandemic had such a large impact that it forever changed all students' expectations in classrooms and how they now learn. If this is true, there is no "going back" to any teaching style—and perhaps not even continuing with any changes we made during the pandemic either. If this is the case, we will need to come up with new teaching styles that bring the best from the sage and the guide models that meet these new needs. It is also possible that the pandemic had a such large impact on us as teachers that even if we wanted to, we could never go back to our original techniques. Perhaps none of us are truly guides or sages anymore, even if we think we are. If we then, instead, think about the pandemic having broken our old teaching techniques, we should think about not trying to replace those efforts with identical substitutes, but instead put our broken teaching techniques back together using teaching "gold," and in the process channeling the Japanese art of "creating a more beautiful object through the acts of breaking and repair."[87]

But these inevitably, unanswerable questions do not prevent us from thinking about the guiding principles that helped us make those decisions about good teaching. While there will always be faculty members deemed "C.A.V.E" people (Colleagues Against Virtually Everything),[88] it doesn't mean that change can't happen in our teaching—something we should not be afraid of and instead should be encouraged when it brings about improvement.

If the answer to the question of being a sage or a guide can't always be made for the right reasons, then at least it shouldn't be made for the wrong reasons, particularly because it seems easy or familiar. It may seem that shining as a sage is easier or repeating what you've done most recently is smoothest. But being a sage and truly engaging students is hard work. Being a guide—effectively transferring the work of learning to students is also hard work. Nothing can substitute for being carefully thoughtful about the goals of a class, course, or program of legal education and working to best meet them.

And of course, the last thought is that we can, or maybe we need to rebel against being a sage or a guide all the time—or maybe even ever. We

87. *Beauty in Broken Things: A Guide to Kintsugi*, KONMARI, https://konmari.com/beauty-in-broken-things/#:~:text=What%20is%20Kintsugi%3F,acts%20of%20breaking%20and%20repair (last visited June 21, 2023).

88. Nikohl, *supra* note 59.

can and should mix and match our teaching techniques to suit our purposes. We can and should think of new ways to work with students that don't fall squarely into one or the other. These options all take careful thought, planning, and dedication to teaching.

So where does that leave us as teachers bouncing back, or as some might say, reeling from the many changes we've made or been subjected to—other than exhausted and concerned for the future of legal education? It leaves us all looking for a path forward, and so here I try to move from sage—talking to you about this subject, to guide—giving you eight steps you can work through yourself to help with the process of thinking about your own teaching moving forward:

1. Breathe and relax. The fact that you are working on solving this problem and considering your pedagogy choices already makes you a concerned, involved teacher who cares about student learning. That means that whatever you do, you are likely to bring success.

2. Don't buy into the trope that you <u>*are*</u> always a "sage" or a "guide"—everyone is each of these in all aspects of their lives and work. You've probably moved seamlessly from acting as one to the other in your personal and professional life all along, so you almost certainly have the skills to be either when needed.

3. Don't get so caught up in trying to solve the big-picture problems in legal education that you're not willing to make concrete decisions about your own classroom and make the necessary changes that you can control.

4. Start small—take one unit of your class and think about the most effective ways that students can learn that material. It may be that some of it is best imparted from the front of the room while other concepts can be done through group work. Don't be afraid to combine your techniques to get the best result you believe you can throughout a class session, unit, or course.

5. Pay attention and reflect on your approaches after class. If you used more teacher-centric techniques, did you see student engagement? If you used more student-centered techniques, did those sessions-using whatever tools students were engaging with—work as you expected? Did students make the effort and demonstrate the learning that you expected, or did they approach the work as a box to be checked off on a requirement list?

6. Ask yourself *why*? Why did I choose that technique, and why did I see the results afterwards? Use all the information you might have at your disposal in answering these questions. What do you know about the material itself? How have other students learned it in the past (if you're new think about your own learning, or ask others)? Try to answer the

question--why did this particular choice likely play out this particular way at this particular time?

7. Don't be afraid to make adjustments. If a technique didn't work, don't be afraid to change it the next time, or for upcoming similar material. If it works, don't be afraid to try it again. Don't be too hard on yourself if you try something new and it doesn't work—or—if you try something *old* and it no longer works.

8. Share your experiences with your colleagues. Too often, law teaching involves artificial solitude, when in reality you have a lot of really smart people all trying to solve the same problems involving the same students—but not really working together. You don't have to make a formal faculty presentation; start by just talking.

VI. CONCLUSION

Therefore, I urge all faculty not to think about "going back" no matter how they choose to run their classroom moving forward. In tackling the challenges ahead, the next few years may see a lot of attempts at course corrections in righting the ship of productive teaching in the return to classrooms. Such attempts can lead to overcorrections as well and failure to launch. The best way to ensure that we can have smooth sailing moving forward is to be thoughtful about our past and our future and to use that thoughtfulness to bring the best teaching techniques—whatever they are—forward.