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# An Active Learning Approach to Teaching Tough Topics in Law School

Professor Susan Gilles, Capital University Law School  
(Co- Authors Professors Cynthia Ho & Angela Upchurch)

## Abstract

The classic image of the Law School classroom is “Professor Kingsfield’s” at the podium using the Socratic Method to interrogate quivering law students. This article advocates the incorporation of new methods: we argue that an integrated and interactive approach to teaching and learning legal topics is beneficial for law students and law professors alike. Although the article focuses on personal jurisdiction, the lessons here can apply to a tough topic in any course.

The article begins by explaining why personal jurisdiction is difficult, as well as theory and data on traditional studying versus how to promote optimal learning. The article then explains how the authors have effectively enhanced student learning with a two-pronged approach of providing key context to personal jurisdiction, combined with an active learning approach that involves interactive learning of PJ before, during and after class. This process includes a variety of tools including videos, guided reading of PJ cases with key questions, interactive quizzes with explanations before and after class, as well as “clicker” questions during class. The article concludes that one or more of these methods could be successfully incorporated into any class with a tough topic by faculty with varying teaching and technology preferences.

## SSRN:

Cynthia Ho, Angela Upchurch & Susan Gilles, *An Active Learning Approach to Teaching Tough Topics: Personal Jurisdiction as an Example*, 65 J. Legal Educ. 772 (forthcoming 2016), <http://ssrn.com/abstract=2792660>.

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## Traditional Approach



### Pre-class

Student reads, highlights, re-reads and summarizes legal text

**Problem: passive learning and fluency illusion:**



### In class

Socratic Method: professor questions and lectures class of 50-100 students

**Problem: Individual frustration with material as too hard/too easy**

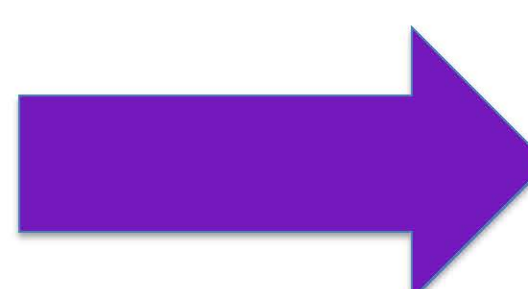


### Post-class

Student reviews briefs, class notes and outlines

**Problem: Passive learning; fluency illusion**

**Review but no feedback**



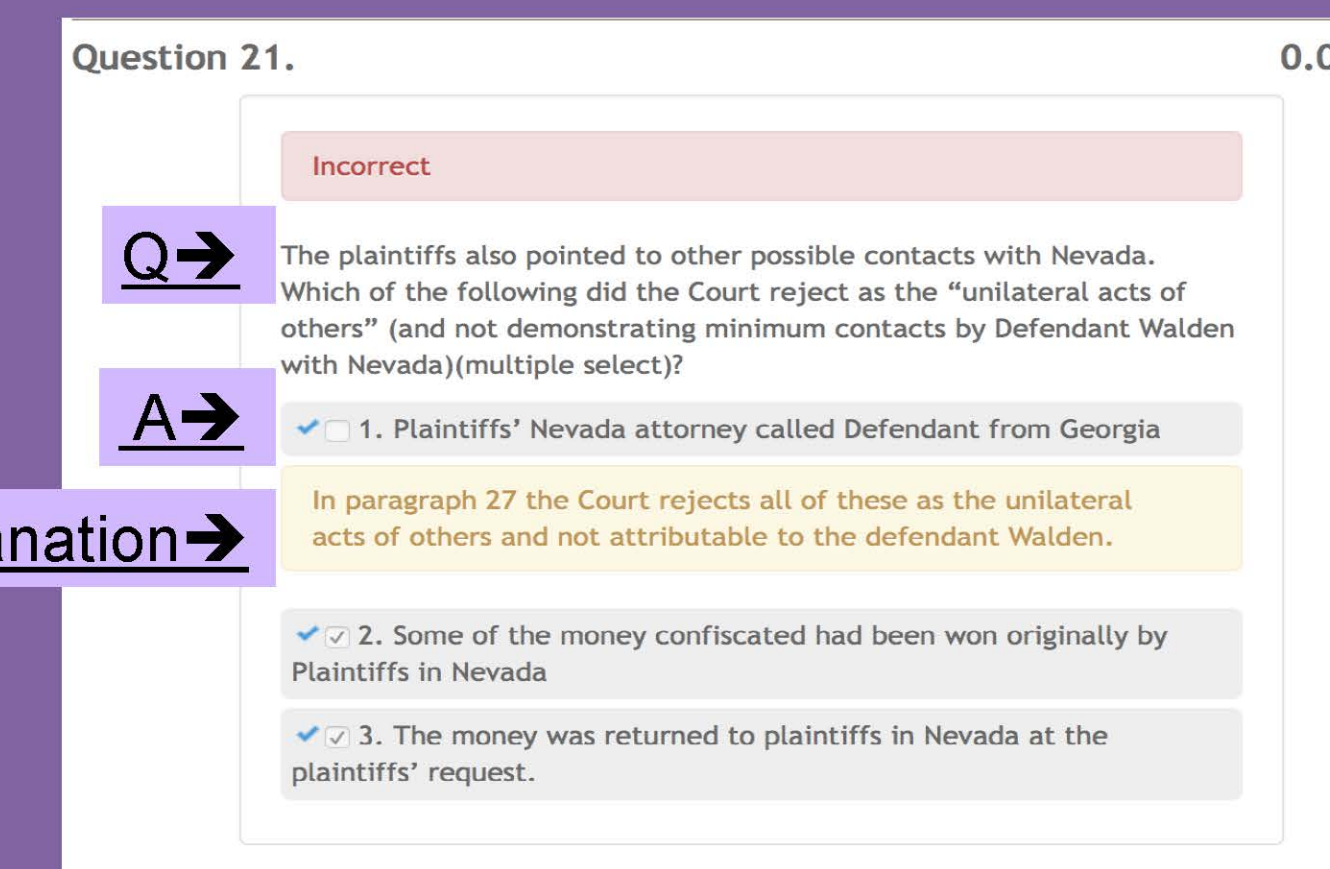
## Active Learning Approach



### Pre-class

- \*Student reads legal text and answers “Q” online
- \*Student gets immediate “A and Explanation”
- \*Student can select “got it now” or try “re-do”

#### Explanation



**ACTIVE LEARNING: assessment; feedback and individually-paced learning**



### In class

- \*Higher level analytical Q, Review + Discussion
- \*Professor uses pre-class data to focus on topics where students struggled AND to tailor advanced Qs to the level of class understanding

**ACTIVE LEARNING: higher level assessment + feedback -- informed by pre-class data.**



### Post-class

- \*More on line Recap and Review Qs – with additional answers and explanations.

**ACTIVE LEARNING: Qs + feedback loop**

**INDIVIDUAL HELP: Faculty follow up with individual students based on data**