

Guidelines for Teaching Paralegal Students

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Preparing to Teach a Course

First, know your audience.

If you are teaching one of the typical **first-session courses**, such as Introduction to Paralegal Studies, Legal Research & Writing I, Basic Business Organizations, or Civil Litigation I, or most of your students seem to be attending their first session of classes, keep in mind that they will need to become familiar with basic legal terminology. You will want to make a special effort to write terms on the board and define them at first mention.

If you are teaching the **second course in a sequence**, check on what your students covered in the earlier course (ask them at the first class). It should be the same for all of them, but sometimes teachers will not have covered all the material they should have.

Always have your students briefly **introduce themselves** at the first class. You want to know their backgrounds, as they may have experience you can use to illustrate class material. You may also want to know what other courses they have taken so that you don't repeat too much or, for that matter, assume too much. Of course, you should always **introduce yourself** and be sure to mention your experience working with paralegals.

Second, consider your overall course plan.

Your **course syllabus** should be posted on Blackboard before classes start; I will announce a deadline before each semester.

It should include General Course Information (course name and number, meeting time, classroom if available), Instructor Information (including phone number, e-mail address, and office hours and/or availability), Required Texts, Course Description (use the one in the official ABA-approved outline or on the website), Objectives/Competencies to be Developed (start with the ones in the official ABA-approved outline), Method of Instruction, Grading Policies (weight of components, and Institute scale), and Course Policies.

The last should refer to the Student Handbook for standard Institute policies on Attendance, Courtesy Expectations, and Academic Integrity; I also recommend including

comments on make-up or late exams and/or assignments, Technology Issues (e.g., cell phones in the classroom, and your e-mail availability), and anything else you want to make a point of including. The Student Handbook is on the Current Student section of the Institute website (we are working on a Faculty section), which is protected by a password you can get from the Institute office.

You should also provide a complete Course Outline, including specific assignments, quizzes, and exam(s), for each meeting during the eight-week session (it can be adjusted if necessary). Additional files can be posted as the course progresses; be sure to do so several days, preferably three, in advance (e.g., by Friday noon for a Monday class), because students may be using office or home computers to access the information.

Review the course objectives in the previous syllabus or course outline and note the suggested **time allocation**; major changes should be reviewed with the director. It is essential, however, that you **cover the specified course material**, as each of our course outlines has been designated as a “legal specialty” for purposes of ABA approval.

Unless discussed otherwise with the director, rely on the previous syllabus when you teach a course the first time. Once you have some experience, you may want to reorder the topics or make other changes, which is acceptable as long as major changes are approved by the director.

Certain other policies must be followed in all courses to ensure our compliance with ABA guidelines and university rules. Classes must meet the minimum number of sessions, for example, because we have a **classroom hour requirement** (currently all of our courses carry 2 semester hours of credit, which is 25 contact hours, so you need to have an additional hour along with the eight weeks of meeting for 3 hours each week). Try to limit **breaks** to 10 minutes. As a general rule, you should **not dismiss class early**.

In-class exams count as classroom time, as does a session of individual student conferences. That extra hour has to be what the ABA calls “structured instructional activity” and may be online if you clear it with me. Some teachers give online quizzes or monitor chat rooms to review material before an exam.

Also, students must be formally **registered** to attend classes, and must **drop** a class in accordance with the proper procedures (i.e., they need to contact the Institute office after the first week of class). Our Attendance Policy is strict, so be sure to review it. Please let us know if a student has missed two classes without explanation, as we will try to contact them to determine whether they wish to withdraw and avoid an F grade.

Our Institute policies require a **final exam** (which may be cumulative or not) and **at least one portfolio assignment (one that develops practical paralegal skills)** for every course except Legal Research & Writing III, which requires a series of written assignments but no exams. **Quizzes** are optional, but if given must always be announced ahead of time. They are highly recommended before the midpoint of the session, especially if many of your students are in their first session. At least one component of

the grade (in addition to class participation) should be for an activity done in class. Directions for **portfolio assignments** should be given in writing. All exams, quizzes, and assignments should be noted on the syllabus, and portfolio assignments should be attached as files to Blackboard. Changes can be made during the semester if it seems suitable.

Consider how you will allocate the components of the **final grade**. It is essential to state this clearly on your syllabus. Most teachers have the final exam count for only 35%-40% of the final grade (any more causes severe student anxiety), with the rest determined by portfolio assignments, class participation, and quizzes. Also, if you allocate more than 5% to class participation, you are likely to receive numerous queries from the students as to exactly how you will grade them on this point.

The University records only **letter grades**, but it is less subjective to use **number scores** for the various components and then convert the total to a letter grade for the class at the end. Note that the Blackboard Grade Book helps you weight the various components. It does not allow you to enter anything but numbers, however, though it will calculate a letter grade if you set up the conversion scale—but this does not allow you to adjust the total. You can set up a (hidden) component and adjust there.

In general, use the **standard Institute scale** for converting number scores into letter grades:

A	95-100
A-	92-94
B+	89-93
B	86-88
B-	83-85
C+	80-82
C	77-79
C-	74-76
D+	71-73
D	65-70
F	<65

Think twice before adjusting or curving within this scale, and as a general rule do it only for the class as a whole. With each level including only three scores, students often plead to be “bumped up,” but that can lead to wholesale grade inflation. We have no quotas for grade distribution, but make an effort to be conscious of it. **Note that the University does NOT allow a D- grade.** No courses are pass/fail except for the Internship, and no courses may be audited.

Extra credit should be considered carefully. As it means extra work for the teacher, you are not obligated to provide the opportunity, though it can provide a means of correcting some miscalculation on your part. It is best to state in your syllabus whether you will offer it and specifically for what. Generally you will have to make it available to the entire class, though sometimes you can allow it only for students in special situations.

Explain carefully what component of the grade the extra credit will affect, as some students mistakenly think they can fix everything this way. Many teachers, however, allow portfolio assignments to be redone and then combine the grades, or even just record the second one.

The **timing** of exams and assignments should also be considered, as most students are taking two or three classes. We really have no time for midterms, just a final. Please try to space out the work so that the bulk of it is not in the second half; many assignments can be broken down into a series and given piecemeal. It is usually a good idea, though, to not have assignments due on the same day as an exam.

Your syllabus should mention the Institute policy on **makeup quizzes and exams**: the student must inform you ahead of time (except in emergencies) and if you approve, arrange with me to make up the test in the Institute office during normal business hours when the director or secretary can be present. In these circumstances, we do not usually mark down the grade. However, **late assignments** should be marked down, though you may use discretion when there appears to be a valid excuse.

A final comment on the syllabus and other materials: please **proofread** them carefully. Careless mistakes erode students' confidence in you.

Be completely familiar with the textbook and other materials.

Relate your presentations to the **textbook** as much as you can (you may express a textbook preference to the director). Note reading assignments on the syllabus, refer students to glossaries, use the text's discussion questions and assignments if you find them suitable.

It is never advisable to refer to a textbook as background information, or to disparage it, despite its shortcomings, as then students will think they don't need to read it, or even buy it. But don't read it to the class, though of course you may want to refer them to a particular page or section.

Students often appreciate **supplemental resources**. For example, we keep copies in the Institute's Career Resource Center of any paralegal textbook we receive from publishers, even when we decide not to use it. Or you may want to refer students to websites, hornbooks, treatises, or IICLE binders on a particular topic. Use the Pegasus computerized card catalog on Loyola's web site (www.luc.edu) to find out what we have in the Law Library. You may put books on reserve there if you wish; contact the circulation desk.

Consider how you will review the course material.

Since each class meets only once a week, spend a little time at the beginning to remind the students what has been covered and what is important to concentrate on for tests. Many teachers provide **vocabulary lists**, either for every class or before quizzes and the final. Others prepare **review questions**. The challenge is to keep your time under control. Unless there is some important subject to be clarified, you probably don't want to spend more than 10 to 15 minutes reviewing.

The **Blackboard** system allows such items to be posted at any time. Some teachers post their PowerPoint slides. We do not recommend posting your complete lecture notes, however, as we have no control over how they will be used. Also, this practice may encourage students to skip class.

I found it useful to post review questions after the lecture, but a few days before the next class. At the following class, I ask which questions the students had trouble answering from their notes and answer just those. Everyone catches on by the first quiz that the review questions are the key to mastering the material.

Make your expectations clear.

Having your class materials permanently online through **Blackboard** is very useful in this respect, assuming they are complete. If you make changes, use the Announcements and e-mail messages to make sure everyone has notice of them. It has also proved useful to repeat in-class announcements in a posting to Blackboard; we have already had occasion to retrieve the e-mail message log for a class to verify that students were informed of a particular matter.

You should also mention some **common-sense expectations** at your first class: that you expect students to be prompt, to pay attention, and to take notes. Explain that the mastery of paralegal skills begins with legal terminology, which necessarily involves some memorization.

Also, we have been noticing a recent tendency, especially among younger students, to fail to recognize appropriate boundaries. A student who misses a class should not expect you to provide your lecture notes, or even a summary of the key points; that would be unfair to the students who did attend. Suggest they ask another student for notes and emphasize

that you will be glad to answer any questions after they have reviewed the material. Nor do you have to answer e-mail or voice mail messages 24 hours a day; I tell students I check these only during regular office hours, and I try to respond within a day.

Preparing Your Class Presentations

Define your objectives for each class and identify the key points for each topic.

This will help you **organize** the information so that you make a coherent presentation that students can understand. I often write these key points or just the key terms for each class on the board so the students see how everything fits together.

For example, in providing an overview (usually in a single class) of the U.S. Constitution, I tell the students we will focus on its two principal functions: to define the structure of American government, and to protect individual rights against government intrusions. For the first, we discuss the basic responsibilities of each of the three branches, how the system of checks and balances works, and the interaction between federal and state law. For the second, we discuss certain amendments that illustrate the need to balance an individual's right against a government's compelling interest.

Students find it very useful to have material broken down into such **categories**. I make a point of referring to numbered items because it seems to help the students remember. For example: there are four basic sources of law (constitutions, statutes, administrative law, and common law), there are four phases of litigation (pleadings, discovery, trial, post-trial), there are three types of health care fraud and abuse (false claims, kickbacks, and self-referrals), there are four elements of a cause of action in negligence (duty of care, breach of duty, proximate causation, and damages).

Use visual aids to reinforce your lecture.

Write terms on the **board**, make **transparencies** for the overhead projector (we can do this on the copier with sufficient notice), prepare **handouts** such as charts or general outlines. Blackboard should be used for most of your handouts. You can use PowerPoint if you have a classroom with the proper equipment (a "smart" classroom), or have asked

the office to arrange a “smart” cart. But don’t rely too much on PowerPoint, as it seems to encourage teachers to be sedentary and less effective.

Never read straight from the textbook. Quoting from a statute or rule, however, is appropriate to emphasize the exact wording. We do want students to become comfortable working with original sources.

Stand and move about when you teach, unless the class is a small seminar. You want to make eye contact to ascertain whether the students understand your material. Lecturing while seated is sure to result in less attentiveness. Also, it is hard to make your voice heard from a sitting position.

Have examples ready to illustrate legal terms and theory.

The challenge here is to make your **examples simple enough to be understood while still reflecting real-life situations.** Examples from your own experience are often the best, but don’t try to describe every circumstance. You may need several examples in some situations.

For example, to illustrate the concepts of due process and equal protection, I give the students a worksheet—a list of brief descriptions of various laws that have been challenged in the U.S. Supreme Court on these grounds—then ask them to identify the government interest and the individual interest and to speculate on the Court’s decision (the Nutshell on Constitutional Law provided most of these examples).

Have samples ready to demonstrate practical skills.

Students must have **samples**, especially when you are giving an assignment that will require them to demonstrate practical skills. Litigation students should review a deposition abstract before trying to write one. Real estate students should review a set of closing documents before being assigned to prepare them. Legal research students should practice using a finding tool before attempting a drill assignment. Even legal correspondence, basic as it may seem, requires samples.

This is one of the most frequent complaints from students. It often leads to panic-stricken searches in all the wrong places and calls to you and me and just wastes everyone’s time. It is your responsibility to provide samples and to advise students how

to adapt them. Remember that the development of practical paralegal skills is our ultimate objective.

Also, be sure to use your samples to **illustrate what you've already discussed**, rather than as a starting point. For example, remind students that contracts list the rights and duties of each party before asking them to identify these rights and duties in a particular contract. Remind litigation students that a complaint must allege all the elements of a cause of action, then ask them to identify each element in the allegations.

Decide how you will have the students participate in each class.

Besides asking students if they have questions, you should have **questions testing their understanding** ready to ask them when you've completed a section. Briefly discuss the answers before moving on. As noted above, review questions at the beginning of each class can be effective, but watch your time.

Look for other opportunities to have active participation. Have the class **review a statute** and pull out all the requirements. Divide the class into groups to **prepare a legal form** after you've reviewed an example. **Worksheets** can be used the same way, posted ahead of time on Blackboard or given as an ungraded assignment to be done for discussion at the next class.

News items often present an excellent opportunity for class discussion. Relate them to the class topic and explain the context. Be sure to ask students what their opinion is of a legal decision or a new law; it encourages them to realize that the law is subject to human prejudices and errors and is evolving constantly.

Keep in mind typical problems for new teachers.

It is difficult at first to gauge **how much you can cover** in a single class. Most of us fall a bit behind in the first few classes, but then catch up. The previous syllabus should give you an idea of what is appropriate. Consider, too, whether you are including too much information. You do not have to describe every exception to every rule. But be careful not to say "paralegals don't need to know that," because it tends to offend students.

A frequent comment is that teachers **talk too fast**. Make yourself slow down, or repeat a key point. Stop at the end of a few sentences and ask if the students are still with you.

Make sure, too, that you speak **loudly enough** to be heard throughout the classroom, especially when you're writing on the blackboard.

Make **eye contact**; don't lecture to the ceiling. Encourage questions when students look puzzled.

Student Viewpoints

Expect criticism—justified or not.

Students are supposed to grumble. You need to develop a sense of what is constructive criticism and what is whining. They are adults, often struggling to balance work, school, and family, to which we are sympathetic while still maintaining our standards. We are preparing our students to work for lawyers, the most impatient people on earth, so we do emphasize deadlines and accountability. However, they are students, not employees, so be firm but not harsh. You can always tell a person who is giving you difficulty that you will consult with me.

Students generally complain to me only when they think something is seriously wrong. If I am contacted with a complaint, I must investigate it, usually by asking for more information from all sides. The following are typical:

Complaint: The teacher is not properly prepared.

The teacher has not organized the material, simply repeats the textbook, reads from lecture notes, provides no examples, uses no visual aids, asks no questions, gives insufficient instructions for an assignment, regularly ends class early, or fails to explain expectations.

The result is the students' **loss of confidence in the teacher**. This is often fatal to a teacher's success. You have been chosen to teach on the basis of your expertise, and we rely on you to transfer that knowledge to the students. The students need to feel confident that they have learned what they need to know to succeed as paralegals.

Note that it is not unusual to be asked a question you can't answer off the cuff. In that case it is appropriate to say you'll have to look it up. Be sure to do so and give an answer at the next class.

Complaint: The teacher knows the material, but can't teach.

Usually this means the teacher is not sufficiently explaining the material. You should **anticipate a lack of comprehension** and **prepare alternative explanations and additional examples**. Ask the students if they understand a point before moving on; ask a question requiring its application. Our students are not law students, though many of them have excellent analytical skills. However, they are not receiving the reinforcement law students do by studying several legal subjects at once and using the case law method.

This complaint is understandably common in legal research and writing classes, where the skills are more art than science. Here you must encourage students constantly that they are progressing and eventually things will fall into place.

Complaint: The teacher's expectations are unclear.

This is where your **advance preparation** pays off. Your syllabus includes everything it should: all assignments, all quizzes and exams, all policies. You explain what you expect in an assignment, you refer students to a sample, you give a few sample questions before a quiz or exam, you provide a vocabulary list and/or study guide. Having it **in writing** makes it difficult to argue about.

If you change anything, such as a date for a quiz or a due date for an assignment, or clarify something to an individual student or in class, take advantage of Blackboard to post a note in the Announcements section, or send a group e-mail.

Before correcting exams and assignments, prepare an **answer key or checklist** (see the next section on Writing Exams and Assignments). This will help you remain objective, though you can always adjust things if it appears that the entire class failed to understand a point. On exams, it is often useful to correct one question or one page at a time across the entire class to avoid inadvertent disparities in grading.

Complaint: The teacher can't control the class.

This happens occasionally and is a particular danger when the class is a large one. It often results when the teacher fails to recognize **off-the-point questions** and gets carried away on a **tangent**. Some students need to be told that it would be more appropriate to discuss this question during break or after class; be tactful. But some “what if” questions are good ones that can be used to reinforce a point or explain an exception to a rule. Listen carefully so that you can answer a question or defer it.

This can be a timewaster, and students often get very upset when a teacher **falls behind** in the syllabus, though an occasional adjustment is no problem. Again, time management is the key. Sometimes you just have to move on.

Complaint: The teacher is not respectful of the students.

This is rare, but sometimes teachers will be completely unconscious that their comments or actions have made a bad impression. **Adult students** expect to be treated as adults, so be careful not to be patronizing or condescending.

It is best to avoid statements about class performance unless they are positive (“All of you did well on this assignment.” “I saw a lot of improvement in these second drafts.”). Threats, even mild ones, are counterproductive (“You won’t be able to keep a paralegal position if you don’t learn this.”). But it is a good idea to post the distribution of grades on a quiz or exam, as it prevents the poor achievers from claiming the test was unfair.

Never, ever comment on an **individual’s performance** in front of the class. Also be careful that other students are out of earshot before discussing a student’s situation; suggest going out into the hallway or into a vacant room, or somewhere private.

Of course we expect you to be **supportive of paralegals**. Please be careful, though, not to make sweeping statements about paralegals in general. You can and should refer questions about job prospects, salaries, and the like to me, as I keep up to date on these matters, through surveys of our graduates and reading local and national publications on the profession.

An **excessive workload** is sometimes a problem. Most adult students plan ahead, and it can be very disruptive when a last-minute assignment is given. This is also why you should not give “pop quizzes.” Also consider whether your assignments are too lengthy.

It is especially important that teachers avoid a **defensive attitude**. Acknowledge your mistakes or your lack of knowledge. When students complain, acknowledge the possible problem and ask what would be helpful (within limits). Once you are perceived as unapproachable, your effectiveness is lost.

Common courtesy is expected of everyone in and outside the classroom. We now emphasize this point by including a reminder in the policies section of each syllabus. Never, ever disparage a student in front of other students. Be careful, too, that your e-mail messages do not betray your impatience; e-mail seems to encourage complaints, to some extent, but often it's just venting. And be very, very careful with humor.

One final point: **retaliation** against a student who complains, to you or to me, is completely unacceptable and will be treated by me with the greatest severity, which may extend to the termination of your teaching duties.

Writing Exams and Assignments

Define your objectives for each exam and assignment.

For exams, review your objectives for each class, vocabulary lists, your lecture notes and outlines to determine what **subject areas** will be covered in each exam. Final exams may be cumulative (the course is only eight weeks long) if you wish.

For assignments, determine what the **specific objective** is and what is necessary to show the students' mastery of a particular skill. Put all directions in writing, post them on Blackboard, and go over them in class when you give the assignment so you can correct any initial misunderstandings. Be sure the students have or know how to find the resources they need (e.g., samples, library books, Internet, Lexis, Westlaw).

Determine the appropriate format.

For exams, decide first whether a test will be **open book or closed book**. Open book exams may be appropriate for courses where a great deal of technical information has been covered, but the questions should probably be harder. Unfortunately students have a

tendency to study less for open-book exams too. Some teachers allow a single-page “cheat sheet.”

For many paralegal courses, however, it is appropriate to allow the use of **statutes and rules** on exams because you want the students to apply them and/or provide the proper citation. Again, we want the students to be comfortable with original sources.

Exam questions can include many types: true/false, multiple choice, fill-in-the-blanks, definitions, short answer, factual application. Usually a mixture is appropriate: **objective** types (true/false, multiple choice, fill-in-the-blanks, definitions, and maybe short answers) for factual information the students should have mastered, **subjective** types (factual application and short answers) to demonstrate analytical skills.

As a general rule, the easier an exam is to write, the harder it will be to correct, and vice versa. For example, writing a good true/false question that doesn't have any ambiguities is difficult, but simply listing terms to be defined leaves you to decide when correcting it what is a complete definition.

Do not use **law school-style questions**: issue recognition in complicated fact situations is not a goal for paralegal students. If you want to use a fact situation question, keep the issue simple, or break it down into a series of questions.

Each exam should total **100 points**; anything else makes it hard for students to determine how much time they should spend on each section, and frequently causes difficulties for mathematically challenged teachers. (Quizzes can be lower, as a letter grade on a quiz is not significant.)

There is no inherent point value to a particular type of question. You should set a value by how much effort you expect from the student. Usually all the objective types of questions should have the same point value for each type (e.g., all the true-false worth 2 points), but varying point values may be appropriate for subjective types, as long as you indicate the point value for each question.

For assignments, make sure your **written instructions** clearly specify what you want: a report that covers three or four specified issues, a set of specified documents, attachments of research results, etc. You should require that an assignment be **typed** on a computer (except for unsuitable forms), as all students have access to computer labs on campus. Emphasize that you expect a **work product** similar to what would be presented to an employer—grammar, spelling, punctuation, and syntax count, as do clarity and neatness.

Finally, for both exams and assignments, consider whether the **length** is appropriate. Often the entire class period is set aside for a final, but not a quiz. Assignments, too, should not be so time demanding that the students neglect class preparation.

And again, please be sure to **proofread** the exam or assignment carefully.

Grade exams and assignments quickly and fairly.

Students are eager for feedback, sometimes unreasonably so. You should make every effort to grade exams and assignments in a **timely** manner, but you do not have to provide grades before the next class meeting. Generally, corrected quizzes and exams should be returned within one to two weeks, and assignments within two to three weeks.

It is usually unwise to tell students their **individual results** before returning exams or assignments to the class as a whole, though you may want to post them in the Grade Book section on Blackboard. An exception is that you may confirm a student's suspicion of failing an exam, but hold off on telling the student what, if anything, he or she can do to raise the grade. It is a very good practice to announce the **grade distribution**, especially for exams, when you do return them. The students with Cs, Ds, or Fs can't claim a test was unfair when plenty of other students received As and Bs.

As mentioned earlier, an **answer key** to an exam is essential. It provides a documented, objective rationale for scoring each question and the exam as a whole. You can be flexible to some extent (e.g., deducting points for the part of the answer that's missing but adding a half point for another portion that is especially well done).

Also, it is a good practice to **grade a question, or a single page of questions, across the entire class** to see the general level of response. If everyone missed your point, or you didn't notice a mistake or perceive an ambiguity, perhaps the question should be omitted from scoring. If few students gave what you considered a complete answer, perhaps you should give full credit for a nearly complete one. Generally, I think this sort of "curving" by each question is fairer than curving the test results as a whole.

For written assignments, **checklists** (the trendy name in academia is "rubrics") can be very helpful in justifying a grade. They also allow students to see where improvement is needed and so are especially useful when rewrites are expected. Of course, it will take you some time to develop these criteria, but advocates claim grading is easier and students complain less about what they perceive as subjective grading.

For some less formal assignments, a checklist isn't necessary. For example, I've given assignments asking students to read a couple of news articles and to write a summary and analysis relating them to issues we discussed in class. My objective was to raise their consciousness of these issues and give them some practice in analysis and writing, not a particular paralegal skill. I deducted no more than 2 points (of a total 10) for deficiencies in presentation (grammar, syntax, etc. and general coherence) because everyone followed the directions and made a decent effort.

Additional Resources

Strategies and Tips for Paralegal Educators, by Anita Tebbe. West Publishing, 1995. Available in Law Library at KF 320 .L4 T43. My office copy is missing but will be replaced.

Teaching Guide for Paralegal Instructors, by Janet W. Fisher, et al. Aspen Law & Business, 2001. Available in my office.

Journal of Paralegal Education & Practice. Volumes 9-17 (1993-2001) available in my office.

Online: *The Law Teacher*, Institute for Law School Teaching, Gonzaga University. Link on Gonzaga's home page: <http://www.law.gonzaga.edu>.