

Legal Education and Assessment: An Annotated Bibliography

1. "All of the Above: Computerized Exam . . ." Daggett (2002) 57 J. Legal Educ. 391. A law professor promotes the idea of using more multiple choice examinations both for formative and summative assessment. Discusses the benefits of more validity, reliability and breadth compared to the sole use of essay exams. Footnote 2 has a scary statistic.
2. "AALS Survey of Law Schools on Programs and Courses Designed to Enhance Bar Examination Performance" (2002) 52 J. Legal Educ. 453. AALS survey is an article which discusses various courses or other academic opportunities at AALS member law schools to increase the bar pass rate of their graduates. Both specific courses focused on the bar and other courses designed to strengthen skills tested on the bar are discussed. Encompassed within the discussion is academic support. It contains a fairly detailed exposition on just what certain schools are doing and includes assessments, some very preliminary, of the success of their efforts.
3. "Best Practices for Legal Education" Stuckey & Others (2007) is justly the current Bible of legal education and assessment techniques. This is a book, but several of the chapters read well as stand alone. Has excellent section on the effective and appropriate use of the Socratic method. The Chapter on Assessment includes critiques of current methods of summative assessment as well as innumerable ideas.
4. "Collaborative Examinations: A Way to Help Students Learn" Haddock (2004) 54 J. of Legal Educ 533. In Collaborative Exams a professor discusses allowing students to collaborate on take home exams. Interestingly, many of the negative and positive comments made by students on the process track those made by my students on my Jury Assessment knock-off exam.
5. "Conference on New Ideas for Experienced Teachers: We Teach But Do They Learn" (2001) Conference on New Ideas is basically a compilation of links to materials shared at a conference on teaching the law. I've saved the Program for the conference in a separate document to make it easier to navigate though the incredible wealth of materials contributed.
6. "Developing An Empirical Model to Test Whether Required Writing Exercises or Other Changes in Large-Section Law Class Teaching Methodologies Results in Improved Exam Performance" Jones and Washington (2007) 57 J. Legal Educ. 195. Looks at comparative student performance in two courses, one with written exercises and feedback and one without. Results-the students who benefitted the most from writing intervention were those with above average LSATs and above average UG GPA's. Wonderful citations, especially in the first part of the article to various reported studies of LSAT scores as predictors of success.
7. "Educating Lawyers" (c. 2001) Carnegie Foundation. The Carnegie Foundation takes a look a legal education. It contains a short, broad overview of legal education and some general suggestions.
8. "An Essay on Strategies for Facilitating Learning" Barnhizer (2006) Cleveland-Marshall College of Law. This piece focuses on the use of techniques in both practice and doctrinal classes to incorporate active learning in the classroom.
9. "Generation X in Law School: How These Law Student Are Different From Those Who Teach Them" Ingham and Boyle (2006) 56 J. legal Educ. 281. Based in learning theory, looks at preferred learning styles of Gen-X-ers compared to Baby Boomers. Gets pretty technical.
10. "Guidance Notes: Ensuring Successful Assessment" Bone (1999) Published by the National Centre for Legal Education. Ensuring Successful Assessment – British style. This is article reviewing and suggesting ways to assess students gaining a legal education. Chapter 3 on varieties of assessment has some interesting ideas.
11. "Harnessing Assessment and Feedback to Assure Quality Outcomes for Graduate Capability Development: A Legal Education Study" Kift (c. 2003). Curriculum Review – Aussie style. A

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- really first rate discussion of how an Australian law school reviewed its curriculum, articulated learning outcomes and looked at assessment, both formative and summative. A nice theoretical discussion of assessment. Has some good active links in the footnotes.
12. "How Do We Know If We Are Achieving Our Goals?: Strategies for Assessing the Outcome of Curricular Innovation" Munro (2002) J. of Assoc. of Legal Writing Directors 229. A short, very accessible article by Munro, guru of law school assessment, giving an overview of curricular learning outcomes and assessment.
 13. "The Impact of Expectations on Teaching and Learning" Glesner-Fines (2002) 38 Gonz. L. Rev. 89. This article discusses how the level of professorial expectations on group and individual learning is frequently self-fulfilling.
 14. "The impact of formative assessment on student learning" Bone (2006) 3 Web JCLI (Web Journal of Current Legal Issues)
 15. "Moving Beyond Langdell: An Annotated Bibliography of Current Methods for Law Teaching" Torres and Harwood (1994) 29 Gonz. L.Rev. 1. Course specific bibliography on teaching techniques and ideas. Almost every course topic taught at SJCL is on his list. (Most of the citations are to law review articles. All of these can be accessed remotely by logging in the the SJCL website, and going to the Law Library and looking at Hein on Line.)
 16. "New Modes of Assessment" Sergienko (2001) 38 San Diego L. Rev. 463. A great article on the pitfalls of using only a single mode of assessment. Has extensive discussion on use of multiple choice questions and how they might be fashioned for formative and summative assessment. Most examples are Torts.
 17. "Lightening and Englightening Exam Conferences" Seamon (2006) 56 J. Legal Educ. 122. Examination Conferences is an article which discusses and has suggestions for making student-faculty exam conferences more productive.
 18. "Literature on Learning and Assessment" (2007) is a bibliography of books on learning and assessment in higher education, not limited to legal education.
 19. "Make the Student the Professor" Nelson (2001). This short piece has ideas about giving students a matrix from a prior exam and having them "grade" two slightly doctored student answers, one poor and one well done. Allows review of substantive material and gives students an insight into examination process.
 20. "Outcome Assessments for Law Schools" Munro (2000) Institute for Law School Teaching, Gonzaga University School of Law, is a book which methodically makes the case for diversity in formative and summative assessment mechanisms based upon learning outcomes. The author discusses various forms of assessment by institutions and in the classroom. At about 170 pages it is a very easy read. Appendix H has a solid selection of general books on assessment.
 21. "Passing the Bar Exam: Psychological, Educational, and Demographic Predictors of Success" Kaufman, LaSalle-Ricci, Glass, and Arnoff (2002) 57 J. Legal Educ. 205. Personality traits of bar takers and success on the Bar.
 22. "Performance in Law School: What Matters in the End?" Ippolito (2004) 54 J. Legal Educ. 459. This article looks at a series of variables (some predictable, like LSAT, and some unexpected, like where students sat in class) of incoming students and their performance at the end of the first year. Let no man ignorant of statistics enter here.
 23. Plenary Assessment Document, Adcock reviews how the University of Charlotte law school derived its learning outcomes.
 24. "Tip 7: Law School Teaching Innovation/Tips" (2006) Center for Legal Pedagogy. A bullet point on law school testing and assessment with some resources cited at end.

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25. "The 'Reasonable Zone of Right Answers': Analytical Feedback on Student Writing" Gionfriddo (2005) 40 Gonz. L. Rev. 427. Analytical Feedback creates a contextual framework for giving students feedback on written assignments. The author includes 3 examples of student writing and the thought process behind the feedback she would give the student.
26. "The State of the Property Course: A Statistical Analysis" Wendel and Popovich (2006) 56 J. Legal Educ. 216. Property Law-OK I may be the only one interested, but dissects the teaching of real property by schools. I'm not the only one who loves Future Interests!
27. "Using Assessment Practices to Evaluate Legal Skills Curriculum" O'Brien (2008). Aussie paper encouraging the development and feedback on legal skills across curriculum, including doctrinal classes.
28. "Using the Examination as a Teaching Tool" Goutin (2001). Examination Packet idea. Professor of transaction-based class distributes extensive file to class before examination. Examination then "adds" a little to packet for testing purposes. Interesting idea to allow students to contemplate prior to exam the types of exam questions which might be generated from materials.
29. "What's Wrong with Langdell's Method and What To Do About It" Rubin (2007) 60 Vand.L.Rev. 609. Has a thoughtful and thought provoking analysis of the 19th century assumptions underlying the Langdellian model (case method) of legal education. Puts forth some modest proposals for reform.