
The Collaborative Legal Studies Program: A Work In Progress

Ann L. Iijima

When I started law school, I was thirty-two years old and relatively secure. I already had experienced some success, both academic and professional. I was unprepared, therefore, for the emotional toll taken by the next three years. Despite my successful law school experience, I came out feeling like I had been run over by a steamroller. I had found law school to be isolating and ego-destroying. The fact that I enjoyed most of my classes and participated frequently made my emotional response even more inexplicable. It was not until some years later when I was in private practice that I discovered, to my surprise and relief, that many of my colleagues had been similarly affected.

Accordingly, when I started teaching law, I was not surprised to find that many of my students were having similar experiences. I began thinking seriously about law school pedagogy and its effect on students.¹ On a number of occasions, I discussed the uniquely stressful environment of law schools with Dick Wagner, who had recently become the head of William Mitchell's counseling center. He had been somewhat puzzled and intrigued to find that law students experienced more stress than other populations he had served.

In 1997, our mutual interest in the impact of law school on the students catalyzed the development of the Collaborative Legal Studies Program ("CLSP"). That spring, I was working on an article about law school pedagogy. Dick sent me articles establishing that lawyers experience abnormally high rates of alcoholism and emotional dysfunction, and suggesting that the law school experience is an important causal factor.² These studies on law student and lawyer dysfunction indicated that the need for change was imperative. When I invited Dick out for lunch to talk about the studies, we discovered

Ann L. Iijima is a Professor of Law at William Mitchell College of Law, where she teaches constitutional, employment, and academic support courses. She thanks her CLSP co-developers, Dick Wagner, L.I.C.S.W., and Cynthia Waldt, for their creativity, heart, and friendship. She also thanks Dean Harry Haynsworth for his support of CLSP, and April Smuk, CLSP co-director during the 2000-2001 academic year.

that we both had been contemplating creating a program to address the issues raised by the studies. During our lunch, the cross-fertilization of ideas and compounding of excitement led us to develop CLSP. Harry Haynsworth, William Mitchell's President and Dean, had a strong interest in professionalism issues and agreed to support a pilot program beginning that fall.³

CLSP is a program designed to help first-year students approach law school and the practice of law in a balanced, healthy fashion. We ran the initial program in the 1997-1998 academic year and revised programs in the 1999-2000 and 2000-2001 academic years. The initial and revised programs were significantly different both in tone and impact. This article describes our experiences during the first two years of CLSP.

I. CLSP PURPOSE AND DESIGN

Law schools traditionally promote a largely theoretical approach to legal education, teaching students how to "think like a lawyer" rather than how to **be** a lawyer. They rarely discuss, much less deal with, the emotional toll law school and the practice of law may demand. As some experts have noted:

[A] significant percentage of practicing lawyers are experiencing a variety of significant psychological distress symptoms well beyond that expected of the general population. These symptoms are directly traceable to law study and practice. They are not exhibited when the lawyers enter law school,⁴ but emerge shortly thereafter and remain, without significant abatement, well after graduation from law school.⁵

Studies show that law students and lawyers are much more likely than the general public to suffer from obsessive compulsiveness, feelings of inferiority, depression, anxiety, hostility, phobic-anxiety, and paranoid ideation.⁶ Another study indicated that law school itself, rather than any predisposition of the entering law students, accounts for much of the dysfunction.⁷

Law schools arguably present a unique combination of factors that create, or at least encourage, this emotional dysfunction.⁸ These factors separate law students from the "net of complex interrelationship, both internal and external to the individual, that provides support, encourages growth, and helps define the individual."⁹

Law school allows (or even encourages) students to sever most of these connections. Law school's arguable focus on a narrow definition of success — getting high grades and securing prestigious employment — undermines the foundation that previously gave the students a sense of self-worth, purpose, and personal fulfillment. Ironically, while the law students' worth becomes increasingly identified with intellectual ability, their intellectual ability comes into question, perhaps for the first time. While the students are struggling with threats to a formerly dependable source of

positive ego reinforcement, they often are turning away from other sources of support. Their non-intellectual connections often have atrophied.¹⁰

The non-intellectual connections include the students' internal relationships with their emotional, physical, and spiritual dimensions, as well as external relationships with their families, friends, and communities. Moreover, because of the competitive nature of law school and the teaching methodology employed, their relationships with the faculty, staff, administration, and even other students are unable to provide an adequate substitute.¹¹ Accordingly, law students frequently complain of feeling isolated and lonely.

CLSP was designed to support the healthy functioning of the students by encouraging them to maintain strong internal and external connections. It encourages the use of collaborative learning methods, promotes relationships within the law school community (faculty, staff, and students), and encourages the integration of the students' family and community lives. This healthy functioning should advance academic achievement and healthy professional habits.

II. THE PAST

CLSP had a somewhat rocky beginning, but the initial years led to the development of a very successful program. We began the program in the fall of 1997.

A. 1997-1998

At the end of July, 1997, we sent a letter of invitation to the first-year students in Section 1¹² explaining the purpose of the CLSP program, its basic design, and the application procedures. At the start of the semester, CLSP had 14 participants.¹³

Our original plan was to hold a two-hour meeting once every two weeks.¹⁴ The program coordinators or outside experts would make a short (20-30 minutes) presentation on topics such as coping with stress and taking exams.¹⁵ Following the presentation, we would invite the students to discuss their law school experiences regarding the specific issue presented. We hoped that they would share stories, provide support and encouragement, and brainstorm approaches and solutions.

The program started off well. We started with an all-day introductory session just before classes began. We hoped that this session would give the students time to establish relationships before classes started, when they would be anxious about the start of school and eager to connect with other students. We hoped the early start would allow the students to establish collaborative patterns at the very beginning of their legal education. We introduced the students to the program's purposes and basic parameters, and gave them an opportunity to ask questions. The students then participated in a six-hour exercise designed to build trust among diverse communities.

This introductory session went fairly well. The students appeared to bond somewhat with Dick, Cindy (my research assistant), and me, and to bond strongly with each other. At the end of the day, their comments indicated a desire to strengthen this attachment: they commented on their pleasure at getting to know some of their classmates, admitted that they had been feeling isolated and lonely, wanted to devise a group “name” and t-shirts, wanted to continue the program past their first year, and wanted to continue meeting in that same room. Although we were not able to start the regular bi-weekly meetings for two weeks, there were indications that the program already was having the desired impact. One of the students even expressed some concern that the CLSP members were gaining an unfair advantage over the rest of the students. One of our major themes had been to encourage the students to make connections with the various law school communities, including faculty, students, and staff. I noticed that the CLSP participants spent a great deal of time together. I saw the participants approaching staff members and other faculty members for information and advice. They immediately began looking into the various student organizations. A few came to talk to me about the stress they were experiencing. They were confused about the legal doctrine they were covering, and concerned about the enormous amount of time briefing cases takes, whether and how to join a study group, and issues of isolation. Thus far, all was going as we had planned.

The program’s initial success left us unprepared for the students’ reaction to the first regular session. Dick and I opened with some general information about CLSP. I introduced the “Connection Points” system, which was designed to encourage them to maintain both external and internal connections.¹⁶ During our subsequent discussion of maintaining personal balance, a few members expressed some anxiety and guilt about not spending enough time with family and friends. Conversely, they also experienced anxiety and guilt when they took time off from their studies. Most of the students did not speak up, however. This silence was the first sign that things were going awry. Dick used this discussion as an opening to make a 20-minute presentation on the issue of stress. He spoke about the most common sources of stress for law students, the importance of paying attention to their feelings, and the need to maintain balance. As he continued, the students began showing increased signs of sadness, anxiety, and even hostility. A couple stated that, although they had not been stressed before the session, they certainly were now.¹⁷

The students’ reactions to the first session set the pattern for the duration of the year. Dick, Cindy, and I continued to hope that the CLSP members would coalesce into a supportive group. We encouraged them to express their thoughts and concerns about law school. A few of the group members were pleased to have an opportunity to share their experiences and support, and frequently did so. Other students were willing to provide support, but unwilling to share their own experiences. A third group said they were uncomfortable even listening to discussions about emotions and wanted

sessions that stayed far away from any personal or emotional content. They favored topics more directly relevant to their academic and career goals, such as presentations on study skills, career paths, and resume preparation. Any attempt to draw out the third group was met with silence, discomfort, and hostility. To accommodate this third group, we began offering more sessions on academic and career-related topics.

Although all of the student members reacted positively to the more utilitarian meetings, Dick, Cindy, and I became increasingly dissatisfied with the program. First, many of these services were offered by other departments, such as Career Services and Academic Support Services. Second, and more importantly, there was no feeling of group cohesion. These sessions had nothing to do with the group; rather, they were focused on helping the students succeed as individuals. It became increasingly clear, in fact, that a number of the members felt little or no responsibility to the group — they attended meetings only when they determined that the particular topic would be helpful to them as individuals. We also began hearing of growing tension and competitiveness among the participants outside of the meetings. Some of the students threatened to stop coming if others were going to show up. This factionalism was particularly disheartening — the establishment of law school factions or cliques was one of the phenomena we designed CLSP to mitigate. Eventually, only the students comfortable discussing their feelings attended the meetings.

Dick, Cindy, and I struggled through the remainder of the year, trying to hold the group together. It was an emotional roller-coaster: we had been intensely excited and energized at the start of the school year, but found our efforts to be exhausting; we were giving a great deal to the program and getting very little back.

As it was, although the program was less successful than we had hoped, we believe it was more successful than the students realized. Nearly all of the CLSP participants developed their closest friendships with other participants. Most became active around the school, almost all of them taking leadership positions in student organizations, becoming research assistants, or joining the law review.

B. 1998-1999

There was no CLSP program the following academic year. Dick and I sent out the letters of invitation after the students had received their first Legal Writing grades, instead of at the beginning of fall semester. We thought that the program would be received more positively if the students had experienced stress **before** starting CLSP. Also, in order to encourage the participation of more forthcoming and emotionally supportive students, our letter focused on the emotional aspects of the program. We again sent the invitations to a single day section. Because we received only two applications, we decided not to offer the program fall semester. We hoped to offer the program spring semester, but were unable to design an approach that would be both

clear and inviting. Apparently, if the students knew about the emotional content of the program, they did not want any part of it — we only seemed to be able to get students interested in a program we were not interested in running.

That year, Dick and I spoke occasionally to bounce ideas off one another, but were unable to come up with a strategy that aroused any confidence. Admittedly, I was not overly disappointed in the year's hiatus; I had not fully recovered from the previous year's fiasco.

C. 1999-2000

The summer of 1999, one of my colleagues sent me an article that got me excited about trying CLSP once more. Gutierrez, a law school counselor, observed that while “law students experience unusually high levels of stress, anxiety, and depression,”¹⁸ the “students react in a negative manner to programs that involve pseudotherapy Support groups that allow students to discuss feelings about law school have not been successful at our counseling center, although students have expressed a need for them.”¹⁹ Although the article largely corroborated our own experience, a couple of phrases jumped out at me and catalyzed a third attempt. Gutierrez stated that “the approach must be subtle”²⁰ and observed that “[m]ost likely the groups have not been successful because they tend to be unstructured and time consuming and students may view them as an unaffordable luxury.”²¹

This article suggested that we try a slightly different approach. We would offer a “tighter” program that students would see as a worthwhile expenditure of time. We would let the students tell us what they needed from the program — emotional, academic, social, or career — even if the issues were utilitarian rather than personal in nature. We observed that the first CLSP group members had found their support from other members, but outside of meeting times, and decided that result would be sufficient.

While we decided not to push more emotional openness than the students found comfortable, we also wanted to be explicit about our hopes for an emotionally supportive group. We wanted to be consistent with the values emphasized in CLSP and did not want to be open to charges of having enlisted participants under false pretenses. We knew that a forthright letter would scare off the majority of students, but decided this approach would benefit the program, in the long run. We hoped that the letter would achieve a balance — that it would be clear about our intentions but not overly intimidating.

We decided to increase our chances of obtaining a sufficient number of participants by drawing from a larger pool of students. Accordingly, before the beginning of the academic year, we invited all 300 first-year students to participate. The letter of invitation made it clear that students should only “apply” if “sincerely

interested” in working collaboratively and gave them an opportunity to explain their reasons for wanting to participate. We eventually had 20 students join CLSP.

We made a number of changes to the meeting logistics that would provide an environment conducive to building group cohesion and trust. First, we decided to offer the program every week for one hour, rather than every other week for two hours, to provide continuity.

Second, we carefully planned the meetings to allow personal sharing without putting any pressure on the students to do so. We again planned to begin each meeting with a presentation by one of the co-directors, which would provide the students with useful information. We planned enough material (for example, presentations and exercises) to fill the entire hour. The presentation would include a “take-away” for the students, that is, a skill or information that they would consider useful. We attempted to give them something tangible each week, for example, a cartoon, thought-provoking article, or a study skill handout. Although we did not press the students to participate in the discussions, we designed agenda sufficiently flexible to allow the students to raise and discuss any concerns they might have.

Third, we decided to start the discussions by having the co-directors disclose personal information or tell personal anecdotes. We would serve as role models — we would be emotionally open and revealing but would not push the students to open up to each other. We hoped, however, that by providing a relaxed, “safe” space, they eventually would do so. We would make space for, but not require, the students to reciprocate.

Following this format, we painstakingly planned the first meeting to set the tone of the program: warm, supportive, and light-hearted.²² We predicted that the students might initially be somewhat uncomfortable and wanted to give them something to do until the meeting started. Accordingly, we distributed copies of “A Day in the Life of a First-Year Law Student”²³ for them to read. This very elaborate and funny flowchart dealing with law school survival gave them something to look at and provided the first “take-away.”

We started the program by introducing ourselves in a manner carefully crafted to communicate essential contextual information: that while talking about feelings was allowed, no one would be pressured to speak. Dick, Cindy, and I briefly described our relationship to William Mitchell (director of counseling center, graduate, and law professor, respectively²⁴) and a few things about our personal lives. We wanted the students to see us as real people with lives outside of our professional accomplishments. We then asked the students to share non-threatening information: their names and where they lived before coming to law school.

We continued the introductions with a name-tag exercise. As the students came in the door, we had asked them to print on their name-tags both their names and a phrase referring to something that made them unique. Dick, Cindy, and I started the

exercise. We used our name-tag descriptions to reveal information that was a little more personal than we had divulged in the first round of introductions, but that was not too “heavy.” Dick’s “I know what suet tastes like” introduced a funny/embarrassing story. Cindy’s “old pupil/new eyes” play-on-words described her status as a law graduate who had undertaken corrective optical surgery. My “two houses” tag allowed me to introduce my relatively complicated home life. We went around the table, having the students explain their name-tags. Their explanations ran the gamut, from one student who explained his blank tag, saying, “There’s nothing unique about me,” to a relatively revealing explanation of a “Dry 20 years.” We congratulated the recovering alcoholic on her accomplishment and did not push the more reticent students for further revelations.

We moved from introductions of the participants to an introduction of the program. We started by telling the students why the three of us were involved, increasing the level of our emotional disclosure. Each of us described something from his or her own academic career that had been emotionally unsatisfactory.²⁵ We wanted to show them that: (1) this would be a safe place to share emotions; (2) the directors would be full participants in the program; and (3) finding law school emotionally challenging was not evidence of academic weakness.

We then explained that we would deal with a topic of common concern each week. We had the students fill out a topic survey. It listed topics we had covered the first year and provided blank spaces for adding topics not already listed. We asked the students to put a check next to the topics of interest and a star next to the three topics of the greatest interest.

At the end of the meeting, Cindy led us through a “target exercise” designed to help us identify our support network. She gave each of us a sheet of paper with three concentric circles. In the innermost circle, we wrote the names of the persons closest to us – the ones we most counted on for our support and to whom we went when we were experiencing problems. In the second circle, we wrote the names of other friends and family members, and in the outermost circle, we identified the individuals and groups of persons with whom we associate, but with whom we do not have a particularly close relationship.

Once again, Dick and I started the conversation. I reported my surprise that I had only one person in my center circle. Cindy suggested that I consider adding others to this inside group. She said that it might not be wise to depend on only one person, for whom such dependence could prove burdensome.²⁶ Dick relayed two personal stories, one of which visibly moved everyone in the room.²⁷

The one-hour session was just enough time to get through the agenda we had developed for the first session. Although the co-directors had been relatively revealing on a personal level, the overall atmosphere of the meeting had been light-hearted, with a great deal of joking. Most of the students had taken advantage of the opportunity to

share non-threatening information about themselves, and a few had indicated a willingness to go farther.

Immediately after the meeting, Dick and Cindy came back to my office for our traditional debriefing. I tallied the surveys and was pleased to report that the three most popular topics dealt with stress. We cheered and “high-fived.” We were not celebrating the fact that the students were experiencing stress, of course, but rather that they were willing to admit to us that stress was a problem.²⁸ Based on the surveys, I outlined the topics we would cover over the following weeks.²⁹

At the beginning of the second meeting, Dick spoke for approximately 15 minutes on issues law students commonly face, including perfectionism. This topic clearly resonated with the students. A couple of the students said they dealt with the stress of legal writing assignments by procrastinating. The students recognized that this counter-productive response was particularly likely when they were confused about how to approach a task. A number of students shared their strategies for getting started on their legal writing assignments.

One student observed that perfectionism might be necessary in law school; law school grades rely heavily on one examination, and there is very little leeway for mistakes. Another added that one professor had told them that if they did not understand a particular doctrinal point they “might need to go to counseling.” She had interpreted this to mean that students who did not understand that legal doctrine did not belong in law school. Other students in the same section either agreed with her impressions or gave their own, more benign, interpretations. The student appeared comforted both by the thought that others had shared her feelings and by the possibility that she had misunderstood her professor’s intentions.

We then discussed why law students have difficulties admitting to problems with their studies, and how the students could get more out of their study time. I advised them on studying more effectively and about outlining. Cindy and I answered questions about commercial outlines, hornbooks, and other study aids.

Our approach appeared to be having the desired results. There was growing camaraderie and openness among the students. My journal for October 21 reads, “Today we celebrated — the group seems to be working better than we had anticipated. This is the atmosphere we had been hoping to achieve! The students seem engaged, open, and supportive. There’s a lot of emotional content: both shared laughter and pain.”

There was high attendance again at the third meeting, a good sign that the students were finding the program helpful. One of Dick’s colleagues in the Counseling Center, Delle Jacobs, led a discussion of stress for the first 30 minutes. She first administered a “Stress Audit.”³⁰ Twelve of the thirteen students present showed some susceptibility to stress: four showed “moderate susceptibility,” two showed “high susceptibility,” and six showed “serious susceptibility.” Only one student showed

Iijima

“mild susceptibility.”³¹

Surprisingly, the most powerful moment of that meeting occurred when Delle turned off the fluorescent lights for the relaxation exercise. Although the windows provided sufficient light to see, the room was rather dim in comparison to the bright illumination of the fluorescents. The change was amazing; I instantly felt my body “let go.” I heard a communal sigh and looked around to see startled looks on the faces of many of the students. It was incredible what a simple physical change in the environment could accomplish.³²

The following week, we discussed the Myers-Briggs Personality Types. Before the meeting, the students had identified their temperament type by using the “Keirsey Temperament Sorter II.”³³ We started off the hour recording the number of students falling into each of the 16 categories.³⁴ I distributed and commented on handouts discussing how temperament types influenced educational and career preferences.

We then discussed what our types might mean in terms of learning and practicing law. Once again, Cindy, Dick, and I started the discussion by describing our own temperament types, and the impact they had on our learning and careers. Cindy, the “fieldmarshal,” talked about taking on leadership without consciously wanting to and about being the type of law student everyone else hated, the “gunner” with her hand raised constantly. Dick said that, as a “counselor,” he tended to be too much of a perfectionist. He thought he would have been happier and would have done as well academically if he had relaxed more when he was a student. He thought that if he had been more aware at that time of his propensities, he might have worked harder at achieving a balance. He said that, consistent with the “Sixteen Types” description, his feelings were easily hurt, and described how he had come to terms with that propensity.³⁵ I explained how being a “provider” influenced my experiences as a law student, lawyer, and professor. I talked of my relief at discovering that my dislike of highly theoretical approaches probably was a temperament preference rather than an intellectual deficiency, as I, in my heart of hearts, had feared. I noted that my type is less likely to go to law school and more likely to drop out than most of the other types.³⁶ I said that this helped explain my discomfort as a law student.

The students compared their handouts to the whiteboard tallies and observed that many of them also belonged to types that were less likely to go to law school. They suggested that they may be more uncomfortable than many of their peers because of their temperament types, and that students in their categories might be drawn to a program such as CLSP that promotes a non-traditional approach to law school.

We then discussed to what extent temperament types should determine career decisions. One student suggested that if she had known that her type might not be well-suited to law school, she might not have applied. Another student was uncomfortable with the whole notion of types. He was concerned that individuals might get “type-cast” and locked into their types, that they might let themselves be

limited or defined. Dick pointed out that the types could change over time. I stated that they were merely preferences, not absolutes, and that individuals could find ways to accommodate their styles in settings which would not appear to be a good fit.

We suggested that people should not be deterred from pursuing careers that arguably would be poor matches for their temperaments. I pointed out that it was important for all career areas to have representatives of a broad range of types,³⁷ and that many of the temperament types not typically drawn to law have characteristics which would be valuable to the profession. I distributed an article that criticized law schools for ignoring some of the skills essential to the successful practice of law, such as the abilities to listen and empathize.³⁸

The students described how alien they felt in law school. A number of students described their dismay at receiving mediocre grades for the first time in their academic careers. One said that she cried all the way home the day before because she had just received a lower legal writing grade than she had anticipated.

I wanted the students to recognize that not only were they not alone in their discomfort, but to remind them that, while some were struggling, they were still the intelligent people they had been prior to law school. I showed them a bell-shaped curve and circled the portion of the curve that was farthest to the right. I said that this was where they mostly were prior to law school. When I asked what happened in law school, they quickly realized that law school took students at the top of the curve and stretched them out into a new curve.

That meeting demonstrated to Cindy, Dick, and me that our new strategy had been successful. That hour, every one of the students spoke at least once. There was a great deal of openness, together with a great deal of laughter. One or two students stated that it felt good to know that they were not the only ones feeling the way they did — that they were not crazy. A number of students said that they wanted more time to share their experiences and to get support from the other students. They said that although they appreciated the material the three of us presented each week, there was not enough time to really discuss issues — just as things started getting interesting, the hour was up. We extended the discussion for an additional fifteen minutes, but it was clear that a few students would have liked to stay even longer.

Dick, Cindy, and I discussed this issue after the meeting. Dick argued persuasively that we did not want to give them too much discussion time, and that we should “leave them a little hungry.” A few of the students had said that they liked the program/discussion balance. Additionally, we feared that too much emphasis on personal discussions might cause the students to feel pressured to share personal issues and create the problems we had encountered the first year of CLSP. We eventually decided to extend the meeting time by 15 to 30 minutes for those who wanted to stay.

The following week we discussed the importance of maintaining personal balance. I introduced the students to a system for tracking the amount of time they

spent engaged in activities relating to their intellectual, spiritual, emotional, and physical aspects. Dick discussed studies that demonstrated the value of exercise to mental and emotional functioning. Cindy led us through a yoga exercise and talked about how students could fit physical activities, such as walking and yoga, into already crowded lives.³⁹

The students then jumped into a discussion of the increasingly competitive environment. While many felt pressured to achieve high grades and certain career goals, a few said the source of their pressure was internal rather than external. Most of the students were concerned about grades, but were looking for a way to free themselves of this focus. We agreed to use the next meeting, the last one of the semester, to discuss these issues.

The following week, we first discussed the question, "If not grades, upon what should I focus during exams?" Cindy, Dick, and I each suggested ways to reduce the stress of taking exams by moving the focus away from grades.⁴⁰ In answer to the question: "What makes me worthwhile besides grades?" the students suggested the following: a sense of justice, the ability to work with others, problem-solving abilities, and caring for others. We considered whether one's value was dependent upon any skills. Cindy said that she was effectively representing clients even without having obtained top grades.⁴¹ Finally, we discussed the question: "Did I experience a sacred/important moment today?" We shared a number of stories of small but deeply meaningful incidents, and talked about the importance of being aware of them.⁴²

When the students returned from winter break, we continued to meet on a weekly basis. Although the formal presentations often involved career issues, the informal discussions generally involved the emotional aspects of law school and practice. These discussions continued outside the regular meetings, and students frequently contacted Dick, Cindy, and me to discuss law school, how they were feeling, and career issues.

III. THE FUTURE

My three years with CLSP have convinced me that a few attributes are key to programs of this type. The program should include ten to twenty students. A smaller number would not produce the necessary energy, while a larger number would not facilitate the necessary intimacy and safety.

Having co-facilitators, while not essential, is very helpful, especially when starting a program. Dick, Cindy, and I were able to bounce ideas off of each other, and I greatly valued having partners to share the emotional challenges and rewards. Having different approaches also facilitated communication with the students.

Although the Counselor/Professor/Student model is not necessary, we found it a particularly strong combination. Dick's expertise in psychological issues and small-

group dynamics was instrumental in the development of the program. His expertise was continually drawn on to help us understand the complex interrelationship issues that constantly arose.⁴³ Because Cindy was an upper-level student, then a recent graduate of the law school, her insights were invaluable both to the CLSP members and to the development of the program. My expertise as a professor came in handy when we talked about academic and career issues.

As we went along, we discovered an additional benefit of having co-facilitators. By chance, Dick, Cindy, and I had different temperament types, as determined by the Keirsey Temperament Indicator. I believe that through our collaborative efforts, our differences in type produced a stronger program than any of us could have produced alone.⁴⁴

The group should meet for one hour each week. The facilitators should offer material that students will recognize as personally beneficial, preparing sufficient material for the major part of the hour. The agenda should be sufficiently flexible, however, to allow and encourage group discussion of whatever issue is paramount to the students.

The facilitators need to model openness. In our post-meeting debriefings, Dick and Cindy reported that the students responded particularly well to my stories about being a law student, particularly my struggles. We often saw heads nodding in agreement. They seem entertained (I play it up a bit) and relieved to hear the message: "I'm not alone in feeling isolated and 'dumb;' I can succeed despite my misgivings."

Co-facilitators should meet for at least one hour after each meeting to debrief the meeting and plan the next meeting.⁴⁵ It would be preferable also to meet for a few minutes before each meeting to go over the agenda.

IV. CONCLUSION

From a purely practical viewpoint, it is difficult to justify offering a program of this type. There were three facilitators working with an average of ten students for an hour every week. It would be possible to increase the number of students in a variety of ways: improving communication about the program, building the components into a for-credit course and offering more sections. But assuming there would be only ten to twenty students and two or three facilitators, should a program of this type be offered?

I believe the program was worth the effort. I certainly was ambivalent the first year, when the burdens seemed to greatly outweigh any benefits. The second and third years, however, seemed worth the energy. The students certainly were grateful that we offered the program. It demonstrated the school's commitment to the students' success, taught them some useful skills, and provided a support group.

Ultimately, however, I believe that I was the greatest beneficiary. Getting acquainted with students in this new way helped me to see all of my students in a new

Iijima

light, infusing more energy into my teaching. My teaching and research foci also shifted from dealing only with the students' intellectual growth to dealing with them as integrated beings.

The benefits extended outside my professional life. Beginning with the first year of CLSP, I gradually achieved a more balanced, fulfilled life. I began exercising regularly, attended to my spiritual needs, and deepened my friendships.

Once, when Dick, Cindy, and some of the students spoke about the sacred or important moments they had experienced that day, I had remained silent.

Journal note: Dick and Cindy both found it easy to answer that; I did not. My day had been so crowded; I could not identify a specific time that seemed special, much less sacred. Later that day, however, a moment presented itself. It was Veterans' Day, and I generally call my father, a WWII vet, to tell him I am thinking of him. This time, I told him not only that I had been thinking of him, but also what I was feeling. I told him that he was my hero, and that I loved him. While each year he thanks me for thinking of him, this year he laughed with a little choke. It sounded like this gruff old guy was near tears—a sacred moment, indeed. Although it was not until after the call that I recognized the moment as sacred, I think this annual call would have been more typical if the idea of a sacred moment had not been in the back of my mind. Once I identified the moment, my thoughts drifted back to the call and my feelings for my father many times that evening. I am continually caught off-guard by the impact my participation in CLSP is having on my life.

The notion of a sacred moment stuck with me all that week. Perhaps because I now had a phrase to describe the experience, I noticed them more. Perhaps my mindfulness helped me to create those moments.

A program that encourages both students and facilitators to approach their studies, work, and lives in a more balanced, self-affirming manner seems worth the effort.

Notes

1. Although I have taught law for twelve years, I have been interested in the process of teaching since I was a small child playing "school." Before law school, I taught high school biology and environmental studies, and developed multi-cultural curricula for a public school system.
2. See Ann Iijima, *Lessons Learned: Legal Education and Law Student Dysfunction*, 48 J. LEGAL

- EDUC. 524, 524 (1998). Although law students, when entering law school, score within normal ranges on psychological tests, within the first semester they show substantial increases in dysfunction. They become increasingly dysfunctional throughout their three years in the academy. Because medical students do not show the same rates of dysfunction, the studies suggested that there is something unique in the law school environment causing the dysfunction.
3. At Dean Haynsworth's request, Dick already had begun developing a program for first-year students to discuss the psychological aspects of the legal academy and practice.
 4. G. Andrew H. Benjamin et al., *The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers*, 1986 AM. B. FOUND. RES. J. 225 (Spring 1986).
 5. Connie J.A. Beck, et al., *Lawyer Distress: Alcohol-Related Problems and Other Psychological Concerns Among a Sample of Practicing Lawyers*, 10 J.L. & HEALTH 1, 2 (1996).
 6. *Id.* at 23-25 (lawyer dysfunction); Stephen B. Shanfield & G. Andrew H. Benjamin, *Psychiatric Distress in Law Students*, 35 J. LEGAL EDUC. 65 (1985) (law student dysfunction).
 7. G. Andrew H. Benjamin et al., *The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers*, 1986 AM. B. FOUND. RES. J. 225, 241 (Spring 1986).
 8. *See, e.g.*, Iijima, *supra* note 2.
 9. *Id.* at 527.
 10. *Id.*
 11. *See id.* at 528.
 12. Dick and I decided that using a small group of volunteers would be essential to building the safe environment necessary for discussions of sensitive issues (e.g., depression, stress, and personal relationships) which many students encounter daily. We thought that drawing the participants from a single section would facilitate the coordination of meeting times.

William Mitchell College of Law offers both a part-time and a full-time program. It divides the first-year class into four or five sections, which meet in the morning, afternoon, or evening. We decided to draw the students only from Section 1, the morning section. Most of these students are full-time, making them more typical of the law student population nationwide. Also, because fewer day students have family and/or employment commitments, we thought that arranging the meeting times would be somewhat easier. We hoped that out of the eighty students in Section 1, we would attract fifteen to twenty participants.
 13. Although I had anticipated a stronger response from women students because of the emphasis on collaborative effort, I was surprised that only three of the fourteen participants were men. Four were students of color. In all, only two participants were white males.

Our original intention was to break the group into two smaller groups, reasoning that groups larger than ten would have more difficulty with open discussions of law school experiences. We eventually decided to keep the group of 14 intact, however, because the group dynamic seemed quite positive and the discussions at the first meeting went well. Because we had only one CLSP section, Dick and I decided to serve as co-facilitators.
 14. Toward the end of the semester, we began holding one-hour meetings every week. The two-hour period seemed too long, especially when the students had little they were willing to share. Additionally, the length of time between meetings made it difficult to maintain continuity and group cohesion.
 15. Originally, we had planned sessions on the following topics: making positive use of the pressures of law school, the value of exercise in enhancing mood and performance and in relieving stress,

Myers-Briggs personality types, coping with stress/time management, taking tests, competition/collaboration, chemical abuse, maintaining healthy close relationships, student/faculty relationships, jobs and grades, personal values, anger/conflict/self-assertion, gender/race/differences, and recognizing depression, anxiety, and burn-out. Dick and I selected these topics because our research and Dick's practice indicated that these issues were the ones most frequently troubling to law students and practicing lawyers.

16. The Connection Points system encouraged the students to track the amount of time they spent engaging in academic/intellectual, physical, social, and spiritual activities. Although we initially had planned to spend a few minutes each week discussing to what extent the participants had managed to lead relatively balanced lives, we quickly abandoned that plan. Instead, we spent a significant amount of time and energy dealing with issues of group dynamics. The system, however, continued to influence my life in positive ways.
17. After this first meeting, Dick and I met to discuss what had just happened. We were both somewhat taken aback by the students' reactions to the session and invited the students to come to a special meeting to discuss what had happened in that meeting.

This became our pattern. Following each meeting, Dick, Cindy, and I met to discuss the group dynamics and suggest ways to salvage what appeared to be a disintegrating group. The opportunity to share our confusion and frustration immediately after the sessions became a necessity. It allowed us to laugh at our own bewilderment and regain a sense of hope and excitement.
18. Fernando J. Gutierrez, *Counseling Law Students*, 64 J. COUNSELING AND DEVELOPMENT 130, 130 (1985).
19. *Id.* at 132-33.
20. *Id.* at 132.
21. *Id.* at 133.
22. We met for twenty minutes prior to each meeting to go over the agenda and clear up any last minute questions, and for twenty to thirty minutes after each meeting to debrief the meeting and to plan the agenda for the next meeting. Dick, Cindy, and I needed very little time to organize the meetings, partly because we had pulled together much of the topical material the first year of the program. Another important factor in our collective efficiency was our comfort level with each other. We had been through a very difficult year together, recognized our common goals, and trusted our growing friendship. This relationship allowed us to quickly suggest, criticize, discard, modify, and adopt ideas.
23. Richard G. Fox, *Algorithms Can Take Flow Charts to Next Step for Complex Situations*, THE LAW TEACHER (Spring 1996), available at <http://law.gonzaga.edu/ilst/newsletters/spring96/fox.htm>.
24. Although Cindy had graduated from law school by this time, she was sufficiently dedicated to the program that she volunteered her time for fall semester. She had become increasingly important to the program. Her experiences in law school and in other programs gave her a fine instinct for how students would react to different exercises, as well as specific exercises. For example, she suggested using both the name-tag and the target exercises for the first session.
25. My statement was similar to the first paragraph of this article. Dick spoke about allowing his intellectual goals to interfere with his personal relationships. Cindy talked about the isolation she had felt during law school.
26. After the meeting, I continued to think about what Cindy had suggested. I realized that there were

- other individuals in my life upon whom I could depend, and who might welcome a closer relationship. I began opening up to a few persons in my second circle, and saw some of my friendships deepen. This was just one of many changes CLSP caused in my own life.
27. I was surprised and pleased to see how much “to heart” Dick had taken our decision to model emotional openness for the students. He was showing a completely different side of himself than he had the first year of the program. The first year, he had been warm but more professional, more “clinical” in his approach to the topics. This year, Dick was clearly part of the group and not an “expert observer.” I believe that this change was instrumental to the success of the program.
 28. Because of the difficulty of scheduling a time when all of us could meet, this first meeting had been delayed until October 17, two months after the start of the academic year. By this time, the students had become acquainted with the life of a first-year law student.
 29. I tried to offer the most popular topics early in the program, but modified the schedule so that (1) topics would occur at relevant times in the first-year schedule, and (2) the earliest topics would be relatively “safe,” that is, not too emotionally charged.
 30. LYLE H. MILLER & ALMA DELL SMITH, *THE STRESS SOLUTION: AN ACTION PLAN TO MANAGE THE STRESS IN YOUR LIFE* 28-46 (1993). The audit required one to indicate on a scale from one (“almost always”) to five (“never”) how true statements were. The statements focused on lifestyle issues, health behaviors, and coping resources, such as, “I get seven to eight hours of sleep at least four nights per week,” and “I give and receive affection regularly.”
 31. By contrast, the three directors — a recent law school graduate looking for work, a law professor, and a counselor — all fell within the “mild susceptibility” category.
 32. Over the next few days, I spoke with a number of CLSP members, both directors and students. Their reactions had been similar to mine. Cindy said that, as Delle turned off the lights, her stress “turned off” as well. As she noticed the sunlight coming in from the window, she felt more connected to the earth, that she had suddenly become more centered. The day after our meeting, I began working with half of my office lights turned off. The remaining fluorescent lights and the lamp on my desk provide all the light I generally need. I felt more relaxed and saw no decrease in productivity. Dick and I began exploring the possibility of providing a low-light space for students and staff at the law school.
 33. See David Mark Keirse, *Personality: Character and Temperament*, available at <http://www.keirse.com>.
 34. Dick, Cindy, and I had already taken the inventory and found them quite illuminating. We were all different types. I am an ESFJ (“provider”), Dick an INFJ (“counselor”), and Cindy an ENTJ (“fieldmarshal”). Each of us was struck by how neatly the descriptions of our types fit our temperaments. Although each description was off on a small point or two, the large pictures they painted were immediately recognizable.

Our temperament types helped explain our compatible working relationship. We are all “J’s,” who typically value closure. This trait allowed us to decide on meeting agenda quickly.

Our differences also were beneficial. Cindy’s take-command style helped explain her rapid transformation from my research assistant to program co-director, and her ability to produce ideas quickly helped keep us moving. Dick’s counseling style was invaluable in helping us to understand the group-dynamics issues. His style ensured that everyone was involved in the director meetings and in the CLSP meetings. My empathetic style helped me “reach” the students.
 35. See DAVID KEIRSEY & MARILYN BATES, *PLEASE UNDERSTAND ME: CHARACTER &*
-

- TEMPERAMENT TYPES 170 (Prometheus Nemesis Book Co. 1984): “INFJs [counselors] are hard to get to know. They have an unusually rich inner life, but they are reserved and tend not to share their reactions except with those they trust. Because of their vulnerability through a strong facility to introject, INFJs can be hurt rather easily by others, which, perhaps, is at least one reason they tend to be private people.” After this meeting, Cindy and I were even more impressed with Dick’s willingness to open up in the CLSP meetings.
36. ISABEL BRIGGS MYERS AND PETER B. MYERS, *GIFTS DIFFERING: UNDERSTANDING PERSONALITY TYPE 152* (1995). Dick also seems to have had little choice of occupations. Approximately seventy-six percent of college students studying counseling are “NF’s” like him. *Id.* at 151. Similarly, approximately forty-two percent of law students are “NT’s” like Cindy. *Id.* at 152. Cindy now is thriving in her work as a public defender. On the other hand, only ten percent of law students fall into my group, the “SF’s.” *Id.* at 151. “[SF’s] tend to be sympathetic and friendly, and they enjoy occupations that provide practical help and service for people.” *Id.* at 150. Eighty-one percent of individuals employed in customer relations, and forty-two percent of education students are “SFs.” *Id.* at 151. It may have been predictable, therefore, that I would leave the practice of law to teach and would spend increasing amounts of time working closely with students on academic support issues.
37. MYERS & MYERS, *supra* note 36, at 152.
- People should not be discouraged from pursuing an occupation because they are “not the type.” When an occupation is seldom chosen by people of their own type, the prospective workers should investigate the job thoroughly. If they still want to pursue it and are willing to make the effort required to be understood by their co-workers, they may be valuable as contributors of abilities that are rare among their co-workers Another example is an ESTJ clergyman, a type so rare among the clergy that we inquired how he functioned. The answer was, “He gets mortgages paid off. As soon as the mortgage is burned, he moves on to another parish with another mortgage.” *Id.*
38. *See generally* Gary S. Goodpaster, *The Human Arts of Lawyering: Interviewing and Counseling*, 27 J. LEGAL EDUC. 5 (1975) (“[I] quickly found that the answer to the question of what makes a skillful and effective lawyer is only partially answered by reference to traditional law school training The skills of the successful lawyer lay in mastery of the human interaction and in subtle awareness of the emotions, concerns, and anxieties of others as well as in the knowledge of how to utilize that awareness to advance the attorney’s professional aims in the interaction.”).
39. My comment that the stoplights on the main street outside our school building were one-half mile apart piqued their interest (law students apparently are as goal-oriented as law faculty). They also were receptive to Cindy’s suggestion that they leave walking shoes in their cars and take a quick walk instead of heading to the cafeteria for coffee when feeling stressed.
40. Our suggestions included: (1) making themselves as comfortable as possible just before the exam by getting to the classroom early and picking a relatively comfortable spot; (2) finding a quiet spot to do some deep breathing or relaxation technique; (3) staying away from other students to avoid second-hand panic; and (4) imagining the worst thing that could happen and recognizing that life would go on.
41. Cindy was being modest. Despite the fact that she was not a stellar performer on law school exams, even her first year working as a public defender, her win/loss record was the envy of the office. At her first annual review, her supervisor told her that she was going to be one of the “truly

- great” public defenders. Her performance on exams truly did not reflect her abilities.
42. Dick, April Smuk (a second-year student), and I facilitated CLSP for a third time during the 2000-2001 academic year, following the format of the second year.
43. As I noted in my Journal, however, there are some basic differences between the dynamics in CLSP and in a traditional group counseling setting. Dick was continually challenged to adapt his small group techniques to CLSP. Although our goals were somewhat similar to his goals for group therapy (support, self-knowledge, emotional balance), many differences have been apparent. First, the students are strongly opposed to any notion that they are engaged in group therapy. Second, unlike his traditional group participants, who came together only for the group sessions, the CLSP members are thrown together constantly in their classes. They are necessarily in a somewhat competitive situation because of grading curves.
44. One example from my Journal may be illustrative:
- Journal note: November 4, 1999 - Cindy and I generally have lunch together before the meeting to talk over the upcoming meeting. Today was particularly important, because we planned to have Cindy lead an exercise called “Tit-for-Tat.” This exercise is sometimes used to introduce students to different negotiation issues. The basic idea is that students do a “rock-paper-scissors” type motion. On the third beat, students either hold their hand opened or closed. If both students show an opened hand, they each get 3 points. If both show a fist, they each get 1 point. If one shows a fist and the other an opened hand, the fist gets 5 points and the open hand gets 0. The students are told to try to maximize their scores. The students play for 10 rounds.*
-
- I’ve read a couple of articles about a variation of this exercise called the “Red/Blue Exercise” sometimes used in negotiation courses. They reported that bad feelings sometimes developed between the students. This was particularly true because in this version of the game, students are allowed to discuss their strategies half-way through the game, allowing them to reach an agreement about the remainder of the game. Some students breach the agreement to maximize their points. The students who honor the agreement feel abused and betrayed. The ill feelings sometimes colored the remainder of the course.*
- We eventually decided not to do the exercise because our primary interest was to build a collaborative, trusting group. Although our intent had been to use the exercise to lead into a discussion of competition versus collaboration, and different temperament types, we decided the risks were too great.*
- Cindy and I discussed the fact that her “ENTJ/fieldmarshal” temperament urged her to forge a path straight toward our goal of discussing competition, and that my “ESFJ/provider” temperament may have made me more sensitive to the potential emotional fallout.
45. This last year, the co-facilitators were not able to get together immediately after the meeting. Instead, we used email and telephone calls for discussion and planning. I think the program lost some cohesion and energy because of this change.