

# Taking Students Seriously: A Guide for New Law Teachers

Kent D. Syverud

All advice from colleagues, Professor Harlan Dalton once remarked, can be reduced to four words: *Do as I do*. Or even to three words: *Be like me*. That is true of my advice in this essay on managing law students. I'm going to tell you to do as I do, with two caveats. You have to be yourself as a teacher, so if what I describe just does not fit your personality at all, do what does. And second, I'm going to tell you about what I aim for in teaching but rarely achieve. So, in twenty-three words, this essay can be summarized as "If it makes sense to you, do what I try to do, and what I sometimes actually accomplish on a very good day."

## Three Propositions About Teaching Law Students

To start, let me advance three propositions about teaching law students.

First: Your students will know whether you like and respect them, and if they know that you do not, you will fail as a teacher.

Many law professors, when they have had a few beers or a long day, will candidly admit that they don't like most of their students: "Oh, a few students are wonderful, bright, interesting, and fun to talk to. But most are a pain. They are not bright enough, or they are interested only in a job, and then only in a job that I could not imagine doing myself. First-year students work too hard and buzz about me like flies, and second- and third-years don't work enough." Finally, a few professors will say, "I live for my research, and for the one or two students a year who are wonderful."

If that is the way you feel now, as a beginning law teacher, you are in trouble, and my first proposition tells you why. Very few of us are good enough actors to hide what we feel about our students during forty-five hours of give-and-take over a four-month period. If you don't like them, they will figure it out. And many of them will stop listening to you once they figure out that you don't like or respect them. Oh, they'll learn what is necessary to survive the exam, but they will lose all sincere interest beyond the exam in the *ideas* you

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The faculty of those workshops will recognize that I have learned from their ideas (and in some cases borrowed them), as well as from their example as fine teachers. In this regard, I am particularly indebted to Okianer Christian Dark, Catherine Hancock, Elizabeth Hayes Patterson, Roger Schechter, Marjorie Maguire Shultz, Gerald Torres, and Russell Weaver. I thank as well three of my own best teachers: Allan F. Smith, Walter I. Giles, and Shirley Berger.

are trying to convey to them. They will surely stop caring about becoming the sort of lawyer or scholar or thoughtful human being that you and your institution should be trying to produce. And thus you will fail as a teacher. (Incidentally, they will also kill you in your teaching evaluations.)

Second: If your students know that you like and respect them, they will forgive a great deal in the classroom.

This second proposition should be the great consolation for a new teacher. If you convey in class, every day, your sincere liking for most of your students—if somehow you can make your attitude shine out as: “I love being here with you; I can’t believe I am getting paid well to do this”—the students will pick that attitude up, will receive it well, and will reflect that attitude back toward you. Many of them will therefore be receptive to what you are trying to teach, and forgiving of slips along the way to teaching it.

Third: If your students know that you like and respect them, they will come to you for as much advice and support as you have the time and energy to provide.

This third proposition captures the costs of conveying an attitude of respect toward your students in class. Students respond to the law professor who obviously likes them by seeking that professor out for an ever-expanding array of services: career counseling, letters of recommendation, examination advice, and counseling on every personal problem imaginable. You can easily end up spending all your time providing out-of-class services to your students, and that is a recipe for disaster in your research and writing and ultimately your tenure.

So what do you do? In the rest of this essay, I address how to be the humane professor that students seek out, while at the same time preserving a decent fraction of time and sanity for your scholarship and for your family. I start with what to do in the classroom, because the impression you convey in class will largely govern the relations you have with your students outside of it.

### **Creating the Right Atmosphere in Class**

#### *Get Your Class Under Control*

I urge new professors to get their classes under control. “Control,” of course, implies power, and implies that you will be the powerful figure orchestrating everything that happens in class. I don’t advocate that. Spontaneity in class is vitally important. But—with due respect—law students, like young children, want to know the limits. They want to have a sense that there are limits within which they are free to be spontaneous, and they want to know from you in advance what those limits will be and how you expect class will work. In short, they want to have the sense that someone is driving this bus and assuring it will get to its destination. There are a few things—perhaps obvious—that I think any decent teacher does to communicate to students that things are under control.

First, a decent teacher knows the names and faces of all her students, and constantly lets the students know that by calling them by name inside and

outside class. If you don't believe me about this, ask yourself: who is the one teacher in your entire life who made the biggest difference for you—who taught you so well that you still think about him or her as your best teacher. I bet that for almost all of us, that best teacher was someone who knew you by name. A classroom in which students feel they are anonymous is a classroom where students feel they can fade in and out without anyone's knowing or caring.

So learn the names and faces of all your students. How? If you have a photographic memory, wonderful. But if like me you are terrible at names, then just work at it. At the beginning of every semester I paste my students' pictures on three-by-five flash cards, and I drill myself on them until I have memorized them. It is a tedious few hours (or many hours if it is a large class), but it pays terrific returns throughout the rest of the semester as well as the rest of law school and after.

Next, a teacher should communicate to students that things are under control by explaining at the outset how the class is going to work: how you are going to call on students, how you are going to grade them, what subjects you intend to address, and what you are trying to accomplish in the course.

The third way to communicate a sense of stability to students in class is for the teacher *actually to listen* to questions and answers from students. This is what I have found most difficult as a teacher. When I ask a question, I have an answer in mind that I hope a student will give. And my mind is always racing ahead to the next question I will ask if the student answers in the desired way. It is terribly tempting, then, not to listen to what the student is really saying—to transform the student's answer into the words I want to hear. It is also tempting for me not to wait long enough for a student to form her own answer; the silence is so painful that it seems merciful to barge in with my own profound thoughts.

But the students *do* have good answers, and good questions, and they rarely are precisely the ones a teacher has planned. They rarely come as quickly as the teacher would like. If you don't force yourself to listen to what the students are saying, you end up missing what is going on in your own class—missing where it is that the students are confused and where it is that they are interested. So force yourself to listen, and to endure silence. Force yourself to ask students: Did I answer your question, or did I misunderstand it? Or: What I think you are saying is this, am I right?

Finally, a teacher shows that a class is under control by starting and ending class on schedule. Please don't commit the arrogance of assuming your students have nothing else to do but stay and hear your wisdom for five more minutes at the end of the hour. Your students have busy lives too. They have other classes, they have child care responsibilities (which are often quite jury-rigged), and many have jobs. You show respect for them by not disrupting their lives by your poor planning. If you are casual about starting and ending times, you should expect your students to be casual about times too—like deadlines for turning in papers.

*Show the Students You Are Aware of What They Are Going Through*

I also think it desirable that professors show, in class, that they are aware of the constraints and problems that law students are facing. No, I don't mean by this that you should suggest to them that you too are completely new to this subject and completely confused by the material. I do mean that you should show, sometimes quite subtly, that you understand and are sympathetic to the problems they are having even if you yourself are now an expert who no longer has these problems. Let me illustrate how I do this, using a few war stories along the way. War stories that have a point, I hasten to add, are good teaching tools: I find they help students remember the theoretical point they illustrate much longer than would otherwise be the case.

Let's start with the reading assignment that was too long. At some point quite soon in your career you will find yourself awake at three in the morning before a class, still frantically preparing for it. You will already have written twelve pages of class notes, but you will still have three-quarters of the reading assignment to get through. It will be tempting to stop preparing, go to bed, teach the first quarter of the reading assignment, and save the rest for the next class. This is not a costless solution, however. If you were up until three, odds are quite good that some compulsive first-year student was up all night trying to get all the way through the assignment. Such a student will be justifiably angry when you cheerfully fail to cover what you assigned.

What I do in this situation is apologize. Look, I say, I realize I assigned too much, and the responsible students among you therefore were up too late last night. I'm sorry. I'll do my best in the future to make sure my assignments bear closer resemblance to what I do in class.

Next, how about the student who misses several classes? If you know your students' names, and if you have a seating chart, you will notice when a student is absent from class. In my experience, first-year law students normally do not miss several classes in a row unless something is wrong. So when I notice someone is missing several days in succession, I assume something may be wrong, and I often do something about it. In my first years of teaching, what I did was quite hokey. The first day the student was back in class, I would approach her before class and say something like "I noticed you have been absent for a couple of days. I'm sure you had a good reason, and I don't want to invade your privacy, but I just wanted you to know that I'd be glad to help you get notes for the days you missed from your classmates, and I'd be glad to go over those notes with you during office hours so that I can explain what it was I thought I was teaching."

I did this several times to students, and they never showed up during office hours. I decided it was a silly risk to take in teaching. Then, one last time, I approached a woman who had missed class for three days. She seemed terrifically embarrassed by what I said, and that in turn embarrassed me so much that I could do nothing other than stare at my shoes (which I do when flustered). And when I looked at my shoes, I saw I was holding in my hand my paper cup of hot coffee. Whereupon I stammered, to my own amazement, "—and here's a cup of coffee I brought you." I then slunk back to the podium and vowed never again to employ hokey tactics in teaching.

The student did come to see me during office hours. She said she had gotten notes for the classes she missed, and she did have some civil procedure questions for me. But first she wanted me to know why she had missed class. She had been assaulted several days before. She had been unwilling to venture to class or out in public. She had been unsure whether to continue in law school. She decided to drag herself to one more class. "And then, Professor Syverud, you brought me a cup of coffee." Whereupon I did not announce that I felt validated as a teacher and proceed to answer her civil procedure questions. Obviously a teacher in that situation has to do something more. But I can stop here with one obvious point: sometimes when you take risks as a teacher, even hokey risks, they bring unexpected rewards.

Next, whenever a student you call upon in class freezes, you can show whether you understand or whether you do not. This situation will occur to all of you. Often, a first-year student who you have every reason to believe is hard-working and prepared will nevertheless develop a pathological inability to speak when called on in a large class. What do you do? I urge you to think about this now, and plan ahead. In my experience, every faculty member has a different methodology in this situation: you can move on to someone else, you can feed answers to the student, or you can recount your own terror the first time you were called upon. Whatever you choose, I think your objective should be to make sure the student that very day leaves class on the shoulders of cheering classmates. You should get that student to contribute something positive and profound that very day. Why? Because if you fail to do so, you will put a monkey on that student's back, a monkey that will grow heavier each day the student fails to be rehabilitated before his peers.

How about the student who is doing a crossword puzzle in class, or reading the newspaper? I raise this example for those of you who will be teaching second- and third-year students your first time out. (If your students are doing this in a first-year class, I'd consider looking into other lines of work.) Invariably, I see an upper-class student doing a crossword puzzle when I am teaching some obscure doctrine (like joinder of necessary and indispensable parties) about which I have spent much of the night preparing what I think is a stimulating and exciting presentation. I get angry. It would be understandable if I responded by saying to the student, "OK, Ms. 12-across, what do *you* think is the difference between necessary and indispensable parties?" But saying this would be a mistake. It would be a mistake because, by shaming the student in front of her peers, I would lose that student for the rest of the semester. And I would lose not just that student, but also many others who probably were also bored, and who would also rather be doing crossword puzzles, but were polite enough not to.

So what do you do? I'd recommend you go on with your class to the next logical break in the material, then stop and remain silent long enough to catch everyone's attention, and then say something like this: "Look, I know this seems boring and unimportant. It sure did when I studied this subject in law school. It was the sort of topic that made me want to do a crossword puzzle in class. But as it turns out, whether a party can or must be joined in a lawsuit really is terrifically important, and here's why: . . ." By doing this, you achieve

several things. First, you communicate to the student doing the puzzle that you can see it (and thereby, marvelously, the puzzle is put away) without shaming the student before the class. Second, you validate the boredom that many students probably felt about the subject matter. You respond directly to it, and maybe even get them interested in learning something about your subject.

### *Take Students as Seriously as You Take Yourself*

In class as well as outside it, it is vital that you take your students as seriously as you take yourself: seriously, but not too much so. In most classes I have taught in law school, there has been one turning point, a moment a few weeks into the semester, when suddenly everyone laughs uncontrollably, together, at something that is said in class. That moment generates a lot of good will, and makes everyone suddenly feel more comfortable with the class and the people in it. And it makes the students willing to risk saying and asking things that otherwise they would keep to themselves. How do you make that moment happen?

It is not easy. First, you must remember that you should laugh at a student only after you have established that you can often laugh at yourself. Students remember with alarming detail every word they say in class, every reaction to what they say. Laughter is painful for a student if you have not laid the groundwork for it. You can almost always tell when the laughter you think is good-natured is not being perceived that way by looking at the student: watch the student's face, and be ready to act if what you see is embarrassment rather than cheer.

You also take students seriously in class when you give each student enough time to contribute to the discussion. I won't stop talking with a student until I feel that person has added something important. This means there are some awkward pauses. But it is better to wait out that discomfort than to silence a student for the rest of the semester. Many of the best insights I receive from students—the ideas that blow away the rest of the class—come after such a long pause. Of course, some students, thinking themselves way ahead of the crowd, will become impatient when you dawdle over their colleagues. But most, I have found, will be grateful.

You take students seriously by occasionally admitting that you do not know the answer to a question. When you don't know, I advise that you guess the answer, that you tell the class you are guessing, that you confirm whether your guess is correct before the next class, and that you start the next class by confirming or correcting your answer. In this way you demonstrate to students that they too can ask important questions that require *you* to think and to investigate.

Finally, please consider how you will dress for class, and how you will address your students. Like it or not, how you dress will convey messages to your students, as will drastic changes in your dress during the course of the semester. More important is how you choose to style yourself and your students. Are you "Professor Garcia" or "Barbara"? Is your student "Mr. Goldman"

or “Neil”? For heaven’s sake be consistent, or your students will read unintended messages into your inconsistencies (“she must like Neil because she calls *him* by his first name”). My preference, and it is no more than that, is for my students to be “Mr.” and “Ms.” and for me to be “Professor.” The formality is quite artificial in an era when even telephone solicitors call me Kent, but it serves a purpose. It reminds me constantly that my students are *not* casual friends, but rather human beings to whom I owe fiduciary duties, and around whom my behavior must in certain respects be constrained. Remember, friends do not grade their friends at the end of the semester; you do grade your students.

### Office Hours and Other Contacts with Students Outside Class

Once your relations with students are well established inside the classroom, I urge you to work hard on relations outside of it.

#### *Office Hours*

Office hours are extremely important to establishing individual rapport with your students. If your students are not coming to your office hours, something is wrong and you should ask them and yourself why. Your students have dozens of important questions that they *will not ask* during class in front of ninety people, or even immediately after class in front of the five people who invariably crowd your podium. They *will* ask them during office hours, given half a chance.

I believe you should schedule at least half a day for office hours at least once a week. (In saying this I can almost hear a collective gasp from veteran professors.) You should make sure you have some activity routinely scheduled at the end of office hours (like lunch or going home). You risk the schmoozing-student problem if you have office hours too late in the week, or after the last classes in the week.

How do you get work done during office hours? One day early in my teaching career a distinguished visiting professor plopped himself down with disgust in my office while observing, “I didn’t get a lick of work done today.” I asked why. He answered that his office hours were mobbed: “The students wanted everything under the sun—questions about my lectures, about course selection, about clerkships, about lawyering, about life. I didn’t get a word written on my article.” My unspoken reply was this: “Gee, it sounds to me like you got more work done today than in your last *three* articles. I thought giving advice to our students about those things *was* our work, and indeed was among the most important work we do.”

My advice is that you will be in better humor if you plan to get no *other* work done during office hours. That way you will not hurry students in and out of your office, and you will not feel bad about the other things you did not accomplish.

You will need a technique to break the ice with students during office hours. They will be intimidated by you (yes, even young considerate you will intimidate them—you have a degree and a job and the power to grade, and

they do not). Most of them will rarely revisit a faculty office if their first visit is a frigid one. I have found that the first words most students say during an office visit are usually some variant of “I’m so sorry to bother such a busy important person.” The easy way to relax that sort of student is to say, “Yes, I’m busy, but nothing I do is more important than meeting with you—that’s what you are paying tuition for.”

I also once discovered serendipitously during a child care emergency that nothing breaks the ice quite like having your child crawling about in your office. After that discovery, I made it a habit for the next few years to have a child with me during office hours. It is hard, I guess, to be intimidated by someone who is changing a diaper or taking apart Legos. I fear that female professors have reasons to be more wary of this practice than I was, since the inferences some colleagues may draw when seeing a father with his kids may be different from those they draw when they see a mother with hers. Another caveat: one kid with a good disposition works wonders; two kids, however well disposed, produce pandemonium.

When students pop into your office outside of office hours, insist they return during office hours or make a special appointment. Bend this rule only when you can afford the interruption and the student’s problem is really urgent. Otherwise, your writing time will ebb away in ten-minute increments, as will your cheerful outlook on your job.

#### *Other Contacts with Students*

Most of you received some praise and encouragement from your professors in law school. I believe that is true because you now have teaching jobs, and odds are you would not have gotten them if you had not had the kind of grades and credentials and personalities that would lead professors to praise you and to recommend you.

Please believe me: your experience in law school is *not* typical. Most law students go for months or years without hearing a single word of encouragement or praise from a professor. Most law students are desperate for praise and feedback. And just a little bit of praise or encouragement from you goes a long way with the student who receives it. So look for ways to give some reassurance to students who are struggling as well as to students who are doing well. For example, if I see a student who has been struggling suddenly shine in some way, I write a brief note: “Mr. Jones, that was a fine oral argument you gave. I hope you consider becoming a trial or appellate advocate.” “Ms. Irrizary, I’ve taught Rule 11 fifteen times and never myself picked up on the insight about lawyer behavior you voiced in class today. Thanks, and keep speaking up.”

It takes so little time, but it means so much to the students. I don’t do this, needless to say, for students who I think will wave the note around to their friends as a sign of superiority.

You are also likely to encounter students in many fora outside class. As a new professor, you will be asked to speak to an infinite array of groups within the law school and university where you teach: placement panels, clerkship

panels, club meetings, brownbags, moot courts, committees, and so on. Some of these opportunities will come to you because your senior colleagues have graciously sent the organizers to you after themselves declining. Ration these things like water in the desert. Do only the ones that you are confident you can do well and will have time to prepare. In this respect your job resembles that of an associate at a large law firm. No one person will know how much you did, but everyone will remember the one event he or she attended where you were mediocre. So learn to say no without shame.

### **Students Under Severe Stress**

When you were a law student, it may have been possible for you to go through three years of classes without knowing that someone among your colleagues was flunking out, someone else could not find a job anywhere, someone else had been raped, someone else had AIDS, someone else was trying to raise a preschooler on her own, and someone else was mentally ill.

Many professors also go through years of teaching without knowing about any of these students. They do so because they don't want to know, or because it is too painful to find out, or because they are airheads about the people they are supposed to serve.

If you are the kind of teacher I think you should be, you will learn about these people. You will look out over the rows as you teach and know what a struggle—and what a triumph—it is for some of your students just to be sitting there at all. If you are the kind of teacher I think you should be, these students under severe stress will come to you, or their closest friends or classmates will come to you, and they will want your help.

This is a problem, because you already have a full-time job, and if you have a family you already have two full-time jobs. You cannot solve all the problems of your students under severe stress, however much you would like to. Sometimes you can work wonders: you can navigate the health care system and somehow obtain an operation for a student with no insurance, and you can teach a student who is flunking out how to do better on exams. But you will quickly find that the demand for services like these is inexhaustible, and your supply of time is all too limited. How can you help students in trouble without being drowned by them?

You can start by getting to know well the professionals at your institution who deal with these problems. Talk with the people who do career planning, who do counseling, who piece together financial aid, who guide the battered student and the suicidal one. Ask them about what they do, about what support is available within your law school and your university. Become an educated general practitioner who knows the specialists. Right now is the time to do this: you now have more time, and fewer students, than you ever will again.

When a student under severe stress comes to you, listen long enough to show you care. Then try personally to do the referring. If possible, walk the student over to the appropriate professional. Make sure they meet personally, and if appropriate stay for the introduction and the first few minutes to make

sure the student is getting help. Then follow up, ideally by offering subsequently to help the student as much as possible to keep up with any of the class-related problems that invariably result when a student faces a crisis outside class. Help the student get class notes from colleagues. Go over missed classes with the student during office hours.

### Examinations

Law school examinations have become incredibly varied in the last decade. The take-home exam, the open-book exam, the multiple-choice or short-answer or problem exam—all have proliferated with many variations. Whatever type of exam you choose, I urge you to base your exam on what you have actually taught in class. Do not write an exam based on what you would have liked to teach, or on what you wish your students would know, or on what someone else creatively developed, or on the black letter law you barely mentioned.

Why? Because it is fair. And testing what you teach also sends a message to future students that it is what goes on *in the classroom* that is most important. That message, transmitted through the remarkably efficient medium of student gossip handed down year to year, will be received, and will profoundly affect how seriously your students pay attention in class.

Just about the greatest nightmare for a law professor is a large group of students furious about an exam they consider to be unfair. Hell hath no fury like a first-year law class surprised by the type of exam they have been given. Announce the rules for your exam in advance: will it be open book? essay? short answer? Prepare and distribute, at some point early in the course, an example of the style of question you will use. Explain to your class what it is you value in an examination answer, and why.

It is difficult to write an examination that can be graded, that can objectively sort students out into the groupings called for by local custom or your school's grade curve. I am a long way from mastering the art. Whatever you draft in your own first effort, don't overlook two essential steps. First, show your draft to trustworthy colleagues. Very few of you can imagine all the ways exams can go wrong, and even fewer understand the distribution of abilities among the students you will teach. But an experienced colleague will know these things, and will help. Second, proofread your exam so many times that you are absolutely certain there is no error, and then proofread it twice more. I've suggested that students will forgive almost anything if they know the professor respects them; they will not forgive you for rewriting an exam while they are taking it.

After grading an examination, you will be sorely tempted to avoid your former students as much as possible. You will desire to avoid the students who did badly, and to avoid making any comments on an exam that could encourage a student to argue with you. Nevertheless, please resist these temptations. A little time spend with a student immediately after she does badly saves many hours of work for you or others later. Do your best to restore a crushed student's confidence, and to assure the student that, with work and help that

you or others will provide, she still will possibly and even probably survive to become a successful lawyer. I usually write comments on exams, while I am grading them, so that the student can get at least some insight into why and where she went astray. I also prepare example answers where possible. Without this minimal feedback, the student who has done poorly cannot know where to start in efforts to improve.

### Jobs, Placement, and the Student Unsure About Becoming a Lawyer

Whether you are willing to admit it or not, many of you are refugees from the practice of law. Maybe you never practiced law and can't imagine doing so, or maybe you practiced law and for a host of reasons decided teaching would be better for you at this point in your career. Whatever the reason, we could all spend a great deal of time telling amusing stories about law practice—about the long hours, or the often tedious work, or the overbearing judge or partner or client. Indeed, law professors do this all the time when they talk with each other.

The classroom, however—and particularly the first-year classroom—is not the place for your knowing insinuations about the dark side of the practice of law. Many of your students are looking to you for assurance about the career they have chosen, even though they have no idea what the career entails. Please remember: for the families of many of the students you teach, getting one of their children into law school is one of their proudest accomplishments—an accomplishment for which the family and the student have made *enormous* sacrifices. To confront that pride and that sacrifice in the first week of law school with an offhand cynical remark about law practice is really hurtful to these people, and unnecessarily hurtful. There will be time enough in the endless three years of law school for your students to learn for themselves and from you about the good and bad of practicing law. But I believe that at least at the beginning you should hold out to your students the possibility, however slim it appears to you, that people can take a law degree and do noble things with it. If you don't believe this is possible, you should be counseling people not to come to law school rather than teaching in one.

In class you should also use care in your assumptions about the careers your students will pursue. Some teachers make it clear in class that they assume every single one of their students is going to be an associate at a large law firm. Others convey the impression that every student is going to be a public interest lawyer. Both are arrogant attitudes that marginalize many students. In fact, at most law schools, students go on to an incredible array of legal and nonlegal jobs after graduation. Please remain open to the possibility that your class might be valuable to people who do all sorts of things after law school. Consider the possibility that the relevant audience that can benefit from your class includes everybody who takes it.

Good teachers will be informed about careers that the students in their schools in fact can or do pursue. I heretically believe that a good teacher should even sometimes modify the content of the course to reflect this—for example, that a teacher at a state university law school should care about and

teach at least some of that state's law, particularly if many students end up practicing there.

A decent professor also plays some role in helping to place students in jobs. He writes letters of recommendation that are longer than a one-sentence summary reciting a grade and asserting that a student is articulate. He sometimes picks up the phone and calls an employer to urge that a student be considered. He sometimes encourages the student who cannot find any job—at the very least by assuring her that he still believes she is qualified and will be a good lawyer.

At some point in your career a student may, after some hemming and hawing, come out with the most maddening questions of all: Should I have come to law school? Should I become a lawyer? This always happens to me when I have ten minutes left to prepare for class, the Dean is impatient about something I should have given him a month ago, and the elementary school is on the phone reporting that one of my kids is throwing up. And I can give three quick answers, each of which is equally disastrous. One: Yes, stick it out. Two: No, drop out and become something else. Three: Maybe yes; maybe no; there are good arguments both ways; I'll see you later.

These answers are disastrous because they ignore what the student is really asking. That student has trusted you with the most important and in some ways the most personal decision in her life, which is what to do with that life. That student wants a mentor, and has flattered you incredibly by choosing you. To respond quickly, off the cuff, is really to spurn the student's trust—whatever the content of your response.

I have found a better answer, and it sometimes works. I say this: "Look, every thoughtful lawyer and law student I know, including me, has wondered at some point whether becoming a lawyer was the right thing to do. For some of them it was, and for some of them it wasn't. I can't possibly tell you where you fall until I know you better. I am sure that if you look around, you will find at least one of your classmates who is wondering about the same things you are. Why don't you find one such classmate, and then both of you come to lunch with me to talk about it."

These lunches are among the greatest rewards of your job (and that is saying quite a bit, for you are truly lucky to have obtained what I believe is the most rewarding job there is). You learn so much at these lunches, not just about your students and their lives and aspirations, but also about your own class—about what is working and what is not, and about where you can improve. These lunches help convert the mob that confronts you in class each day into a group of unique human beings, some of whom you may be surprised to discover are very much worth knowing.

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Taking students seriously takes time. So does scholarship. You may be concerned that doing even a few of the things that I have recommended will seriously undercut the time you have for research and writing. You will surely have to compromise, just as all professors do. If you spend all your time on

your students, you will not publish, you will not be an authority in your field except in your own classroom, and you will be neither tenured nor respected among your peers. Your teaching will also suffer in the long run, for you will never have truly confronted and come to understand a problem until you have had to write for the world about it. These are the perils of going overboard on teaching.

But in many law schools today the problem is at the other extreme. Sometimes we publish in order to change the world and to pay it back for our privilege of academic freedom. Sometimes, however, we publish as much as we can, even in obscure journals, simply to demonstrate our productivity and to gain a reputation among other academics. In the important struggle to reach an audience outside our law school, we sometimes badly neglect the audience that is right under our noses: our students.

I have a colleague, a scholar with broad experience and an international reputation for his writing, who insists that the biggest impact he will make in this world is through the students he teaches. I agree. The startling truth is that, with the exception of a few dozen law professors, our ideas will improve the world more through our students than through our writing.

And our students will never really grasp our ideas until we take them seriously.

