Core Values in the Classroom: Preparing Students for the Emotional Challenges of Lawyering

By Tracy Turner

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After mission statements and outcomes assessment, core values could become the next frontier in innovation for law schools. Core value statements are already prevalent on the websites of private primary and secondary schools. They are increasingly prevalent in colleges and universities. And they are edging into professional schools, including several law schools. Core value statements declare an interest in more than just academic achievement and intellectualism. They declare an interest in educating the “whole” lawyer by instilling the character traits that will lead to career success, emotional well-being, and service to the community. They fill a hole in legal education that has left many graduating law school students with insufficient resilience to face the emotional challenges of lawyering.

What are core values?

Core value statements are typically articulated as part of an institution’s mission statement and


2 The following is just a sampling of colleges and universities that have core value statements: Antioch (http://www.antioch.edu/explore-antioch/core-values/); Cornell College (http://www.cornellcollege.edu/student-affairs/compass/mission-statement/); Loyola Marymount (http://academics.lmu.edu/strategicplan/strategicplan2012-2020/strategicplantableofcontents/corevalues/); Northeastern University (http://www.cps.neu.edu/discover/mission-vision-core-values.php); Texas A & M University (http://www.tamu.edu/about/core-values.html); University of Maryland (http://www.umaryland.edu/president/core-values/); University of San Diego (https://www.sandiego.edu/about/mission-vision-values.php); University of Tennessee, Knoxville (http://haslam.utk.edu/About/core-values.asp); University of Texas at Austin (https://www.utexas.edu/about/mission-and-values/); University of Washington (http://www.washington.edu/about/missionvalues/).

3 Several law schools have core value statements on their websites including Emory Law (http://law.emory.edu/about/strategic-plan.html); Lewis & Clark Law School (https://lclark.edu/academics/mision_statement/); Northeastern University School of Law (http://www.northeastern.edu/law/about/history.html); Stetson University College of Law (http://www.stetson.edu/law/about/mission-values.php); and Thurgood Marshall School of Law (http://www.tsulaw.edu/welcome/about_tml.html#mission).

4 Educating Tomorrow’s Lawyers, Foundations for Practice, The Whole Lawyer and the Character Quotient 8-9 (July 2016) available at http://iaals.du.edu/sites/default/files/reports/foundations_for_practice_whole_lawyer_character_quotient.pdf (emphasizing character traits such as integrity, work ethic, and resilience as essential to a law student’s education).

How can core values help students’ self-efficacy and resilience?

In *How Children Succeed*, Paul Tough chronicles the experiences of the Knowledge Is Power Program (KIPP). KIPP is a network of college preparatory charter schools that target the needs of low income and minority students. It is devoted to helping its students achieve academic excellence through long days of high intensity instruction, attitude adjustment, and behavior modification. Tough explains that one KIPP school in the South Bronx achieved certain marks of success for its first graduating class in 1999, including recognition as the fifth-highest-performing school in New York City, a high graduation rate, and a high college acceptance rate. However, only 21 percent of the school’s alumni successfully graduated from college. As one alumnus explained, the transition from the high level of attention students received at their KIPP school to the self-efficacy required in college proved overwhelming. As similar results followed in subsequent graduating classes, KIPP founder David Levin noticed that the small group that succeeded seemed to share certain character traits like optimism, resilience, and social agility. He then worked with researchers in the developmental psychology field to develop a list of core values that included grit, self-control, zest, social intelligence, gratitude, optimism, and curiosity. KIPP started incorporating these values into “everything in the school, from the language people use to lesson plans to how people are rewarded and recognized to signs on the wall.”

The results were impressive. KIPP’s 2005 graduating class saw a 46 percent college graduation rate, more than double the rate of the class of 1999. Although the benefits of core values to KIPP students is anecdotal, a comprehensive literature review by researchers at the Netherlands Organisation for Applied Scientific Research revealed a consensus that certain institutional values support better health and welfare at work including interconnectedness, participation, trust, justice, responsibility, personal growth, and resilience. A comprehensive study of 18 top American companies also revealed the essential role of core values in their long-term success.

6 Antioch (http://www.antioch.edu/explore-antioch/core-values/); Cornell College (http://www.cornellcollege.edu/student-affairs/compass/mission-statement/); Loyola Marymount (http://academics.lmu.edu/strategicplan/strategicplan2012-2020/strategicplantableofcontents/corevalues/); Northeastern University (http://www.cps.neu.edu/discover/mission-vision-core-values.php); Texas A&M University (http://www.tamu.edu/about/core-values.html); University of Maryland (http://www.umd.edu/president/core-values/); University of San Diego (https://www.sandiego.edu/about/mission-vision-values.php); University of Tennessee, Knoxville (http://haslam.utk.edu/About/core-values.asp); University of Texas at Austin (https://www.utexas.edu/about/mission-and-values/); University of Washington (http://www.washington.edu/about/visionvalues/).


8 Texas Southern University, Thurgood Marshall School of Law, About Us (http://www.tslaw.edu/welcome/about_tmsl.html#mission).


10 Tough, supra note 9, at 49.
Legal education needs core values. Many of our students have grown up in the era of excessive praise in which every feat, whether impressive or not, is celebrated loudly. They may also have parents who constantly pushed them and oversaw every move. The unintended effect of excessive praise and overparenting has been the stigmatization of failure. They are not prepared for the resilience that law school and lawyering will require.

We also know that legal education has not done enough to help students with the emotional struggles they will face. A 1986 study by G. Andrew H. Benjamin found that whereas incoming students reported experiencing depression at the same rate as the general population (3-9 percent), levels of depression rose with each year of law school. By their third year, 17-40 percent of students reported experiencing depression; the range depended on the cohort and the depressive symptom. More recently, in a 2014 survey of Yale Law students, 70 percent of respondents reported experiencing some mental health issues during law school. The rate of depression gets even worse in the profession. A 1990 John Hopkins study found lawyers are 3.6 times more likely to be depressed than nonlawyers. It was the worst of the 100 professions that the researchers surveyed. More recently, a study by the ABA and the Hazelden Betty Ford Foundation found that 28 percent of lawyers are depressed. By contrast, 6.7 percent of the general population over eighteen years of age reported experiencing depression in 2005.

Core values will not eradicate cheating, stress, and depression among law school students. However, they might improve self-efficacy and resilience as they did for KIPP students. They might help redirect students away from their fear of failure. And they might spur motivation and risk-taking as they have in the corporate world.

How can an individual professor use core values at the classroom level?

Even in the absence of institutional core values, individual professors can incorporate core values into their teaching. I have incorporated core values into my first year legal writing and skills course for the past two years and have seen an improvement in my students’ motivation and self-efficacy.

Selecting values.

My first step was to select which values I wanted to emphasize. The choice was difficult. I wanted to encourage students to develop empathy, honesty, and self-awareness and spent some time contemplating what those core values would lead me to do in the classroom. Ultimately, however, I decided that my style of teaching writing and skills most closely connected with growth mindset, grit, and responsibility. I immediately saw connections between my lesson plans and these character traits. I also knew that these traits would aid their success as future attorneys.

21 Id. at 49-65; Carl Honore, Under Pressure: Rescuing Our Children from the Culture of Hyper-Parenting 258-259 (2009).
24 Id.
27 Id.
30 See Collins & Porras, supra note 19.
Communicating values in the syllabus.

Next, I worked on articulating the core values in my course syllabus. I explained the values a little and tried to increase student buy-in by briefly describing the research that had proven that my chosen values were linked to career success.

Similarly, to implement the core value of responsibility, one of my stated learning objectives is that students “will be able to meet the expectations others will have of them as a professional attorneys.” Competencies for this objective include that students will “demonstrate respect for others including on-time arrival to class, attentiveness, and avoidance of distracting behavior including chatting and surfing during class” and “will follow filing requirements (deadlines, formatting, page limits).”

And, to give myself space to emphasize the core values directly in my assessment of students, I state an objective that students “will demonstrate interpersonal and self-development skills as part of their professional identity.” Competencies for this objective include that “students will demonstrate a positive approach to challenge and feedback” and “will effectively collaborate in small groups to solve problems and share learning (in the classroom).”

Integration of core values into day-to-day teaching.

Ultimately, I knew that merely stating core values would have little impact. I needed to integrate the values in the day-to-day experience of students as they progressed through my course. I followed David Levin’s advice, quoted in the TOUGH book, that core values should be integrated into language, lesson plans, and recognition. 31

Language. I decided to spend about twenty minutes on the first day of class introducing students to the core values I had chosen (growth mindset, grit, and responsibility). I talked a little bit about the research that has linked these values to academic and professional success. I explained that I see these as guiding principles for my interactions with students and encouraged them to view the values as guiding principles as well. As I progressed through the year with my students, I tried to use language that fosters the core values. For example, in my feedback, I tried to focus on methods of self-improvement rather than on pronouncements about their performance.

31 TOUGH, supra note 9, at 95.
I wrote, "A grammar check in Word can help you tag many of your typos and grammar errors," instead of, "The amount of typos and grammar errors in your paper reveal a lack of attention to detail." Similarly, I portrayed paradigms as tools to help them stay organized rather than as rigid prescriptions. And I portrayed attendance as an aspect of responsibility because every voice matters to the learning that we can do in the classroom.

Lesson plans. I worked the core values into my lesson plans as much as possible. For example, I introduced some anecdotes from Dweck's book when students received their first extensive written feedback. I also offered some personal stories of failure to emphasize grit when students received their first grade in the class. I organized a “grit hike” off campus early in the first semester. I invited them to meet me for a challenging uphill hike, explaining that the hike is symbolic of the challenges they would face in the course. Although the hike was primarily a social event, it also helped remind them that they are used to challenges in their lives and they have the strength they need to persevere.

Back in the classroom, I used formatting requirements and citation conventions as opportunities to discuss responsibility. I required them to keep a self-editing checklist, and when I introduced this assignment, I emphasized that checklists can help them grow as writers. I explained that a commitment to tools for improvement like checklists are part of developing a growth mindset and are an aspect of responsibility to their client.

Recognition. I found that I could integrate core values into graded and ungraded assessments. For example, when grading writing style, I assessed self-development of grammar skills rather than deducting points for each grammar error. I graded based on whether they applied their self-editing checklist and completed a thorough grammar check through Word rather than on the specific instances of nominalization that I found in their paper. Here is the relevant part of my rubric with some sample comments included:

Excerpt from Rubric.

<table>
<thead>
<tr>
<th>Overall Score</th>
<th>(out of 15)</th>
<th>8 points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Your writing demonstrates use of an effective process to avoid grammar and style errors, typos, and misspellings</td>
<td>Your paper contained errors that would have been caught with a thorough grammar check in Word. Performing a grammar check before you show others your work is an important aspect of responsibility. Also, the comma errors I marked on the paper should have been covered in your self-editing checklist so that you could catch them in the paper.</td>
<td></td>
</tr>
<tr>
<td>You have thought carefully about your word choices and have avoided vague language</td>
<td>You had many sentences that violated the max=intro+core+one standard discussed in the book. If you review your longer sentences with this standard in mind, you can recognize when you need to simplify and you will probably also cut down on your grammar errors.</td>
<td></td>
</tr>
<tr>
<td>Word choice was not a frequent problem in the paper, but you did use a couple of fancy words that did not quite fit. Try not to worry about sounding smart and instead choose words that you are very comfortable with. You can make your writing easier to read and avoid word choice errors with this approach.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

As another example, my rubric put adherence to formatting requirements and deadlines as grading criteria under a heading for "responsibility":

In addition to adjusting my rubrics, I looked for opportunities to celebrate students’ application of the core values. At the start of the spring semester, I sent my top students a survey that is geared toward the core values. Then I shared their responses with the class anonymously. They typically discussed how they organized themselves before writing, how many drafts they went through, self-editing techniques that worked for them, and other lessons that connected with grit, mindset, and responsibility.
Excerpt From Student Responses to Survey.

Advice From Your Fellow Students (2016-2017)

I asked students who received an A or A- last semester to answer some questions about their process for tackling LAWS. In the past, I have found that a change in process can help students significantly improve in the spring. Maybe you will find some advice in these answers that will help you.

Student #1

1. If you had to attribute your success to 1-3 key factors, which do you think mattered the most?
   
   (1) I love to play the game. I really enjoyed the process. Researching, Reading, Writing, and Editing was fun. Also, I became invested in Sheila Hart and her story of moral turpititude.
   
   (2) I did not fight the feedback. I really made an effort to incorporate the changes, and more importantly, to understand the reasons for the changes.
   
   (3) I finished really early. It gave me lots of time to read and reread and edit, so I could focus on the details.

2. Did you refer to the textbook at all as you wrote your paper? If so, please describe how you used it and perhaps which parts you found the most useful.

   I constantly referred to the textbook while writing the paper. I always referred to the chapter discussing the portion of the paper I was writing. For example, while writing the rule explanation paragraphs, I would refer back to that specific chapter. I would also look at the sample memos to see what transitions could be used and the general order of the paragraphs.

3. Did you refer to the textbook at all as you wrote your paper? If so, please describe how you used it and perhaps which parts you found the most useful.

   I constantly referred to the textbook while writing the paper. I always referred to the chapter discussing the portion of the paper I was writing. For example, while writing the rule explanation paragraphs, I would refer back to that specific chapter. I would also look at the sample memos to see what transitions could be used and the general order of the paragraphs.

4. How did you tackle comments on the draft?

   Understanding the reason for each comment was a process that took a long time. Like all things professors in law school do, there was a specific reason for each comment. Before I implemented the suggested change, I wrestled with the reasoning and compared the comment to my original. It deepened my understanding of the process.

5. Did you use your checklist? If so, describe the process you used to implement the checklist.

   For my checklist, I focused on writing down the comments on my returned assignments that seemed significant to keep in mind. During the last few days before I submitted P2, I made sure to have it next to me as I was revising in order to avoid making the mistakes I had made in the past.

6. How did you balance LAWS and your other classes?

   I planned a work schedule so that I could stay on top of things I needed to get done. I wouldn't work very hard on LAWS every day, but I would constantly try to chip away at something to lessen the load.

7. Do you have any other advice for students?

   Talk to other people about the arguments that you want to make and how you want to express them. It doesn't even have to be with people in our class or in Law School, especially since we were prohibited from talking about certain concepts with other students. I found it helpful to call my Dad to get his opinion on ideas that I wanted to run by.

I also mentioned some great examples of the values in action. For example, with permission, I shared quotes from students’ reflection journals that illustrated the values.

Sample Shared Journal Entry.

My friend gave me good advice. I had told her that I’m so focused on the grade that I’m having trouble writing it because I don’t know how an “A” paper should be, versus a “B” paper. She told me that I should look at the writing as a form of art. This is a lawyer’s art and learning how to make good art is not easy and takes a lot of practice. She also mentioned to look at it always from the bright side and I did. I went through my reflection journal and it was funny reading how I didn’t even understand what I should put on a Rule Statement. I made a lot of progress already. Even if I had a lot of comments from Professor Turner, it definitely helped improve my writing and it’s only to make my “art” better.

I also shared emails, like when a student who had never been absent contacted me to explain why he could not attend a class and when a student wrote to thank me for my feedback. With regard to the first email, I explained to the class that this student knew he would still be counted as absent but was showing respect by letting me know why he was missing class. With regard to the second email, I explained that the student was showing a growth mindset because rather than treating the feedback as a negative, she was seeing it as an opportunity to improve. As another example, I shared the following email from a student:
Sample Shared Email.

Dear Professor Turner,
Upon review of my submission for the Final Memorandum re Problem #1, I regretfully admit that I submitted the wrong version of the essay. It did not include either my issue statement or my conclusion. I apologize for my mistake. Since it is still before the deadline, I humbly request that I can still submit the correct version, attached hereto, which includes both sections. I appreciate your consideration in advance.
Respectfully, X

I explained to the class that this email shows responsibility in three ways. First, this student clearly did not wait until the last minute to submit his paper. Second, he checked his work one last time to find the error. Third, he promptly corrected his mistake and communicated with me in a respectful manner.

Sharing these little moments with the class helps further the core values I want to emphasize. Students can see what the core values look like in action, they can see that the values are attainable, and they can appreciate the importance of the values.

Do core values improve teaching?
Incorporating core values into my classroom has made teaching more rewarding. It not only keeps students focused on the big picture, but also helps me stay focused on the most important aspects of my teaching. I now assess my students’ performance in a manner that will promote their long-term self-development because I am cognizant of the connection between my assessments and the core values. Students respond well to the core values. Many are familiar with the concept of core values from their undergraduate experience. And most appreciate my focus on core values as an indication of my commitment to them. At least, I know that I am doing my part to prepare them for the emotional struggles ahead and to minimize their fear of failure.

Micro Essay

Business skills! I am teaching a brand new course titled “Practice-Ready Entrepreneurship” that teaches them what they need to know about the business side of practicing law. It has accounting/bookkeeping, business organizations, finance, marketing, research & development, customer acquisition components and much more. Under the current legal market, graduates have to walk in as “rainmakers” not “projects” for a firm. I try to focus on entrepreneurship as the core of what will provide them avenues for success. Our students seem to love learning this side of being a lawyer and so will their employers and clients.

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