Thinking on Your Feet: Reflections of a First-Time Online Instructor

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Thinking on Your Feet: Reflections of a First-Time Online Instructor

By Ashley Ahlbrand

Ashley Ahlbrand is Interim Assistant Director for Public Services and Adjunct Lecturer in Law at Indiana University Maurer School of Law in Bloomington, Ind.  

Online education continues to rise in popularity for both undergraduate and graduate education. Among the reasons commonly stated for this preference is flexibility, both of time and location. It came as little surprise, therefore, when our Law Library’s long-term proposal to develop an online advanced legal research course found itself on the fast track. This article will discuss the process we went through to develop this course, the end result, and the lessons learned along the way.

Let’s start at the beginning: Fall 2015. As the Indiana University Maurer School of Law worked on its three-year strategic plan, all departments within the law school were encouraged to do so as well. The Law Library set many initiatives, some long-term and others more immediate. As noted above, one long-term goal we set for ourselves was to develop an online version of our existing 3-credit Advanced Legal Research course. The face-to-face version is currently offered every Fall and Spring, and usually fills quickly, with a waitlist; given its popularity, we thought there might be interest in a Summer online version. The law school has very few online or summer offerings, but we thought, with the students simultaneously working at their summer jobs, this skills course might fill a point-of-need interest for them. With enthusiasm from the law school administration, we were green-lit toward the end of the Fall, with a requested implementation date of Summer 2016. At that point, my colleague, Michelle Trumbo, and I began meeting to plan this cotaught course.

Designing the Course

It is easy for online course design to go wrong, and erroneous to think that a face-to-face course can be perfectly mirrored in an online form. An instructor might think she can record her lectures from a face-to-face class, throw them online, impose the same assessments, and be done, but this would be a mistake. At the other extreme, an instructor might think she should infuse the course content with flashy technologies because the course is online, but instructional design scholars discourage unnecessary clutter: “When educators adopt curriculum to fit the technology, rather than choose the technology that fits the curriculum, the instructional pedagogy suffers. Although the judicious use of technology can certainly enhance the learning process, abuse of multimedia elements can distract and detract from actual content and learning.”

In designing any course, face-to-face or online, it is most important to keep in mind what you want the students to learn, and build the rest—instructional materials, readings, and assessments—around that.
Since Michelle and I were both a part of the teaching team for the face-to-face version of the course, we decided to start from that curriculum and retool it to fit an online environment and a shorter (8-week) time frame. While sitting in on planning meetings earlier in the semester for a redesign of two existing law school classrooms to optimize them for online or blended learning, we previously met some key players at the university level who specialize in online instructional design. Michelle reached out to this office, and they paired us with an instructional designer who set a timeline with us for designing our course. During Spring 2016, we met with our instructional designer nearly every week, and after each one-hour session, we were assigned “homework” to do for the coming week.

Although we had the framework of an existing, in-class course to work from, these sessions encouraged us to break the course down to its most basic elements and build up from there, a common method of instructional design. We began by determining our learning outcomes—what did we want our students to get out of the class? Next, we brainstormed what kind of assessments to use to measure these outcomes. It was during this exercise that we began to see how much more work goes into an online course; while there are certainly many assessments in our face-to-face version, our instructional designer stressed how essential skills practice is in an online environment, as well as formal assessment, both low-stakes and high-stakes. This is particularly important because the students in an online course do not generally have the opportunity to work on in-class exercises or ask questions during a lecture, as they would in a face-to-face course. Low-stakes assessments allow the students to practice skills without fear or stress of the consequences of making mistakes.

It was only after the learning outcomes and assessments had been determined that we could start conceptualizing the instructional materials, both readings and lectures. Rather than select one of the many excellent legal research texts in publication as our required text for the course, we decided to assign readings instead, picking our favorite chapters from among several texts. This not only saved our students money—the cost of the course will be covered later on—but also allowed us to better shape the direction of the course, selecting readings that emphasized the points we were trying to make. We also selected appropriate CALI lessons for each module of the course to further bolster our instructional materials. In this way, rather than recording full lectures on our research topics, we could focus our own recordings on demonstrating search techniques in various electronic resources, without as much introductory lecture required.

Ideally, we would have had all of our course materials ready to go prior to the launch date, but as so often happens, this proved impossible. Between instruction in the face-to-face Spring semester Advanced Legal Research course and other significant projects going on in the library, we did not have the luxury of setting aside all other work to prep the online course, so preparations continued throughout, with materials typically ready just in time.

Our law school does not have summer course offerings, apart from a Summer Starter program for 1Ls; nor do we have a significant body of online course offerings at any time, so we were not sure what to expect in terms of enrollment. We decided to cap the class at 20 students, to ensure we would have sufficient time to grade the assessments while providing meaningful feedback in a timely manner. To our great pleasure and relief, our initial enrollment was 18; but just before the course began, we lost six students in a day! This is how we learned that financial aid is only available if a student is taking at least four credit hours; with our class being only three, and no other course offerings available that summer, our class had suddenly become very expensive to take. We lost another student the first week of class and proceeded with 11, which turned out to be a great number for getting to know the students and for offering individualized attention.

Course Execution

One of the biggest criticisms of online education is the lack of meaningful interaction between course participants, both student-student and
under this standard, but we were unsure how to interpret 306(d)(1), which states, “A law school may award credit for distance education and may count that credit toward the 64 credit hours of regularly scheduled classroom sessions or direct faculty instruction required by Standard 311(b) if: (1) there is opportunity for regular and substantive interaction between faculty member and student and among students” (emphasis added).9 As a skills course, our main objective was to determine, through ongoing and frequent assessment, whether the students had mastered various research skills; thus there was frequent communication and feedback between instructor and student. To facilitate the student-student communication, we added a weekly, hour-long chat session through our learning management system, Canvas, in which the students could reflect on the week’s module, ask questions about the upcoming assignment, and engage with each other. Apart from that, student engagement was reflected in timely submission of assignments, feedback, and exchange of emails regarding the course.

Reflection

So, the big question: How did it turn out? In a word, great! We received excellent feedback from the students on the course, and students performed as well on assessments in the online course as students who have taken the face-to-face version. As is always the case with new courses, however, things were by no means perfect. There were many changes to be made—some happened during the course, others would be changed for version two.

Chat session: Canvas has a built-in chat function. It is extremely rudimentary, but that also makes it incredibly uncomplicated to use. For most of the course, this is the tool we used for those weekly sessions. Our biggest challenge here was finding a time for all of us to meet. Our students were at jobs all across the country, so finding a day and time that worked for everyone proved nearly impossible. We kept these chat sessions relatively unstructured, with the ball in the students’ court to ask questions and

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9 Id.
spark conversation. This typically meant that the session began slowly, but once we got rolling, we typically took up the whole hour. Interestingly, we found that the students often showed up for the chat early to talk to each other about their summer jobs!

The simplicity of the chat tool added to some of the awkwardness because it does not show when someone is typing; thus if someone asked us a question and we were composing a lengthy answer, the students could not tell if we were answering them or ignoring the question. With two of us teaching the course, we usually stayed after work and sat in the same room with laptops to conduct the chat. That way one person could be answering a question while the other kept the conversation going and monitored the chat for more questions so none would be missed. On the few occasions that we could not chat in the same room, we ended up having to text each other to figure out who was going to answer each question to avoid multiple answers. Awkward.

For the last week of class, just for something new, and to show the students a growing communication tool in the business industry, we set up a Slack channel for the weekly chat. More sophisticated in a number of ways, including the ability to add documents to the channel and create different channels for different topics, Slack also solved the rudimentary problem of not being able to tell who was typing. At the end of the session, we asked students what they thought, assuming they would all prefer the much sleeker Slack. While most did acknowledge the usefulness of Slack, many surprisingly preferred the convenience of the Canvas chat tool. Despite its design flaws, they liked that it was all contained within one interface. Course evaluations also revealed that most students would have preferred more structure to the chats or no chat at all.

The literature on online education commonly stresses the importance of interactivity in the course, with scholars typically encouraging the use of discussion boards or forums to engage students. Between the findings in the literature and our student feedback suggesting a more structured chat session, going forward I intend to incorporate more interactivity into the course, perhaps through group research projects or discussion of legal news stories and how they apply to the research topic we are covering that week. I think there are many ways to design an interactive online legal research course, even asynchronously, and that will certainly be something I will explore for version two.

Video lectures: Rather than set up a camera and tripod in a classroom and film ourselves, we used Camtasia to record PowerPoint lectures and screencasts of live web demos. We had used Camtasia previously for legal research tutorials for first-year students and liked the tool for its sophisticated editing capabilities. The technology was a nice fit for our purposes, but we quickly learned that the traditional lecture-style video was not.

The course was structured the way we typically recommend that students conduct their legal research—starting with secondary sources, then moving to statutes, cases, and regulations; and ending with tools like form books, practice aids, and discovery-phase research. The problem with the videos arose in module 1: secondary sources. Although our regular, semester-long course delves much deeper into different types of secondary sources, we did not have the luxury of such time for the summer course, so we focused on a few key secondary sources: treatises, American Law Reports, encyclopedias, periodicals, and restatements. We created a series of short videos about each, including their key features, what set them apart from other secondary sources, and demos of how to use each source in the major legal research platforms. These initial videos, therefore, pretty closely mimicked a typical in-class lecture, with time devoted to an introduction of the material

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11 See, e.g., Driscoll, et al., supra note 4, at 324 (“[S]tudents equally desire interaction in both online and F2F settings,… [A] well-designed online course is capable of providing a sufficiently interactive learning environment.”).

(recorded PowerPoint) and a live demo of how to use the material electronically. The problem we found was that it was too much—there were too many videos for the secondary source module, and the students were not getting out of those videos what they usually do from the in-class correlation. We needed to rethink the purpose of the video.

The following module was statutes, one of Michelle's modules. She decided to try something different with the videos in this module, to make them more task-focused. Instead of so much introductory information or show-and-tell of the features of statutes in each database, she created the first of what we called “Research in Action” videos, in which we provided a research scenario and then walked the students through the process we would take to answer that question using a particular type of legal content. We let the readings and CALI lessons replace the standard lecture that would ordinarily have accompanied the unit. We did not make any big announcement about the change in format, but asked the students about it at the next weekly chat session—had they found the new “Research in Action” videos more useful? They had. The “Research in Action” videos met with high acclaim. Students found these much more relatable and relevant and felt that they learned more from watching these and then replicating the work in their weekly quizzes than they did with the previous module's videos.

This was the biggest change we made mid-course: every other module from then on had “Research in Action” as its video component. Some had multiple, short “Research in Action” videos if there were multiple types of resources covered in that module; and some had an additional, optional, introductory video that did take more of a lecture format. For instance, the administrative law module began with a lecture-based video on rulemaking. This was optional because we had some students in the class who had taken an administrative law course, but some who had not.

If there is a silver lining in not having all of your course materials prepared, this might be it: if we had had all of our videos already recorded as lectures, it would have been devastating to rerecord them for the “Research in Action” series. As it was, we were still generating the content for the course, so it did not create any additional work.

**CALI lessons and readings:** In lieu of a textbook, we selected readings from several texts and utilized CALI lessons for each module. Our instructional designer had cautioned us that everything we require for the course should fulfill a purpose and should lead toward the achievement of the learning outcomes; so to that end, we always drew some quiz questions from the readings and CALI lessons to encourage students to use these materials. Toward the end of the course, during one of our chats, a couple of students asked whether they could get PDFs of the CALI lessons. They said they had been making them themselves by doing frame-by-frame screen captures, but it would be so much easier if they were already available. This confused us until we realized, first, that they were having to go back through the CALI lessons to answer quiz questions, so a PDF would be easier, and second, that a PDF would make it much faster to skim the CALI lesson for the answers, rather than actually completing the CALI lesson as intended! Lesson learned—make CALI lessons required, and require students to turn in completion certificates, but perhaps do not incorporate additional quiz questions with information pulled solely from the CALI lessons.

For the readings, we were generally pleased with our decision to assign chapters from a variety of legal research texts, rather than choose one for the course. This allowed us to pick and choose aspects from different legal research texts that we felt emphasized important concepts. However, there were some modules that had far more readings than others; granted, some of these readings were quite short, but a student opening one module and finding two files that were each 20 pages and opening a second to find eight files that were each five pages will automatically feel overwhelmed by the eight, even though in reality they each have the same amount of reading. Just prior to the onset of the online course, we spoke with a colleague at another law school who essentially wrote her own legal research text in her course website. We would not have had the time to accomplish this in our first go-round. But, having now taken a couple
of online courses myself in which instructors have essentially done the same thing, I think that might be the best route to take. This allows you as the instructor to emphasize the aspects of legal research that you wish the students to learn and allows you more control and consistency in the amount of reading from week to week.

**Assessments:** We had two types of assessments in this course—weekly quizzes and an ongoing written research assignment. The weekly quizzes were set up in Canvas, with a variety of question types. Some were simply true/false, multiple choice, or fill in the blank, drawing on the readings or CALI lessons. Others were “treasure hunt” type research questions, requiring them to use an electronic legal research platform to answer a question and then return to the quiz to enter their answer and search process. Thus, some questions were self-grading and others required more attention from us. For the most part, the quizzes worked quite well. It would have been nice to make the questions all self-grading, but with open-answer questions, that becomes more of a challenge, because, if the student’s answer does not match the model answer perfectly, Canvas marks it wrong, the student panics, and you have to go in and correct it anyway. Going forward, it would be helpful to make more of these questions self-grading, but that aside, the quizzes were an effective assessment tool for ensuring the students mastered the module’s topic.

The written exercise, however, proved more confusing than expected. Since the course was structured to follow an ideal research path, from secondary sources into primary, we thought we would break up our usual memo assignment from the face-to-face course into smaller research components throughout the course, culminating in writing a final memo. Because we anticipated that their research techniques would not be as strong at the beginning of the course, rather than be punitive at these early stages, we decided that there would only be one, cumulative grade on the memo at the end, instead of separate grades on each segment. We also thought this reflected our instructional designer’s advice that students in online courses need both high-stakes and low-stakes assessments. These weekly research segments would be low-stakes.

What happened instead, however, is that some students initially blew off these “ungraded” research segments, as they referred to them in the chats. They did not see them as we did—as parts of one large, graded whole. They saw a bunch of ungraded pieces and one graded assignment at the end, and thus their performance on them was sloppy and half-hearted. To correct this notion, we started giving them ballpark grades on each research exercise, estimations of what that piece, if graded alone, would receive. At the end, we looked at each research piece on its own, watching for progress in research skills, and gave one final grade as originally anticipated. That, and we determined that a final memo itself was too much on top of all the other work they had been doing, so we graded the pieces of the research log they had been turning in instead. For the most part, students did well on this assignment, but it could definitely do with some reconceptualizing for next summer.

**Choose your own adventure:** In our regular class, we have a few units on specialized legal research. We have a week devoted to foreign and international legal research, a class on intellectual property, another on business and corporate research, and another on tax. We wanted to somehow incorporate these into the summer class as well, but once again, time was an issue. In our summer course planning, we decided to do a “choose your own adventure” module at the end of the course in which we would give the class a few topics like these and turn the tables, making them choose one of these topics, seek out and evaluate research resources on point, and report back to us their findings. We thought about making it group work, but the class was already so small and spread out that we decided to offer that as an option, but not require it.

The module went fine, but I think more could be done here. The exercise could have been more rewarding if we had structured it (and had time left) so that the students were presenting their findings in some way to the class. We could then have ventured into the world of peer feedback, which might have been refreshing at the end of a course that was mostly restricted to student-instructor interaction.
Conclusion
In their study of several online and face-to-face courses across disciplines, Di Xu and Shanna S. Jaggars found a larger performance gap—meaning students performing more poorly in online than face-to-face courses—in the areas of the social sciences and applied professions, the latter including law courses. Further, they surmised, “it may be more difficult to create effective online materials, activities, or assignments in fields that require a high degree of hands-on demonstration and practice, intensive instructor-student interaction, or immediate personalized feedback.” What does that say about legal research? Does that nullify any attempts to create a successful online legal research course? No. Evaluations and post-course interactions with our students have demonstrated that they found the course quite beneficial. In fact, as they had immediate, real-world use of their learned skills during their summer employment, feedback on the course was overwhelmingly positive. I have had several inquiries this academic year as to whether we would be offering the online version again this summer. But there is always room for improvement, and future iterations of the course will benefit from lessons learned in our first summer, many enumerated above.

Online instruction is by no means the lazy man’s game. Done properly, it requires constant attention, interaction, and reflection. “Instructors should not decide to teach online because they think it will be easier than teaching face-to-face. One research study found that online classes are 40 percent more work for the instructor than face-to-face classes.” That was certainly true for us. As I look to version two of the course, to be offered Summer 2017, while many things will stay the same, as many will change. As intensive as our instructional development process was, I think it is a process that bears repeating. Our instructional designer told us as much last Spring, always referring to last summer’s course as “version one,” and advising us to jot down some of our more labor-intensive ideas for implementation in “version two.” Will this process of reevaluation and retooling ever end? Unlikely. But then again, teaching should never be a passive sport.

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B639 – Advanced Legal Research (Online)

COURSE INFORMATION: SUMMER 2016

Instructors:
Michelle Trumbo
Email: mbotek@indiana.edu
Phone: 812.856.0464
Office Hours (online): 2:00 p.m. until 5:00 p.m. each Wednesday; 11:00 a.m. until 1:00 p.m. every Friday; or anytime via email.

Ashley Ahlbrand
Email: aaahlbra@indiana.edu
Phone: 812.855.6613
Office Hours (online): 2:00 p.m. until 5:00 p.m. each Wednesday; 11:00 a.m. until 1:00 p.m. every Friday; or anytime via email.

Course Description:
This course will offer students an opportunity to gain in-depth working knowledge of legal research methods and resources. The course will emphasize use and comparison of a broad range

14 Id. at 636.
of legal research tools. The course will review the complete range of federal and state primary sources, legislative history, administrative materials, all major secondary resources and practice aids, as well as specialized topical resources. Upon completion of this course students should be able to evaluate research options and make choices that best suit the widest possible variety of legal research situations.

Each module focuses on a specific type of resource or research process and will include readings, interactive lessons, lectures, demonstration of relevant electronic resources, and assessments. Class topics will be followed by a brief research exercise to both measure and enhance the student’s expertise with the materials presented in the classroom.

Required Course Materials:
There is no textbook for this course; however, required readings, lectures, videos, and CALI lessons for each of the topics covered are contained in the modules.

Required Synchronous Meetings:
To comply with recent ABA Standards regarding online and simulation-based education, there is a synchronous component to this course. Seven meetings -- each of which will last no longer than 1 hour -- will be held. For these meetings, we will be using the live group chat function in Canvas. Given that summer schedules and availability vary dramatically, students must be present at a minimum of four (4) of the seven (7) sessions. A failure to meet this minimum will result in a reduction of your participation grade.

Our first meeting, which will include introductions, will be Wednesday, May 25th at 5:00 p.m. At that meeting we will get a sense of what dates and times work best for the group and we will set a schedule that accommodates as many people as possible.

ASSESSMENT AND GRADING
There are several different types of assessments in this course.

20% - Quizzes
In each module, you will have a quiz that pertains to the readings, lectures, and videos assigned. Questions will vary in format and will occasionally require you to conduct research in another database to find the answer.

10% - Administrative Law Research Assignments
In Module 5, you will have two short research assignments on administrative law; one will be an 8-question research exercise, and the other a short written assignment. Together, these two assignments will make up another 10% of your grade.

10% - Specialized Topic Research Project
In Module 7, you will be responsible for a short research project in either Business and Corporate research, Intellectual Property research, or Foreign and International research.

40% - Research Memo
The largest part of your grade comes from the research memo; you will be researching an ongoing client problem, with pieces of the research due throughout the course. This culminates in the production of a research memorandum.

20% - Class Participation & Attendance
This will include participation in the weekly chat sessions and regular communication with the instructors. All assignments are to be turned in by their due date.

If an assignment is turned in late, there will be a 10% grade deduction per day. We will only grant extensions due to extenuating circumstances. While we understand that many of you are juggling summer jobs on top of this course, we cannot return assignments until we have received and graded all of them, and given the short duration of this course, there is very little wiggle room. We appreciate your timeliness.
COURSE OUTLINE
This course is divided into seven modules, each devoted to different topics in legal research. These modules will become available on the “launch” dates indicated. See the individual modules for instructions, including that segment’s readings, exercises, lectures, and other materials.
Module 1: Introduction to Legal Research
Module 2: Secondary Sources
Module 3: Constitutions, Statutes & Legislation
Module 4: Cases
Module 5: Administrative & Executive Branch
Module 6: Practitioner Materials & Tools
Module 7: Specialized Topics in Legal Research

OTHER INFORMATION
If you have any questions or problems, please bring these to our attention. Questions are always welcome. Meetings outside of class can be arranged either during office hours or by appointment at a mutually convenient time. If you have questions or want to schedule an appointment, call or email us.
As you are working on assignments, problems can arise that can leave you stumped. Please ask questions! Sometimes a quick answer to a question or a small piece of advice can get you moving again and save a great deal of frustration.
This syllabus represents the plan for conducting the course during the semester. The expectation is that the syllabus and the course schedule will be adhered to reasonably closely. However, any provisions in the syllabus are subject to change by the instructor after consultation with the class.
This is our first foray into teaching this material online, so suggestions for additions or improvements to the course are always welcome.

COURSE POLICIES
Copying or recording synchronous classes and asynchronous course materials without the express prior approval of instructors is prohibited. All copies and recordings remain the property of Indiana University and the instructors. Indiana University and the instructors reserve the right to retrieve, inspect, or destroy the copies and recordings after their intended use. These policies are not intended to affect the rights of students with disabilities under applicable law or the university’s policies.

TECHNOLOGY SUPPORT
For Canvas questions and help please contact the instructors, Ashley Ahlbrand and Michelle Trumbo. For additional assistance, refer to the «Help» link at the top right of the page and check the UITS Knowledge Base at http://kb.iu.edu/ for more information (type “Canvas» in the search box for a full list of Canvas-related topics).
If you have any other questions about or issues with any of the technology used in this course please contact the University Information Technology Services (UITS) support team.

ACADEMIC MISCONDUCT
Academic misconduct is defined as any activity that tends to undermine the academic integrity of the institution. The university may discipline a student for academic misconduct. Academic misconduct may involve human, hard-copy, or electronic resources.

Policies of academic misconduct apply to all course-, department-, school-, and university related activities, including field trips, conferences, performances, and sports activities off-campus, exams outside of a specific course structure (such as take-home exams, entrance exams, or auditions, theses and master’s exams, and doctoral qualifying exams and dissertations), and research work outside of a specific course structure (such as lab experiments, data collection, service learning, and collaborative research projects). The faculty member may take into account the seriousness of the violation in assessing a penalty for acts of academic misconduct. The faculty member must report all cases of academic misconduct to the dean of students,
or appropriate official. Academic misconduct includes, but is not limited to, the following:

**Section 1. Cheating**
Cheating is considered to be an attempt to use or provide unauthorized assistance, materials, information, or study aids in any form and in any academic exercise or environment.

A student must not use materials from a commercial term paper company; files of papers prepared by other persons, or submit documents found on the Internet. A student must not collaborate with other persons on a particular project and submit a copy of a written report that is represented explicitly or implicitly as the student’s individual work.

A student must not submit substantial portions of the same academic work for credit or honors more than once without permission of the instructor or program to whom he work is being submitted.

**Section 3. Plagiarism**
Plagiarism is defined as presenting someone else’s work, including the work of other students, as one’s own. Any ideas or materials taken from another source for either written or oral use must be fully acknowledged, unless the information is common knowledge. What is considered “common knowledge” may differ from course to course. A student must give credit to the originality of others and acknowledge indebtedness whenever:

- Directly quoting another person’s actual words, whether oral or written;
- Using another person’s ideas, opinions, or theories;
- Paraphrasing the words, ideas, opinions, or theories of others, whether oral or written;
- Borrowing facts, statistics, or illustrative material; or
- Offering materials assembled or collected by others in the form of projects or collections without acknowledgment.

There are serious consequences for academic misconduct. We may choose to not accept an assignment, lower the grade or give the grade of F for the assignment.

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**Micro Essay**

A carpenter does not learn his trade by studying Hammers I and II, concurrently with Nails I and II, and Saws I and II. He hones his skills by learning which tools to utilize for which purpose, in compliance with a set of plans. Mastering each tool’s function, he forms pathways between them, understanding how they work in concert. Analogously, lawyers must be taught the skills with which to analyze the client’s problem, and identify and connect the pathways between legal doctrines. Teach law as if it was carpentry. Stop clinging to a “silo-centric” pedagogy. Challenge students to open their minds to an integrative thought process before they crack their first casebook, during 1L orientation.

Michael W. Pinsof, Adjunct Instructor of Paralegal Studies, Roosevelt University, Chicago, Ill.