



A LEGACY OF EXCELLENCE IN TEACHING

BY JULIENNE ISAACS



Professor Robert Cover holding a “teach-in” on Cross Campus in 1986.

“There’s a beautiful old black and white photograph of Robert Cover sitting in the courtyard teaching in the grass. It’s not formal. It’s not hierarchical — Cover and his students are sitting on the same plane,” said Doug Kysar, Joseph M. Field ’55 Professor of Law and Faculty Co-Director of the Law, Ethics, and Animals Program at Yale Law School. “They’re sitting together in the grass working collaboratively to solve some of the biggest problems of social justice that they’re seeing in the world.”

Photo by Rollin A. Riggs

Cover, an expert in legal history, constitutional law, and jurisprudence, joined the faculty of Yale Law School in 1972 and served as Chancellor Kent Professor of Legal History from 1982 until his death in 1986.

Cover's approach to teaching blackletter law was unique at the time — and still is. But Yale Law School has always allowed room for difference, said Kysar.

"I've taught at several other law schools. All the law schools I've known are on a continuum. And then there's Yale Law School," he said. "I jokingly refer to it as Montessori law school. There's always been a different model here."

Throughout its 200-year history, Yale Law School has remained small by design; these days, there's a 5:1 student-faculty ratio.

Yale Law students have traditionally been required to take a few "core" courses — a Yale Law School Bulletin dated 1903-1904 notes that students were required to study Contracts, Criminal Law, Constitutional Law, and Torts, with optional courses including subjects like Roman Law and Medical Jurisprudence.

Today, the curriculum has evolved to mandate a single semester of required courses — in their first semester, students still study Constitutional Law, Contracts, Criminal Law and Administration, and Procedure, and before graduation, students must take Torts and Regulation. Otherwise, they can shape their own curriculum.

Even in students' first term, Yale Law School does things differently, centering learning within faculty-led small groups. As a result, the School is highly individualized and student-centered.

Kysar said it's a very different model than the one he himself experienced at law school, with one exception. "My first-year Torts professor at Harvard was wonderfully warm, engaged, and supportive of [his students'] well-being. He took a genuine interest in getting

to know us. He really supported me, and I would not be teaching law if it weren't for him," he said.

Kysar's Torts professor was a graduate of Yale Law School.

"He once told me, 'I'm in law teaching because of my teachers at Yale.' He wanted, through his own teaching, to 'bring some of New Haven to Cambridge.'"

NEW TEACHING METHODS

Course names might look the same as they did at the turn of the 20th century, and John Fabian Witt '99, Allan H. Duffy Class of 1960 Professor of Law, said that in general law teaching changes slowly. But the content of a few courses, like Torts and Regulation, has evolved to reflect changes in the law.

"We retitled Torts to Torts and Regulation several years ago for the same reason that the midcentury legal realist faculty changed Criminal Law to Criminal Law and Administration — to reflect the way the law works in the world and to expand teaching from appellate court cases to systems and institutions," said Witt.

Witt's teacher at Yale Law School was Sterling Professor Emeritus of Law Guido Calabresi '58, whose model influenced the shift, said Witt.

"Guido taught us that torts is a mixed system for accomplishing social goals," he said. "In my Torts and Regulation course we adopt that same approach — and extend the insight to follow torts principles like reasonableness, causation, proof, and vicarious liability into the statutory domains such as the law of civil rights."

Some tried-and-true methods of teaching law haven't changed: many professors, including Witt, still use the Socratic method of teaching, or "cold calling," where students are randomly called on in class.

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Chirelstein phot by J.D. Levine



Professor Marvin Chirelstein



Professor Guido Calabresi '58



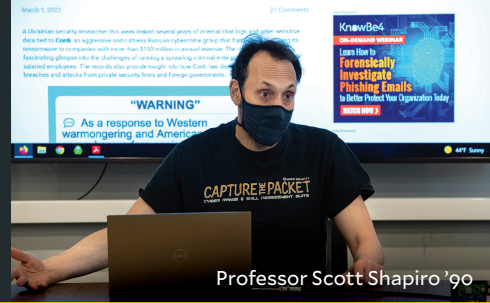
“HE ONCE TOLD ME, ‘I’M IN LAW TEACHING BECAUSE OF MY TEACHERS AT YALE.’ HE WANTED, THROUGH HIS OWN TEACHING, TO ‘BRING SOME OF NEW HAVEN TO CAMBRIDGE.’”

DOUG KYSAR, JOSEPH M. FIELD '55 PROFESSOR OF LAW



Professor Susan Rose-Ackerman

NEW TECHNOLOGY IN THE CLASSROOM



Professor Scott Shapiro '90

Every technological leap forward — from the typewriter to the computer to smartphones — naturally changes the feel of the classroom. But the COVID-19 pandemic accelerated the adoption of new technology at Yale Law School.

Within a matter of days in early 2020, faculty moved from the classroom to remote learning, conducting classes over Zoom. Though classes are back in person, some changes have stuck.

In his classroom, Kysar has adopted techniques like breakout rooms, flipped lectures, and polling.

“I even bought a Zoom plugin at one point that allowed me to run a review session in the format of a game show,” he said. In his first-year course Torts and Regulation, polling has remained a permanent feature of the class, because Kysar found it allows for students to express a broad range of viewpoints.

“During COVID, I taught large classes in hybrid format, to Zoom students and in-person students simultaneously,” said Nicholas Parrillo ’04, William K. Townsend Professor of Law. “I’d always used the blackboard, but a blackboard wasn’t easily readable on the classroom camera that we were using to allow the Zoom students to see the class.”

Associate Director of Events and Space Logistics Nick Cifarelli was working as the School’s in-house IT expert on classroom technology during the pandemic. He proposed

a solution: document cameras, which are similar to overhead projectors.

“I could write with a black marker on bright white cardstock as if I were writing on a board, with a document camera overhead, and the feed from the camera would be simultaneously projected for the auditorium of in-person students and broadcast to the Zoom students,” Parrillo said. “I’ve continued to use this technology for all in-person teaching, because it effectively doubles the amount of ‘board’ space I have and my ability to flexibly use visuals in my teaching.”

During the pandemic, William O. Douglas Clinical Professor of Law Michael Wishnie ’93 had to quickly move his clinics’ work to secure platforms that allowed for collaborative drafting. Students also had to learn how to participate in client interviews, motion arguments, and even full-dress trials over Zoom.

As technological innovation speeds up, Yale Law School is keeping pace — and training lawyers who can lead. Students won’t find courses in Railroad Law at Yale, like they might have in 1906, but they can study blockchain and digital assets, corporate finance and statistics, hacking, and artificial intelligence.

It’s a further sign that the Law School can meet the needs of the day while staying true to its spirit. As Witt puts it, “It’s change with continuity.” 🔄

(left) Shapiro photo by Mara Lavitt; Kysar photo by Harold Shapiro; (right), Romano photo by Michael Marsland; Ackerman photo by Robert Lisak



Professor Douglas Kysar

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William K. Townsend Professor of Law Nicholas Parrillo '04 takes this traditional approach to teaching in larger doctrinal courses.

“The main change I’ve made in my classroom approach during my 16 years at YLS is to make it so class participation relies less on volunteers and more on a cold-calling system that is more uniform and widely distributed in terms of who participates,” Parrillo said. “I did this partly in response to student advocacy for approaches to class discussion that would broaden participation, which I think has improved teaching in terms of getting a wider range of input into the class.”

Other courses combine traditional and new elements, depending on how professors approach the subject. Kysar said there’s been a marked increase in professors’ interest in learning new teaching skills and methods. Faculty attend workshops at the Poorvu Center for Teaching and Learning or bring Poorvu experts to the Law School.

“Even in the last 10 years alone, I think we’ve seen very significant changes in the teaching culture of this building. I can speak firsthand to this,” said Kysar. “I’ve been here almost 15 years, and the

faculty are taking teaching extremely seriously. There’s a culture of embracing our role as teachers and not just scholars,” he said.

Kysar has adopted pedagogical techniques that help students hone ideas before sharing with the class: he uses reflection journals, and he also likes “turn and talks,” where students are asked to turn to their neighbor to talk about a case before rejoining the general discussion. “[When you] give students that priming opportunity, a safe space to articulate their views, you get a way different discussion,” he said.

CHANGING THE FACE OF LAW

When Sol Goldman Clinical Professor Emeritus of Law Jean Koh Peters was a student at Harvard Law School in the 1980s, she was “a totally unhappy, disaffected law student,” she said. “It was about 98% lectures. There weren’t very many women; there were very few Asians. I can’t think of another woman of color in the class.”

In addition to the composition of the student body, the makeup of faculty at law schools has changed in the last 50 years, impacting the student experience. “Anything that creates a more diverse

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Professor Roberta Romano '80



Professor Bruce Ackerman '67

faculty will have an effect, regardless of the techniques being used,” Peters said.

Until her retirement in 2019, Peters led clinics on Advocacy for Children and Youth and Immigration Legal Services, and her students were “100% three-dimensional human beings to me,” she said.

In her classes, Peters prioritized “performing the message” about her subject matter to her students. If you’re talking about how to listen to your client, it’s important to listen to your students in the classroom. “You can make a disproportionate impact by mirroring the message of the class, especially in a clinical setting,” she said. Every new case required students to listen and tell the client’s story in their voice. “That’s the work. You can hardly do that and say, you’re a generic law student. You are indistinguishable to me.”

Peters is the co-author, with CUNY Professor of Law Susan Bryant, of an educational program called “Five Habits of Cross-Cultural Lawyering,” which aims to build cross-cultural competence in lawyers. Peters’s hope is that all students, particularly students of color, feel their voices are heard in the classroom in all discussions — not just those centered on race and difference.

“That person has to feel that you have valued [them] from day one on every topic and [they] feel investment in this community,” she said.

Programs like the Access to Law School Program, a law school pipeline program geared at underrepresented populations in New Haven, and the Hurst Horizon Scholarship, which provides full-tuition scholarships for students from economically disadvantaged backgrounds, are widening the doors to the practice of law.

The goal is to supportively integrate these students with standardized, transparent programming, while “maintaining the distinctive culture and playfulness, the delightful anarchy of Yale Law School,” as Kysar put it.

According to Michael Wishnie ’93, William O. Douglas Clinical Professor of Law, Yale has always been “a small law school in a small town, and I think that has a lot of consequences for its classroom culture. Not only do faculty and students get to know each other, we also run into each other around town. That allows for a different dynamic in the classroom.”

Wishnie, who directs the Veterans Legal Services Clinic and co-directs the Worker & Immigrant Rights Advocacy Clinic, said students work closely with faculty on their writing and their legal reasoning. Outside the classroom, faculty, including Dean Heather K. Gerken, often collaborate with students to advance scholarship.

And in clinics, students work closely with each other as a community.

“Students tend to like the experience of working in teams with other students, and they draw enormous support when the teams are working well. That collaborative, creative problem-solving — for many students, that’s the heart of learning and lawyering,” he said. “Very few Yale Law graduates go into solo practice. They’re going to be working with lots of other people. That’s how students learn in clinics, and that’s much closer to what they’ll experience in the world of practice.”

At the Law School, they necessarily learn a great deal of theoretical and technical material. Classes — and clinics — are rigorous, Wishnie said.

“Students say they leave Law School with a sense of possibility, creativity, and joy in law practice. A lot of my students find joy because they’re invited to be their authentic selves, not to become a caricature of a lawyer. They tend to exit with a surprising sense of possibility and openness,” he said. “And they draw a lot of strength from working with others.”



Professor Gerald Torres '77



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