Teamwork

Instruct the Instructor: Materials selected to inform instruction and research.

Byron G. Stier, *Applying Steve Jobs's Insights on Innovation, Leadership, and Technology Toward an Apple-Inspired Law School*, 38 Notre Dame J.L. Ethics & Pub. Pol'y 217 (2024),

https://www.westlaw.com/Document/Ic95b532f27a411ef8921fbef1a541940/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0.

• This essay takes an unconventional approach by proposing that law schools utilize a model similar to Silicon Valley companies to improve educational outcomes. Within this proposed model an emphasis on collaboration is key.

Sameer M. Ashar, *Pedagogy of Prefiguration*, 132 Yale L.J. Forum 869 (2023), https://www.westlaw.com/Document/I7d875b32add711ed8636e1a02dc72ff6/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cbl1.0.

• This article discusses how lawyers need to be able to adapt to support transformative visions of social-movements. Collaboration is an underlying theme within the article. An emphasis is placed on clinical work to achieve better collaboration.

Gregory J. Marsden & Soledad Atienza, *Doing Law School Wrong: Case Teaching and an Integrated Legal Practice Method*, 66 St. Louis U. L.J. 543 (2022). https://www.westlaw.com/Document/1947215db09a211ed9f24ec7b211d8087/View/FullText.ht ml?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

A co-authored essay by two professors at Instituto de Empresa (IE) Law School in Madrid, Spain, Marsden and Atienza describe their problem-based approach to legal education as an alternative to the Case Study method. This article begins with the assertion that the goal of law school is bar admission and preparation for practice, and the traditional Langdell approach is insufficient on its own. They highlight specifically the lack of teamwork and collaboration as a form of education, not just study preferences. The article then goes on to contrast this to "problem-based" learning done in many business schools and how IE in Madrid has adapted this method to be productive for legal students. IE Law School's problem-based learning takes the form of the professor creating a hypothetical and relating it orally to the class, as if the professor was a client. The students then work through solving a multi-faceted, interdisciplinary issue in teams as a replica of the real world, often spanning more than one class period. Then the teams of students present their solution and defend it to the class, where the professor guides the conversation instead of lecturing on the material. Students will be expected to solve 500 case problems over the 10-month academic year and the orientation stresses the only way to do this is to learn to work in teams.

Chad Christensen, *Preparing Law Students to Be Successful Lawyers*, 69 J. Legal Educ. 502 (2020).

https://www.westlaw.com/Document/Idae486f1018511ecbea4f0dc9fb69570/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• In this article, the author evaluates three competencies – teamwork, self-directedness, and cultural competency—from a compilation of the Law School Survey of Student Engagement. The goal is to look at how students have or had not engaged with the three listed milestones as part of their law school careers. This article provides insight into where students do or do not see these versions of pedagogy showing up in their legal education.

Danisha Brar, Keep the Patels: How Culturally Competent Teamwork Can Alleviate the Law's Diversity Retention Problem, 25 Asian Am. L.J. 123 (2018).

https://www.westlaw.com/Document/I2580b7695dbb11e9adfea82903531a62/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• This article combines the recognition of diversity in the legal profession, the need for cultural competency, and an evaluation on how they intersect in legal teamwork settings. Not oriented towards legal education, this article is more a lens in which to view the potential strength of combining multiple milestones – here cultural competency and teamwork – to create a more effective, more inclusive legal profession.

Randall Kiser, Soft Skills for the Effective Lawyer (2017).

• Randy Kiser is a lawyer and researcher who has written thoughtfully and powerfully over the last twenty years in such areas as decision-making by lawyers. In this most recent book, he explores "legal skills" that are crucial to good legal practice but that are often minimized or ignored in law schools. Chapters particularly relevant to teamwork include "Self-Awareness," "Self-Development," and "Social Proficiency."

A. Rachel Camp, Creating Space for Silence in Law School Collaborations, 65 J. Legal Educ. 897 (2016).

https://www.westlaw.com/Document/If6b8d4c041ab11e698dc8b09b4f043e0/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• This paper seeks to address the psychology and cultural shifts behind the transition from a legal perspective of individualism to collaboration. The author walks through the recent changes and movements of collaborative spaces, both in legal education and in the professional sphere, but takes it a step further looking at different psychological traits and cultural values this shift entails including introversion, personality, and inclusion. The author ends with methods that professors can use in helping students move into these collaborative spaces.

Charles Duhigg, "What Google Learned from Its Quest to Build the Perfect Team," NY Times, (2016). https://perma.cc/XB3B-MM8T

• This is a long-form article looking at what the data says about why some groups work and others falter. The research comes from Google's Project Aristole which looked at group norms and rules for collaborative settings. An interesting take on the importance of teamwork and building cohesive teams.

Michael I. Meyerson, Law School Culture and the Lost Art of Collaboration: Why Don't Law Professors Play Well with Others?, 93 Neb. L. Rev. 547 (2015). https://www.westlaw.com/Document/Id7f34d25eadf11e498db8b09b4f043e0/View/FullText.htm 1?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

A very different article from many included in this bibliography, this article does not focus
on legal education or leadership frameworks, but on legal educators and their independent
nature. While not directly applicable to teamwork or the hopes of instilling this competency
in students, this article is useful for professors to consider their own interactions with the
idea of teamwork and collaboration.

On Teams, Harvard Business Review Press ed., (2013).

• This is a collection of short articles that originally appeared in the Harvard Business Review. The articles are written by prominent scholars and business people on the topic of teams. The book covers a lot of ground on how to create great teams. A particularly good article included here is *Eight Ways to Build Collaborative Teams* by Lynda Gratton and Tamara J. Erickson.

Janet Weinstein et. al., *Teaching Teamwork to Law Students*, 63 J. Legal Educ. 36 (2013). https://www.westlaw.com/Document/Ib6e48bbd1f7611e38578f7ccc38dcbee/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• This article is written by Professor Janet Weinstein about her experiences teaching teamwork-based, interdisciplinary classes with medical and social work groups. It is aimed at legal educators and walks through the importance of collaborative learning environments, what Weinstein and her colleagues are doing with Teamwork Theory, and how they have adapted to move forward based on student feedback and surveys.

Mary Kate Sheridan, *Building A Team Culture*, Legal Mgmt., December 2012, at 44 (2012). https://www.westlaw.com/Document/I11e7f0be4e6611e28578f7ccc38dcbee/View/FullText.html h

• More focused on professional settings, the author in this article sets guidelines for the best ways to build effective teams. The article looks over concepts like transparency, socialness and mentorship, and even how loud music is played.

Sophie M. Sparrow & Margaret Sova McCabe, *Team-Based Learning in Law*, 18 Legal Writing: J. Legal Writing Inst. 153 (2012).

https://www.westlaw.com/Document/I521d5ad116af11e38578f7ccc38dcbee/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• This article discusses Team-Based Learning in a law school. The authors argue that Team-Based Learning is an effective and transformative teaching strategy for law school courses, providing a sustainable and efficient way to teach important legal knowledge, skills, and values. Team-Based Learning allows students to study and apply more legal concepts than when the professor lectures using a more traditional teaching approach. The collaborative method helps students repeatedly engage in doing what lawyers do in practice: work together to solve significant problems. The students learn how to interact professionally with others, build upon their group members' understanding of important doctrine, and learn from others' skills in communicating, solving problems creatively, studying, managing time, and resolving conflict.

Gregory E. Huszczo, <u>Tools for Team Leadership</u> (2010).

• This is a comprehensive book on teams that goes from creating teams to evaluating them. A particularly good chapter is Chapter 5, "Communicate, Communicate Communicate"—it covers best practices for "sharing, listening and providing feedback." Chapter 10, another particularly relevant one, is entitled, "Monitoring and Reviving Teams." This chapter includes several helpful exercises, including a Team Diagnostic Questionnaire and a Team Moral Survey.

John S. Elson, *The Case Against Collaborative Learning in the First-Year Legal Research, Writing, and Analysis Course*, 13 No. 3 Persp: Teaching Legal Res. & Writing 136 (2005). https://www.westlaw.com/Document/I6b42a151e6a611dbad6caf6a3575418e/View/FullText.htm

• This is an article written in contrast to the push for more collaborative learning environments and styles within the first year of law school. The author, an in-house counsel who teaches upper level clinics, argues that the point of the first year legal research, writing, and analysis (LRWA) programs should be more focused on teaching the necessary skills for understanding law than on collaborative education. This article may be useful as a counterexample to some of the other listed sources inside the bibliography.

Brigette LuAnn Willauer, *Comment: The Law School Honor Code and Collaborative Learning: Can They Coexist?*, 73 UMKC L. Rev. 513 (2004).

https://www.westlaw.com/Document/Ib95ed2b14b1411db99a18fc28eb0d9ae/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• This article looks at the juxtaposition of collaborative teamwork in classrooms with the individualistic honor codes present at many schools. It takes the stance that collaboration is not in conflict with honor codes, has value to the legal field, and should be considered in legal education. To do this study, the author examined 50 law school honor codes in connection with collaborative learning environments. The article ends with a "model honor code" which recognizes the importance of teamwork in the legal education field.

Clifford S. Zimmerman, *Thinking Beyond My Own Interpretation: Reflections on Collaborative and Cooperative Learning Theory in the Law School Curriculum*, 31 Ariz. St. L.J. 957 (1999). https://www.westlaw.com/Document/I82deb4c1226b11dbbab99dfb880c57ae/View/FullText.htm https://www.westlaw.com/Document/I82deb4c1226b11dbbab99dfb880c57ae/View/FullText.htm https://www.westlaw.com/Document/I82deb4c1226b11dbbab99dfb880c57ae/View/FullText.htm https://www.westlaw.com/Document/I82deb4c1226b11dbbab99dfb880c57ae/View/FullText.htm

• This paper discusses the differences, benefits, and pedagogies associated with cooperative and collaborative learning environments inside of legal education. The author takes time to walk through where each is used and how as well as the difficulties in learning teamwork skills in laws school. This may be useful for professors to brainstorm different approaches to teaching teamwork qualities to their students.

Catherine Gage O'Grady, *Preparing Students for the Profession: Clinical Education, Collaborative Pedagogy, and the Realities of Practice for the New Lawyer*, 4 Clinical L. Rev. 485 (1998).

 $. \underline{https://www.westlaw.com/Document/I7218c00023e111dbbab99dfb880c57ae/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0$

• In this article, the author looks at the gap between clinic legal education and common practice for new attorneys. The goal of the paper is to have legal educators thinking about the different hierarchies and professional development that young attorneys will face after graduation and start to encompass the necessary skills into their clinical experiences. Teamwork and collaboration are important norms in this article.

For the Students: Articles tailored to the law student that can be assigned as reading material prior to class.

Joe Regalia & David Wallace, *Clients and Lawyers Unite: The Dysfunction of Law Firm Teams Needs A Cure*, 48 U. Dayton L. Rev. 57 (2023),

 $\frac{https://www.westlaw.com/Document/I405c3c15b72611ed8636e1a02dc72ff6/View/FullText.html?transition{}{} nType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0.$

• This article examines the failure of the profession to build teamwork within a law firm setting. The article recommends various ways to correct the issue such as: being selective when creating teams, create positive conflict, and building better feedback.

Nobody Has A "Corner on the Market": The Collaborative Use of Both in-House Counsel and Outside Counsel, 22 J. Int'l Bus. & L. 34 (2023),

https://www.westlaw.com/Document/If25d6df5de7211ed8921fbef1a541940/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0.

• This article reflects on the importance of teamwork between in-house counsel and outside counsel. With the perspective of a team member, the business lawyer will help the business client get to where it is going if the business lawyer has a "can-do" attitude.

Raymond H. Brescia, *Through A Glass, Clearly; Reflections on Team Lawyering, Clinically Taught*, 61 N.Y.L. Sch. L. Rev. 87 (2017),

 $\frac{https://www.westlaw.com/Document/Ieaab358c353f11e798dc8b09b4f043e0/View/FullText.htm}{1?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0}$

• This article is a reflection piece by law professor Bresica's experience in a clinic focused on addressing the Haiti refugee crisis and detainment at Guantanamo Bay. This reflection walks through different aspects of teamwork, from choosing the issue to leadership to finding fun inside the clinical experience. It could be assigned to students as a potential lens to help reframe what team-based legal partnership can look like.

Neil Hamilton Roadmap: A Student's Guide to Preparing and Implementing a Successful Plan for Meaningful Employment, (2015).

• Roadmap is a three-year guide for law students in developing their own skills and competencies and planning out in advance for a preferred career path. Based upon evaluation, reflection, understanding of the job market, and mentorship, this short book seeks to help students in advancing their careers through specific outcomes, including mastering teamwork.

Roger Fisher et al., Getting to Yes, Updated & Revised ed., (2011).

• First published in 1981, this is still the most widely used negotiation book in the United States. It popularized and explained the utility of "interest-based" negotiation that lies at the heart of most productive problem-solving and collaborations. The book is short and easy to read, and the authors explain the essence of interest-based negotiation in the first three chapters that could stand on their own as an assignment about working effectively in teams.

Rodger Fisher, Daniel Shapiro, <u>Beyond Reason: Using Emotions as you Negotiate</u>, Harvard Negotiation Project, (2005).

• This book identifies ways to connect with others, understand yourself, and move towards common goals. Fisher and Shapiro frame the negotiation, or in this bibliography's case teamwork, around five core concerns: appreciation, affiliation, status, roles, and autonomy. Filled with personal stories and advice, this book can be assigned for students as a framework for understanding how to approach each other and themselves in a team.

<u>Harvard Business Essentials: Creating Teams with an Edge</u>, Harvard Business Review Press ed., (2004).

• This is a book with short chapters that cover the purpose of teams, team structure, and working effectively in teams. Chapter 8 is a particularly good chapter that provides information regarding how to be a good team member and that could be assigned to students.

Emotional and Social Competence Inventory, http://www.eiconsortium.org/measures/eci 360.html

- This is a 360 instrument that asks the participant and at least five other people (co-workers or close relationships) to fill out. It allows you to compare your self-assessment with others' assessment across a broad array of competencies, such as:
 - o **Emotional Self-Awareness:** Recognizing one's emotions and their effects
 - o Emotional Self-Control: Keeping disruptive emotions and impulses in check
 - o Adaptability: Flexibility in handling change
 - o Achievement Orientation: Striving to improve or meeting a standard of excellence
 - o **Positive Outlook:** Persistence in pursuing goals despite obstacles and setbacks
 - o **Empathy:** Sensing others' feelings and perspectives, and taking an active interest in their concerns
 - Organizational Awareness: Reading a group's emotional currents and power relationships
 - Coach and Mentor: Sensing others' development needs and bolstering their abilities
 - o **Inspirational Leadership:** Inspiring and guiding individuals and groups
 - o **Influence:** Wielding effective tactics for persuasion
 - o Conflict Management: Negotiating and resolving disagreements
 - o **Teamwork:** Working with others toward shared goals; creating group synergy in pursuing collective goals

Classroom Focus: Lesson plans and curriculum for use in doctrinal courses or experiential learning.

Association of American Colleges and Universities Teamwork Rubric https://perma.cc/4NX9-E5SR (for free download, go to live page and "checkout").

• The VALUE rubrics were developed by teams of faculty experts representing colleges and universities across the United States through a process that examined many existing campus rubrics and related documents for each learning outcome and incorporated additional feedback from faculty. The rubrics articulate fundamental criteria for each learning outcome, with performance descriptors demonstrating progressively more sophisticated levels of attainment. The rubrics are intended for institutional-level use in evaluating and discussing student learning, not for grading.

Neil Hamilton, Fostering and Assessing Law Student Teamwork and Team Leadership Skills, 48 Hofstra L. Rev. 619 (2020).

https://www.westlaw.com/Document/I18f12757cd4b11eabea4f0dc9fb69570/View/FullText.html ?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

This is an article by Professor Hamilton from the University of St Thomas and Holloran Center about the creation of the teamwork milestone and how to adopt it in law school curricula. The article starts by addressing the need for strong teamwork/ team leadership in the professional world and the current legal educational system's failure to address its development. It presents a 5-step plan to implement the teamwork/team leadership learning outcome into schools and describes the research done to create the Holloran Center's teamwork milestone.

Angela Mae Kupenda, Collaborative Learning in the Constitutional Law Classroom: Adapting the Concept of Inevitable Disagreement in Seven Steps, 68 J. Legal Educ. 284 (2019). https://www.westlaw.com/Document/I2a825a53078211eaadfea82903531a62/View/FullText.htm 1?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

Collaborative and teamwork learning is difficult to get into some areas of law, especially areas of high contention and disagreement. This article walks through how to embrace a team-based classroom for constitutional law, arguably one of the most polarizing doctrinal classes of 1L year, in seven steps. The author highlights the importance of self-reflection, professional development, and goal setting in team-based projects and argues that constitutional law is a great environment to learn how to effectively work with those we disagree with.

Melissa H. Weresh, Assessment, Collaboration, and Empowerment: Team-Based Learning, 68 J. Legal Educ. 303 (2019). https://www.westlaw.com/Document/I2a825a55078211eaadfea82903531a62/View/FullText.htm 1?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

This article is about Professor Melissa Weresh's experience in converting a first-year writing course at Drake University into a flipped instruction team-based learning environment. It is aimed at professors who may be interested in creating similar experiences in their universities, especially considering the new ABA regulations requiring Professional Identity Formation. In her essay, Weresh walks through what team-based learning is, how she prepares students for the different form of instruction, the formation of teams, adapting doctrinal goals into units and exercises that can be done in teams, and balancing grading with peer assessments. See also Melissa H. Weresh, Uncommon Results: The Power of Team-Based Learning in the Legal Writing Classroom, 19 Legal Writing: J. Writing 49 (2014).Legal Inst.

https://heinonline.org/HOL/Page?handle=hein.journals/jlwriins19&id=59

Shawn Marie Boyne, *Giving Students a Seat at the Table: Using Team-Based Learning to "Teach" Criminal Law*, Indiana University Robert H. McKinney School of Law Research paper No. 2017-13, (2017).

https://www.westlaw.com/Document/Ia944ce8eb17c11e8a5b3e3d9e23d7429/View/FullText.htm l?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• This short article is about one professor's switch from traditional lecture to team-based learning when faced with the downturn of legal education and enrollment. Team-based learning focuses less on what the lecturer has to say, and more on group work and problem solving. This professor learned how to adapt their criminal law course and the article covers the way, results, and thoughts behind that decision.

Eileen Scallen et al., <u>Working Together in Law: Teamwork and Small Group Skills for Legal Professionals</u> (2014).

• This is a short text that might be used as a supplement to a lawyering course or a course using team-based learning as it is all about creating and working in teams. Particularly relevant chapters include Group and Team Dynamics, Conflict Management in Teams, and Making Decisions in Teams and Groups.

Janet Weinstein et. al., *Teaching Teamwork to Law Students*, 63 J. Legal Educ. 36 (2013). https://www.westlaw.com/Document/Ib6e48bbd1f7611e38578f7ccc38dcbee/View/FullText.html <a href="https://wwww.westlaw.com/Document/Ib6e48bbd1f7611e38578f7ccc38dcbee/View/FullText.html

• This article is written by Professor Janet Weinstein about her experiences teaching teamwork-based, interdisciplinary classes with medical and social work groups. It is aimed at legal educators and walks through the importance of collaborative learning environments, what Weinstein and her colleagues are doing with Teamwork Theory, and how they have adapted to move forward based on student feedback and surveys.

Barbara Glesner Fines, *Using Team Based Learning in the Professional Responsibility Course* (2012). https://perma.cc/43SH-58HU

• This article provides an overview on Team-Based Learning (TBL). First, it gives an explanation and rationale for TBL. Next, it details how to put groups of students together and shares ideas on what makes groups work well together. Then, it discusses the value of TBL and the kinds of skills and experiences that students learn from working together throughout the semester. Finally, the article discusses feedback and how groups should be expected to submit peer evaluations on their experiences working with one another through TBL.

Sophie M. Sparrow, Can They Work Well on A Team? Assessing Students' Collaborative Skills, 38 Wm. Mitchell L. Rev. 1162 (2012).

https://www.westlaw.com/Document/I0d569b2f83be11e18b05fdf15589d8e8/View/FullText.htm l?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0

• This is another article from Sophoe Sparrow addressing the need for collaborative work groups inside of law school curriculum. Sparrow walks through different ways to create teamwork pedagogy as well as practical understanding from her students. This paper provides multiple avenues for introducing, improving, and providing feedback on collaborative law projects in the classroom.

Richard L. Hughes et al., Chapter 5, Developing and Assessing College Student Teamwork Skills, in Assessing Complex General Education Student Learning Outcomes: New Directions for Institutional Research, No. 149 (2011). https://perma.cc/T33C-A9N9

• This chapter describes research on team member contributions to overall team effectiveness. It specifically highlights various applications of this research that allow for student assessment of teamwork in group projects and assignments. It may be useful in designing feedback mechanisms for teamwork based courses.

Larry K. Michaelsen et al., <u>Team-Based Learning</u> (2004).

• Larry Michaelsen is widely considered the creator of modern team-based learning. This book, specifically aimed at college teaching, is immensely useful in creating team-based learning courses in professional and graduate schools. This book is a comprehensive survey of how to create team-based learning courses with evidence-based research of its efficacy and useful appendices of the nitty-gritty. The first three chapters provide an excellent summary of team-based learning course structure, especially how to organize classroom time and assignments. How to handle peer evaluations, a fundamental component to team-based learning, is covered in helpful detail in Appendix B.

Teamwork Software Tools

CATME: Smarter Teamwork, Perdue University https://info.catme.org/

- CATME provides instructor tools for assigning students to better functioning teams; training students to work in teams; identifying teams having teamwork difficulties; and training students to rate teamwork behaviors.
- CATME prepares students to function effectively in teams and supports faculty as they manage student's team's experience.
- The software makes more effective teams, allows students to confidentially evaluate their teammates, and provides teamwork behavioral training for students.

InteDashboard https://www.intedashboard.com/

• This is team-based learning software that tracks, scores, and records all individual and group quizzes, which the students take online in class. It also has a peer assessment feature that allows students to provide anonymous scoring and written feedback.

Teammates https://teammatesv4.appspot.com/web/front/home

• Teammates is a peer evaluation software for education. It can be used for student peer evaluations and feedback, to share instructor comments, and more.