

You Can Give Students Great Learning Experiences Through Encounters with the Real World

Theory-of-Change Symposium

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[John Lande](#) describes how you can take advantage of all the resources of the Stone Soup Dispute Resolution Knowledge Project to help your students learn from encounters with the real world. He is the Isidor Loeb Professor Emeritus at the University of Missouri School of Law.

Scandalously, you can get licensed as a lawyer in the US without ever encountering a real client or lawyer and never stepping into a lawyer's office, mediation conference room, arbitration hearing, or courtroom.

Not so in many other advanced countries, where licensing requires a 6-12 month period of "[articling](#)" or "[pupillage](#)" of experiential training after students complete their studies.

American law schools offer clinical and externship courses that provide experience with actual cases, but students generally can graduate without ever taking such courses. Even when students do take these courses, they constitute a small proportion of their studies.

Students often complain that their studies are too theoretical, and they hunger for real-world experiences. In 2017, my colleague, Rafael Gely, and I organized the [Stone Stoup Dispute Resolution Knowledge Project](#) encouraging faculty to use course assignments that would expose students to real-life experiences relevant to their courses.

Most of the Stone Soup assignments involved interviews of advocates, neutrals, or parties, though some assignments involved observations of ADR or court proceedings instead of or in addition to interviews.

In its first year, the Project engaged almost 1000 students in 40 classes covering 12 subjects, taught by 32 faculty from 25 schools in 3 countries. Most of the courses were traditional ADR courses, but faculty also used Stone Soup assignments in access to justice, evidence, relational lawyering, resolving community civil rights disputes, and trusts and estates courses.

Faculty consistently reported results that have been outstanding, far exceeding expectations. Stone Soup has provided many benefits including:

- increasing students' exposure to the real world of practice
- helping students develop critically-important interviewing and analysis skills
- identifying how theory does and doesn't map well onto actual practice
- supplementing faculty's knowledge, especially for faculty who haven't practiced in the subjects they are teaching – or haven't practiced at all
- increasing students' and faculty's enjoyment of the courses

Faculty have great discretion to tailor courses to fit their goals and circumstances, including deciding:

- whether students will be assigned to conduct interviews and/or observe cases
- who will be interview subjects or what types of cases will be observed
- whether students will focus on specific cases and/or general practices and philosophies
- whether all students will be required to do Stone Soup, it will be one option for completing a required assignment, or it will be an optional, extra-credit assignment
- whether faculty will give students wide discretion in their choice of topics and questions or whether faculty will require them to focus on certain issues
- whether students will complete assignments individually, in small groups, or as part of a class-wide project
- whether to require students to write a paper and, if so, the length of the paper
- the deadline for completing assignments
- whether faculty will discuss students' experiences in class
- whether the assignment will be graded and, if so, the proportion of the grade
- whether faculty will use "[focus group classes](#)" in which they have structured conversations with guest speakers

Some classes got a lot of benefit out of even a limited assignment. For example, in her ADR course, [Andrea Schneider](#) required students to interview someone about a recent conflict, including whether it could have been resolved through the law, and what the interview subject learned from the experience. Students wrote ungraded 1-2 page papers and discussed them in class early in the semester. Andrea said that students had to think of conflict and negotiation broadly, not just as “an activity of lawyers in a dark room on behalf of clients.”

In his arbitration course, [Brian Farkas](#) required his students meet with arbitrators by the second class. Students discussed the interviews in class as each student “presented” his or her arbitrator to the rest of the class. The students did not write papers summarizing the interviews and Brian did not specifically grade the assignments. He said that the assignment helped “unravel some of the mystery about arbitrators and arbitration from the outset of the course.”

On the other end of the spectrum, [Fran Tetunic](#) made Stone Soup a major part of her dispute resolution clinic course. Students were assigned to write papers based on structured interviews with lawyers about representing clients in mediation. Following a mediation training at the beginning of her course, she asked students what they wanted to know, and she used their questions to develop an interview protocol. She said that, “Student participation in deciding what they wanted to learn and devising their questions worked well in that they ‘owned’ the assignment and enthusiastically set about accumulating the information they sought. Further, it allowed me to learn what they wanted to learn.”

Here’s a [document with an extensive set of resources](#) for using Stone Soup in your courses, including model documents to develop Stone Soup assignments, advice about how you might use Stone Soup in a wide range of courses, descriptions of various Stone Soup assignments, a collection of faculty assessments of their Stone Soup experiences, and more.

Obviously, a Stone Soup assignment in a single course won’t fully remedy the problem of minimal clinical instruction. But it’s a step in the right direction. And there could be a significant cumulative effect if students take multiple courses with Stone Soup on the menu.

Please take advantage of these resources. Having developed these resources and enlisted colleagues to demonstrate how well Stone Soup can work, Rafael and I aren’t recruiting colleagues to use Stone Soup assignments.

You don’t need us to do this anymore – you can do it yourselves. Your students will be grateful and you all will enjoy the learning experience.