

LEARNING THE LAW THROUGH EXPERIENCE & BY DESIGN

Worksheet Packet

Worksheet 1: Define the Animating Theory for your Course

To identify the learning goals for your course, first consider the subject matter generally. Because a subject matter has more content than a course can cover, start by articulating the key reason students should take your course. That reason is your course's Animating Theory. Grant Wiggins and Jay McTighe coined a colloquial term for this, "The Big Idea."¹

Once you choose your Animating Theory, you will flesh it out with a set of Exploratory Questions (Worksheet 2) that illuminate the challenges you want your students to grapple with. Setting the Animating Theory and Exploratory Questions allows you to build your course from course goal, to mastery evidence, to learning activities. The Animating Theory is not the same as your course goal(s) or learning outcomes; it underlies both. You may have more than one, but restrict yourself to at most two so that student learning is focused. Here, less is more.

The Animating Theory for the Course:

- Refers to core concepts, principles, and theories in a field of study -- What unifies the field of study? What makes a skill worthwhile or effective?
- Organizes large bodies of information, skills, or values.
- Is amenable to transfer to new fields of study, new situations, and across disciplines.
- Is abstract and requires investigation to probe its implications.

Considerations for a Skills-focused Course:

- What does the lawyering skill help you do more effectively or efficiently for a client?
- What are the underlying concepts or objectives of the skill?
- When and how do you use the skill (strategy and tactics)?
- Why does the skill work?

Examples: The Animating Theory need not be phrased as a complete sentence. A "motto" works.

- Persuasion: Know your audience
- Sociology: People in a community depend on each other for the things they need
- History: History is written by the victors.
- Law: The best lawyer is the best prepared lawyer.

Identify the Animating Theory(ies) for your course.

Checklist:

- Does my animating theory provide a concise statement, principle, theory, or generalization?
- Does it stand the test of time, allowing students' thoughts about it to develop and evolve over time?
- Can it promote in-depth understanding and help make sense of the subject matter?

¹ See Wiggins, G., & McTighe, J., UNDERSTANDING BY DESIGN (2nd ed. 2005).

Worksheet 4: Prioritize Learning for Transfer (durability)

Allow your Animating Theory to percolate. Break it down into specific priorities for your students' learning. Identify the knowledge and understandings, skills, and/or values that are essential to the Animating Theory of your course. Prioritize those elements based on long-term importance to the students' learning. The highest level (enduring learning) should be learning that is transferable to different contexts in their professional lives.

Even though your course may cover content in all three levels of priority, your course goals and final assessments will focus on the knowledge and understandings, skills, and/or values that you intend to be long-lived (enduring) for your students.

Enduring learning:

Important for students to know:

Worth being familiar with:

Checklist:

- Do the elements listed as *Enduring Learning* help students to synthesize individual lessons and readings into a deeper understanding of the Animating Theory?
 - Do the *Enduring Learning* elements lay a foundation for further study of this subject matter?
 - Do the *Enduring Learning* elements help students to figure out issues in the subject matter that are more difficult to master?
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Worksheet 6: Identify Observable Evidence of Student Mastery *(two pages)*

Visualize the student who excels in the course you are designing. What does the student's performance or work product look like? That is your evidence of student mastery. The student's work is not at the level of a veteran attorney's; it's A-level work as a student in your course. Look at your picture closely, using the following six categories, or facets, of concrete, observable performance to assist your efforts.² A "masterful" student performance may well involve synchronous use of multiple facets. After you identify your evidence of mastery, then you will i) create a final assessment exercise to allow your students to exhibit this evidence and ii) create an assessment rubric that defines levels of student performance.

Facet of understanding	Associated verbs & Starter phrases	Evidence of student's mastery in your course
<p>Explanation: Students are able to provide thorough and well-supported accounts of topics, events, or actions, backed by reasoning, facts, or experience.</p> <p>Students are able to develop a theory of how and why, supported by evidence, law, and experience.</p>	<p>Demonstrate, derive, describe, design, exhibit, express, instruct, justify, model, predict, prove, show, synthesize, teach</p> <p>Students will be able to: Explain/teach [x]; Give examples of [x]; Make connections with [x]; Offer a theory of [x]; Avoid misconceptions, such as [x].</p>	
<p>Interpretation: Students are able to interpret and analyze the importance, meaning, or significance of their knowledge/skill, with context and awareness of multiple interpretations.</p> <p>Students can create meaning from a set of facts and law, with attention to ambiguity, uncertainty, opacity, emotional content, and diverse perspectives.</p>	<p>Create analogies, critique, document, evaluate, illustrate, judge, make sense of, provide metaphors, read between the lines, represent, tell a story of.</p> <p>Students will be able to: Interpret the [x]; Tell a revealing story of [x]; Provide an apt analogy for [x]; Show the importance or meaning of [x]; Translate [x]; Relate [x] to your experience (or the experiences of others).</p>	
<p>Application-Adaptation: Students use and adapt the knowledge/skill acquired to new situations and contexts, showing flexibility and adaptability.</p> <p>Students can design, develop, test, and refine responses to a new problem or dilemma presented.</p>	<p>Adapt, create, de-bug, design, exhibit, invent, perform, produce, propose, solve, test, use</p> <p>Students will be able to: Apply [x] in a new circumstance; Show or demonstrate [x]; Use in the context of [x]; Design/invent [x]; Overcome a challenge or constraint, such as [x].</p>	
<p>Perspective: Students can take a step back to appreciate a broader view, critically assess the value or importance of a topic.</p> <p>Students can identify, critique, and give credence to multiple valid perspectives regarding a topic.</p>	<p>Analyze, argue, compare, contrast, criticize, infer</p> <p>Students will be able to: Analyze [x]; See from the viewpoint of [x]; Compare and contrast [x]; Critique [x]; Critically examine assumptions such as [x]; Show how [x]; See the limits of [x].</p>	

² Adapted and expanded from Wiggins, G., & McTighe, J., UNDERSTANDING BY DESIGN (2nd ed. 2005) (describing six facets of understanding).

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<p>Empathy: Students show the ability to embrace the feelings, reasoning, motivations, and perspectives of others with acceptance and non-judgment. Open-minded insight to others.</p>	<p>Assume the role of, believe, be like, be open to, consider, imagine, relate, role-play.</p> <p>Students will be able to: Walk in the shoes of [x]; Experience directly and see [x]; Reach a common understanding with another concerning [x]; Entertain the seemingly odd or alien view that [x]; Anticipate possible concerns of others regarding [x] based on their interests, values, and circumstances.</p>	
<p>Self-Knowledge: Students accept that their style, preferences, and habits are specific to them and affect their views of events, information, and other people.</p> <p>Students can evaluate their professional development with appreciation of what came easily or not and why; can evaluate personal, emotional responses with detachment.</p>	<p>Be aware of, realize, recognize, reflect, self-assess.</p> <p>Students will be able to: Recognize their own prejudice(s) about [x]; Identify the lens through which they view [x]; Explain how they came to understand [x]; Realize that even with all they now know, they still don't really understand [x].</p>	

Checklist:

- Does my mastery evidence flow from my course goals and teaching priorities?
- Does my mastery evidence facilitate exploration of the Animating Theory for the course?
- Is my evidence of student mastery observable and measurable in an assessment exercise?

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