

# PROCEEDINGS

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TIME-TURNING, INVISIBILITY,  
AND OTHER MAGIC MENTORING TRICKS

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# PROCEEDINGS

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VOLUME 1

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## TIME-TURNING, INVISIBILITY, AND OTHER MAGIC MENTORING TRICKS

*The 2020 AALS Annual Meeting included a discussion group that addressed the joys and challenges of mentoring law students, which is one of the most important parts of our work as law professors. The discussion was guided by three questions: How do we mentor all students? How can law professors balance the demands of mentoring with scholarship, teaching, and other service? How does scholarship intersect with mentoring? Some participants emphasized the impact of mentoring on colleagues who find themselves on the front lines of mentoring—legal writing faculty, professors who are persons of color, women, professors who identify as LGBTQ, etc.—and how institutions can be more supportive of our mentoring work.*

### PARTICIPANTS AND MODERATORS<sup>1</sup>

TIFFANY ATKINS  
DAN BARNETT  
OLYMPIA DUHART  
ALICIA JACKSON  
TIFFANY JEFFERS  
SHERRI KEENE  
ROSARIO LOZADA  
HILARY REED  
SUZANNE ROWE  
CRAIG SMITH  
MELISSA WERESH

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<sup>1</sup> The discussion group, organized by Professors Olympia Duhart and Suzanne Rowe, featured twelve law professors from around the country. The remarks from the speakers are featured below. Professor L. Danielle Tully, then at Suffolk University Law School and now at Northeastern University School of Law, participated in the discussion but not this essay.

## INTRODUCTION

OLYMPIA DUHART:<sup>2</sup>

At the start of each new year, I pull out my phone and go through my pictures from the past year. As I scrolled through the 2019 highlight photos recently, I saw pictures from a human rights conference I attended in Florence and a baby shower I attended on Biscayne Bay. At the human rights conference, I co-presented with my law school mentor, who has been a steady presence in my life for twenty years now. The baby shower celebrated one of my former Legal Research and Writing (LRW) students, a young woman who declared on the first week of school that I would be her mentor. That was nine years ago. As I prepared for this panel today, I thought of those pictures, those experiences and what each of those people has come to mean to me.

My own career has been enriched in so many significant ways by the experiences I have had as both a mentor and mentee. And I know my experiences are not unique. I think those relationships speak to the enduring power and privilege of mentoring. Mentoring truly offers incredible benefits for people on both sides of the table, and the mentoring relationship can be both personally and professionally transformative.

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<sup>2</sup> Olympia Duhart is the Associate Dean for Faculty & Student Development, Director of Legal Research & Writing, and Professor of Law at Nova Southeastern University Shepard Broad College of Law.

But for all of its benefits—and, yes, there are many—mentoring often gets lost in the shuffle when we tally institutional value and time spent. Part of this conversation today is dedicated to maximizing our efforts in building these critical relationships, but we would also like to explore ways to strengthen institutional recognition for this hard but important work.

SUZANNE ROWE:<sup>3</sup>

Mentoring is some of the most rewarding and the most demanding work we do as law professors. In mentoring, we go beyond teaching content to focus on the student—understanding each student’s goals and challenges and using the student’s background and identity to empower the student to succeed. This work takes enormous time, but we face the same demands of teaching, service, and scholarship no matter how time-consuming or successful our mentoring is.

Sometimes, we need to be magicians to pull this off: We could use Hermione’s time-turner so that we can be in two places at once (e.g., spending an hour with a student *and* writing our next law review article). We need a cloak of invisibility when the dean is handing out service assignments; instead, we get the most intensive assignments, but our mentoring is invisible when it’s time for promotion and tenure decisions.

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<sup>3</sup> Suzanne Rowe is the James L. and Ilene R. Hershner Professor at the University of Oregon School of Law, where she directs the Legal Research and Writing Program.

We've invited some of the best magicians we know to share their insights on mentoring—how to do it well, how to mentor all students (not just those who readily connect with us), and how to make mentoring visible and get our schools to support it. We've broken the three guiding questions noted at the outset into five components that we'll pose to various participants. Then the participants respond to each other, creating a dynamic discussion.

**1. How can we all be better mentors to all students, especially those from traditionally underrepresented groups (e.g., first-generation law students, minority students, LGBT students)? How do you develop trust among students you hope to mentor?**

ROSARIO LOZADA:<sup>4</sup>

We cannot overstate the impact that mentors have on underrepresented law students. Often, law schools state they value diversity, but fail to recognize the need for inclusion work. After the “diverse” students are admitted and appear in law school, they may not feel visible or valued; they may not experience a sense of belonging. And without this sense of belonging, the students' learning and performance in law school suffers.

Today's news tells a familiar tale. Just this morning, we learned that Harvard University denied tenure to a professor who specialized in Latino and Caribbean studies. The New York Times

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<sup>4</sup> Rosario Lozada is an Associate Professor of Legal Skills & Values at Florida International University College of Law.

article on this topic stated, “Some students of color say that even as the university defends its use of race in admissions, it devalues their experiences and fails to retain professors who support them.”<sup>5</sup> To this point, students who protested the university’s decision held signs outside the admissions office pleading, “After You Admit Us, Don’t Forget Us!”

What does a mentor offer to underrepresented students? Professors, practitioners, and peers who mentor underrepresented students can help them navigate the unfamiliar terrain of a legal education. For example, many students lack intangible knowledge and expectations or “givens” that provide a foundation for success: a willingness to seek a professor’s assistance in office hours; a willingness to seek academic support or join a study group; and an understanding of the value of networking and the significance of applying for judicial “clerk”-ships (which we understand is different from a position as a *clerk* outside the legal arena). In addition, mentors may persuade underrepresented law students to invest time in their health and well-being, which are also essential to their performance during the marathon that is the first year of law school.

The secondary point here is that “mentoring” is not limited to career advancement. Mentors can assist with any specific skill that may be key to a student’s overall personal and professional thriving. Well-being comprises six dimensions and every one of

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<sup>5</sup> Kate Taylor, *Denying a Professor Tenure, Harvard Sparks a Debate Over Ethnic Studies*, N.Y. Times, Jan. 2, 2020, <https://www.nytimes.com/2020/01/02/us/harvard-latinos-diversity-debate.html>.

them matters: intellectual, physical, emotional, social, occupational, and spiritual. Law professors, practitioners, and peers may find themselves equipped to serve as mentors in one or several of these areas.

Last, let's recognize the difference between a mentor and a sponsor. A mentor may tell a student, "You know, you really should follow up with that [professor or judge or practitioner]. She has published in the area of law that interests you and can probably help you develop your idea for an article." But a sponsor will say, "I'm having lunch next week with this [professor or judge or practitioner]. Why don't you join me? Here's what you need to ask her about, and here's what you want to walk away with from that meeting." Mentoring is important, but it's a very different kind of relationship from sponsoring. The effect and the power of a sponsor is far-reaching. Underrepresented students who have access to both mentors and sponsors are more likely to experience a sense of belonging in law school and in the profession. And their success will follow.

TIFFANY ATKINS:<sup>6</sup>

One of the most important ways we can mentor and support students, particularly minority and first-gen students, is to share our failures and shortcomings. I write about this in my Amplification

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<sup>6</sup> Tiffany D. Atkins is an Assistant Professor of Law at Elon University School of Law.

article,<sup>7</sup> but studies show that minority students suffer from stereotype threat, the fear that your individual actions, failures, or shortcomings, will confirm negative stereotypes about your identity group, more than others.<sup>8</sup> One of the best ways to mitigate the harmful effects of stereotype threat is to talk openly about failure and normalize struggle.<sup>9</sup> Although this can be uncomfortable for professors from minority groups as we seek to establish our competence and expertise in the classroom, being transparent, when appropriate and instructive, can build rapport and a relationship of trust with students. Talk with students about your struggles as a law student so they are reassured that their challenges and frustrations are common for law students and do not mean that they don't belong in law school. Displaying this kind of vulnerability allows students to see you as someone they can relate to and seek out for advice and support. As a first-generation college student, law student, lawyer, and now law professor, this is especially important for me because I remember the internal struggles I faced as a Black, first-gen law student, who knew absolutely nothing about law school.

I intentionally look for opportunities to mentor these students directly through one-on-one relationships, or indirectly in

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<sup>7</sup> Tiffany D. Atkins, *Amplifying Diverse Voices: Strategies for Promoting Inclusion in the Law School Classroom*, The Second Draft: The Legal Writing Institute, 31(2), Fall 2018. Available at [https://www.lwionline.org/sites/default/files/2020-07/Volume%2031%2C%20No.%202\\_0.pdf](https://www.lwionline.org/sites/default/files/2020-07/Volume%2031%2C%20No.%202_0.pdf).

<sup>8</sup> See Russell McClain, *Helping Our Students Reach Their Full Potential: The Insidious Consequences of Ignoring Stereotype Threat*, 17 Rutgers Race & L. Rev. 1, 17 (2016).

<sup>9</sup> *Id.* at 24.



class, by talking openly about things I never knew as a first-gen student and was too embarrassed to ask. I also talk about how many of their life experiences outside of law school can be instructive *in* law school. I also share my current challenges—like finding time to write, balancing work and family, and my ever-present battle with imposter syndrome—to let students know that their law professors are people too. I shared a morning meditation practice I had recently started to help me find balance and to be centered before starting my workday, inviting any interested students to join me. The practice is called The Miracle Morning<sup>10</sup> and encourages practitioners to spend ten minutes each morning on Silence, Affirmations, Visualization, Exercise, Reading, and Scribing. A few students joined me and, on a class discussion board, we shared how positive the experience was.

Mentorship is also critically important as we think about diversifying the legal academy. Direct mentorship of women, minorities, and other underrepresented identities is how we can begin to see change in the demographics of law professors. Talk openly with these students about law teaching. As a law student, I never considered law teaching as a career. I knew, theoretically, that it was a career path for someone, just not me; I never considered it as a possibility for myself until several years into my law practice. This is partially because there were only two Black professors on the

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<sup>10</sup> Hal Elrod, *The Miracle Morning: The Not-So-Obvious Secret Guaranteed to Transform Your Life (Before 8AM)*, Hal Elrod International, Inc., 2012, <https://miraclemorning.com/>.

faculty at my law school while I was there, and also because no one ever talked to me about it as a career choice. Mentoring can change this. If we take opportunities to explicitly talk to students from underrepresented backgrounds about being a law professor, and mentor them along the way, we can 1) develop strong mentoring relationships with students, and 2) create new pathways into the profession for lawyers of color. If you see a student with teaching aptitude, talk with them about becoming a professor and explain the various pathways in. It'll boost their confidence and sense of belonging in law school, but also may help increase representation in the academy.

When I talk to students about law teaching, I share the traditional and nontraditional paths in because I'd like to see more minority students becoming law clerks and fellows, getting multiple offers at the meat market, and landing those tenure-track position—this path should not be exclusive to white men. I also want to see students take the clinical route, or become legal writing professors, or academic support professors, or bar support professors. I want a critical mass of minority law students flooding the market and see direct mentoring as a way to achieve this. This mentoring can also include co-authoring articles with your students, or otherwise creating publishing opportunities, which can help with future jobs and in the market.

Getting schools to acknowledge the invisible work many of us do with mentoring is difficult. Most of our colleagues have no idea

just how much we—since most of the folks in this room are legal writing professors—do to mentor and support students outside of class. Recently, I have relied on quantitative data to show how much I work with students. I use a program called “You Can Book Me” for booking student appointments, which allows me to track and export just how many student appointments I had in any set period. Having data like this shows the administration just how much time we devote to mentoring and teaching students outside of class. This facetime is what our Gen Z law students expect, and showing our efforts to meet those needs might lead to greater acknowledgement and valuation of what we do.

Because of my personal experiences as a Black, female, first-generation law student, I write about inclusive teaching, culture, and legal education, and am finishing up a book chapter, titled “*They Got Next: How Millennial and Xennial Law Professors Can Groom Gen Z to ‘Be the Change’ We Want to See In the Legal Academy,*” where I explore mentoring, pre-law pipelines, and other practices law professors can adopt to create more diversity in the legal academy. I have also written about amplification as a strategy to promote inclusion in law school classrooms. My goal is to support women, minorities, and other underrepresented students in law school by sharing with my colleagues in the academy how to be inclusive law professors and better mentors to our students. I hope my writing shows my students how sincerely committed I am to them and to improving their experiences in law school.

HILARY REED:<sup>11</sup>

I market my availability to students in class and tell them I'd be happy to meet to discuss anything, whether related to LRW or not. These offers tend to attract the high achieving students; not all students respond to an open door.

I have a couple of techniques for projecting my accessibility and making students seek me out as a mentor. First, I make a point to be genuinely happy to see students when they stop by. Yes, it is an interruption, but making all students feel welcome gives them that security that they will be accepted in my office. If I am on a tight time frame, I will enthusiastically thank them for coming by and say that I only have \_\_ minutes, as I am running to a meeting or have to go to class, but if we need to continue the conversation, we can set up a time. I am careful never to seem irritated by a visit. Students know that their presence is welcome in my office. This is an aspect of "warmth," which is one key to successful mentoring.<sup>12</sup> It feels good to think that someone is happy to see you, and we all know that law school is a place where people feel a lot of cool-ness and aloofness. I want my office and my presence to feel warm, which to me is a combination of sincerity, caring, kindness, and good humor.

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<sup>11</sup> Hilary Reed is a Clinical Associate Professor of Law, Lawyering Skills and Strategies at the University of Houston Law Center.

<sup>12</sup> The discussion group began with each participant sharing a word to describe successful mentoring.

Another way I invite students into a mentorship relationship is by reaching out with concern rather than punitively when a student is having a problem in class (for example, attendance or a missed deadline). I start my email asking if the student is okay or if there is something going on that is hindering their performance. Students have told me how much this approach means to them. Just last year when I did this, a student confessed his deep depression. He sought treatment, and it was the start of a meaningful mentoring relationship throughout the year. I believe if I initially had come down hard on him for his spotty attendance and missed, ungraded assignment, it would not have opened the door to these other conversations. Here, the challenge is providing appropriate accountability, but striking the right balance so that the students believe I am coming from a place of concern for them first.

Also, I try to build in a few extra minutes with each student conference to connect with the students and learn more about them. My goal is to make each student feel that I am invested in her success. For example, I tell legal writing students that the conferences are twenty-five minutes long, but I schedule them thirty minutes apart; that extra five minutes helps create space to develop relationship. As another example, at University of Houston, we have an excellent law school pipeline program for diverse students that I have now taught in for two summers. In the first meeting, we have an hour long one-on-one, where I get to know the student and the student's hopes and dreams, and we talk about the challenges that

student has overcome to get to where they are. When working with these pipeline students, many of whom come from under-resourced school backgrounds and have had to overcome significant obstacles, building trust is critical. We have the students over to our home for dinner. I listen carefully and ask questions about their experiences; I don't presume that I understand what they have been through. Instead, I try to help the students see what makes them and their journey impressive. Often, the students seem nervous, so again, I go out of my way to make the atmosphere comfortable and warm. I think the length of the conferences is key, too, as time is our most precious resource, and giving it to students enables that connection to begin. Meetings of this length are only possible because I am building a relationship with only six students.

ALICIA JACKSON:<sup>15</sup>

First, I'd like to start with context and why mentoring is so important. In 2014, thirty-three UCLA School of Law students of color gathered together to raise awareness of the severe emotional toll placed upon students of color in law school. The eight-minute video "33" has been viewed on YouTube over 90,000 times. It has also been used as the basis for conversation when discussing the importance of diversity in legal education settings. At the time, Black students represented only 3% of the student body of 1,100 at

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<sup>15</sup> Alicia Jackson is the Director of Academic Success and Bar Preparation at Stetson University College of Law. She was most recently at Florida A& M University College of Law.

UCLA. They describe the experience as being in another country, carrying the entire Black race on their back, isolating, lonely, unwelcoming, and hostile. They reported being so distracted with these feelings, emotions, and experiences that, for some of them, their grades were negatively impacted. I am certain through the extraordinary act of courage displayed by the UCLA 33, the UCLA law school learned some valuable lessons, and so can we. So, here are five tips for mentoring underrepresented groups.

First, dismiss the notion that, if you do not fit within one of these groups, then you cannot serve as a mentor to students from the groups. Everyone who cares about student success can be a mentor. As a law student, I had three faculty mentors that left an indelible impression on my life. One was as an LGBT woman and the other two were white males, all of whom shaped so much of who I am today as a law professor.

Next, start early and be consistent. If you do not currently participate in new student orientation, volunteer to do so. When the opportunity presents itself, get to know these students and make yourself available to provide guidance as early during their matriculation as possible.

Third, propose programming to support these groups like a speed mentoring event or even dinner at a faculty member's home or a local restaurant. Some law schools offer first-generation programming, and students welcome the opportunity to participate and engage with faculty. Both Millennials and Generation Z students

thrive on engagement and collaboration. For example, one school offers two additional days of orientation for first-generation learners. During the programming, they discuss issues like stereotype threat and other issues impacting this group. They are also assigned faculty, student, and alumni mentors to provide support during their matriculation.

Next, keep the conversation going. Talk to your colleagues about mentoring and why it is so important and an obligation of law professors.

Finally, encourage students that you have mentored to be peer mentors. Millennials and soon Gen Zers make up the largest population of students currently in law school. One of the major characteristics of Millennials is that they are an *insular* generation. They listen to each other and they trust each other. Leverage that characteristic to encourage peer-to-peer mentoring.

DAN BARNETT:<sup>14</sup>

I think it's important to recognize that we are mentoring students just by our presence at a law school, particularly in the classroom. To successfully mentor in that context, we need to be transparent about our own stories—not in a heavy-handed way—but in a manner that allows students who might have similar stories to feel more welcomed in law school.

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<sup>14</sup> Dan Barnett serves as the Associate Dean for Academic Affairs and Professor of Law at the William S. Richardson School of Law at the University of Hawaii.



I began my teaching at Boston College in 1990, and I quickly realized that I was the only out gay professor at the law school, and I was the first openly gay person many of my students had ever met. I had a sense when I accepted the position that I might be able to help some LGBT students at a Catholic university, and I really wanted to try because I didn't have anyone gay or lesbian to mentor me in law school. So, in the first few weeks of class, I tried to weave bits and pieces of my life into my teaching (through examples, etc.) to let students know that I was comfortable being open about myself. It worked: LGBTQ students began arriving at my office to see me, and I was delighted.

But the type of mentoring they needed wasn't exactly what I had anticipated. I thought they would feel comfortable seeking my help for academic counseling. Instead, I ended up with a lot of students coming to me with very personal stories—students who were really struggling with their sexuality and their relationship with the Catholic church. I wasn't really prepared for the deeply personal nature of those meetings. The religious struggles added a layer of complexity that I didn't fully understand, as I'm not Catholic. But I realized how important it was for the students to feel they had a trusted ally to listen. So, I did a lot of listening.

Interestingly, I find that my experience now, teaching at the University of Hawaii, is similar. Although Hawaii is a very progressive place in many ways, gay issues are complicated because the Native Hawaiian community, and other Asian communities, can

be very conservative and, frankly, homophobic. So, our LGBTQ students are really struggling much like my students were at Boston College twenty-five years ago about coming out and dealing with being gay, lesbian, or transgender in their community. Even though we have a very gay-friendly law school—there are five or six openly gay or lesbian faculty members—our presence doesn't seem to provide our LGBTQ students the comfort you might expect. In fact, as a white man from the continental United States, I think my openness about being gay is often received as white privilege and causes racial resentment. The way I have tried to deal with that challenge is again to weave my story into my teaching. In Hawaii, a lot of assumptions are made about me—because I'm a white man from the continental U.S.—that just are not true. My story is much more complex and aligned with a lot of my students who come from very different backgrounds. I was raised in a mixed-race family in a very working-class area. So, I try to share bits and pieces of my life in the classroom so students begin to see that I am not the person they might assume. For example, many of our students are first-generation college students and when I share—through a hypothetical in class—that I didn't know a lawyer when I came to law school, students are very surprised. But that information alone seems to make students, even LGBTQ students, more comfortable to come see me in person.

Let me conclude by saying that I think it's still very important for people to be open about their support for LGBTQ and work to

reach those students in any way you can. Simple expressions of support are critical parts of mentoring. The struggle for gay, lesbian, and transgender students varies a lot from region to region and group to group. Therefore, things like the LGBTQ Safe Zone stickers continue to be hugely important for gay folks who are struggling. Being open about your support in class—in public—is also very comforting. But if LGBTQ students come into your office, be prepared because they may even be talking to you about things they’ve never talked to anyone about. And you may be the only safe place for them to go to for that type of support.

TIFFANY JEFFERS:<sup>15</sup>

I want to talk about two concepts—vulnerability and outward-facing mentorship—building on what’s already been said. When I think about vulnerability, I think about Brené Brown’s research and about my own personal story and efforts to be shame-resilient in our culture of scarcity. Law school is a ripe environment for the culture of scarcity. There aren’t enough A’s to go around. There aren’t enough law review positions to go around. And those of us from marginalized groups—first-generation law students, minority law students, students of color, LGBTQ law students—already feel a sense of imposter syndrome and don’t want to take up any additional space in this already scarce environment. We feel

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<sup>15</sup> Tiffany Jeffers was at Penn State Dickinson Law and now is an Associate Professor of Law, Legal Practice at Georgetown University Law Center.

fortunate simply being present. And the thought of taking space that's already scarce can be a source of shame.

This is why it is important for those of us who serve as mentors to be vulnerable by sharing our personal stories of how we have taken up space, and how we continue to take up space. I have talked to my students openly about the fact that I was not at the top of my class. But, now I'm a law professor, and that's really powerful for students. They usually say something like, "I thought all law professors were straight A students because none of them ever share that they struggled academically." I have also shared with my students my struggles and subsequent shame resilience regarding feedback and peer review of my own work. This summer was my first time sending my scholarship out to colleagues for review. I sent an abstract and overview to several national colleagues and one internal colleague. It was hard to see the vast amount of (constructive) critique of my writing. It was difficult not to take it personally. But I decided to use it as an opportunity to be vulnerable and hopefully build my students' shame resilience. I scanned each of the comments with the feedback, redlined comments, suggested edits, and questions, and I added them to my class PowerPoint presentation. My students saw that the best way to develop professionally is to put yourself out there by being vulnerable and seeking feedback and advice. It was a great moment to engage in a form of widespread mentoring to the entire class.

SUZANNE ROWE:

We need to be intentional about mentoring all of our students, including signaling to them that we want to mentor them. Some students will look at us, read our bios, or hear about us from classmates, and assume that we have something essential in common with them and can be their mentors. Some can't. I'm a white, straight, female, tenured professor, who makes more money than some of my students can imagine, and who has been a lawyer longer than they have been alive. How does the student of color, LGBT student, male student, poor student, or first-generation student see a connection with me?

First, I can share a bit about myself. I mention spending my first sabbatical living in Mexico, and how difficult it was to learn Spanish even though I was very motivated and worked very hard—just as they might be finding law school difficult, even though they are super motivated and working very hard. When I talk to them about the value of study groups to provide support, I drop in that I was the first person in my family to get a professional degree and how my family didn't know how to support me. They kept saying, "You'll be great!" because I always had been. I needed someone to say, "This is so hard, and you are overwhelmed, but you can do it." My study group provided that support. Another way I connect is that I just keep showing up—to the LGBT banquet, the Black History Month banquet, the Hispanic Bar Association's Día de los Muertos

celebration. All of this demonstrates that I do have things in common with them and that I want to connect with them.

Second, I spend time getting to know students individually. I come to class a few minutes early and ask about their weekend, comment on something interesting in their background (from their resume), or simply offer to answer any questions. Some years, I offer to spend time outside of class or my office with any student—talking about anything but class assignments. Sometimes we go for coffee, some students bring their dogs for us to walk, and a few have wanted to visit campus museums together. Interestingly, it's not the gunner who takes advantage of these informal opportunities (remember, we aren't talking about class assignments). I've gotten to know the student who is a single dad, the Latinx student who is the first in his family to go to college, and the student from a family that wasn't just broken but smashed. Getting to know the students, and letting them get to know me, is the first step of becoming a mentor.

**2. How can we protect ourselves and our careers as we try to balance mentoring with scholarship, teaching, and other service?**

TIFFANY JEFFERS:

I'll go into each separately: (a) having clear and identifiable mentorship goals, (b) self-evaluation and leading by example, and (c) finding your own mentor and listening to the "No Committee." First, clear and identifiable mentorship goals: We can't mentor everyone. Making determinations about whether you're mentoring a

person or being a mentor in a specific situation is helpful. I had a white, male, heterosexual student who graduated last year. He emailed me recently and asked, “Should I quit my clerkship? My judge is making off color, semi-racist comments. What do I do?” We had an email conversation about his initial question, and I gave him the best advice I could offer. He then asked me to review his resume. I had to determine what part of that situation could I be a mentor in. I could be a mentor in the career and racism issues. But I chose not to serve as a resume reviewer. Particularly, because the law school has an office devoted to career services, I did not feel this would be a valuable use of either of our time. As an alternative example, I have another student who was serving as my research assistant. I chose to serve as her mentor generally, versus situationally like the previous student. This student and I had scheduled weekly research meetings. One day when she came in to meet, I could tell she was having a bad day. That research conversation turned into a discussion about life and was a personal mentorship opportunity that extended beyond our professional working relationship.

Second, self-evaluation and leading by example: I don’t want a mentor who’s unproductive. I don’t think our students deserve or want mentors who are unproductive. So, you have to produce results—personally and professionally—to build your mentorship reputation. You have to define and prioritize your own professional goals before you can work to serve as a mentor to anyone.

Next, finding your own mentor for accountability regarding scholarship and teaching development: Whatever your previously defined goals are, you need to be a mentee in order to be able to model mentorship to your students. Those of us desiring to serve as mentors should also have an active professional and/or personal mentor, so that we are actively engaging in mentorship/menteeship relationships and enlisting a “No Committee.” An actual “No Committee” is something that I recently acquired this semester. My committee consists of friends and colleagues from the local undergraduate college in town. They help me answer questions like *Is this task/committee/non-required obligation professionally beneficial, and why or why not?* Quick story, I live in Carlisle, a really small town. I’m one of very few Black professionals in the town, so I get asked to do a lot of things. I was on a panel, and it was a very productive panel about racial disparity in our small community. After that panel, there was write up in the newspaper, and I then got a call asking if I would lead a Thanksgiving prayer. I hastily agreed. But, as I was telling my “No Committee” how overwhelmed I was feeling, and that I could not even remember the name of the church, they strongly recommended that I go back and decline the invitation. Ultimately, the prayer probably would not have taken much time out of my schedule. But those small tasks add up and can eventually get you to a point where you are failing to achieve meaningful professional goals. And at that point, you might not be an effective mentor because you are failing to lead by example. Be



careful not to let your ego or flattery get you in a bind. People say, “You’re so great. Can you do this thing (that does not really benefit you personally, or professionally) for us?” If you have a “No Committee,” they will help you frame a response that enables you to say no in an appropriate and non-offensive way.

ROSARIO LOZADA:

If you don’t have a “No Committee” readily at hand, then pause. It’s okay to respond to an invitation and say, “I really appreciate you asking me to do this. Can we talk about it? Or let me think about it for a few days.” Then assess whether you can give them your full attention. That’s a big thing. And I do it all the time, as many people in this room probably know.

The other thing, I think Alicia talked about, is empowering students to mentor others. There are so many ways to do that, particularly for the students I’ve mentored, as the mentoring relationship matures. I make it really clear that I have an expectation of paying it forward, and that’s the way the world works. What I’ll do is when I see a 1L struggling with an issue that a 3L struggled with, I will ask the 3L, “Can I put you in touch with so and so, who’s struggling?” I send an email to follow up, and then I’m out of it. I do that regularly. The students later tell me, “I still meet with her,” or “I still meet with him.” So, they can take care of each other in ways that maybe I can’t because of my limitations, but also because I’m not in their shoes in the way other students are.

There's one more point I wanted to make. When students that you've mentored are successful—that can be a little success or a big success. For example, I just had a student who has been working for a year on securing a postgraduate fellowship to do work with detention centers. The student was turned down a lot but finally got a wonderful, amazing opportunity. The first thing I did when I heard was turn it around to the media person and say, “Do a story or write up. Other FIU students need to see that this is possible for them.” And he's like, “Okay! Send me the info!” And I didn't even ask her. That's part of the deal. You become a part of the story, and this is what can happen here.

HILARY REED:

The angle I take on this question is balance. Mentoring is my favorite part of the job. I love working with students. If the balance is ever off, it's usually going towards more time with students and less time for the other thing. So, advocating at your institution for small class sizes is the thing that really can help. I've now been at two different institutions, one with much larger class sizes and one now where I have two sections of fifteen students. My ability to be the kind of mentor I want to be and still accomplish all of the other professional goals I have is completely different.

Take a step back and ask: What does our program look like? And how do we make this program one where I can reach out to each struggling student I see, or ensure an environment that is conducive

to me reaching out? Class size is a very important part of that. In that way, it's not so much protecting our time. It's creating the environment where these students do have the opportunity to connect with the professor at some point.

MEL WERESH:<sup>16</sup>

In the context of this question, I think we need to consider the benefits and costs of mentoring. By that I mean that we should absolutely acknowledge all of the wonderful intrinsic benefits associated with mentoring, but we also have to be aware of institutional realities and consider whether those mentoring efforts, which may come at the expense of other endeavors, are going to be valued. At my institution, we do have questions about mentoring on our annual faculty activity report. This shows an institutional commitment to mentoring and an acknowledgement that the time spent in this endeavor is valued. You might similarly encourage your institution to acknowledge and reward mentoring. You can also try to encourage a culture of mentoring. You can do that in ways that I believe strike a balance. One of the things that we've done at Drake is to adopt the Suffolk writing retreat experience where students and faculty alike gather to write. We do this during the appellate brief unit, so it invariably occurs on a snowy Friday afternoon in February. Students are instructed that they can gather with us while we also

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<sup>16</sup> Melissa H. Weresh, Dwight D. Opperman Distinguished Professor of Law, teaches at Drake University Law School in Des Moines, Iowa.

work on scholarship. So, as my students are engaged with their appellate brief, I'm able to share with them what I am writing about. It's sort of modeling my productivity and the joys and struggles of writing while also mentoring the writing journey of my students.

With regard to mentoring professional productivity, including writing, another idea came from a conference I attended. One of the New York law schools conducts a "lunch and learn" series where all first-year students have to attend a lunch session sponsored by the law school where a faculty member presents their scholarship. I think this is a way that institutions can recognize, reward, and therefore encourage efforts towards mentoring that also incentivizes productivity. In order to create that sort of institutional recognition and culture of encouraging mentorship, a faculty member first has to be mindful of institutional realities and question whether you are operating in a culture that values this type of mentoring or whether you are trying to cultivate one. If it is the latter, and if you're spending so much time on mentoring that you're not producing the type of capital that is valued, like scholarship, you may have to take a step back and prioritize. In this respect, I would echo and reinforce what Tiffany said about making very deliberate and intentional choices, recognizing that we all get a lot out of mentoring, but those benefits do come at a cost.

### 3. **How does your scholarship intersect with your mentoring?**

SHERRI KEENE:<sup>17</sup>

I am a former federal public defender, and I taught Criminal Law as well as Legal Writing for several years. Some of my scholarship is about implicit bias, and I tend to discuss in my scholarship how bias can impact criminal law and legal decision-making. But a lot of what applies there, applies in other contexts as well. As a core point, it is important to consider that bias can be unconscious, and it is pervasive. We all have biases of which we are not aware. Those biases can affect how we perceive the activities of other people, and one of those activities can be writing. Bias can impact how we assess subjectively what someone writes.

I am going to talk about a particular study, “Written in Black & White: Exploring Confirmation Bias in Racialized Perceptions of Writing Skills,” conducted by researchers at a private company.<sup>18</sup> The results were reported in 2014 and have been discussed in ABA publications. For those who aren’t familiar, researchers drafted a legal memo that included several grammatical and spelling errors, substantive writing errors, factual inaccuracies, and analytical problems. They presented the memo to sixty partners at law firms, and fifty-three completed the study—ranking and commenting on

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<sup>17</sup> Sherri Keene teaches at Georgetown University Law Center and previously taught at University of Maryland Carey School of Law.

<sup>18</sup> *Written in Black & White: Exploring Confirmation Bias in Racialized Perceptions of Writing Skills*, Lead Researcher Arin N. Reeves, for Nextions. Available at <https://nextions.com/wp-content/uploads/2017/05/written-in-black-and-white-yellow-paper-series.pdf>.

the memos. Researchers named the person who wrote the memo Thomas Meyer, and they said he went to NYU Law School. The researchers told half the partners that the person who wrote the memo was African American and told the other half that he was White. All the partners got the same memo, but the comments that came back about the writing varied depending on whether the partner thought Thomas was African American or White. “White” Thomas’s writing was rated higher: the partners found fewer errors, and he was given more positive feedback. He “ha[d] potential;” he just needed to work on some things. For “African American” Thomas, on the other hand, they found more errors in his work, especially superficial ones. The partners also spoke about him more negatively and one even commented that he couldn’t “believe he went to NYU.”

Connecting this back to mentoring, mentoring requires a trust relationship. We’re talking about vulnerability. I think it’s a real concern if you’re afraid to expose yourself and let someone see what you don’t know. I know I came to a point in my career where I just didn’t care anymore what anyone thought of me. At that point, I had a lot more confidence. I think that may be something that comes with time and experience. I was like, “Who cares? I need to ask the questions I need to ask, to get the job done.” But sometimes people don’t want to expose what they don’t know, and there can be actual consequences. Mentors have to be aware of both this fear and the possible consequences, particularly for minority students. If I

think back on my own experiences, if I didn't do well on a presentation, I remember worrying that someone could have the response that I have potential and just need to work on some things, or they could question my abilities or credentials as some partners did with African American Thomas. They could wonder if I belonged there. And at times I have had someone react strongly when I did not know something and express doubt about my capabilities. I have had these types of experiences before. These fears and concerns are real.

What I ask everyone to think about, and I've even had to think about myself when I work with students, is whether you are evaluating a student based on their writing or on your assumptions about who that student is. You should ask yourself this question and be honest with yourself about the answer. Because I don't want to treat students differently, I am intentional about just assuming the best of all students. Unless they tell me otherwise, I'm assuming that a student's work reflects their best effort. And, I assume that, whatever work a student has done, they can learn and will ultimately do well. I believe that every student can become a good writer and a good lawyer. Period. And I try to exude that because I think students can pick up on the fact that you don't quite believe in them or that you're doubting their ability. I think people can sense that, and sometimes they can sense when their work gets an overly negative reaction. Sowing seeds of doubt does not help our students, and it does not help us as professors.

My main point here was to talk about the connection between implicit bias and how we mentor, and I hope to encourage you to commit to overcoming bias as a long-term goal. We're talking about ourselves as being mentors, but we're also mentees. In seeking mentors, we should be open minded about who we can teach and learn from. I have had the opportunity to mentor a diverse group of students. I also have had a number of people who have mentored me. But we all have room to improve. Personally, my most effective mentors almost all have been women. That can mean very few men have opened themselves up to be mentors to me, or perhaps I have not sought them out. I am not sure why that is, but I'm trying to improve upon that. I know sometimes we pick a mentor, and sometimes the mentor picks us. We have to be mindful when we're working with people about our own biases and make an effort to combat them. You don't want to limit your opportunities to teach someone or to learn.

MEL WERESH:

My scholarship intersects with mentoring in two ways. One involves students, and one involves colleagues.

With regard to students, I would say my scholarship efforts are impacted in two ways. One of those involves efforts to encourage students themselves to pursue scholarship. I regularly reach out to my upper-level students to help them identify and refine law review topics. I do this to be helpful, to mentor scholarship and, perhaps



most importantly, because it's interesting to me. Another way to encourage student scholarship is to look for publication opportunities to share for students. As an example, I used to write a monthly column for our local bar association magazine. I encouraged the magazine to publish student-authored work to help provide students opportunities other than the law review to publish their work. I also used to be responsible at my law school for maintaining a list of writing competitions for student work. That effort helped me identify students who might have a particular academic interest and to then encourage them to enter writing competitions. I had a student who won one of these competitions. We were so proud of her! She actually gave us the plaque commemorating her work, and we put it up in the faculty office hallway so that other students to see the fruits of her efforts.

The other way in which mentoring intersects with scholarship is the impact that mentoring has had on my scholarship agenda. My research interests over the years have been influenced by mentoring relationships with students. Specifically, I've written a lot about both writing pedagogy and professional identity development. I think that those interests come out of working with students.

With respect to mentoring colleagues, I try to do a fair amount of collaborative writing. I like to write with other people, and I like to encourage other people to write. For example, for sessions like this I like to gather folks and say, "We're going to write this up." I was a former editorial board member for *Legal*

*Communication and Rhetoric*, the ALWD journal, and we were urged, *really strongly* urged, to encourage presenters at conferences to write up their ideas for submission to the journal. This is a mentoring opportunity. At a conference, it means a lot to folks when you walk up to them and say, “That idea—That’s an article. You need to write that up. You don’t have to write the 25,000-word article. You can write an essay; you can write something for *Perspectives*.” Just really encouraging other folks to produce scholarship, that’s mentoring.

TIFFANY ATKINS:

The project that I mentioned earlier that I’m working on mentoring has been, at least in the academy, really important to me. I’m where I am because I met people who just walked up to me and said, “Hey, you’re wonderful!” and offered me tips and tricks and sort of made my way into the academy.

The project that I’m currently working on is identifying ways we can be really intentional in our mentoring of Gen Z students to prompt them to “be the change” we want to see in the academy. In the issues we’ve identified with regard to elitism in hiring and lack of diversity, we are very intentional about mentoring these students we identify who could be professors and paying it forward by walking them through the processes. Then we create these changes we want to see in the academy by being really intentional. I’m still doing research on that, but that’s where it intersects because a

whole part of this chapter is really just on mentoring and what it could look like and tips and ways we can do that.

I really like Mel's idea, and I also try to create a scholarly environment with my students, the students I mentor. I keep a blog on our Moodle site and invite students to send things to me. I will post them with their blog posts on there. When I talk to them about the Miracle Morning, my practice and the hour I spend on meditation and myself, part of that is scribing or writing. I try to encourage them just to write, and I mentor them through the writing process. For draft conferences, I do leave out a draft that has been ripped apart by a reviewer to show them that this is our process, that writing is scary but rewarding, and just trying to mentor students through the writing process by being transparent about my own struggles with writing, about my own imposter syndrome. I'm supposed to share a draft with Suzanne, and I'm trembling. I'm like, "She's going to tear it apart."

But, we are honoring students. We mentor them and build their confidence, whether they become our colleagues in the academy or not, by supporting them. And so, I try to intersect those things in both my writing and my mentoring.

SUZANNE ROWE:

Two other quick ideas about incorporating students: One thing Olympia has done is invite students from the local community to come and participate in AALS discussions like this. We thought

about that a little too late this year, but it's a great idea going forward. Think about contacting a colleague at a school in that city and see if the student can come be part of the scholarly discussion. Second, when hosting a scholar's workshop/scholar's forum, invite the students from your school not just to check people in, but to actually come and participate in the scholarly discussion. They can be scribes and write down all the great questions and answers that the author presenting the paper can't remember afterwards. The students get to see how we workshop papers and that, yes, it's going be ripped to shreds, but it's going be so much better afterwards.

OLYMPIA DUHART:

And not just papers. What can be mundane and boring to us can be amazing to students. When I have a really big presentation, I have my students just come in and moot me. It's a big deal for them, and they're usually very critical. They enjoy being able to tell their professor, "Oh, yeah, that was boring," or "It didn't make any sense when you did that." But you just have to have a good stomach if you're going to take that kind of feedback from them. It can be incredibly instructive for both you and them.

**4. What can institutions do to support successful mentoring at the law school? How can we get schools to acknowledge the invisible work we do?**

OLYMPIA DUHART:

Mel referred to a faculty activity report. I call it the “‘Why I’m Great’ Memo.” How do you get your dean to fully understand all of the work you are doing? Yes, there’s a lot of time and hours invested. And it’s really important. But when scholarship seems to be the currency at most law schools, what can law schools do on an institutional level to support our mentoring work and be acknowledged for it? The reality is that our professional development and recognition also matter.

CRAIG SMITH:<sup>19</sup>

What can law schools do to support successful mentoring? Let me suggest four promising ways.

First, law schools can embrace mentoring as a vital form of legal education. To teach is to *cause one to know how*, says Webster’s, while to mentor is to teach *as a trusted counselor or guide*. Trust elevates teaching above mere knowledge-gathering and skill acquisition. Trust is a key to holistic professional formation. Mentoring fosters and multiplies trust. By valuing and supporting mentoring, therefore, law schools serve their students and the legal profession well.

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<sup>19</sup> Craig Smith is a Clinical Professor and Assistant Dean for the Writing and Learning Resources Center at the University of North Carolina School of Law.

To support mentoring means primarily to hire accordingly. In faculty hiring, the legal academy still suffers somewhat from a one-size-fits-all model. Though we're moving beyond that, it's a long process. When hiring, ask candidates how they live their lives, and how they view and understand the task of mentoring students. You can learn a lot. And when you've hired, remind the new recruit of those recruitment conversations. Reiterate that you value professors who engage in mentoring. Be part of the change in faculty culture you hope to see.

A second way law schools can support successful mentoring is to ensure that faculty who excel as mentors have full faculty-citizenship rights—are empowered to participate fully and vote on everything. Rather than expecting professors with limited rights to handle the lion's share of mentoring, work with them to redistribute faculty rights and obligations more equitably.

Third, law schools can invest in helping their faculty learn about and practice mentoring. Do you have a dean or associate dean who's responsible for faculty development? If so, what does development mean to that person? Does it relate only to getting grants and publishing? Or to developing the whole person professionally? Does helping faculty develop include listening to and learning from professors who spend time and energy mentoring students? And understanding their needs and priorities, and promoting their work?

Fourth, law schools can reward effective mentoring: compensate colleagues for it, publicly recognize them, include them in awards. At UNC Law, different types of professors now get awards, and the mentoring these professors do matters. So, we emphasize and celebrate that. If your faculty doesn't yet do that, be creative in seeking it. Ask about it: "Why aren't we recognizing great mentoring of students? Let's find a way." When you hear, "You're so wonderful that I want you do X," answer: "Before I consider X, let's linger at *you're so wonderful*. Why? And how can I first gain some reward the largely invisible work I do?"

Those four ways for law schools to support mentoring relate closely to a second question: *how can we get schools to acknowledge the largely invisible work of mentoring students?* My answer: make mentoring visible and audible, real and measurable. Once again, I'll suggest four promising ways to do that.

First, a professor can develop—very strategically—a personal visibility or acknowledgement plan. Detail your mentoring activity, your reasons for it, and some fruits of your labors. By quantifying and describing that activity, we help ourselves notice and value it. It becomes more real to us. That prepares us up to help others notice and value it too.

Second, seek acknowledgment for your mentoring by using your visibility plan when you write the "self-presentation" memos that some have mentioned already, describing your contributions so that deans, committees, or other decision makers can assess them.

In those memos, explicitly describe mentoring as a vital contribution. Do it even if your faculty's norms may seem to exclude focus on mentoring. Help challenge and change the norms if need be. Mentoring matters, so fit it in.

Third, communicate your mentoring broadly. You've described your mentoring in writing for yourself and your deans; now tell other colleagues about it and its benefits for you and your students. Next time you're at the coffee machine or water-cooler, seize the moment: mention your mentoring. Tell how you've written about it, quantified it, analyzed it. Share anecdotes and comments from students. Spread the news not only to professors but to anyone who might help you gain recognition—the career development office, student services, and so on. Let recognition of your contributions and enthusiasm spread.

In addition, more formally, organize or propose “lunch and learns,” presentations, or discussions about your teaching and mentoring. At North Carolina, for example, my legal writing and academic support colleagues hosted a “lunch and learn” for faculty to describe our program's goals, experiential teaching methods that match those goals, and the multiple assessments we collaboratively develop to gauge both our students' performances and our success as professors. Deans still talk about that presentation. They say things like, “These professors are remarkably thoughtful and transparent about what they do. We can learn a lot from them.” Faculty colleagues began talking and asking about our work in new



and appreciative ways. Soon our dean asked us to address alumni too in new ways. Our work, including our close mentoring of students, became part of the narrative about our faculty's strengths.

Fourth, ask for acknowledgement of your mentoring. That request has been implicit in everything I've said; let's make it explicit. In exchange for the value you're providing, ask for some kind of compensation, or at least recognition that might later influence compensation decisions. And if at first you don't succeed—well, let's face it, at first you probably won't succeed. We work in institutions, which don't easily change. Nonetheless, keep trying, creatively and persistently.

Let me share an example. At UNC, I gained recognition for some of my previously invisible mentoring by designing a mentoring course for students. I had been training some high-performing 3Ls we employed to work with 1Ls. A teaching expert helped me see that what I labeled employment training was in fact teaching and mentoring. Though the students got paid a bit, they earned no credit, and my work with them went unnoticed. The course I proposed offered credits (in lieu of minimal pay) for students, teaching credits for me, and an innovative enrichment for the curriculum. The faculty approved it, moving some of my work from shadow into light. For law schools a course is a familiar, countable form. It's a language that law faculties understand. It has power to make the invisible visible.

DAN BARNETT:

I agree with everything that Craig just said. My message here is partly that we've helped create this situation of invisible work because we're comfortable providing students this type of support. So, we take on these burdens a lot. We know it is important work and we know it needs to be done. So, we do it. But there are some easy ways that we can help our institutions to move away from relying on us as much as they do for this type of student support. I have very classic kinds of suggestions.

First, we need to formalize mentoring—just like some state bar associations have done. We should try to get our institutions to have a formal, required mentoring program as part of our program of legal education. Even if we're not successful, I think our visibility as mentors improves because through the discussion about formalizing a program; it would be clear about how much informal mentoring we are already doing.

If we can't get a formal mentoring program adopted, there are other things we can do. Request that your dean set up a mentoring committee so that there's a place where colleagues outside of just the writing faculty can talk about these issues and think about ways everyone can be better mentors. Our institutions would benefit a lot from that discussion, and even if you don't get that committee set up, it raises the issue.

In addition—as has been discussed here a lot—we need to try to get schools to do more mentoring training. I think we need to

have experts come in and help us think about how to be better mentors. I went to a mentoring conference a couple of years ago, and Dean Michael Hunter Schwartz was one of the keynote speakers. He had some incredibly simple ideas that I had never thought about. Bringing those kinds of programs into our institutions would be very helpful.

And just talk with your colleagues about mentoring. If you can't get a committee or invite outside speakers, do it on your own. Send information about mentoring to your faculty every month. If there are several of you doing this at your law school, take turns: just an article about mentoring or a success story that you received from mentee. That type of simple sharing of ideas is really important.

The other thing that we need to recognize is that it's not easy to be a mentee. A lot of students do not know what being a mentee means, especially students who come from underrepresented groups. I think networking is just not something they've seen done before, so they don't understand it. Thus, part of the training we do has to be showing students how to be better mentees, which can be done in a variety of ways. I think we need opportunities where students can come to a program about how to work with a mentor—where everyone knows that's the goal of the discussion—and include the faculty who are planning to be mentors. That type of event helps highlight the informal mentoring work we are already doing as legal

writing professors and it helps students understand that it's okay to have questions about how to be a better mentee.

OLYMPIA DUHART:

When we think about what institutions can do to support this work, I consider everything from the small ideas that actually have big impact—such as putting up an LGBT Safe Zone sticker in your office—to big ideas such as creating the type of mentoring course Craig described. We need to step outside our comfort zones and try it all. One of the hats I wear on campus is serving as Associate Dean for Faculty and Student Development, and I have been thinking about how to get us to think about professional development for the faculty moving beyond scholarship. Yes, we should also get trained in teaching and service, which includes mentoring. Those are the three “legs of the stool” that mark our accomplishments as professors: teaching, scholarship and service.

Some of the things we've experimented with at NSU push us to more creatively approach support for students. We implemented a Mindful Monday in the atrium at the law school. We created this program after the Parkland shooting because many of our students were struggling. The semester before, we dealt with a difficult hurricane season. Then our community was faced with this horrific shooting on Valentine's Day. It was just an incredibly heavy year for everyone. We knew we wanted to develop an intervention, but we also wanted to normalize self-care. And it's important that we

modeled, so every week I brought in somebody different. We hosted a trainer one week. I challenged students to a power walk against me in my pencil skirt and heels around the lake. We raced, and the winner earned a free training session with a fitness instructor. We did meditation one week. We had therapy dogs, massage chairs, and Tai Chi led by one of our faculty members. We had a lot of success.

We brought in Cold Stone Creamery, and someone said, “Well, this is unhealthy.” Okay, yeah, we know that. Not all self-care is low-carb. But the reason I did that is to give our students a judgment-free way to access the school counseling services. The same day we had free ice cream, we sponsored the school psychology and counseling center. Students are often reluctant to take advantage of these services because they may be ashamed or embarrassed to seek help. But with Cold Stone next to the counseling table, we told students that they had to first get a card from the counseling services table to show to Cold Stone for the free ice cream. The cards were great because they had the office info on one side and an affirmation on the other side. That put that card in the hands of students who might not want to identify themselves as someone looking for counseling services. We held something different every Monday, so we dubbed the sessions Mindful Mondays. It became a popular, fun, and important way to support students on their journey to self-care.

We’ve also created other support groups for students. For instance, I serve as the advisor of the First-Generation Professionals

Legal Society. This group is great because it checks so many different boxes and brings students together from all kinds of backgrounds. The students support each other on exam preparation, networking, and service initiatives. And as a First-Generation Legal Professional myself, I am just so incredibly proud of them.

We also provided training to support mentoring. We brought in Nikita Gupta, a wonderful resiliency expert who runs a Grit Coaching Program at UCLA. She did a training for both faculty and academic support folks who wanted to improve their communication skills and learn how to identify and support students in distress. She also worked with our students, including the 1Ls, 3Ls, and those who had recently failed the bar exam. How do you help students navigate the challenges they face and be supportive in a meaningful way? First, you need training on how to communicate effectively. Then you need to learn the most effective intervention strategies. I am very grateful that our dean supported this initiative for us.

And then the last thing I want to touch on is our LRW Student Outreach Program at NSU. We incorporate near-peer mentoring, writing and wellness, field trips and other activities to improve the support we provide our students. In short, we've tried to be really deliberate and creative about reaching out to our 1L students to support them in their Legal Research & Writing goals. Students have been so appreciative and engaged.

TIFFANY JEFFERS:

Ultimately, our goal should be outward-facing mentorship. To me, outward facing mentorship means creating external opportunities for our students from marginalized groups because we understand how the intersection of lower grades and lack of opportunities disproportionately impact students from disadvantaged groups. Specifically, we can provide research assistant and teaching assistant positions for people who aren't at the top of the class.

Also, we can engage in public mentorship, like standing up to our colleagues. I had to make myself very vulnerable at a faculty meeting when some of my casebook colleagues mentioned that some students did not seem to be interested or trying very hard. The students being referenced all happened to come from underrepresented groups. I responded that oftentimes apathy stems from insecurity and lack of understanding of the substantive material. The students may not be apathetic, they may be lost. And feeling academically lost in law school is a very shame-inducing experience. So, part of outward facing mentorship is putting yourself out there by standing up to your colleagues on behalf of the academic performance of students from underrepresented groups.

Lastly, put your reputation on the line for these students as part of the mentorship process. Write really good letters of recommendation for students who are not at the top of the class. You can advocate for them by telling employers, "I know they don't

have the grades, but let me tell you about how hardworking they are, about their potential and the passion they have for making a difference in society using their law degree.” This type of mentorship maximizes the opportunities for students who are often locked out of opportunities.

I think outward facing mentorship should be the goal. This type of mentorship is not limited to speaking with students during office hours, but it involves taking affirmative external action on behalf of your mentee both inside and outside the institution.

ROSARIO LOZADA:

I like to encourage not-the-usual-suspects to be mentors in very flawed ways. For example, I work with the Mindfulness Association and we met and strategized for the year. One of my ideas, I said, “You have to believe in it. But here’s the thing, I’m planting the seed of a failure panel. Go after professors who have a wide following and have them talk to students about their setbacks.” It’s happening this spring; they’re timing it right after grades, so, you know, everybody feels kind of defeated. They’re not calling it a failure panel, because no professor wants to sign up for that. But each professor is going to talk about a series of setbacks, and everybody looks different up there. There are a lot of doctrinal professors on that panel. I imagine that a lot of mentoring opportunities will happen as a result of that. So, that’s something exciting.



Another thing, when you do mentor in an outward-facing way, sometimes it's really uncomfortable. I was asked to serve on a panel on the Hispanic identity, and at FIU Hispanic identity is the norm and is highly celebrated. I was the only woman on the panel. I was the only non-tenured professor in the panel. I didn't want to be on that panel because I didn't want to celebrate everything about Hispanic identity. I don't celebrate everything about Hispanics. We have a history of racism and rape and all kinds of things. But I love Latin music, you know? So, I'm thinking, *Okay, I'm going to say yes to this panel. But I'm going to go first when they say who wants to start. I'm going to go in and set the tone.* When I got there, all the men were at one table, and I sat at a different table. They said, "Oh, we shouldn't leave Rosario over there alone." And I said, "No, it's Hispanic identity. This is perfect. The men are all at one table, and the women are at the other." I said it audibly, so the students immediately started chuckling. It was uncomfortable. Then they came over and sat next to me. But one of the things I started with was I have a complicated relationship with my Hispanic identity. And I talked about racism, and it kind of set the tone for a different conversation. It took courage, but I was glad I did it. So, I made that outward-facing mentoring count. We talked about cultures and Hispanic identity and the law.

Last, if you do a lot of invisible things, maybe many of you already do this, but please, please, just put it in your inbox. Have an inbox folder that says "Service" or "Joy"—whatever it is. Throw in

every interaction, even if you know you only attended, or if you're a speaker. Boom, put it in there because when it comes time to meet with your dean or meet with your supervisor, you're not going to remember all the stuff you did and how much time it took you. I go to my inbox on my phone. That folder reminds me that this is why I love teaching. I have this list, and I can draw on it for whatever I need.

SHERRI KEENE:

One thing to pick up from this meeting today is the importance of speaking up, which is hard to do when you're talking about institutionalized barriers. Sometimes you're mentoring, telling students about all the things they need to do to succeed, and then you realize that maybe instead of just giving advice to individual students, maybe there is something the institution needs to do. For example, at one institution, I found that when students petitioned for journals, they were required to turn in a form to express their interest *before* they attended a meeting about the petitioning process. As a result, the students who didn't know what the law review was about wouldn't turn in the form, and they missed out on the opportunity to petition. The institution was asking students to know about journals before they had the benefit of attending a meeting. This created a barrier for students who did not already know a lot about them. You can try to encourage every student you can to fill out the form, or you can urge the institution to change the process. Someone might ask, "Why is the law review

not diverse?” I think sometimes you need to look at the issue in a broader way. You have to ask the institution, “Why are you using that process, and can you change it?”

I also agree it is important to try to formalize mentorships as we’ve talked about. We should encourage our institutions to think about how faculty self-select mentees and whether that method serves all students. I’ve been paying attention to that more. Faculty like the A student. They like a student who reminds them of themselves. As a result, many faculty want to have the same mentee. Sometimes you have to be intentional in thinking about who else might be a good mentee and make a deliberate effort to think about it more broadly. I think some of these things are institutional issues that we’ve just been tinkering around the edges on, but institutions need to look at more seriously.

TIFFANY ATKINS:

The point here about protecting your time made me think about something Olympia shared when she came to Elon to visit—how senior faculty can help junior faculty protect their time more. I was asked to be the advisor for the Black Law Student Association (BLSA) because I am one of two Black faculty members. When you’re a junior, you have lots of time pulls, so I took Olympia’s advice and asked one of the senior folks on the faculty to co-advise with me. That way I was able to protect my time. I love BLSA. I was always active in BLSA, but that on top of mentoring, on top of scholarship,

on top of being asked to do all the service because I'm young. It was important for me to be able to balance it.

One thing senior folks can do, when you see that your junior faculty members are being overwhelmed, maybe offer to help. Can I help co-advise or something? And then to Craig's point about sort of being able to quantify and measure how much your mentoring, I started using an app called "You Can Book Me" that allows students to book time with you. Then you can export your booking so that you know exactly how many bookings you had per week, how many hours you spent, and the app will export it into Excel for you. If you're trying to measure your mentorship, use something like that. I don't think TWEN does that. It may. But if you use a program that will allow you to export, it makes easier to measure when you're doing your "I'm So Wonderful Report" to say I mentored these students, or I spent this number of hours per week mentoring students. That's one way we can also try to quantify if you use apps like that.

OLYMPIA DUHART:

I have an idea but it's not at all tech-savvy; everyone knows that I am a luddite. I pass around a piece of paper in class. In my bigger classes like Constitutional Law, I host brown bag sessions for groups of four or five. There is one rule: We can't talk about Constitutional Law. I host these the first month of school. It's just a simple way for me to connect with the students. You're going to get

to know the legal writing students, but in the bigger classes it's important to give students an opportunity to engage with you outside the classroom.

**5. What type of outreach initiatives can be implemented to expand the opportunities for mentoring?**

HEATHER BAXTER:<sup>20</sup>

As Olympia mentioned earlier, one of the things that we do at Nova, which was implemented by Olympia in her capacity as LRW Director, is the LRW Student Outreach Program. This also returns to the earlier point that was made about leveraging our connections. Before I came to Nova, I was a staff attorney for several judges in the same county where our law school is located. I've maintained relationships with the judges and the court administration there, which helped us facilitate two of the outreach experiences. First is a field trip to the courthouse, where we reserve the jury assembly room, invite four judges to speak to the students about writing and advocacy, and then cap it off with a reception. This is a great way to create connections between students and judges to develop future mentoring relationships.

Second, we bring in an amazing appellate court judge that I know from my practice to speak to our students about oral argument. Our 2L and 3L Moot Court students help lead the

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<sup>20</sup> Professor of Law, Nova Southeastern University Shepard Board College of Law. Heather Baxter participated in the discussion as a member of the audience.

discussion with the judge, which helps build the leadership skills of the Moot Court students and also sets up a near-peer mentoring model between the 1Ls and the upperclassmen.

This same near-peer mentoring style is also used in our Bluebook Outreach event. In that program, we bring in Law Review editors to lead a session with the 1Ls about citation. This serves to not only explain to the 1Ls what law review does, but it helps reinforce the citation lessons we have been teaching our students.

MEL WERESH:

I work with the professionalism section of the Iowa Bar Association and tried to get people to think about replicating the voluntary mentoring for new lawyers. The South Carolina Bar Association had tremendous resources. I don't know whether those are still on the site, but they had outstanding ideas for different types of programming that was that was required of the mentees, and forms for the mentors to help the mentees navigate their obligation. I don't know if that is still required in South Carolina, but they had really tremendous resources just to prompt some ideas more related to law schools than to undergraduate experiences.

TIFFANY ATKINS:

Elon does a preceptor program for new laws students. Every 1L gets paired with a practicing attorney, and they come in and they become your mentors. I was paired with a black woman who owned

her own law firm when I was a 1L. She came in and observed my classes. I was called on for that entire Torts session, so she could give me feedback. They still do that to a certain degree. But when you're a first-year, and you don't know a lawyer besides Clair Huxtable, it was really good. She was it for me. It was really good to have her, and that's something that Elon used to do. I think they still do it in another way. But that's something you can do to create mentors outside of the law school space, especially for first-years.

SUZANNE ROWE:

At Oregon, we do have one-on-one mentoring with outside mentors from the community and the career center, I think, is very intentional about who they connect together. Those mentorships are great. Also, because Oregon is a small numbers state, we have a voluntary mentorship program with the bar. People who graduate are given mentors, and it's a big program, even though it's voluntary.

MEL WERESH:

Those resources are so useful for those of us who want to know what types of "scaffolded mentoring" people are doing really intentionally.

CLOSING

OLYMPIA DUHART:

The professional and personal rewards of mentoring for both students and professors are invaluable. Yet many professors on the front line of mentoring—such as legal writing faculty, people of color, women, people who identify as LGBTQ—need and deserve more support from law schools around mentoring. As this discussion makes clear, there is no shortage of ideas related to effective mentoring. The challenge, of course, is making sure that our passion for helping others is tempered by the need for self-care. We must also be deliberate about capturing the institutional recognition merited by this work. Creating recognition for this often-invisible labor isn't just self-serving. Rather, it signals an institutional commitment to these critical contributions and creates space for more to join us in these efforts. For so many students, mentoring can make the difference between constant struggles and sustained success. Mentoring is a practice we should all continue to embrace and expand.

SUZANNE ROWE:

We sincerely thank all of the panelists and thank all of you for joining us. This discussion has given us many excellent concrete strategies to take back to our own institutions. We are very grateful for all of the wonderful ideas and inspiration.