

TAKE ME OUT TO THE BALL GAME: USING THE SEVENTH-INNING STRETCH TO TEACH LAW STUDENTS



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One instruction that you are unlikely to hear in a law school classroom is, “Okay, let’s sing.” It is also an instruction the students are not likely to follow, unless the song you ask them to sing is *Take Me Out to the Ball Game*¹ and you ask them to sing at the lull about three-quarters of the way into class. Then you will likely get them to not only sing,² but to stand,

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1. *Take Me Out to the Ball Game* was written in 1908 by Jack Norworth, otherwise best-known for writing *Shine On Harvest Moon*. JONATHAN FRASER LIGHT, THE CULTURAL ENCYCLOPEDIA OF BASEBALL 717-19 (1997). Norworth was inspired to write the song while riding a subway train because he saw a sign that said “Baseball Today—Polo Grounds.” *Id.* at 719. The lyrics were set to music by Albert Von Tilzer. *Id.* Neither Norworth nor Von Tilzer had ever seen a baseball game. *Id.* Von Tilzer waited 20 years to see a baseball game; Norworth did not see a baseball game for 32 years. *Id.* *Take Me Out to the Ball Game* has become the unofficial anthem of baseball. *Id.*

2. The chorus of *Take Me Out to the Ball Game* is:

Take me out to the Ballgame [sic],
Take me out with the crowd,
Buy me some peanuts and cracker jack,
I don’t care if I never get back.
Let me root, root, root for the home team,
If they don’t win it’s a shame.

stretch, and be alert and receptive to learning a new concept or skill. Your success will be even greater if you step away from the podium and allow a pair of students to teach the new concept or skill for the next five minutes.³

Major League Baseball recognizes the value of the Seventh-Inning Stretch⁴ to give spectators a break and maintain interest in the game.⁵ This article suggests that law school professors use this tried, true, and familiar practice to teach new concepts and skills to law students. Part I describes the educational theory which supports the method, focusing on the challenge of capturing and maintaining law students' attention. Part II describes the method. Part III provides a very specific example of how to use the method to teach a new concept, legal citation, to first-year law students. Part IV considers the advantages and disadvantages of the Seventh-Inning Stretch teaching method.

For it's 1, 2, 3 strikes, you're out
At the old ball game.

Id. at 717. Some claim that the *Take Me Out the Ball Game* chorus is the third most-often played song in the United States, after *Happy Birthday* and *The Star-Spangled Banner*. See generally Wikipedia—Houghton Mifflin Co., *Take Me Out to the Ball Game*, <http://www.answers.com/main/ntquery;jsessionid=33itneidalvv?name=take-me-out-to-the-ball-game> (last visited July 1, 2006).

3. This gives every student the opportunity to take on Harry Caray's role. Harry Caray, the Chicago White Sox and then Chicago Cubs announcer, led the singing of *Take Me Out to the Ball Game* in the Seventh-Inning Stretch starting in 1976 with the White Sox and continuing until the 1990s at Wrigley Field. LIGHT, *supra* note 1, at 719, 662. The students do not have to actually lead the singing of the song, but instead will lead the discussion of the new problem assigned for that day.

4. The Seventh-Inning Stretch is “[a] juncture in a baseball game, usually after six and one-half innings of play, when the fans get out of their seats to stretch their legs.” THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 1594 (4th ed. 2000). Today, Major League Baseball games always include the Seventh-Inning Stretch. Fans often sing *Take Me Out to the Ball Game* during the Seventh-Inning Stretch. See LIGHT, *supra* note 1, at 662.

5. The history behind the Seventh-Inning Stretch is filled with lore. One popular story is that it started with President William Howard Taft, who at 300 pounds is the largest chief executive on record. Supposedly, he attended a Washington Senators-Philadelphia Athletics game on April 14, 1910, and was uncomfortable in his chair, so he stood up. David Emery, *The Seventh-Inning Stretch Origin (or not) of a Baseball Tradition*, http://urbanlegends.about.com/cs/historical/a/seventh_inning.htm (last visited July 1, 2006). The crowd believed he was about to leave, so they also stood out of respect. *Id.* However, President Taft simply stretched his legs and returned to his seat. The crowd also sat down. *Id.* This story is likely false because evidence of the Seventh-Inning Stretch practice exists from as early as the late 1800s. *Id.*

Another possibility for the start of the practice dates to 1882. *Id.* Brother Jasper of Mary, F.S.C., who is credited with bringing baseball to Manhattan College in the late 1800s, was the Prefect of Discipline and the baseball coach. *Id.* On a hot and muggy day in 1882, during the seventh inning against a semi-pro team called the Metropolitan, Brother Jasper noticed restless fans. *Id.* He called a time-out and instructed everyone in the bleachers to stand up and stretch. *Id.* This practice worked so well that he began calling for a Seventh-Inning Stretch at every game. *Id.* The custom spread to the major leagues after the New York Giants saw the practice in an exhibition game. *Id.* See generally LIGHT, *supra* note 1, at 662 (providing additional information related to folklore and stories surrounding the creation of the Seventh-Inning Stretch).

I. EDUCATIONAL THEORY SUPPORTING THE SEVENTH-INNING STRETCH: CAPTURE AND MAINTAIN LAW STUDENTS' ATTENTION

The challenge for the law school professor is to both capture and maintain the students' attention.⁶ First, capture the students' attention by explicitly telling the students why you are teaching them a new concept or skill, and how they will use the new information both immediately and in the long-term. Then, use the Seventh-Inning Stretch to maintain the students' attention as the new concept or skill is taught.⁷

6. Law school students are traditionally categorized as adult learners under the following definition, "An adult learner is a person beyond compulsory school age who is voluntarily enrolled in a course of study to develop new skills or qualifications or to improve existing skills or qualifications." M.H. Sam Jacobson, *A Primer on Learning Styles: Reaching Every Student*, 25 SEATTLE U. L. REV. 139, 170 (2001) (citing STEPHEN D. BROOKFIELD, UNDERSTANDING AND FACILITATING ADULT LEARNING: A COMPREHENSIVE ANALYSIS OF PRINCIPLES AND EFFECTIVE PRACTICES 41-42 (1986)). I contacted Professor Brookfield, who teaches at the University of St. Thomas, and asked for his definition of an "adult learner." He responded:

I usually give two responses to the question—extrinsic and intrinsic. Extrinsically, an adult learner is one who engages in a course of study after having spent a period of time outside of formal education. In this sense, an 18 year old who returns to get a high school completion diploma after having dropped out at 15 would be an adult learner. A Ph.D. student who had gone straight from high school to undergraduate and then graduate study would not be one. The extrinsic definition is an institutional/experiential one. Intrinsically, an adult learner would be someone who was engaged in a particular type of learning—usually critical thinking—in an adult manner (usually self-directed learning). This is a normative definition based on a particular set of preferences about what is the most valuable kind of learning and the most valuable way of doing learning.

Email from Stephen C. Brookfield to Julie A. Oseid (Feb. 7, 2006) (copy on record with author [hereinafter Brookfield email]). Under this definition, some law school students qualify as adult learners. *But see* MALCOLM S. KNOWLES, ANDRAGOGY IN ACTION: APPLYING MODERN PRINCIPLES OF ADULT LEARNING 205 (1984) ("People preparing for professional careers are adult learners—by virtue of having made one of the most adult decisions possible, choosing a career.").

7. There are several articles about using methods other than the Socratic method to teach law students. *See, e.g.*, Paul S. Ferber, *Adult Learning Theory and Simulations—Designing Simulations to Educate Lawyers*, 9 CLINICAL L. REV. 417 (2002) (describing the use of simple, complex, and extended simulations to teach law students); Steven I. Friedland, *How We Teach: A Survey of Teaching Techniques in American Law Schools*, 20 SEATTLE U. L. REV. 1 (1996); Steven Hartwell, *Six Easy Pieces: Teaching Experientially*, 41 SAN DIEGO L. REV. 1011 (2004) (offering six specific simulations he uses in his law school classes); Robert P. Schuwerk, *The Law Professor as Fiduciary: What Duties Do We Owe to Our Students*, 45 S. TEX. L. REV. 753 (2004) (advocating for a collaborative learning approach in large law school classes); Michael Hunter Schwartz, *Teaching Law by Design: How Learning Theory and Instructional Design Can Inform and Reform Law Teaching*, 38 SAN DIEGO L. REV. 347, 353 (2001) (noting that law teachers are "anti-intellectual" about their teaching and suggesting a variety of instructional methods). Dean John J. Costonis, of Vanderbilt University School of Law, emphasized in 1993 that the issue surrounding the use of various teaching methods for law school is primarily economic. John J. Costonis, *The MacCrate Report: Of Loaves, Fishes, and the Future of American Legal Education*, 43 J. LEGAL EDUC. 157 (1993).

A. CAPTURE LAW STUDENTS' ATTENTION BY EXPLAINING THE RELEVANCE OF THE MATERIAL

Motivation is a key for effective learning.⁸ A motivated learner wants to achieve a goal.⁹ A motivated learner will pay attention because he¹⁰ understands that the new concept or skill will help him achieve a specific goal.

Motivation comes to law students if they can see how the new skill or concept is necessary to their future success.¹¹ Thus, the professor's first task is convincing students that the new concept or skill has relevance to their lives as law students and lawyers. Make the connection as immediate as possible¹² and provide a real world context.¹³ Students attend law school to prepare to practice law,¹⁴ so, as often as possible, emphasize how the particular concept or skill you are teaching will help them achieve that goal.

In addition to motivating the students by telling them why they are learning the new concept, tell the students what they are supposed to be learning.¹⁵ A student must know what she is supposed to be learning before she can determine if she is making progress. As Adult Educator Malcolm S. Knowles notes:

Another implication is the importance of making clear at the outset of a learning experience what its relevance is to the learner's life

8. See Ferber, *supra* note 7, at 431.

9. Jacobson, *supra* note 6, at 166.

10. In this article, I alternate between masculine and feminine pronouns.

11. Betty J. Luke, *The Ethos and Pathos of Ethics and Law Students: A Clinician's Perspective*, 45 S. TEX. L. REV. 843, 850-51 (2004) (arguing that after perceiving a necessity or value, an adult learner will make an investment in learning); see also Jacobson, *supra* note 6, at 170, n.130; Fran Quigley, *Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics*, 2 CLINICAL L. REV. 37, 47 n.35 (1995) (both Jacobson and Quigley cite Malcolm S. Knowles for his idea that adults are more receptive to learning when they have a reason to learn and can immediately apply their knowledge rather than just learning something for the sake of learning).

12. As noted in Part III.B.2, I use the Seventh-Inning Stretch to teach legal citation. Learning correct citation has immediate consequences for law students because a portion of their grade is based on proper citation. As explained, I use citations from the materials I expect the students to cite in their legal memoranda and briefs. I also emphasize the importance of correct legal citation for practicing attorneys.

13. See Ferber, *supra* note 7, at 431; see also KNOWLES, *supra* note 6, at 12 (adults also respond to internal motivators like self-esteem, better quality of life, and greater self-confidence).

14. See Rogelio Lasso, *From the Paper Chase to the Digital Chase: Technology and the Challenge of Teaching 21st Century Law Students*, 43 SANTA CLARA L. REV. 1, 12 (2003).

15. See, Kenneth D. Chestek, *Reality Programming Meets LRW: The Moot Case Approach to Teaching in the First Year*, 38 GONZ. L. REV. 57, 83 (2003) (recommending that professors share their pedagogical goals with their students) (citing Jay M. Feinman, *Simulations: An Introduction*, 45 J. LEGAL EDUC. 469, 474 (1995)); see also Steven Friedland, *A Critical Inquiry Into the Traditional Uses of Law School Evaluation*, 23 PACE L. REV. 147, 204-05 (2002) ("[S]tudents should be fully informed about what they should be learning. . . . The more importance and clarity attached to the notice to the students, the more likely the students will pay attention to such insights.").

tasks or problems. We have a dictum in adult education that one of the first tasks of a facilitator of learning is to develop “the need to know” what will be learned.¹⁶

Finally, explain why you are using this method to teach this concept.¹⁷ Once students understand why they need to know a new concept or skill, what they should be learning, and why this particular method will best teach them the concept, you should have their attention.¹⁸

B. MAINTAIN LAW STUDENTS’ ATTENTION BY USING THE SEVENTH-INNING STRETCH

As every teacher knows, once you see that glazed look in the eyes of the students, it is hard to regain their attention. Professor Rogelio Lasso emphasizes:

Gaining and maintaining students’ attention is the first step in effectively communicating information. In order to understand and learn the concepts communicated in class, students must remain attentive. Maintaining students’ attention throughout the entire class period is sometimes difficult, and it becomes more difficult as the class period progresses. As their level of attention diminishes, students begin to lose interest in the class discussion. The less attention paid to the class discussion, the less information taken in, and as a result, the less information processed into active memory.¹⁹

Thus, the professor’s challenge is maintaining the waning attention of students as the class progresses.

The Seventh-Inning Stretch works so well at maintaining student attention because it uses methods advocated by educational psychologists to enhance learning.²⁰ Educational psychologists have studied adult learners for years and discovered that adult learners learn best under certain

16. KNOWLES, *supra* note 6, at 12.

17. See Gerald F. Hess, *Principle 3: Good Practice Encourages Active Learning*, 49 J. LEGAL EDUC. 401, 405 (1999) (make active learning more effective by clarifying what you expect the students to do).

18. Hopefully, playing the music for *Take Me Out to the Ball Game* will also capture their attention. See discussion *infra* Part III.

19. Lasso, *supra* note 14, at 42-43 (footnotes omitted). Professor Lasso does not suggest that the particular problem of maintaining students’ attention throughout an entire class period is limited to the twenty-first Century. *Id.*

20. See Brookfield email, *supra* note 6 (recognizing that not all law students are “adult learners,” but many adult learning techniques are effective in the law school classroom).

specified conditions.²¹ Those conditions include the following: a new skill should be taught in small doses, variety is the spice of the classroom, learning is enhanced when the learner relates new information to what is already known, and learners pay attention when there is a power shift in the classroom.

1. *A New Skill Should Be Taught in Small Doses*

Neuroscientists and cognitive scientists study how learning affects the brain.²² Teaching a new concept in small doses comports with the current understanding that:

1. Learning changes the physical structure of the brain.
2. These structural changes alter the functional organization of the brain; in other words, learning organizes and reorganizes the brain.
3. Different parts of the brain may be ready to learn at different times.²³

If a concept or skill is broken down into small components, the students have time and space to process the information.

Further, adult learners need to apply what they have learned and show they are competent in the new concept.²⁴ If the new concept or skill is difficult, the students might require many practice cycles, with feedback, to perfect their skill.²⁵ Teaching a new concept or skill in small doses gives the students a chance to practice and show their competence at each small stage of the process.

21. For a thorough discussion of cognitive learning theory (how an average person responds to the learning process) and developmental learning theory (how people's learning skills and abilities change as they age), see Friedland, *supra* note 7, at 4-12.

22. NAT'L RESEARCH COUNCIL, COMM'N ON BEHAVIORAL AND SOCIAL SCIENCES AND EDUC., HOW PEOPLE LEARN: BRAIN, MIND, EXPERIENCE, AND SCHOOL 115 (John D. Bransford, Ann L. Brown & Rodney R. Cocking eds., 2000) [hereinafter HOW PEOPLE LEARN].

23. *See id.*

24. Raymond J. Wlodkowski, *Strategies to Enhance Adult Motivation to Learn*, in ADULT LEARNING METHODS: A GUIDE FOR EFFECTIVE INSTRUCTION 99 (Michael W. Galbraith ed., Krieger Pub. Co. 2004) [hereinafter ADULT LEARNING METHODS: A GUIDE FOR EFFECTIVE INSTRUCTION].

25. Michael Hunter Schwartz, *Teaching Law Students to Be Self-Regulated Learners*, 2003 MICH. ST. L. REV. 447, 461 (2003).

2. *Variety is the Spice of the Classroom*²⁶

By using the Seventh-Inning Stretch, the professor introduces the needed variety to trigger a receptive learning environment. Students can pay attention to lecture material for 15 to 20 minutes at the beginning of the lecture.²⁷ Law school classes typically vary in length from 50 minutes to 85 minutes.²⁸ The Seventh-Inning Stretch provides the needed variety during any class period, no matter what its length. Raymond J. Wlodkowski notes:

Variety is stimulating and draws learner attention toward its source. People tend to pay more attention to things that are changing than to things that are unchanging. . . . Timing an activity so it can serve as a cue or a needed change in function or form of learning is probably the best way to do it.²⁹

The Seventh-Inning Stretch provides a technique different from the traditional law school teaching methods of lecture or questioning one

26. As a professor, you should use several different pitches to maintain student interest; overuse of even your best fastball is not advised. You need to develop a change-up, slider, curveball, and screwball to compete in the big league of the law school classroom. See BILL JAMES & ROB NEYER, *THE NEYER/JAMES GUIDE TO PITCHERS: AN HISTORICAL COMPENDIUM OF PITCHING, PITCHERS, AND PITCHES* 11-22 (2004) (listing the following under the category of "All the Pitches We Could Find (okay, most of them)": blooper, breaking ball, change-up, circle change, crossfire, cut fastball, eephus, emery ball, fadeaway, fingernail ball, fastball, forkball, foshball, hard curve, incurve, inshoot, knuckleball, knuckle curve, outcurve, overhand curve, palm ball, puff ball, raise ball, rising fastball, roundhouse curve, sailer, screwball, shine ball, short curve, sinker, sinking fastball, slider, slip pitch, slow ball, slow curve, slurve, sneak-ball, sneaky fastball, spike curve, spinner, spitball, split-fingered fastball, two-seam fastball, and wiggle ball). Note that the gratuitous baseball references sprinkled throughout this article are included to combat the common perception that "law reviews are often written in a spectacularly boring and impenetrable style." ROBERT C. BERRING AND ELIZABETH A. EDINGER, *FINDING THE LAW* 116 (12th ed. 2005).

27. Joan Middendorf & Alan Kalish, *The "Change-Up" in Lectures*, 5 *THE NAT'L TEACHING & LEARNING FORUM* 1, 2 (Fall 1996) (note the reference in the title to the "change-up" which is a type of baseball pitch). One law school teacher noted:

[M]ost people find it very difficult to learn solely by listening without doing something else to hold their attention. Experienced speakers know that their audience will be attentive for ten minutes, after which their minds will begin to wander to the grocery list, the office gossip, or the haircut of the person sitting in front of them. That is why experienced speakers tell stories, ask questions of their audience, or show visuals.

M.H. Sam Jacobson, *Learning Styles and Lawyering: Using Learning Theory to Organize Thinking and Writing*, 2 *J. ALWD* 27, 36 (2004).

28. Some upper-level law school classes meet for even longer periods of time. The upper-level classes might meet once a week for up to three hours.

29. *ADULT LEARNING METHODS: A GUIDE FOR EFFECTIVE INSTRUCTION*, *supra* note 24, at 113; see also, Lasso, *supra* note 14, at 43 (suggesting that teachers vary the class presentation by including different teaching techniques and materials to help keep students engaged); Ferber, *supra* note 7, at 431 (suggesting that simulations are effective because they are different than other classroom techniques); Schwartz, *supra* note 7, at 365 (instructional designers select "the best approach under the particular design circumstances.").

specific student. Students who learn large quantities of information through lecture forget the information in a few months. Retention of material is much greater if learning is done to solve a problem.³⁰ If a problem format is used during the Seventh-Inning Stretch,³¹ the students will retain more of the learned material.

3. *Learning is Enhanced When the Learner Relates New Information to What is Already Known*

The Seventh-Inning Stretch uses a building-block, or scaffolding,³² structure to build knowledge of a new concept.³³ The early problems cover the foundational ideas of the new concept or skill, with later problems devoted to more difficult and complex ideas. If the concept is presented in chunks of time over several weeks, the students have time to absorb the basic ideas, test those ideas, and then build on them to tackle more difficult problems.³⁴ The Seventh-Inning Stretch allows students to connect new information to what they have already experienced.³⁵ The students will observe the problem-solving steps necessary to understand the foundational ideas. They can then rely on those ideas when tackling more difficult nuances of the new concept or skill.

4. *Learners Pay Attention When There is a Power Shift in the Classroom*

It is no secret that it is difficult to listen to one primary voice day after day. Professor Stephen D. Easton explains:

In any given semester, you will be the primary speaker for thousands of minutes of class time. No matter how talented and entertaining you are, your audience will naturally grow tired of

30. See Luke, *supra* note 11, at 854 (quoting Deborah Maranville, *Passion, Context, and Lawyering Skills: Choosing Among Simulated and Real Clinical Experiences*, 7 CLINICAL L. REV. 123, 136 (2000)).

31. See discussion *infra* Part III.B (explaining how the Seventh-Inning Stretch improves problem solving).

32. See HOW PEOPLE LEARN, *supra* note 22, at 104 (providing that scaffolding helps the learner make connections and build on what she already knows).

33. “[B]ehaviorists developed the idea that instruction should be sequenced so that students can master early steps and easier problems early in instruction. Only later should students progress to more difficult and complex steps and problems. Law professors have ignored this idea entirely” Schwartz, *supra* note 7, at 368.

34. “Expert teachers know the kinds of difficulties that students are likely to face, and they know how to tap into their students’ existing knowledge in order to make new information meaningful; . . . [plus] assess their students’ progress.” HOW PEOPLE LEARN, *supra* note 22, at 44.

35. KNOWLES, *supra* note 6, at 9-12; see also Jacobson, *supra* note 6, at 170 n.130.

your “shtick” by the end of the semester, if not substantially earlier. You can counter this inevitable phenomenon by turning your classroom over to other instructors who will have different styles.³⁶

When the students take on the teacher’s role, the students not only hear other voices, but also hear their own voices as they take their turns at the head of the class.³⁷

Adult educators recommend a democratic teaching method.³⁸ Students who are currently in their twenties and thirties³⁹ do not relate to a hierarchy of authority.⁴⁰ Thus, they are more comfortable when they can participate in learning new concepts.⁴¹ The students feel empowered as participants in their own learning.⁴² Teaching in a collaborative way allows the student to be both a learner and teacher.⁴³ By participating as a teacher in the classroom, the student gains confidence in his ability to apply the new knowledge he has learned.⁴⁴

36. Stephen D. Easton, *Turning Criminal Law Students Into Prosecutors and Defense Attorneys (at Least for One Day)*, 48 ST. LOUIS U. J.L. 1217, 1225 (2003).

37. See Schuwerk, *supra* note 7, at 794 (providing that a larger portion of the class is active during each class period when students play the role of law firms and are called on); see also discussion *infra* note 54.

38. Angela McCaffrey, *Hamline University School of Law Clinic: Teaching Students to Become Ethical and Competent Lawyers for Twenty-Five Years*, 24 HAMLINE J. PUB. L. & POL’Y 1, 32 (2002).

39. Students born between 1961 and 1981 (currently ages 24-45) are categorized as Generation X. Tracy L. McGaugh, *Generation X in Law School: The Dying of the Light or the Dawn of a New Day?*, 9 LEGAL WRITING 119, 120 (2003).

40. *Id.* at 139. For another fascinating article comparing how law students today differ from law students entering law school twenty years ago see Lasso, *supra* note 14, at 19-22. Professor Lasso notes:

[A]lmost all entering law students today own a computer and are computer literate. . . . Today’s entering law students consider “the ‘screen’ the center of [their] universe.” . . . Unlike their predecessors, electronic technology allows today’s students to develop “multiprocessing” skills incomprehensible to most adults. Students today listen to music while completing their homework, conducting research, and simultaneously communicating with one another by e-mail, “visiting” small or large virtual “chat rooms,” and conversing on computer-based phones.

Id. at 20-21 (citations omitted).

41. See Hess, *supra* note 17, at 406 (“[M]any students will be motivated to do better precisely because you trust them enough to share control.”); see also Susan L. DeJarnatt, *Law Talk: Speaking, Writing, and Entering the Discourse of Law*, 40 DUQ. L. REV. 489 (2002) (analyzing the discourse of law and recognizing that discourse in writing allows all people to be both teachers and students).

42. See Alice M. Thomas, *Laying the Foundation for Better Student Learning in the Twenty-First Century: Incorporating an Integrated Theory of Legal Education into Doctrinal Pedagogy*, 6 WIDENER L. SYMP. J. 49, 67 (2000) (a primary goal of teaching should be to empower the learner).

43. *Id.* at 80.

44. *Id.*

When the students teach, the professor has an opportunity to provide feedback, at least for the concept assigned to that student.⁴⁵ If the professor also requires the student to explain how she solved the problem, the professor has the additional advantage of assessing whether the learner used the right process to find the answer.⁴⁶ Requiring the students to teach the new concept also allows the professor to “pay attention to the incomplete understandings, the false beliefs, and the naive renditions of concepts that learners bring with them to a given subject.”⁴⁷ Seeing the students teach the new concept reveals what aspects of the new concept are both easy and difficult for the students. By the time a professor teaches a law school subject, she is an expert in the area, but “expertise can sometimes hurt teaching because many experts forget what is easy and what is difficult for students.”⁴⁸

The Seventh-Inning Stretch teaching method is effective because it uses techniques that adult educators have suggested for years. The method provides several of the necessary components for a successful learning environment: breaking a concept or skill into small pieces, adding variety to the classroom, building new knowledge on old knowledge, and giving students a participatory and active role in the classroom. The Seventh-Inning Stretch will capture and maintain law students’ attention.

II. THE SEVENTH-INNING STRETCH METHOD: HOW TO USE IT

To use the Seventh-Inning Stretch in your law school class, choose a concept or skill which the students can teach in five-minute segments, divide the concept or skill into small segments, and assign the student teachers to one of the segments.

A. CHOOSE A CONCEPT THAT DIVIDES INTO FIVE-MINUTE SEGMENTS

First, choose a concept from your class that can be presented in five-minute segments.⁴⁹ Most law school professors will probably find it

45. See Schwartz, *supra* note 7, at 370 (noting the importance of requiring student practice and subsequent feedback); Thomas, *supra* note 42, at 96 (“[F]eedback at an early stage permits the learner to adapt and make changes before the summative assessment is made.”).

46. Thomas, *supra* note 42, at 104 (noting that cognitivists focus on the process rather than whether the student provided the correct answer).

47. HOW PEOPLE LEARN, *supra* note 22, at 10. When the student is in front of the class, explaining the nuances of a new concept, you can see exactly when they are hitting a home run and when they are striking out. This gives you weekly opportunities to coach the students about swing adjustments.

48. *Id.* at 44.

49. I suggest five-minute segments both because this is about the amount of time required for a real Seventh-Inning Stretch and because most law school professors are likely unwilling to

difficult to think of any concept that can be presented in such a short period of time. Yet, remember that the entire concept need not be presented in only five minutes.⁵⁰ Instead, one aspect of the concept should be presented in five minutes with several additional opportunities to further develop the concept and its nuances in future classes.⁵¹

B. LET THE STUDENTS TEACH THE NEW CONCEPT

Let students teach the new concept in the five-minute segments over a ten-week period.⁵² This can be handled in several different ways. Two possibilities are discussed below: assigning the students the problem in advance and then asking them to prepare a presentation on the concept or asking them to be prepared to answer all questions about the concept for the five-minute segment.

1. *Assign Students to the Problem in Advance and Require Students to Make a Presentation About the Problem*

One easy way to use the Seventh-Inning Stretch is to assign the students to a problem, which will teach part of the new concept, at the beginning of the semester. Each student group should contain the number of students necessary so that all have a chance at the “teaching” role before the end of the semester. For example, I use the Seventh-Inning Stretch once a week over a ten-week period. My class size is twenty students so each student is paired with another student to make one five-minute presentation during the semester.⁵³

relinquish more time to student teachers. As noted in Part IV.B.2, the downside of a weak five-minute presentation is minimal.

50. See Hess, *supra* note 17, at 404 (1999) (noting that some teachers are reluctant to employ active learning methods if a teacher believes coverage is sacrificed, but “most courses expose students to only a small fraction of a subject area.”).

51. For example, say a first-year torts professor normally spends one 90-minute class period on duty to third-parties. That concept could be divided into several different chunks of time. So, instead of teaching every aspect of duty to third-parties in one class, the topic is divided into smaller chunks. In the first class, students can be introduced to the concept of duty to a third-party. During the following classes, some specific aspect about the duty to a third-party could be explored.

52. To gain the full advantage of the Seventh-Inning Stretch, the students should “teach” the new concept, but the Seventh-Inning Stretch method could be modified so that the professor presents the concept in small doses over several weeks. Many of the benefits, discussed in Part I, such as teaching a new concept in small chunks, using variety in the classroom, and building more complex ideas after students gain mastery of the basic concepts will be realized even if the professor teaches the new concept. However, without the students teaching, several of the benefits regarding active learning would be lost.

53. Using the method in larger classes is more difficult, but not impossible. For example, in a section of seventy students meeting three times a week, the professor could use the Seventh-Inning Stretch during every class period, which would mean pairing the students into groups of

2. *Assign Students to Answer Questions About the New Concept or Skill*

Many law professors already preassign students to specific days in the semester when the student will be called on to answer questions.⁵⁴ Under this option, the paired students will not only know they will be called on, but also that they will be required to come to the front of the class to answer questions about the new concept.

III. THE SEVENTH-INNING STRETCH METHOD: HOW TO USE IT TO TEACH LEGAL CITATION

I use the Seventh-Inning Stretch to teach legal citation to first-year law students in their first semester of *Lawyering Skills*.⁵⁵ Legal citation⁵⁶ is a new and foreign topic for law students. Most have cited reference material, but do not yet understand the purpose and importance of legal citation for lawyers. Briefly, the purposes of citation include: demonstrating to the reader that the document is well-researched and well-supported; telling readers where to find a source; giving information about the weight and persuasiveness of the source; conveying the type and degree of support the source provides for a particular proposition; and avoiding plagiarism.⁵⁷

Many students have never been required to provide as much citation as is required in legal writing.⁵⁸ The goals for the first-year student are to

two. As an alternative, the professor could use the Seventh-Inning Stretch twice a week with groups of three students. At some point, the size of the teaching group probably gives diminishing returns. Any group larger than three or four students should be avoided. As noted in *supra* note 52, the Seventh-Inning Stretch method can be used without student presenters. Instead, the professor herself can present the material in small chunks of time throughout the semester.

54. See Michael Vitiello, *Professor Kingsfield: The Most Misunderstood Character in Literature*, 33 HOFSTRA L. REV. 955, 957 (2005). But see Schuwerk, *supra* note 7, at 790-795 (explaining that Professor Schuwerk uses collaborative learning in a large law school class by assigning students to law firms at the beginning of the semester and then calling on those law firms in class).

55. The first-year course that covers the topics of legal analysis, writing, and research is referred to by several different names at various law schools including *Lawyering Skills*, *Legal Research and Writing*, or *Legal Writing*.

56. Legal citation refers to the citation used in legal writing. A citation is a "reference to a specific legal authority or other source." ALWD & DARBY DICKERSON, *ALWD CITATION MANUAL* 3 (3d ed. 2006).

57. *Id.* at 3.

58. HELENE S. SHAPO, MARILYN R. WALTER, & ELIZABETH FAJANS, *WRITING AND ANALYSIS IN THE LAW* 26 (4th ed. 2003). These authors note:

Because of the doctrine of precedent, lawyers analyzing a common law action constantly rely on case law to prove that the legal theory offered as the governing rule of law is valid and has been applied in similar situations. In a statutory action, lawyers quote and thus cite the statute that supplies the governing rule of law. They also use cases to help interpret what the statute means. Thus, a legal argument requires identifying the sources of the governing principles of law as well as analyzing what they

understand legal citation principles in general and to learn to consult local rules.⁵⁹ Students need not memorize every single rule about legal citation, but rather be familiar enough with *The Bluebook*⁶⁰ or *ALWD Manual*⁶¹ so that they can find any citation rule.⁶²

Legal citation is a perfect topic for the Seventh-Inning Stretch because it is a boring topic and the citation rules are picky. Even distinguished legal writing and research professors acknowledge, “[I]t is much more interesting for a first-year student to debate the public policy behind the felony-murder rule than to learn how to write legal citations in proper Bluebook or ALWD format.”⁶³

The educational theory principles discussed in Part I apply to the difficult prospect of teaching legal citation. First, students need motivation to learn how to cite correctly. Second, use of the Seventh-Inning Stretch provides an effective method that will maintain the students’ attention as they are learning legal citation.

A. CAPTURE THE STUDENTS’ ATTENTION BY EXPLAINING WHY LEGAL CITATION IS IMPORTANT

The first obstacle in teaching legal citation, by any method, is overcoming a first-year law student’s natural inclination to think, “Why do I care?” In other words, you must supply a motivation to the students for learning the legal citation rules. As explained in Part I, student motivation will be strongest if students see both the immediate and long-term benefits of learning legal citation.

Point out both the immediate and long-term benefits by starting from the basic tenet that legal citation is a legal writing convention that exists for

mean. The writer must cite to those sources each time they are mentioned or relied upon.

Id.

59. MICHAEL D. MURRAY & CHRISTY H. DESANCTIS, *LEGAL RESEARCH AND WRITING* 186 (2005).

60. *THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION* (Columbia Law Review Assn. et al. eds., 18th ed. 2005).

61. ALWD & DARBY DICKERSON, *supra* note 56.

62. Professor Richard Neumann, Jr. explains the process, “Two kinds of tasks confront you in using the ALWD Citation Manual or the Bluebook: finding the applicable citation rule in the book you are using (which can be like statutory research) and discovering its meaning (which can be like statutory interpretation).” RICHARD K. NEUMANN, JR., *LEGAL REASONING AND LEGAL WRITING* 252 (5th ed. 2005).

63. Chestek, *supra* note 15, at 58; *see also* Thomas, *supra* note 42, at 63 (noting that colleague Professor Laurie Moran “taught the normally painful concept of legal citation by using the game of ‘Citation Jeopardy.’”).

the convenience of the reader.⁶⁴ The legal reader expects proper legal citation.⁶⁵ A reader expects to learn both where the authority can be found and the weight of the authority by reading the citation.⁶⁶ I am my students' first legal reader, so their immediate motivation is proper citation for a graded assignment. I use the cases, statutes, constitutions, and court rules for the graded assignment as the problem materials for the Seventh-Inning Stretch.⁶⁷ Nothing is quite as immediate to a student as the reality that their skill will be graded on a fast-approaching assignment.

Long-term motivation builds on the same principle as short-term motivation: legal readers expect proper citation to help them both locate and understand the importance of cited material. Further, improper legal citation reveals the writer is a rookie.⁶⁸ Most students understand that they will likely reveal themselves as amateur attorneys in many other ways, so they should learn proper citation to avoid the "rookie" label in at least this area.⁶⁹ Once students are motivated to learn proper legal citation, I turn to baseball to help teach the new skill.

B. USING BASEBALL TO HELP TEACH LEGAL CITATION

I use two separate concepts from baseball to teach legal citation. First, I use a baseball situational graphic to introduce the concept of legal citation. Then, I use the Seventh-Inning Stretch, complete with student teachers, to teach the rules of legal citation.

64. See DeJarnatt, *supra* note 41, at 512 (novice legal writers must learn that legal writing is repetitive in some aspects, but lean in others for the convenience of the reader).

65. Professor DeJarnatt notes, "The role of the teacher is to empower the students to become members of the discourse communities of academia, not because academic discourse is superior to the student's personal voice, but because effective writing is writing that is situated within the community expectations of the audience." *Id.* at 503.

66. NEUMANN, *supra* note 62, at 251.

67. See Ferber, *supra* note 7, at 434 ("From the perspective of cognitive learning theory, having students learn in the context of actual lawyering tasks should be a core technique used in legal education.").

68. See NEUMANN, *supra* note 62, at 251 ("Bad citation form . . . is instantly noticed and causes a reader to suspect that the writer is sloppy and therefore unreliable."). Judge Harry T. Edwards offers a checklist for good briefs, which includes the following advice, "The brief is carefully proofread so the judge isn't led to the wrong volume or page when she checks a reference. (If a brief is sloppy in this regard, the judge may suspect its reliability in other respects as well)." Harry T. Edwards, *The Growing Disjunction Between Legal Education and the Legal Profession*, 91 MICH. L. REV. 34, 65 (1992) (citing Harry T. Edwards, *Appellate Advocacy—Good and Bad in the Court of Appeals*, CAL. LAB. & EMP. L.Q., Winter 1991, at 1, 2).

69. The real clincher in convincing students that legal citation is important seems to be the "rookie" mistake argument. I tell my students it would be great if they were rookies in Major League Baseball, but most do not want to look like rookie attorneys.

1. *Using a Baseball Situational Graphic to Introduce Legal Citation*

I use a baseball analogy⁷⁰ to introduce the concept of legal citation.⁷¹ I choose a baseball situational graphic, both to get the students into the baseball mode and to relate the new concept of legal citation to a concept that is very familiar to most of them, the use of abbreviations to report baseball scores.⁷²

Without introduction, I project a baseball situational graphic,⁷³ captured in the middle of a televised game, onto a screen. I then ask if anyone does not recognize what is on the screen. There is almost always one student who has no idea what I am projecting.⁷⁴ Then, I ask a different student (the expert student) to explain all the information contained in the baseball situational graphic to the student (the novice student) who does not even recognize the image as a baseball situational graphic. At my last count,⁷⁵ a

70. The fall of 2005 was an easy time to use baseball analogies. At about the same time I was making an analogy between baseball situational graphics and legal citation, Chief Justice John Roberts was making the following statement before the Senate Judiciary Committee:

Judges and justices are servants of the law, not the other way around. Judges are like umpires. Umpires don't make the rules; they apply them. The role of an umpire and a judge is critical. They make sure everybody plays by the rules. But it is a limited role. Nobody ever went to a ball game to see the umpire.

CBS NEWS, *John Roberts' Opening Statement*, <http://www.cbsnews.com/stories/2005/09/12/supremecourt/main837510.shtml> (last visited July 1, 2006).

71. This is not my original idea. I learned third-hand about using a baseball box score to teach legal citation at the Legal Writing Institute Conference in July 2004 at Seattle University School of Law. Laura Reilly, State University of New York at Buffalo, heard the idea from another participant during a group brainstorming session at Sheila Simon's presentation on "Three Fun and Funky Ways to Teach the Structure of Legal Writing." Unfortunately, I did not attend that presentation. After hearing about the idea, I modified it and used a televised baseball situational graphic instead of a printed box score because I suspect more of my students have seen and understand the televised graphic. Kamela Bridges, The University of Texas School of Law, shared her idea to use football scores to teach legal citation during the same Simon brainstorming session.

72. *See supra* Part I.B.3 (noting that adult learners are best able to learn new concepts when they relate that concept to something they already know).

73. For those not familiar with a baseball situational graphic, it is graphic header at the top of the screen. From left to right it contains the following: a baseball diamond with bases lit up if runners are on base, the home team's name abbreviation, the home team's score, the away team's name abbreviation, the away team's score, an arrow pointing either up (depicting the top of the inning) or down (depicting the bottom of the inning), the inning number, the number of outs, and the pitch count for the batter who is currently up to bat. The baseball situational graphic is projected and updated on the screen throughout the entire game.

74. If every student in the class recognizes the baseball situational graphic, I make the point that they already understand the basics of legal citation because they understand the use of symbols and abbreviations to provide information about an ongoing baseball game. If at least one student does not recognize the baseball situational graphic, I ask another student to teach the symbols and abbreviations to the novice student.

75. As a group, the class has always been able to provide all ten pieces of information. The current baseball score that I project is from the fall 2004 season and shows a game between

baseball situational graphic contains the following ten pieces of information: that a baseball game is being played, the two teams that are playing, the number of players on base, which team is batting, the inning of the game, whether the game is in the top or the bottom of the inning, the score, the pitch count (how many balls and strikes for the batter who is up to bat), the home versus away team, and where the game is being played (based on the location of the city where the home team plays).

I then project a new baseball situational graphic on the screen and ask the novice student to interpret the information.⁷⁶ Amazingly, after being taught how to read just one baseball situational graphic, the novice student can explain exactly what is going on at the time the new baseball situational graphic was captured.⁷⁷

Then I make an analogy to a case citation. Case citations tell the reader up to nine things about the case including: case name, reporter volume number, reporter abbreviation, initial page, pinpoint page, the identity of the court deciding the case, the date of the case, subsequent history designation, and subsequent history citation (if any).⁷⁸

Admittedly, for both the baseball situational graphic and the case citation, it is imperative to have some knowledge about abbreviations.⁷⁹ In baseball, you must know that “MIN” is an abbreviation for the Minnesota Twins.⁸⁰ Similarly, you must know that “N.W.2d” is an abbreviation for the *North Western Reporter, Second Edition*.⁸¹ You also must know, for purposes of legal citation, that “Minn.” is the abbreviation for Minnesota.⁸²

Both baseball situational graphics and case citations have limits. A baseball fan will tell you several critical things that the baseball situational graphic does not reveal including: who is pitching, how long the pitcher has

Kansas City and Anaheim. Last fall, I told the students the game was between the Kansas City Royals and Anaheim Angels. Of course, I was corrected because the Anaheim Angels are now known as the Los Angeles Angels of Anaheim. This small correction makes at least one student feel good in the second week of law school because she knows more than the professor.

76. I use a second baseball situational graphic from a game between two entirely different teams.

77. Depending on the novice student’s familiarity with baseball, he may need help deciphering the abbreviations to determine which two teams are playing.

78. ALWD & DARBY DICKERSON, *supra* note 56, at 64 (containing Rule 12.1).

79. NEUMANN, *supra* note 62, at 251 (“A properly constructed citation conveys a large amount of information in a very small space. . . . These things are accomplished through *citation grammar*: words, abbreviations and numbers that, when expressed in proper order, have precise meaning for the reader.”) (emphasis in original).

80. You also must know that the Minnesota Twins play in the Hubert H. Humphrey Metrodome in Minneapolis to know where the game is being played if the Minnesota Twins are the home team.

81. ALWD & DARBY DICKERSON, *supra* note 56, at 77 (containing Chart 12.1).

82. *Id.* at 454 (containing Appendix 3B).

been on the mound, who is batting, the batter's batting average, and what the batter did during his previous at-bat.⁸³ An attorney will tell you several critical things the case citation does not reveal including: who wrote the majority opinion, what is the underlying cause of action, and what are the policy reasons emphasized by the majority.⁸⁴

Still, the students make the connection that a legal citation is simply a short-hand way to convey many critical pieces of information about a source in a small space. I assure the students that, like the novice reader of the baseball situational graphic, as novice law students they will soon learn to read, write, and master legal citation.

2. *Using the Seventh-Inning Stretch to Teach Legal Citation*

I use the Seventh-Inning Stretch to teach what I consider to be the ten most important aspects of legal citation for first-year students to learn and master.⁸⁵ The ten topics covered include, in the following order of presentation: cases in basic format plus parallel cites, cases in short citation format plus pinpoint cites, quotations,⁸⁶ cases revisited, statutes, signals including punctuation and order of signals, constitutions, court rules, periodicals, and treatises.

For ten weeks, we have a Seventh-Inning Stretch during one class period that week. The students are preassigned, in pairs, to a presentation day. Each pair of students is assigned to one topic. I give the citation problem to the student pair one week before their presentation.⁸⁷ I require the students to turn in the "answers" to their problems before class so I can

83. I have discovered that the list of what is not included in the baseball situational graphic is practically infinite for a dedicated fan. These fans also want to know the speed of every pitch, whether a relief pitcher is being warmed up, the batter's success against right-handed versus left-handed pitchers, who is on base and how likely he is to steal, and on and on. In the interest of saving footnote space, I stop here.

84. Like the baseball fans described in *supra* note 83, an attorney also has several additional pieces of information she would like to know including: who are the parties, who are the lawyers, what was the main issue, what was the exact rule of the case, and on and on.

85. The citation rules learned over the ten weeks are also those most essential for a new law clerk or new lawyer.

86. Quotations may not technically be considered legal citation, but both the *ALWD Manual* and *The Bluebook* have very specific rules about the use of quotations. *ALWD & DARBY DICKERSON*, *supra* note 56, at 341-47 (containing Rule 47); *THE BLUEBOOK*, *supra* note 60, at 68-71 (containing Rule 5). Further, the rules about quotations are often the rules most violated by first-year students so I always spend time teaching these specific rules.

87. I thought it was most fair for each pair of students to have the same amount of time to complete the assignment. I have not yet experimented with grading the presentations. In future classes I may award extra credit for outstanding presentations. If the assignment is an ungraded component of the class, it may be more efficient to assign all the citation problems at the beginning of the semester.

review them and make any corrections or suggestions.⁸⁸ I want the students to have full confidence during the actual presentation to the class that they are “teaching” the correct answer.⁸⁹

During the first presentation the class actually sings *Take Me Out to the Ball Game* to recorded music.⁹⁰ This provides a good transition so the teaching students have time to physically trade places with me, and set up any materials necessary for their presentation. Depending on class enthusiasm, we will sing at the beginning of subsequent presentations, but at a minimum, I either play the music or announce it is time for the Seventh-Inning Stretch to aid the transition.

I select a time during class for the student presentations of the Seventh-Inning Stretch.⁹¹ At the designated time, the two presenting students come to the front of the class to teach. There are two requirements for every presentation. First, the students must reference the appropriate parts of *The Bluebook* or *ALWD Manual*⁹² during the presentation.⁹³ Second, the students must provide the correct answers to the citation questions.⁹⁴ The only other rule is a time limit of five minutes for the entire presentation.⁹⁵ The

88. This year I required that the students supply the answer on the morning of their presentation. A better system would require students to turn in the correct answer at least one day before the presentation. Many answers required slight modification.

89. I sometimes miss something, but another student in the class almost always points out the mistake. Thus, an unexpected benefit of using the Seventh-Inning Stretch is that students practice their editing skills.

90. Apparently, at least one other teacher uses singing in a law school classroom. See Sidney Buchanan, *Essay: Reflections on Teaching*, 39 HOUS. L. REV. 1101, 1105-06 (2002) (Professor Buchanan writes law lyrics to familiar tunes and asks students to join him while he sings).

91. Ideally, this occurs about three-quarters of the way into class. On some days this is not possible. The Seventh-Inning Stretch should never disrupt another activity, but instead be used to introduce citation during a break between two other topics or activities.

92. I only require the students to provide correct citation based on the rules in one citation manual. Currently, the University of St. Thomas School of Law uses the *ALWD Manual* as a required text for *Lawyering Skills*.

93. An added benefit of requiring the students to refer to the relevant parts of *The Bluebook* or the *ALWD Manual* is that the “teaching” students often engage in a “think aloud” technique. They unconsciously use the “think aloud” technique when they explain each mental step in the process they used to discover the answer. Further, the “teaching” students will often warn others about what they consider to be confusing aspects of the citation manual. See Schwartz, *supra* note 7, at 412 (noting the benefit of the “think aloud” process in which the instructor “states aloud each mental activity involved in mentally processing an analysis.”).

94. After checking with me before class, many students asked me to make hard copies of the citation problems and correct answers. Alternatively, some students provided the answers by e-mail to all class members.

95. Ten student presentations of five minutes each add up to 50 minutes. I discussed citation twice during the semester for a total of 25 minutes. Thus, I devoted 75 minutes to legal citation. This is the same amount of time I had used to teach the concept in a prior year in one class period. Despite the identical amount of time devoted to the topic in both years, student understanding of legal citation was significantly higher when I used the Seventh-Inning Stretch method.

students teach the new citation concept. Later problems build on an understanding of the citation manual and how citation is used in legal writing.

An added bonus is that the students are very creative in their presentation of the material. My students have used PowerPoint, hand-outs, songs, and game show enactments to teach their citation problems. The teaching students handle all student questions about the particular citation problem presented.

The Seventh-Inning Stretch has all of the components detailed in Part I that education experts say provide an effective learning experience. The students learn the new concept of legal citation in small doses over several class periods; variety is provided by both new presenters and new methods of presentation. Moreover, the citation exercises build on prior knowledge of legal citation,⁹⁶ and the students take responsibility for teaching the new concepts so that the power of teaching is shifted from the teacher to the students.

IV. ADVANTAGES AND DISADVANTAGES OF THE SEVENTH-INNING STRETCH

Like any teaching method, the Seventh-Inning Stretch has advantages and disadvantages. Several are discussed below.

A. ADVANTAGES

The educational theory advantages have been discussed in detail earlier in this article. In addition to those advantages, two more factors favor use of the Seventh-Inning Stretch to teach students a new concept or skill: (1) it is fun and (2) it gives you a chance to take the role of the student.

1. *It Is Fun*

I have been surprised and delighted by the creativity shown by the students when they are “teachers.” Here is just a small sampling of presentations from my class: PowerPoint presentation using the same comic figures used by a Civil Procedure professor, use of alternating speakers for every other sentence, PowerPoint presentation with photos, and the use of different colored markers on the whiteboard to demonstrate nuances of legal citation. Several pairs of students also provided an additional citation problem, beyond their assigned problem, to “test” how well the class understood the legal citation rules they had just taught.

96. Students benefit from multiple exposures to the rules. It is only after several chances at practicing legal citation that the students can cite correctly.

2. *It Gives You a Chance to Take the Role of Student*

If you have never sat among the students during your own class you have missed an opportunity to get a student's view of the class. You might be surprised at what a student sees. It may be difficult to see the "teacher" over the podium. It might be difficult to hear the "teacher." Most importantly, you get a feel for what concepts are taking hold and for what things are not clear. You cannot get this same information from standing at the front of the room.⁹⁷

B. DISADVANTAGES

Using the Seventh-Inning Stretch is not without disadvantages. The primary disadvantages to using the method include: (1) it is more work for you; (2) not every student is a good teacher; and (3) you have to deal with an uncomfortable situation when a student presents incorrect information.

1. *It Is More Work for You*

It is more work to break a new concept or skill into segments than to simply teach the concept in one sitting. You must think about where the natural breaks in the topic occur. You must carefully prepare every separate problem.⁹⁸ You must make certain that each pair of teaching students has a problem of equal difficulty.⁹⁹

On the plus side, the most work happens the first time you use the method. After your initial use of the Seventh-Inning Stretch, it will only be necessary to tweak each problem for the next year.¹⁰⁰

2. *Not Every Student Is a Good Teacher*

Some students are natural teachers, and others are not. For every law student, the chance to teach a new concept or skill to others can be a great learning experience. After all, lawyers have to teach their clients about the

97. I am not sure exactly why it becomes clear when you sit among the students. It might be because you can actually hear the interaction between the students as they puzzle through a new concept. See also discussion *supra* Part I.B.4.

98. As noted in Part III.B.2, I use citation problems based on sources that the students must cite in graded memos and briefs, so I also complete all these assignments before the semester begins.

99. Law students seem to have a heightened sense of fairness. Nothing will make the Seventh-Inning Stretch strike out faster than a perceived inequality between the assignments.

100. I use the same ten problem categories for citation listed in *supra* Part III.B but change the specific citations. I choose citations from the currently assigned memo or brief for the ten problems.

law.¹⁰¹ The disadvantage comes when a student presenter is not an effective teacher. Surprisingly, this rarely happens.¹⁰²

A few additional precautions help minimize the chance for “clunker” student presentations.¹⁰³ First, your review of the students’ correct answer prior to class can include a preview of how the students plan to present the concept. Second, choose students who you suspect will make excellent student presentations to take the first turn at the Seventh-Inning Stretch.¹⁰⁴ During your first semester using the Seventh-Inning Stretch, videotape all the student presentations, and then choose the best to show as a sample for all following years.

3. *You Must Be Prepared to Handle Incorrect Answers.*

Sometimes a student will provide the incorrect answer. Legal citation is one of the few areas in the law school curriculum where there is a definite right and wrong answer. If students present the wrong answer, you must correct them.

Two things can help minimize the frequency of students presenting incorrect answers. First, with two students instead of only one looking at the problem, it is less likely that an error will be made. Second, if you preview the answers it is less likely that the students will present an incorrect answer. If incorrect answers are given, it is not the end of the world. Simply point out the error and move on.¹⁰⁵

V. CONCLUSION

Any reader who has made it this far into the article is likely ready for a Seventh-Inning Stretch break. So, too, are law students at that lull about three-quarters of the way into the class period. Take a break and ask the students to teach for the next five minutes. Use the Seventh-Inning Stretch to teach a new concept or skill and change those yawning students into stretching, refreshed, eager learners.

101. See McGaugh, *supra* note 39, at 119 (“Many teachers also tell students that good writing is, at its heart, good teaching.”).

102. If a student teaching pair does make a poor presentation, the preassigned limit for five-minute presentations means you have used only five minutes of class time.

103. See Easton, *supra* note 36, at 1230.

104. *Id.*

105. See *supra* note 89 (noting that if I miss a mistake in a student presentation, another student will catch the problem).