



*Welcome to the LL.M. World:
Strategies for Teaching Writing and
Analysis to International Students*

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Synthia Adams and Deborah McGregor,
Clinical Associate Professors of Law
Catherine Beck, Writing Specialist, LL.M. ESL Program
Indiana University School of Law—Indianapolis

I. Discourse in the U.S. Law School Classroom: The Art of Accommodating an LL.M. ESL Student's Speaking and Listening Skills

- A. Challenges: fear of speaking
failure to understand what is being said
- B. Responding to the challenges:
 - 1. Adjust your oral delivery
 - pace
 - word choice
 - 2. Interweave the use of the Socratic method and lecture
 - 3. The delicate dance in teacher-student dialogue
 - "silence is golden"
 - Echo: be the nymph
 - sometimes it's cruel to be kind: the need for candor
 - 4. Use written points of reference to support in-class discussion
 - handouts
 - Powerpoint and the "electronic" chalkboard
 - course websites

II. Unlocking the International Student's Mind: Creating New Pathways to Understanding the Role of Common Law in U.S. Legal Discourse

- A. Challenges: prior experience and education in a civil law system
common law is a new concept
under-developed skills in critical reading, thinking, and analysis
- B. Responding to the challenges:
 - 1. Drawing categories of assimilation - exercises
 - 2. Understanding the "Janus-faced" nature of the law - exercises

3. Focusing on the court's reasoning in a case decision: identifying the rules, legal principles, and authorities favorably relied on by the court versus those that were rejected

III. The Critical Need for (Lots of) Individual Conferences

- A. Challenges: the wild, wide disparity in comprehension among the students
the taboo of questioning those in position of authority
the reluctance to speak in class
the importance of establishing a personal connection with each student
- B. Responding to the challenges:
 1. Informal conferences
 - required conferences
 - unscheduled conferences
 2. Oral reports

IV. The Writing Process

- A. Challenges: most students will return to their countries after they receive their degree
teaching U.S. legal analysis using issues that stimulate the interest of the educated international student but presenting it in a way that does not overwhelm the student
helping the student find her or his own "voice"
providing commentary that the student will understand
- B. Responding to the challenges:
 1. Tighten the focus
 - ease into writing by using an exercise that does not involve a legal analysis
 - focus on legal analysis (and not on writing a formal office memorandum or court document)
 - breaking down assignments into more manageable, progressive increments
 - consider including an assignment in contract drafting
 2. Using writing problems on subjects that have international appeal
 3. Plagiarism: Is it merely a difference in cultural attitude?
 4. Electronic Commenting