Office Hours Are Not Obsolete: Fostering Learning through One-on-One Student Meetings

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Office hours, whether it is the traditional notion of an office hour whereby the professor has designated times for students to visit, office hours by appointment, or an open door policy, are a great learning opportunity for students.[1] In the law school context, the American Bar Association (ABA) requires full-time faculty members to "[be] available for student consultation about those classes" they teach.[2] In addition to office hours, students meet one-on-one with faculty in a variety of ways: mentoring, advocacy coaching, answering substantive questions, legal writing conferences, law review note advising, career/academic support counseling, and for so many other purposes.[3] Indeed, law students reported on the Law

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    * DeShun Harris is the Assistant Clinical Professor of Law and Director of Bar Preparation at The University of Memphis Cecil C. Humphreys School of Law. She earned her J.D. from Texas Tech University School of Law, her LL.M. from American University Washington College of Law, and her B.A. from Baylor University.
    1. Jacqueline Lipton, *Office Hours . . .*, FAC. LOUNGE (Oct. 8, 2015, 9:53 AM), http://www.thefacultylounge.org/2015/10/office-hours-.html.
    2. ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2016-2017 404(a)(1) (2016), https://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2016_2017_aba_standards_and_rules_of_procedure.authcheck-dam.pdf.
    3. *See* Robin S. Wellford-Slocum, *The Law School Student-Faculty Conference: Towards A Transformative Learning Experience*, 45 S. TEX. L. REV. 255, 262 (2004) (arguing that understanding the one-on-one meeting is instructive to various professor-student meetings).

School Survey of Student Engagement (LSSSE), that most students have worked with faculty on activities other than coursework.[4]

In evaluating the literature on teaching and learning, a great deal is written about the classroom, but what about the teaching and learning that can, and does, occur during office hours? Given the many instances during which students and faculty interact on a one-on-one basis, the limited literature on office hours in law school should be expanded to ensure we create the best learning from these instances.[5] Legal educators may have numerous reasons for not exploring the one-on-one dynamics of office hours. A dominate reason for not investigating office hours may come down to one's issue with the words "office hour." For example, one might consider that being required to be present at a set location, day(s), and time(s) is useless in today's world.[6] Indeed, because office hours are often underutilized by students, some researchers argue that underutilization of office hours is a sign that the traditional form of in-person office hours "is made obsolete by the pervasiveness of more convenient and instantaneous ways of communication."[7] Support for this argument is students' increasing inclination for technology and their reliance on communicating by e-mail rather than visiting office hours.[8] If office hours are conceptualized by a law school as a distinct location and time, the students may perceive office hour visits as less worth the effort when compared to the convenient and instantaneous e-mail.

Other arguments why legal educators have not explored the office hour might include arguing the ABA's requirement to be "available" does not mean one must hold office hours.[9] Another reason to not

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4. *See* LAW SCHOOL SURVEY OF STUDENT ENGAGEMENT, LOOKING AHEAD: ASSESSMENT IN LEGAL EDUCATION ANNUAL RESULTS 2014 9, http://lssse.indiana.edu/wp-content/uploads/2016/01/LSSSE_2014_AnnualReport.pdf (stating 44% of students indicated they "never worked with faculty members on activities other than coursework," which allows one to infer that 56% have).

5. *See* Wellford-Slocum, *supra* note 3, at 257.

6. *See* Jonathan Rees, *Office Hours are Obsolete*, CHRONICLEVITAE (June 6, 2014), https://chroniclevitae.com/news/534-office-hours-are-obsolete; *see also* Margaret Smith et al., *"Office Hours are Kind of Weird": Reclaiming a Resource to Foster Student-Faculty Interaction*, 12 INSIGHT: A J. SCHOLARLY TEACHING 14, 21 (2017).

7. Smith et al., *supra* note 6 (arguing that while the authors are not supporting the abolishment of office hours, the traditional form of office hours of come in person "is made obsolete by the pervasiveness of more convenient and instantaneous ways of communication," so the solution is to create more diverse ways to engage).

8. Mario Guerrero & Alisa Beth Rod, *Engaging in Office Hours: A Study of Student-Faculty Interaction and Academic Performance*, 9 J. POL. SCI. EDUC. 403, 406 (2013); *see also* Lei Li and Jennifer P. Pitts, *Does it Really Matter? Using Virtual Office Hours to Enhance Student-Faculty Interaction*, 20 J. INFO. SYS. EDUC. 175, 181 (2009).

9. *See* Lipton, *supra* note 1 (commentary by David Tokaz saying, "[d]idn't see any specific requirements for office hours, just that general requirement that you be available").

investigate office hours may be that for some faculty members, students frequently do not use their office hours.[10] Other faculty members may not have the issue of infrequently used office hours particularly if students are required to meet with them as may be the case with legal writing or academic support faculty. It is possible that faculty use their experiences in practice (i.e., meeting with clients) to navigate one-on-one student meetings which may lead to less of a perceived need to research best methods for these meetings. And perhaps, as is true in the undergraduate context, both students and faculty members may view the office hour negatively.[11] This negative perception may be particularly true if the one-on-one meeting has the potential to shift the power dynamic whereby the expert teacher is faced with being vulnerable in addressing a topic that they are not well-versed on or engaging with a student who wants justification for a poor grade they received on an exam.[12] Faculty negative perception of office hours may be further derived from the view that underutilization of office hours is an inefficient use of time.[13] Or the student perception may be that office hours are only for those who struggle,[14] or they may believe the use of office hours is an imposition on the professor's time.[15] The importance of the one-on-one meetings then may be overshadowed by other demands to publish, present, teach, and serve.[16]

Notwithstanding these reasons, the one-on-one meeting is important because research indicates that it is an important learning environment for students.[17] Engaging with students one-on-one has the benefit of giving students the opportunity to practice lawyering skills such as formulating questions and advocating.[18] Office hours, at least in the undergraduate context, have a positive correlation with grades, which indicates there are tangible benefits to meeting one-on-one between student and faculty.[19] If this is true in

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10. *See* Maryellen Weimer, *Why Students Don't Attend Office Hours*, FAC. FOCUS (Jan. 21, 2015), http://www.facultyfocus.com/articles/teaching-professor-blog/students-dont-attend -office-hours/ (revealing a survey of 600 undergraduate students showing that 66% of them did not attend office hours for a course they were surveyed on).

11. Guerrero & Rod, *supra* note 8, at 404.

12. Philip C. Kissam, *Conferring with Students*, 65 UMKC L. REV. 917, 924 (1996).

13. Guerrero & Rod, *supra* note 8.

14. *See* Smith et al., *supra* note 6, at 15 (revealing their study shows that students see office hours as a "last resort they can turn to when an academic crisis" is possible).

15. Guerrero & Rod, *supra* note 8, at 405-06.

16. Wellford-Slocum, *supra* note 3, at 272.

17. *See* Whitney Griffin et al., *Starting the Conversation: An Exploratory Study of Factors That Influence Student Office Hour Use*, 62 C. TEACHING 94, 94 (2014).

18. Lydia Eckstein Jackson & Aimee Knupsky, *"Weaning off of Email": Encouraging Students to Use Office Hours over Email to Contact Professors*, 63 C. TEACHING 183, 183 (2015).

19. Guerrero & Rod, *supra* note 8, at 411.

the law school context, then it may be a means for law professors to see improved final exams, making their grading easier.[20] Thus, for purposes of ensuring that our students are able to learn from this experience, legal educators should investigate the best practices for conducting one-on-one meetings, which includes the office hour.

Because for some faculty members the office hour is not used very often by students, this paper will briefly discuss the impediments to students' use of office hours and how to overcome them, including nontraditional methods for meeting and why e-mail may not be an adequate substitute. Then this paper will focus on the office setting and how to make sure it communicates to students a welcoming environment. Next, this paper will address how to effectively navigate through an office hour by using the latest research on the office hour. Finally, this paper will discuss how to create an environment that is best for learning. In particular, general guidelines for ensuring that students have the best chance for digesting the information exchanged in the meeting.

I.   OVERCOMING UNDERUTILIZATION OF OFFICE HOURS

One significant factor that may contribute to students not using office hours is institutional norms.[21] Research in the undergraduate context indicates institutional norms have an impact on whether students engaged with faculty.[22] It is possible too within the law school context that students' awareness of norms that encourage or inhibit one-on-one interaction may also be a factor. This is further ingrained in instances where students perceive their professors as physically unavailable or seemingly uninterested.[23] They are unlikely to visit if they fear appearing incompetent or taking up a professor's time.[24] And finally, law schools encourage students to be busy studying and seeking out opportunities for professional

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20. *See* LINDA B. NILSON, TEACHING AT ITS BEST: A RESEARCH-BASED RESOURCE FOR COLLEGE INSTRUCTORS 53 (3d ed. 2014), https://www.pharmacy.cmu.ac.th/unit/unit_files/files_download/2014-05-02Teaching-at-its-best.pdf.

21. Griffin et al., *supra* note 17, at 95; *see also* Elin Meyers Hoffman, *Faculty and Student Relationships: Context Matters*, 62 C. TEACHING 13, 14 (2014) (arguing that institutional norms can also impact faculty engagement with students if they are pressured to research).

22. Griffin et al., *supra* note 17, at 95.

23. *See* Lauren Howard, *Building Relationships with Professors: Easier Advised than Done*, MS. JD (Sept. 30, 2008), http://ms-jd.org/blog/article/building-relationships-professors-easier-advised-done.

24. *See* Guerrero & Rod, *supra* note 8, at 405; *see also* Weimer, *supra* note 10.

growth like internships, law review activities, or advocacy competitions, which may leave them with less time to consult with professors during office hours.[25]

The identity of a student can impact the likelihood that a student will visit office hours.[26] Students may not visit office hours of a professor whose "social and physical identities" differ from their own, as students whose identities are similar to a majority of professors are generally more satisfied with their faculty interactions.[27] At one law school, gender had an impact on the use of office hours; men were more likely to visit the office hours than women.[28] Further, the office hour has the potential to interfere with students' professional identities in that many students carry an often false identity of perfection.[29] Attending office hours for the purpose of clarifying creates a risk to upending this identity.[30] Identity triggers can feed into what is a well-known phenomenon that students avoid office hours because they are intimidated.[31]

Finally, it is important to identify who may be the least likely to use office hours: academically at-risk students, the students you need to reach the most.[32] Research among undergraduate students indicates that students who expect to receive low grades are less likely to seek help.[33] These struggling students also believe they lack competence.[34] While undergraduate students who expect low grades and feel incompetent may fail to seek help because of a belief of imminent failure, law students may fail to seek help and resolve to "ride" the curve.[35]

While a professor may have no control over these factors, there are some strategies she may employ that can help encourage students to attend office hours. In particular, the professor must advocate for students' use of office hours and send the message that office hours can be used to assist students to "think critically during

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25. Kissam, *supra* note 12, at 920.
26. Griffin et al., *supra* note 17, at 95.
27. *Id.*
28. Ruth Anne French-Hodson, *The Continuing Gender Gap in Legal Education*, 61 FED. LAW. 80, 85 (2014).
29. Kissam, *supra* note 12, at 923.
30. *Id.*
31. *See* Howard, *supra* note 23; *see also* Elie Mystal, *How Not to Use Office Hours*, ABOVE L. (Oct. 6, 2016, 2:01 PM), http://abovethelaw.com/2016/10/how-not-to-use-office-hours/.
32. Guerrero & Rod, *supra* note 8.
33. Carl Chung & Leon Hsu, *Encouraging Students to Seek Help: Supplementing Office Hours with a Course Center*, 54 C. TEACHING 253, 253 (2006); *but see* Guerrero & Rod, *supra* note 8, at 405 (noting that top performing students in the undergraduate context also tend to seek help less).
34. Guerrero & Rod, *supra* note 8.
35. *See id.*

office hours in a capacity that lecture cannot provide."[36] To increase the likelihood students will engage with a professor one-on-one, professors may consider several options. While use of one of these options is unlikely to yield an influx of students, either of these options may be helpful in reaching those populations that may feel excluded or need help the most.[37]

Students attend office hours more often for those professors whose feedback was perceived as more helpful.[38] In increasing office hours use generally, a greater effect on students' use of office hours is related to the utility of the professor's feedback.[39] As a result, professors who are able to provide meaningful feedback to students in class or on assignments may see growth in the use of their office hours;[40] indeed from the research it appears that feedback was a greater indication of use of office hours than even "perfecting [the] atmosphere."[41]

If a faculty member is looking to overcome norms such as the perception that they are unavailable or uninterested, then the professor may consider extending an explicit invitation to office hours to the entire class. It can also serve as an overt attempt to be inclusive to those students who may not attend because their identity is different from the instructor's. An explicit invitation has the benefit of increasing their approachability, by inviting students to engage with them outside of the classroom.[42] Further, an explicit invitation has been shown to have a greater impact on approachability than the use of pedagogical practices in the classroom.[43]

Explicitly inviting students to office hours may take several forms. First, professors should consider the language related to office hours in their syllabus. Simply listing the days and times they are available for office hours may be insufficient to encourage students to attend, but if they explicitly offer help during these days and times and invite students to come, then they may find students more willing to engage.[44] Second, professors should consider adding

36. *Id.*
37. Griffin et al., *supra* note 17, at 95.
38. *Id.* at 98.
39. *Id.*
40. SUSAN AMBROSE ET AL., HOW LEARNING WORKS: 7 RESEARCH-BASED PRINCIPLES FOR SMART TEACHING 148-52 (John Wiley & Sons, Inc. 2010) (providing a means to provide feedback even in group settings).
41. Griffin et al., *supra* note 17, at 98.
42. *Id.* at 95.
43. *Id.*
44. NILSON, *supra* note 20, at 91; *see also* 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, 382 (2001) (providing an example syllabus with office hour language).

a conversation regarding office hours to their first day discussion and refer to office hours again near any dates of assignments, midterms, or finals.[45] For example, a first day discussion may include an invitation to all students to visit the professor's office over the first two weeks of class to introduce themselves.[46] An explicit invitation might be coupled with e-mail reminders. E-mailing a reminder about office hours is an effective way to increase office hours attendance.[47] One study found it led to an increase of up to thirty-two percent.[48] These efforts not only require minimal effort, but can lead to successfully increasing the attendance at office hours.[49]

   In considering an explicit invitation, professors should think about explaining how office hours may be used. In explaining how office hours may be used, professors equip students with an understanding of who office hours are designed for and what purposes are useful during this time. In particular, professors can explain away misperceptions that office hours are only for those poor performing students to seek help, while also emphasizing that it is a way to clarify confusion.[50] One might explain that office hours are a form of professional development; a way for students to learn how to engage with members of the legal profession and encourage students to prepare for these meetings accordingly.[51] A professor may further explain that office hours can be used to help students strengthen their analytical skills, to answer questions, and to help them clarify their own thinking and find a way to move productively.[52] Further, one might explain that office hours can be used to explore more about the legal profession and discuss their interests in law.[53]

   Further, to accommodate busy law students, it might be helpful to consider the timing of office hours to accommodate the students'

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   45.   NILSON, *supra* note 20, at 91.
   46.   MICHAEL HUNTER SCHWARTZ ET AL., WHAT THE BEST LAW TEACHERS DO 76-77 (Harvard Univ. Press 2013).
   47.   Guerrero & Rod, *supra* note 8, at 407.
   48.   *Id.*
   49.   *Id.* at 413.
   50.   *Id.*; *see also* Hoffman, *supra* note 21, at 15 (stating at the undergraduate level that some one-third of students have little to no engagement with their professor outside of class and some are unable to articulate a reason to visit).
   51.   *See* Kissam, *supra* note 12, at 919 (arguing that if one-on-one meetings were purposely engaged in individual instruction and mentoring, they could serve as a means to assist students in developing engagement similar to that between young and senior attorneys).
   52.   Schwartz, *supra* note 44, at 403-04.
   53.   Richard Freishtat, *Don't Be Alone During Office Hours: Tomorrow's Teaching and Learning*, TOMORROW'S PROFESSOR POSTINGS (Jan. 10, 2017), https://tomprof.stanford.edu/posting/1570.

schedules.[54]　For example, before setting one's office hours, one might consider polling students for times that are convenient for them.[55] Additionally, to help students overcome the belief that they are imposing on one's time, particularly if one has an open-door policy or appointment only policy, one might use an online scheduling tool to make one's office hours more accessible.[56]

In reaching those students who may avoid attending office hours because of identity or who are low performing academically, it may be helpful to reframe office hours or offer supplemental hours. For example, in the undergraduate context, framing office hours as tutoring has proven effective in increasing the frequency at which students attend office hours, even when the content was the same as it would have been during normal office hours.[57]　One method to reframe office hours as tutoring is to host the tutoring sessions two hours every other week and allow students to attend the tutoring sessions individually or in a group.[58] In the law school context, the term "tutor" may come with a stigma so one may reframe office hours as "mentoring."　During office hours or other one-on-one meetings, avoid engaging in traditional "tutoring"– simply telling students the answers or imparting quick "tricks"– because tutoring interferes with the self-regulation process (the process of planning, monitoring, and evaluating one's learning[59]) and students will simply wait for answers instead of engaging with the materials themselves.[60]

One way of supplementing office hours which may result in an increase in student attendance is to create a course center.[61] In one study, one to four course centers were held each week and were held

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54. Guerrero & Rod, *supra* note 8, at 413 (finding that 36% of surveyed students indicated they did not attend office hours because of scheduling).

55. *See* Griffin et al., *supra* note 17, at 98; Margaret Walsh, *How to Make the Most of Your Office Hours*, FAC. FOCUS (Dec. 9, 2011), https://www.facultyfocus.com/articles/teaching-and-learning/how-to-make-the-most-of-your-office-hours/; *see also* NILSON, *supra* note 20, at 90.

56. Guerrero & Rod, *supra* note 8, at 413 (noting online scheduling tools can be used for more convenient time); *see also* Kissam, *supra* note 12, at 927 (stating in scheduling office hours both parties can be committed to "full consideration and discussion of the relevant subjects"). Example scheduling tools include You Can Book Me at https://youcanbook.me or Calendly at https://calendly.com.

57. Amanda Joyce, *Framing Office Hours as Tutoring*, 65 C. TEACHING 92, 92 (2017).

58. *Id.*

59. *See* LINDA B. NILSON, CREATING SELF-REGULATED LEARNERS 8 (Stylus Publishing 2013).

60. *See* Louis N. Schulze, Jr., *Using Science to Build Better Learners: One School's Successful Efforts to Raise Its Bar Passage Rates in an Era of Decline*, 12 FLA. INT'L L. REV. (forthcoming) (manuscript at 12) (available at https://ssrn.com/abstract=2960192).

61. Chung & Hsu, *supra* note 33, at 255.

for one to two hours.[62] The course centers were reserved classrooms where students were allowed to come and go and they initiated contact with the professor or teaching assistant.[63] The freedom of this course center allowed students to come equipped with questions, work with peers, or just sit in the room to work alone.[64] The popularity of the course center included its perceived convenience over office hours, the ability to receive one-on-one assistance, and group work.[65] This framework is not too different from review sessions held by professors before or after an exam, but instead of the professor standing at a podium and guiding instruction, the professor is seated and awaits students to independently raise questions in a conversational (as opposed to lecture) setting.

While tutoring sessions or a course center may not be an option for some professors, it is helpful to note that these informal structures were effective in getting students to attend even though they could have gotten the same benefits in a one-on-one traditional office hour.[66] In addition to informal structures, professors may consider informal locations outside of their actual office.[67] The formal structure of an office can be intimidating or less accessible for students, particularly if they are housed in areas that students do not commonly trek or if they are "guarded" by administrative staff.[68] Making use of student common areas such as the library, dining area, or student lounge can be an optimal space to hold office hours.[69] Further, it can be useful in breaking down barriers.[70]

One place that professors may turn to instead of holding physical office hours with students is e-mail.[71] It is important to note that while using e-mail for office hours may be a way to engage with students who may not otherwise be willing or able to visit one's physical office hours, using e-mail for office hours has some distinct

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62. *Id.* at 254.
63. *Id.*
64. *Id.*
65. *Id.* at 256.
66. *See* Chung & Hsu, *supra* note 33, at 257 (stating "a course center can do as good or a better job of delivering help and of motivating students to seek that help); *see also* Joyce, *supra* note 57 (stating "[d]espite this similarity, students attend tutoring twice as frequently as office hours . . . .").
67. Kissam, *supra* note 12, at 927.
68. *Id.* at 921.
69. Jackson & Knupsky, *supra* note 18; Elaine S. Barry, *Using Office Hours Effectively*, ASS'N FOR PSYCHOL. SCI. (June 1, 2008), https://www.psychologicalscience.org/observer/using-office-hours-effectively; *but see* Hoffman, *supra* note 21, at 16 (listing that meeting with professors at a bar or party in addition to other boundaries that students thought were not acceptable).
70. *See* Barry, *supra* note 69.
71. *Id.*

disadvantages.[72] In particular, e-mail can sometimes include unfavorable biases against women and minorities.[73] Additionally, the influx of e-mail to the professor can actually increase one's workload in responding.[74] If one is going to use e-mail for meeting with students, it is important to consider implementing policies that explain appropriate times and functions for e-mail.[75] For example, one may explain to students that e-mails received during business hours will receive a response within a certain time period (e.g., one to two days) or e-mails received during weekends or after hours will be treated as being received on the next business day. This will limit one's need to feel pressured in making an immediate response and set expectations with students. For the function of e-mail, one might explain that e-mail is most suitable to questions about when assignments are due or clarifications of the syllabus, but it is not appropriate to discuss grades or to clarify doctrine, as those topics are better suited for a face-to-face or phone conversation.

Another tool that should be treated similar to e-mail is instant messenger (IM). IM has similar issues as e-mail, given that one's inability to read verbal cues such as tone can lead to miscommunications.[76] Yet offering it as a supplement to in person office hours generally makes students feel the professor is more accessible; although, offering it may not translate into a great use by the students.[77] A better option to e-mail or IM may be a traditional phone call or video conferencing through use of Zoom, Skype, Google Hangouts, or other platforms to avoid the pitfalls that may accompany e-mails and IM.[78]

From the research, it appears that professors have the burden of enticing students to visit office hours. Creating a supportive space for students outside of the classroom is important to the academic and professional development of law students, and the office hour is a means for building relationships with students to assist them in their development.[79] Once attention has been given to getting students into one's office hours, the next step is to consider how to create an office setting that is inviting and conducive to learning.

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72. *Id.*; *see also* Jackson & Knupsky, *supra* note 18.
73. Jackson & Knupsky, *supra* note 18.
74. *Id.*
75. *Id.*
76. Li & Pitts, *supra* note 8, at 177.
77. *Id.* at 177, 181; *see also id.* at 179 (finding that in studying the offering of IM, 85.4% of students indicated a desire to have virtual office hours).
78. Jackson & Knupsky, *supra* note 18.
79. Hoffman, *supra* note 21, at 18.

II.   CREATING A WELCOMING OFFICE SETTING

In considering one's office setting, it is important to consider students' experiences both inside and outside of one's office. In regard to what is outside of one's office, consider where students tend to congregate in the event that they must wait to see you. If students wait directly outside of one's door, one might consider if this creates privacy issues for the students who are seated inside of one's office.[80] Additionally, if one must leave the office during one's posted office hours, consider ways that one can signal to students that one will return: a posted sign explaining the absence, a sign indicating return time, or a note with support staff.[81] While most faculty members are present during their office hours, if a student has had an experience in attempting to see a professor during office hours only to find them absent, one's own unexplained—even brief—absence may be wrongly interpreted as another unavailable professor and feed a cycle of underutilization of office hours.[82]

In thinking about the inside of one's physical office space, it is important to consider one's office setting.[83] It is very important to consider the appearance and structure of one's office and the nonverbal signals it may send to visiting students.[84] Nonverbal communication is important in any context, and one's office space communicates a message to students.[85] If one's office is disorganized or one's desk is covered in papers, one may be communicating to students that one is unavailable.[86] Further, if one fails to minimize the computer screen, it may communicate to the student that they are an interruption.[87] Thus, to the extent possible, consider how one can create an inviting space that minimizes the clutter and distractions by silencing one's cell phone or minimizing one's screen. In addition to the conditions of one's office space, consider the arrangement of one's office furniture. If one has a large desk that is positioned between one and the student, consider closing that space.[88]

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80.   *But see* Kim Knowles-Yanez, *Rethinking Office Hours*, THRIVING IN ACADEME 5, 9 (2016) (stating that with matters of general concern you might raise your voice so other students may hear to save time repeating the same thing to multiple students).

81.   Rory A. Pfund et al., *Is the Professor In? Faculty Presence During Office Hours*, 47 C. STUDENT J. 524, 527 (2013).

82.   *Id.*

83.   *See* Rosemarie Arbur, *The Student-Teacher Conference*, 28 C. COMPOSITION & COMM. 338, 338-39 (1977) (discussing the nonverbal message that the desk can send and offering the best arrangement for a meeting).

84.   *Id.* at 339.

85.   *Id.* at 338-39.

86.   Kissam, *supra* note 12, at 921.

87.   *Id.*

88.   *Id.*; *see also* Arbur, *supra* note 83.

This may mean moving from one's chair to one next to the student or it may mean, if one has space, sitting at a small table. Realigning with the student creates the nonverbal message that in one's office one is consciously minimizing the barriers between student and professor that often exist in the classroom space.[89]

III.   THE COMMON OFFICE HOUR FRAMEWORK

In conducting a one-on-one meeting with students, it is important to understand the framework an office hour may take. In evaluating the structure of office hours, past research looked to other disciplines such as social work as a model for how one might conduct the office hour.[90] In the limited research written in the context of law school, the research investigated what occurred or generally occurs within meetings between law students and professors, and often relied on personal experience or reflected the impact of utilizing counseling or other models in office hours.[91] Yet, research in the law school context is still needed to extensively study what actually occurs in office hours, and it should be evaluated across law schools with various legal educators.[92]

Additionally, a more recent extensive study that included taping the exchanges of twenty one-on-one interactions during office hours across two German universities gives a view into what such studies in the law school context might yield.[93] From the German study, a framework for "academic discourse" emerges.[94] Limberg, the author of the German study, concluded that most one-on-one conferences take on a five-sequenced framework: prefacing sequence, identification sequence, outlining academic business, negotiation of academic business, and closing sequence.[95] The research available on conducting office hours makes it clear that the sequences of the one-on-one conference can be thought of as cyclical or at times some sections may merge.[96] Further, because most conversations in law school office hours tend to be very complex, sequencing through the

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89.   Arbur, *supra* note 83.

90.   *See generally id.*; *see also* Wellford-Slocum, *supra* note 3, at 299-300.

91.   Wellford-Slocum, *supra* note 3, at 299-300.

92.   *But see id.* at 275-76 (stating the author's observations from recording herself and colleagues, but the call here is for more of a systematic approach as that found by Holger Limberg). "Legal educators" include, but are not limited to, professors, academic support/career services/student services professionals, and various deans.

93.   Holger Limberg, *Discourse Structure of Academic Talk in University Office Hour Interactions*, 9 DISCOURSE STUD. 176, 177-78 (2007).

94.   *Id.* at 177.

95.   Limberg, *supra* note 93, at 188-89.

96.   Wellford-Slocum, *supra* note 3, at 300.

office hour will likely be fluid, as more complex matters will lead the professor and student in and out of the sequences.[97]   Understanding the five-sequenced structure is helpful in navigating the office hour meeting, particularly because it provides insight into when a meeting might prove fruitful.

A.   First Sequence

The prefacing sequence will begin the office hour with an initiation of the meeting.[98] A summons can begin the meeting; for example, the professor may personally invite the student to office hours or the student may signal by knocking or speaking at the professor's door that they are prepared to enter the professor's office.[99] The result of this summons is an answer generally by the professor who may then invite the student in, perhaps by saying "Please come in" or acknowledging the student's presence at the door.[100] To ensure that the start of the meeting runs smoothly, it is important to consider how one can best facilitate the initiation of the meeting.

If the meeting occurs by a personal invitation (in contrast to a class-wide invitation) one extends to the student, it is best to consider how to avoid creating a threat in the mind of the student.[101] Saying or writing the words (or something similarly vague) "Please stop by my office" without context is likely to make the student feel that one's conversation is going to be unpleasant.[102] Instead, consider giving the student some context. For example, "Jill, you have been doing an excellent job in my class. I'd like to talk to you about your career plans." or "Joe, on the midterm, you struggled with crafting clear and concise rule statements. I'd like to work with you on developing this skill. Are you free to meet with me Thursday at 1:00 pm?" Giving the student context regarding what one's meeting is about prepares the student for one's future engagement without creating a threatening situation.[103] Additionally, it makes one appear more approachable.[104] Making conscious decisions on how one invites students into one's space sets the tone for what will follow.

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97.   Limberg, *supra* note 93, at 189.
98.   *Id.* at 182.
99.   *Id.*
100. *Id.*
101. *See* Arbur, *supra* note 83, at 338.
102. *Id.*
103. *Id.*
104. *See id.* (stating, "one aspect of engagement is amiability of the sort that dispels the image of teacher as Draconian judge").

B. Second Sequence

The second sequence is the identification sequence that is generally the opening of the meeting.[105] Identification in this context is the identification of the student by name or face, and it may occur from seeing the student, or it may come from a student's self-introduction.[106] Oftentimes, if the student is part of a large class, the student may provide their name.[107] If the student is not forthcoming about their name, the professor may ask for other information that may trigger the name or ask directly.[108]

Further, this part of the meeting often has a greeting of some kind.[109] Identification and greeting may occur simultaneously.[110] This sequence can serve a couple of functions: one to allow parties to settle and to formalize the academic meeting.[111] The greeting serves as a demarcation between one's meeting in a private, pleasant experience and the classroom which may be more rigid with a set agenda.[112] Thus, greetings are an important part of the meeting experience that should not be overlooked.[113] This is particularly true if the professor does not know the student's name, as the greeting can serve as a mutual recognition which will allow the professor to draw on previous interactions that might indicate the reason for the visit.[114]

However, one may skip the greeting to get to matters at hand and input a name, as knowing the student's name is better than a greeting.[115] In this exchange, it may simply be "Debbie, I'm glad you stopped by so we can discuss your answer to the last essay." Names are important because an instructor's knowledge of one's name affects students' attitudes regarding the course and the instructor, particularly because when an instructor knows a student's name it makes them feel valued, it makes them feel comfortable seeking help, and it makes it easier to engage with the instructor.[116] It is

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105. Limberg, *supra* note 93, at 183.
106. *Id.* at 183-84.
107. *Id.* at 184.
108. *Id.*
109. *Id.* at 183.
110. *Id.*
111. HOLGER LIMBERG, THE INTERACTIONAL ORGANIZATION OF ACADEMIC TALK: OFFICE HOUR CONSULTATIONS 131 (John Benjamins Publishing Co. 2010).
112. Limberg, *supra* note 93, at 183.
113. *Id.*
114. *Id.*
115. LIMBGERG, *supra* note 111, at 134.
116. Maryellen Weimer, *The Importance of Learning Students' Names*, TEACHING PROFESSOR (Aug. 2, 2017), https://www.teachingprofessor.com/topics/for-those-who-teach/importance-learning-students-names/.

during this time that the professor and student may engage in small talk.[117] This stage may be referred to as rapport-building or engagement in other literature.[118]

C. Third Sequence

The meeting in the third sequence moves into outlining the academic business whereby the student identifies their reason for visiting.[119] The transition into outlining may begin with the professor initiating with an invitation to begin the discussion,[120] for example, "What brings you to my office?" This sets the tone that the professor recognizes that her role is to assist the student with their academic concern and invites the student to divulge their problem.[121] Without an invitation from the professor, the student will likely take the lead in presenting her concern.[122] It is more likely to transition seamlessly from the identification sequence, for example,[123] "Hello. I'm having an issue understanding . . . ." Further, students may initiate a meeting by asking for an evaluation of an essay or paper they wrote so the professor evaluating the paper or essay then uses that evaluation to identify the problem the meeting will focus on.[124]

Office hours "are always (but not exclusively) task-oriented."[125] That task is generally related to resolving the student's problem.[126] Given the task, it is best to allow the student to set the initial agenda of the meeting, particularly if the student initiated the meeting.[127] Although, it should be noted that the topics set or outlined by the student for the meeting are in no way limited to those raised by the student, as there may be value in redirecting to other more important matters.[128] To empower the student to effectively lead, the professor should strive to actively listen to the student by engaging with the student by using primarily open-ended questions that shift the focus from the professor onto the student.[129] The use

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117. Limberg, *supra* note 93, at 183.
118. *See* Wellford-Slocum, *supra* note 3, at 299 (recognizing the importance of building a great rapport with the student). While rapport-building is important, it is beyond the scope of this article.
119. LIMBERG, *supra* note 111, at 120.
120. Wellford-Slocum, *supra* note 3, at 316; Limberg, *supra* note 93, at 185.
121. Limberg, *supra* note 93, at 185.
122. *Id.*
123. *Id.*
124. MURIEL HARRIS, TEACHING ONE-TO-ONE: THE WRITING CONFERENCE 45 (National Council of Teachers of English 1986).
125. Limberg, *supra* note 93, at 184.
126. *Id.*
127. *Id.*
128. *See id.*
129. Wellford-Slocum, *supra* note 3, at 306.

of open-ended questions, particularly those related to the student's interests and goals, makes the student feel recognized as a person.[130] Closed questions may help if the professor needs to clarify a statement made by the student, if there were previous communications between the student and professor for which the professor wants to return to, or if the professor initiated the meeting.[131] However, nonverbal communication is key during this phase.[132] Thus, to signal actual engagement, it is important that the professor is purposeful in conveying one's point through body language. These signals may include leaning in or head nodding.[133] Verbal signals like restating what has been said or "OK" are also good for signaling that one is actively listening.[134] Once the student has outlined the problem, the professor and student can begin to negotiate the key tasks and consider the appropriate strategies to address those problems.[135]

D.   Fourth Sequence

In the fourth sequence, the professor and student move into the negotiation of academic business, which is the heart of the office hour.[136] During this stage of the conference, the focus is on getting to a solution.[137] However, it is paramount that the professor is able to demonstrate that they fully understand the problem and can assist the student in reaching a solution.[138] This may happen very easily if the problem is simple.[139] For example, if there is a simple grammatical issue in an essay or an issue that can be simply resolved by referencing the course syllabus or textbook. But more difficult problems may require further investigation through questioning and elaboration.[140] A number of the student issues in law school rest on a difficult problem, such as students considering career paths, or students who do not comprehend a substantive legal issue or a legal writing paradigm.[141] Unfortunately, this stage of the conference has the most potential for miscommunication.[142]

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130. *Id.*
131. *Id.*
132. *Id.* at 307.
133. *Id.* at 301.
134. *Id.* at 307.
135. *See* HARRIS, *supra* note 124; Limberg, *supra* note 93, at 184-85.
136. Limberg, *supra* note 93, at 185.
137. *Id.* at 186.
138. *Id.*
139. *Id.*
140. *Id.*
141. *See id.*
142. *Id.* at 186.

Miscommunication is most likely to occur if the professor appears uninterested in the student's problem or if the student does not clearly convey their problem.[143] This is often what occurs in those situations when a professor or student leaves a meeting feeling as though nothing was resolved.[144] Thus, to ensure a successful meeting, both the student and the professor have to be in one accord as to the problem at hand.

In an instance where the professor does not believe the problem identified is best suited for the student, the professor should listen actively and, if possible, provide a solution before addressing another issue.[145] If the professor fails to at least acknowledge the concern raised by the student, it could lead the student to disengage.[146] Additionally, the student should be encouraged to present her concerns because she needs to develop the skill of self-regulating, whereby she can identify her problems and seek methods to correct those problems.[147]

Both professor and student should be careful not to try to address every concern in one meeting.[148] Instead the meeting should prioritize one or two of the most important concerns.[149] By addressing more than one or two concerns, the professor runs the risk of overwhelming the student or allowing the meeting to focus only on problems without providing solutions.[150] Further, the professor can train the student about how to properly prioritize issues by explaining why some issues are more important than others.[151] Training a student how to prioritize is of great importance for the student who tends to over focus on minor issues.[152] Part of the prioritization will be achieved by considering what stage of development the student is in.[153] For example, if a first-year student comes to the professor in the first few weeks of their first semester with an essay writing issue, it may make sense to first tackle how to solve underdeveloped rules or missed issues before addressing the analysis.

143.　*Id.*

144.　*Id.*

145.　Wellford-Slocum, *supra* note 3, at 314.

146.　*Id.* at 313-14.

147.　*Id.* at 311.

148.　*See* Arbur, *supra* note 83, at 340 (stating that if there are several minor concerns then it may be permissible to address multiple issues).

149.　*Id.*

150.　*See* Wellford-Slocum, *supra* note 3, at 314; *see also* HARRIS, *supra* note 124, at 75.

151.　*See* Arbur, *supra* note 83, at 340.

152.　*Id.*; *see also* Wellford-Slocum, *supra* note 3, at 314.

153.　Wellford-Slocum, *supra* note 3, at 266 (stating a conference can be used to focus on the individual student's "stage of cognitive development").

Further, in negotiating the problem, it is important to focus, where appropriate, on the craft of writing, thought processing, or behavior because these lead to strategies and tactics that can improve the problem and contribute to building a foundation for the student.[154] It is also important to remember that for many students an exam or paper is a reflection of them and the score they received is an indication that they are no longer perfect students.[155] If one focuses on the craft, one is encouraging the student to divorce themselves from the idea that they are a "C student" and thus, focuses on the student's development as a professional that can maneuver with a better strategy.[156] Further, it engenders a growth mindset because it lets the student know that this is something they can fix and is not a reflection on their identity.[157] A growth mindset is "the belief that your level of intellectual ability is not fixed but rests to a large degree in your own hands."[158] This belief has been proven to show that in the face of challenges, people who hold a growth mindset continue to achieve, in contrast to those with a fixed mindset or belief that intellect is determined at birth, who become helpless when challenged.[159]

Negotiating the problem is tied directly to finding a solution, and often times they cannot be easily separated.[160] The more complex a problem is, the more intertwined the negotiating and solutions are.[161] Once a party identifies a solution, the other must accept it if the conference is to succeed.[162] If one party disagrees with the proffered solution, then it may mean that the negotiating sequence needs to reopen.[163] Without the agreement of both the student and the professor, the meeting will likely end with the frustration of both parties.[164] Further, the agreement serves to commit the student to do something about the problem and the professor to assist in helping the student.[165]

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154. *See* Arbur, *supra* note 83, at 339.
155. *See id.*
156. *Id.*
157. *See* Douglas Stone & Sheila Heen, *Difficult Conversations 2.0: Thanks for the Feedback*, ROTMAN MGMT. 71, 73 (2014).
158. PETER C. BROWN ET AL., MAKE IT STICK: THE SCIENCE OF SUCCESSFUL LEARNING 179 (Belknap Press 2014).
159. *Id.* at 179-80.
160. Limberg, *supra* note 93, at 187.
161. *Id.*
162. *Id.*; *see also* Arbur, *supra* note 83, at 341.
163. Arbur, *supra* note 83, at 341; *see also* Limberg, *supra* note 93, at 187 (stating because negotiating and solution seeking is intertwined this seems to be consistent with the idea that mutual agreement to the solution is necessary).
164. Limberg, *supra* note 93, at 189; Arbur, *supra* note 83, at 340.
165. Arbur, *supra* note 83, at 340.

Sometimes the solution may include a referral. If one encounters a student who is academically distressed or emotionally troubled, consider referring the student to student affairs or academic support, as they are experts in their respective areas and are likely aware of significant resources available to the student.[166] Further, if the student affairs or academic support professional gets referrals from multiple professors for the same student, they will likely become aware of a pattern with the student and can respond accordingly. Referring these students relieves one of the burden of trying to meet all the needs of the student and allows one to focus one's meeting on issues that can feasibly be addressed.

In working on a solution, the professor should look towards incorporating the research on learning science to assist the student in learning.[167] In particular, as will be discussed below, the professor should consider best practices for creating a student-centered learning environment during the negotiation of the problem so that the solution leads to transferable learning.[168]

E. Fifth Sequence

Finally, the closing sequence generally occurs with the meeting concluding with an expression of gratitude from the student.[169] According to some, the function of this gratitude in some ways makes it seem as though a service has occurred during the office hour.[170] However, it is much more likely that the student expresses gratitude because they came with an expectation that the professor would be able to assist them, so when it occurs, gratitude is expressed; alternatively, it could also be that the student is appreciative that the professor took the time to spend with them. In any regard, at this juncture of the meeting, the professor should be careful to express their belief the student is able to accomplish the agreed solution to the problem(s).[171] Thus, by emphasizing the student's ability, the conference ends with a solution reached to the problems identified and, perhaps, a relationship between the professor and student is stronger.[172]

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166. NILSON, *supra* note 20, at 92.
167. Arbur, *supra* note 83, at 341.
168. *See id.* at 340 (stating that one should allow the student to explore the problem as part of the learning process rather than lecturing during the meeting which can disengage the student).
169. Limberg, *supra* note 93, at 188.
170. *Id.*
171. Arbur, *supra* note 83, at 342.
172. *Id.*

IV.   CREATING A LEARNER-CENTERED MEETING

In understanding the framework of the meeting, particularly the heart of the meeting being the negotiation of academic business whereby the student and professor work toward a solution, it is important to recognize how reaching that solution should be learner-centered. In making it a learner-centered encounter, many of the effective teaching techniques from class can be brought into the meeting. It is also important that one recognizes that with the shift in thinking about teaching, that it is equally applicable in the context of a one-on-one meeting. This statement captures that shift:

> Until the early 1990s we focused our efforts solely on teaching. We identified characteristics of effective teachers and worked to incorporate them. Good teaching made for good learning. Then teaching was coupled with **learning**, and we started talking about them together. Teaching stopped existing in a sort of splendid isolation. Learning was no longer the assumed, inevitable outcome of good teaching. For many of us, our thinking made a paradigm shift. Teaching shouldn't be the driving force. It is learning that should be energizing our instructional endeavors.[173]

Thus, in working one-on-one with students, one should be cognizant of effective strategies for learning. Indeed, when one thinks about the one-on-one meeting, one should strive to make their meeting less of an extension of the classrooms and more about equipping students to learn transferable strategies. Transfer is one's cognitive ability to apply what one has learned in one context to another.[174] It may include applying what one has learned in Torts to Property, taking writing strategies from one's legal writing course and using them in their other classes, or using an interdisciplinary approach in the legal context.[175] Unfortunately, transfer is difficult for many students because it does not occur automatically and if the learning and transfer contexts are too different, it is more likely transfer will not occur.[176] This section will focus on three strategies that aid in keeping the meeting learner-centered, which can lead to

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173. Maryellen Weimer, *Word Choice: What You Call It Matters to Teaching and Learning*, TEACHING PROFESSOR (Aug. 31, 2016), https://www.teachingprofessor.com/topics/for-those-who-teach/word-choice-call-matters-teaching-learning/.

174. James M. Lang, *Why Don't They Apply What They've Learned, Part I*, CHRON. HIGHER EDUC. (Jan. 21, 2013), https://www.chronicle.com/article/Why-Dont-They-Apply-What/136753.

175. *Id.*

176. *Id.*

transfer: teaching strategies that promote retrieval, strategies to promote problem solving, and engaging students in professional development. Generally, whether these strategies are useful will depend on the context of the meeting, which will be explained below. For example, in a fifteen to thirty-minute meeting, it is likely one will be able to use one or two of these strategies.

Research related to learning has discovered several methods that are effective for long-term learning.[177] This research also discovered what fails to exist in learning, which is primarily passive engagement with material: highlighting, rereading, and passive listening.[178] In thinking about the office hour, unless one is purposeful in stimulating learning, then it is likely that the office hour will place the student into a seat of passive listening.

One way to resist passiveness in the office hour and make it learner-centered is to incorporate a learning strategy called retrieval. Retrieval is the act of trying to recall information once learned from memory.[179] Retrieval is not a new concept; instructors utilize this in doing quizzes and students do it when they review flashcards, look at the cue, and then try recalling it before flipping the card.[180] What is new about retrieval is supporting research that shows its utility in learning.[181] In recent years, researchers have demonstrated that retrieval plays an active role in actually assisting in the memorization process.[182] Indeed, studies show that the act of retrieving information is a powerful way of retaining information because it strengthens the associations one has with the material, even with incorrect responses, because the act of retrieving provides feedback which strengthens the associations with the correct information.[183]

This powerful learning technique is instructive for an office hour meeting. If students come to one's office seeking clarification of

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177. *See generally* BROWN ET AL., *supra* note 158; BENEDICT CAREY, HOW WE LEARN: THE SURPRISING TRUTH ABOUT WHEN, WHERE, AND WHY IT HAPPENS (Random House 2015) (elaborating on effect strategies such as retrieval, spacing, interleaving, practice testing, generation, elaboration, reflection, and more).

178. *See* JAMES M. LANG, SMALL TEACHING: EVERYDAY LESSONS FROM THE SCIENCE OF LEARNING 17 (Jossey-Bass 2016) (arguing that students will persist in using low effective strategies unless forced into using effective ones); Schwartz, *supra* note 44, at 374 (providing a scale of learning methods continuum from passive to active, with listening being the most passive).

179. *See* Jeffrey D. Karpicke, *Retrieval-Based Learning: Active Retrieval Promotes Meaningful Learning*, 21 CURRENT DIRECTIONS PSYCHOL. SCI. 157, 158 (2012) (describing retrieval as "the process involved in using available cues to actively reconstruct knowledge").

180. BROWN ET AL., *supra* note 158, at 3.

181. *Id.* at 28.

182. *Id.*

183. *Id.* at 28-29.

course content, then one can help them learn it better by engaging them in acts of retrieval, as it is an active and learner-centered action. For example, one might have the student look at a sample problem and have the student recall verbally and/or in writing the rules associated with the issues found in the problem; or if one is meeting with a student who does not understand a concept, then one might have them explain what they do know and attempt the parts they do not, providing feedback when the response is incorrect. The professor should also be transparent about her teaching strategy in the meeting by letting the student know that the reason why she is leading the student through a problem or quizzing them on what they know is because research on learning indicates retrieval is an effective tool for learning as opposed to the professor simply just telling the student what the concept is.[184] Being transparent during the office hour provides the student with a learning strategy she can duplicate on her own with other topics and perhaps other courses aiding in transfer. It is also important that students do practice retrieving on their own because to get the greatest benefit from retrieval, it needs to be repeated over spaces of time to reach a point of automaticity.[185]

One may be hesitant to direct student learning in a way that quizzes the student because it may appear to be handholding but consider that in order to move into higher order thinking about the law, one must first have knowledge of foundational concepts.[186] Retrieval assists students in acquiring that foundational information. Indeed, critical thinking is tied to foundational information stored in long-term memory.[187] If a lawyer does not understand foundational principles of a crime or civil issue, then it impedes her ability to ask her client questions, to develop research queries after meeting, and in preparing her argument adequately and fully for a brief or trial.[188] Because students will be life-long learners, it is important that professors teach their students how to learn and engage them in strategies such as retrieval that will assist them in their learning and lead to a meaningful learner-centered interaction.[189]

Another method of actively engaging with students in a learner-centered office meeting is to engage in problem solving. Problem

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184. LANG, *supra* note 178, at 40.
185. BROWN ET AL., *supra* note 158, at 28-29.
186. LANG, *supra* note 178, at 13-14, 39.
187. *Id.* at 16.
188. *See id.*
189. BROWN ET AL., *supra* note 158, at 28-29.

solving is one process of critical thinking.[190] In this context, prob-
lem solving is "a collection of possibilities that respond to a complex
open-ended problem."[191] Focusing on problem solving is a process
focused approach, and as mentioned earlier, it properly emphasizes
to the student that this is a strategy that can be learned engender-
ing growth mindset.[192] Introducing problem solving during a one-
on-one meeting has the effect of utilizing another highly effective
learning strategy: generation. Generation is to provide an answer
to something that is new to you, or it can be thought of as the pro-
cess of trial and error.[193]

To engage a student in problem solving, one may start by asking
why a student chose an approach, answer, articulation of a rule
statement, or stopping point with research, crafted response, or
analysis.[194] The student's time spent attempting to create the an-
swer is going to solidify the process by either being correct or the
student will make a stronger connection to the actual process once
revealed.[195] This process can also be reflective, particularly if the
student is "visualizing and mentally rehearsing what [she] might
do differently."[196]

The purpose of the question of why a student chose a process is
to assist the professor and student in determining where feedback
is needed to clarify misconceptions or errors in analysis.[197] One
might utilize this problem-solving question in instances where one
is giving feedback to the student, such as with an assignment, stu-
dent's prewritten response to a sample essay, or writing assign-
ment; the purpose of the feedback would be formative and allow the
student to capitalize on what was learned in the one-on-one meet-
ing.[198] Asking this question allows the professor to act as a coach,
listening carefully as the student explains her process and offering
timely suggestions as to how to make it better.[199] Feedback is in-

190. LANG, *supra* note 178, at 16.
191. Maryellen Weimer, *To Improve Students' Problem Solving Skills Add Group Work to the Equation*, FAC. FOCUS (Aug. 31, 2010), https://www.facultyfocus.com/articles/teaching-and-learning/to-improve-students-problem-solving-skills-add-group-work-to-the-equation/.
192. BROWN ET AL., *supra* note 158, at 179-80.
193. *Id.* at 94.
194. NILSON, *supra* note 20, at 92.
195. BROWN ET AL., *supra* note 158, at 87-88.
196. *Id.* at 89.
197. NILSON, *supra* note 20, at 92.
198. Megan Von Bergen, *Meaningful Learning Through One-on-One Conferences*, FAC. FOCUS (Dec. 11, 2017), https://www.facultyfocus.com/articles/effective-teaching-strate-gies/meaningful-learning-through-one-on-one-conferences/.
199. *See* LANG, *supra* note 178, at 131.

credibly important to ensure that the student leaves with an accu-
rate problem-solving approach.[200] The benefit to the student in get-
ting this feedback is improved as well because it is accessible and
they can clarify orally given feedback because written feedback can
sometimes be one-sided and possibly difficult to discern.[201]

Allowing a student to engage in problem solving is often a tedious
process, but stimulating critical thinking is important to the stu-
dent's growth as a professional. Professors should be mindful that
lawyers' expert problem-solving skills allow them to "form their
conceptual framework, thereby facilitating learning of new content
associated with novel problems."[202] Students are novices who need
explicit instruction and practice utilizing problem solving, and the
office hour is one means for the expert professor to deliver it.[203] Ad-
ditionally, in walking with the student through problem solving it
is important to explicitly mention how this approach is fruitful in
other contexts to aid in transferability of the process.

Unfortunately, once a grade has been assigned, particularly in
the context of a post-exam grade conference, creating a learning en-
vironment may become a bit more challenging if one must maneu-
ver past a student's desire for a grade justification.[204] But even once
a grade has been assigned, learning can still occur by shifting the
meeting to being process-oriented (e.g., how did the student learn
the rules or what analytical process did the student use).

Next, because law students are entering the legal profession, the
office hour is a perfect place to begin their development as profes-
sionals in a way that is learner-centered. Students need to work on
these skills because as lawyers they may work within an organiza-
tion that requires them to undergo performance evaluations or re-
quires them to develop a professional development plan, requiring
the articulation of development goals with timelines and some
thought as to past feedback and expectations.[205] Further, profes-
sional development is something students seek out during office

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200. NILSON, *supra* note 20, at 92.

201. Von Bergen, *supra* note 198.

202. David Coil et al., *Teaching the Process of Science: Faculty Perceptions and an Effective Methodology*, 9 LIFE SCI. EDUC. 524, 525 (2010).

203. *See id.*

204. *See generally* Cassandra L. Hill & Katherine T. Vukadin, *Now I See: Redefining the Post-Grade Student Conference as Process and Substance Assessment*, 54 HOW. L.J. 1 (2010); Richard Henry Seamon, *Lightening and Enlightening Exam Conferences*, 56 J. LEGAL EDUC. 122, 122 (2006).

205. *See* Alnisa Bell, *Let's Get On It: Drafting Your Professional Development Plan*, MS. JD (Sept. 5, 2017), https://ms-jd.org/blog/article/lets-get-on-it-drafting-your-professional-de-velopment-plan.

hours, as students in a course they enjoy may consider visiting of-
fice hours to discuss the career path to understand how to enter the
profession into that practice area. Additionally, students find great
value in getting professional advice, particularly if they will be a
first-generation attorney.[206]

   Professional development as used in this paper can be defined as
"the process by which attorneys [law students] acquire, increase
and hone the knowledge, skills and attributes (often referred to col-
lectively as 'competencies'), which they need to effectively 'do' the
work of lawyering and excel in the practice of law."[207] Professional
development for attorneys can include "training, work experience,
feedback and evaluation, mentoring and coaching, and self-
study."[208] Training, which would include continuing legal educa-
tions (CLEs), work experiences, and self-study, which encompasses
staying on top of developments in the law, are activities that are
most likely to take place outside of office hours. Thus, office hours
can be used as a guide to students in developing skills such as crit-
ically reflecting on or evaluating their expectations for practice,
practice professional behaviors in a coaching environment, and to
engage in the value of having mentoring or advising relationships
with their professors.

   Engaging students in professional development can be as simple
as asking students to treat office hours like a professional environ-
ment. One might encourage students to bring a writing instrument
to the meeting because that is what should be done in practicing
law. If an appointment is set, it is an opportunity for the student
to practice showing up on time or utilizing etiquette in alerting the
professor to conflicts in advance if the student is unable to make it.
If the student does not do these things, it is an opportunity for the
professor to give the student feedback on expectations in practice in
a way that is designed to educate, rather than admonish. When a
student enters their professor's office, the professor should shake
their hand so that they can engage in the formalized nature of prac-
tice.[209] The professor can help reinforce the idea that "words are a

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   206.   Meera Komarraju et al., *Role of Student-Faculty Interactions in Developing College
Students' Academic Self-Concept, Motivation, and Achievement*, 51 J. C. STUDENT DEV. 332,
340 (2010).
   207.   Sandee Magliozzi & Susan P. Beneville, *Professional Development: Your Key to Suc-
cess and Satisfaction*, SANTA CLARA L. DIGITAL COMMONS (Nov. 2008), https://digitalcom-
mons.law.scu.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&arti-
cle=1912&context=facpubs.
   208.   *Id.*
   209.   *See* Shauna Bryce, *Ask the Hiring Attorney: What Does It Mean to 'Be Professional'?*,
ABA FOR L. STUDENTS (Apr. 4, 2016), https://abaforlawstudents.com/2016/04/04/ask-the-hir-
ing-attorney-what-does-it-mean-to-be-professional/.

lawyer's tool" and that the use of slang in oral or written communication can impact the student's perceived competence.[210]   These things and more are about the appearance of being a professional,[211] but there are other ways to engage students in professional development that require significantly more depth.

Professional development through critical reflection is a goal that many law schools and instructors have for law students to develop. Critical reflection allows one to capitalize on learning from experience "by talking about their experiences, becoming aware of the assumptions and expectations they have, questioning these assumptions, and possibly revising their perspectives."[212]   Critical reflections used in developing the work of teachers is instructive in this context because the practice of law, like teaching, is complex.   Critical reflection moves budding attorneys from thinking about practice from a technical or how-to approach to broader questions about who they are, how they view others, what are the norms of the legal community, organizations the student may work for, and the society they live in.[213]   While the greatest gains from this process are self-directed, professors can stimulate the process.[214]   Yet, how to incorporate this competency is challenging because of perceptions by students, and sometimes by faculty, of critical reflection being a soft skill, that there can be limited time for incorporating it into a curriculum or course, or a number of other challenges.   But given the one-on-one nature of the office hour, it lends itself to the ability of helping a student grow through reflection.   And because growing professionally is a long process, it is helpful if the professor has built a relationship with the student to work across time to engage in critical reflection.[215]

To assist in developing critical reflection within the student, the professor must understand the type of work the student is engaged in and the organization in which the student works.[216]   This requires the professor to listen carefully and actively, and as time

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210.   *See id.*
211.   *Id.*
212.   PATRICIA CRANTON, PROFESSIONAL DEVELOPMENT AS TRANSFORMATIVE LEARNING: NEW PERSPECTIVES FOR TEACHERS OF ADULTS 2 (Jossey-Bass 1996).
213.   Patricia Cranton & Kathleen P. King, *Transformative Learning as a Professional Development Goal, New Directions for Adult and Continuing Education*, 98 WILEY PERIODICALS 31, 32 (2003).
214.   *See* CRANTON, *supra* note 212, at 3-4 (discussing how the author worked with a professor in reflecting on his teaching process).
215.   *See id.* at 185.
216.   *See id.*

passes, to move into challenging the student to think more criti-
cally.[217] An important part of the office hour is to balance being
supportive and challenging.[218] In this space, the objective is to get
the student to see what experiences the student has had, how they
were selected, and why.[219] For example, if a student says she has
only had family law experiences because her goal is to help people,
ideally you want the student to evaluate the effect of her choice.[220]
For example, one might challenge the student and ask if her view
of helping people changes if she loses a family law case.[221] You
might further probe about what impact a loss has on her: Does she
want to continue finding resources or opportunities that stimulate
helping others or does she want to revise her idea of what "helping"
others means.[222] The goal is to help identify the available options
for the student, not to impose one's own goals or ideas.[223]

Further, professional development within the office hour can be
achieved by mentoring or advising students. Mentoring offers ben-
efits to students such as getting feedback on goals, developing
skills, and receiving encouragement to grow.[224] Mentoring can be
facilitated through the mentor professor using her experiences to
help the mentee student evaluate opportunities such as career, re-
search experiences, extracurricular activities, leadership opportu-
nities, and more.[225] One goal of mentoring is to support the
mentee's autonomy in taking their own path.[226] One way to ensure
the professor takes on a supportive role is to encourage the student
to take control by setting goals.[227] Goal-setting is a key area for
mentors to provide guidance, and it can have a great impact on the
mentee's success.[228] For example, if a student indicates that they
struggle with oral skills, the professor may discuss with the student
ways of acquiring that skill such as attending toastmasters or sign-
ing up for an intramural advocacy competition. The student and
the professor may then work through what option is best for the
student (from the example, toastmasters or competition), set a goal

217. *Id.*
218. *Id.* at 186.
219. *Id.* at 187.
220. *See id.*
221. *See generally id.*
222. *See id.*
223. *See id.*
224. ALEXA LAMM & AMY HARDER, *Using Mentoring as a Part of Professional Develop-ment*, U. FLA., INST. FOOD AND AGRIC. SCI. EXTENSION 1, 2 (Dec. 2008), http://edis.ifas.ufl.edu/pdffiles/WC/WC08200.pdf.
225. *Id.* at 2.
226. *Id.* at 4.
227. *Id.*
228. *Id.* at 3.

(e.g., student signs up for one of the options to work on oral skills), and agree to review progress on the goal (improving oral skills) on a definitive date. Mentoring takes time and will likely require multiple meetings, although the frequency is dependent on both the professor and the student.[229] As shown in the example, to have an effective mentoring relationship, the student should return to discuss their progress in developing their oral skills, and to determine if what they did worked or if a new direction is needed.

In mentoring or advising law students for growth and for purposes of transfer, it helps to get students thinking "big picture" about the things that interests them in studying the law.[230] Get the student to think about why they came to law school, things they are passionate about, or projects they have worked on that have inspired them. In thinking big picture, the student can begin to see the connectedness of their courses and practice, thus becoming better at transferring their learning.[231] They can see that those abstract principles in Civil Procedure were key in interning with a judge or they will see the practice of making multiple arguments on one set of facts in an essay was applicable to filing a lawsuit on behalf of a client and making alternative claims. Encouraging students to apply what they have learned in class to their professional experiences and life will solidify their understanding of the law in a less abstract manner, and it will also allow you to guide them through challenges and new questions.[232] Thus, mentoring is a means to share one's expertise for the development of the mentee student and it often leads to learning and growth for the mentoring professor.[233]

In conclusion, when one is negotiating the academic business, consider how one might integrate retrieval, problem solving, and/or professional development. Each of these can be enhanced by considering how to stimulate learning before or after the office hour. For example, one might require students to e-mail questions ahead

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229. *Id.* at 4.
230. James M. Lang, *Why They Don't Apply What They've Learned, Part 2*, CHRON. OF HIGHER EDUC. (Feb. 19, 2013), https://www.chronicle.com/article/Why-They-Dont-Apply-What/137389.
231. *Id.*
232. James M. Lang, *Why They Don't Apply What They Learn, Part 3*, CHRON. HIGHER EDUC. (Mar. 20, 2013), https://www.chronicle.com/article/Why-They-Dont-Apply-What-They/137963.
233. *See* LAMM & HARDER, *supra* note 224, at 1, 4.

of a meeting so that they can engage students in question genera-
tion, which is a highly effective learning strategy.[234] These ques-
tions may be about concepts they need clarification on, questions
related to how to complete a task, or questions related to the pro-
fession. To stimulate learning after the meeting, one might ask the
student to complete a follow-up task: "take a look at a hypothetical
on a page of the textbook and send me a written response" or "once
you have drafted a schedule for the next semester, let us meet to
discuss your progress on internships related to this area." One
might ask students to engage in a reflection that requires students
to assess their learning, actions that were helpful or hurtful to their
efforts, to identify actions they will stop, continue, or try, and to
create a study plan.[235] The sequence of a pre-meeting task, meet-
ing, and reflection stimulates learning for the student.[236] In engag-
ing in a learner-centered office hour, one will aid in the growth of
one's student both academically and professionally.

V. CONCLUSIONS

The office hour is a great opportunity for student learning and
engagement. However, with the growth of technology, the in-per-
son office hour has been labeled as possibly obsolete. This article
evaluated why office hours are still relevant, why students avoid
office hours, and ways professors may engage students during vis-
its. This article also evaluated how to set up one's office for office
visits, how to frame office hours, and how to create a learner-cen-
tered environment. However, one point that needs emphasizing
from above is to recognize that institutional norms within a law
school are a factor in perceptions of office hours. A law school com-
mitted to being inclusive and ensuring each student can succeed
should consider how they can encourage professors to undertake an
interest in holding office hours with students. The law school may
consider an assortment of possibilities, including training sessions,
that address how to meet with diverse students, appropriately
counsel students, or provide "recognition, rewards, and incentives"
for those who engage with students one-on-one.[237] Additionally,
while there are educational and professional benefits to holding of-
fice hours, if office hours are fruitful and routinely used by students,

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234. April L. McGrath, *Just Checking In: The Effect of an Office Hour Meeting and Learn-
ing Reflection in an Introductory Statistics Course*, 4 TEACHING PSYCHOL. 83, 85 (2014).
235. *Id.* at 84-85.
236. *Id.* at 83 (citing research that has proven effective for student performance in a course
when reflection is done when compared to students who do not).
237. Komarraju et al., *supra* note 206, at 340-41.

it can be a recruitment opportunity to be able to say that a law school provides an individualized legal education.[238]

As research continues to grow regarding the law school classroom, there is room for growth in investigating the office hour. In addition to the perspective on the office hour provided in this paper, there are a number of places that are ripe for investigation regarding the office hour in the future. One might study and record office hours within a law school or across law schools to see what framework is most effective for conducting office hours in law schools; this research may also provide information regarding what practices are most suitable for learning within an office hour. One might also investigate the frequency and types of one-on-one counseling or office hours provided within programs such as academic support, bar preparation, career services, student services and others. One might look at whether or not there is a correlation between grades, job placement, or other measures of success for those students who utilize their professors' office hours. One might also investigate office hours to determine if the approach to office hours should be altered based on an understanding of generational learning preferences. Finally, one might investigate the use of office hours and its impact on the academic support and retention of minority students. These and many others are fruitful areas to investigate office hours to extend the learning that occurs in office hours and to overcome messages that the office hour is obsolete.

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238. Note: If an institution would want to provide numbers behind this assertion, it could be done. An institution could ask professors and other legal educators to record each individual student meeting that lasts for a certain amount of time (e.g., meetings lasting more than 15 minutes or more) and these meetings can be coded for purposes (e.g., content-based, mentoring, admissions, bar support, etc.).