



So, You Want to Be an Adjunct Law Professor?

The Processes, Perils, and Potential

By Catherine A. Lemmer and Michael J. Robak

CATHERINE A. LEMMER (calemmer@iupui.edu) is Head of Information Services at Indiana University Robert H. McKinney School of Law, Indianapolis, IN.

MICHAEL J. ROBAK (robakm@umkc.edu) is Associate Director of the Law Library and Director of Law School Information Technology at University of Missouri-Kansas City School of Law, Kansas City, MO.



Introduction

The American Bar Association's 2013 list titled "50 Simple Ways to Market Your Practice" includes as No. 43 "Do adjunct professor work."¹ Law students routinely report high interest in and satisfaction with courses taught by practicing attorneys. In addition, today's law school economics and restructurings are creating new opportunities for adjunct professor work. If you have been practicing law for several years and are intrigued by the possibility of adjunct teaching, now may be just the time to explore such an opportunity with a law school. Yet a successful teaching experience doesn't just happen!

There are a number of things to consider before sending your resume to the dean of your local law school. This article describes best practices for attorneys interested in undertaking adjunct professor work. We also take you through the entire process of becoming an adjunct professor, from examining your motivations for teaching through what you can expect in today's law school classroom.

First Considerations

Unless you are a retired U.S. president, Nobel laureate, or best-selling author, adjunct law faculty positions are rarely, if ever, associated with wealth, accolades, or even employee benefits. So why would an attorney consider taking on this additional work?

Adjunct faculty positions are “teaching positions.” Law schools use adjunct faculty for a variety of reasons, including to fill sabbatical positions, add specialized courses, or maintain the status quo while awaiting resolution to the current crisis in legal education. Adjunct faculty are not considered part of the full-time faculty and typically receive a special appointment to teach. As such, they are not part of faculty governance – that is, they are not required to attend faculty meetings and events, research and publish, serve on committees, or assist in the management of the institution. For the most part, adjunct faculty are outside the politics associated with higher education institutions.

What you will do is teach. Think about your recent interactions with colleagues or clients that involved teaching or explaining some aspect of the law. Did you enjoy it? Did you have the patience for it? Were you able to convey the concept? Did the colleague or client understand the concept at the end of the presentation or discussion? If, based on these experiences, you think you would enjoy interacting with law students in the classroom, you might want to explore an adjunct faculty position.

There are other benefits to adjunct faculty work other than the intellectual stimulation that comes from interacting with students in the classroom. Law faculty status, tenured or adjunct, still engenders a bit of awe and prestige. In addition, you will be paid, not anywhere near your hourly billing rate, but likely from \$3,000 to \$5,000 per course, depending on the course and the law school.² And, yes, there are some places where the opportunity to add adjunct faculty status to your resume is so appealing that the law school doesn’t pay the adjuncts.

Last, adjunct faculty work enhances your reputation; it validates your expertise in a particular area of the law. Your resume, website, LinkedIn profile, and other client marketing materials should be updated to include your teaching position. This additional validation may lead to referrals and even to opportunities for media commentary. In short, in your enthusiasm for teaching, don’t forget to leverage your adjunct faculty work in your marketing and networking efforts.

The Era of the Mutually Beneficial Opportunity

As mentioned earlier, there is widespread agreement that the legal industry, which includes legal education, is in crisis and is undergoing significant change. For legal education much of that hinges on the significant and continuing drop in law school admissions, now entering its third straight year. It will take two to three more years to determine whether this signals a profound new reality.

For that reason in particular, there is a greater demand from law schools for adjunct professors. In this new normal, law school budgets are under intense pressure just as the ABA is calling for changes in the law school curriculum.

One significant concern for the academy is the complaint that law schools fail to provide the courses most needed to produce practice-ready graduates. Law schools are struggling to add courses that focus on practitioner skills, that is, skills associated with the actual practice of law. In many cases, the tenured law faculty focus on academics and research and are not interested in or skilled in teaching such courses. Yet, in the evolving world of education and law practice, courses that blend both practice management skills and contextualization for learning this skill set are of the most interest. And, within this new subset, courses that incorporate technology and its application in the practice of law are particularly attractive. Such courses might also include ones that introduce students to competitive intelligence, factual investigation, principles of finance and risk management, e-discovery, and project management. Thus, law schools and lawyers have a mutually beneficial opportunity. Adjunct faculty positions are opening up as law schools are adding on a trial basis the new courses the ABA, the legal profession, and students are demanding. Lawyers have new opportunities and law schools can hire skilled practitioners at a lower cost than hiring tenure-track faculty.

In addition, there is the goodwill engendered when law schools hire their own alumni to teach as adjunct faculty. And perhaps most important are the networking and experiential opportunities afforded students when a course is taught by a practicing attorney.

In short, new opportunities for adjunct faculty with the right expertise are opening up and, unlike in the past, law schools may place a higher value on these relationships.

Do You Have the Right Stuff?

There are a number of things to consider before you approach a law school with your interest in an adjunct faculty position. OK, let’s say you have been a successful practicing attorney for several years and have developed a level of expertise in a particular area. A good start, but this doesn’t mean you will be a shoo-in for an adjunct position. The law school is going to vet your background and credentials. In addition, the law school is going to look for evidence of your teaching ability. Your resume may require some revamping to include teaching experience. Have you taught CLE courses? Conducted in-house training sessions for associates? Presented at law conferences or practice group meetings? These are all evidence that you can engage an audience and convey your knowledge in an educational setting.

In addition, do you have the time? Teaching is time-consuming, even more so the first time you teach the class. Even if you walk into the first class with a well-pre-

pared plan, it is likely you will find yourself constantly adjusting over the course of the semester. Student interests, changes in the law, or exercises that fail are just a few reasons you will need to adjust the course. Examine your upcoming workload carefully and be honest. Teaching a class isn't something you can hand off to a colleague mid-semester. Calculate how much time it will take. A good rule of thumb is to plan for about four hours of preparation time for each hour of class time.

Yet, even if this isn't the time to take on a full four-credit course, you can start to build your resume with the law school. Look for other opportunities to become involved and "pop up" on the dean's radar. Law students are generally hungry to interact with practicing attorneys, and there are lots of ways to do so. Perhaps volunteer to be a moot court judge; contact a professor and offer to do a guest lecture; do a presentation for a student group; or invite students to an in-house session on your area of expertise. Not only will these be resume-building teaching experiences, they also might help you determine if you really want to pursue teaching in a classroom.

The Application Process

Do your due diligence. Remember, each law school is its own unique environment. Adjunct positions are not always posted, which means you will have to do some investigatory work. Luckily, most of the information you need is likely to be found on the law school's website.

If you are interested in developing a new course, you will want to determine if there is a need for it. Take a look at the law school course catalog and the schedule of courses offered in the last few semesters to determine if the course you are proposing might be needed. Course syllabi or course summaries are often found on or linked from the faculty bio pages.

Contact professors at the law school currently teaching in the same or related field to find out if the law school would be interested in offering your course. Before going further you will want to find out who manages the hiring of adjunct professors and any procedures for approving a new course. Current adjunct professors are usually identified on the law school website. You may also want to contact one or two to ask them about their experiences.

If you still want to proceed, send a cover letter, resume, and course description to the individual in charge of hiring adjunct professors. For example, at the University of Missouri-Kansas City, the adjunct faculty currently are administered by the Associate Dean for Faculty Development. Resumes and consideration are often submitted to the Dean of the School of Law, but the administrative vetting process is handled as a joint effort between the Associate Dean responsible for class scheduling and the Associate Dean for Faculty Development. Any new course proposal would then be submitted to the Course Development Committee and then, if approved, moved to a vote by the entire resident faculty for inclusion in the

catalog. As a precondition, the adjunct faculty member's appointment would also need to be approved by the Resident Faculty. These approvals normally occur in February for a fall course and September for a spring course.

Model your course description after those posted on the law school's website. The course description should be specific enough to enable the reader to ascertain what you want to teach, why the course is important, why it provides a student an opportunity for knowledge not available in other courses currently offered, and why you are qualified to teach it. Read your course description from the point of view of a student. Ask yourself, "Would this description pique a student's interest and encourage him or her to take the course?"

If the law school determines a need for your course and is generally satisfied with your credentials, the next step is the interview. Now is the time, if you haven't already, to contact the law school's other adjunct faculty for some insider advice. These faculty members may be able to share the types of interview questions that are typically asked of adjuncts and if the hiring person has any particular interests you might want to touch on in your interview. In addition, take a crash course in the language of education. Higher education, just like law, has its own vocabulary. The legal academy is under significant pressure to move to more outcome-based teaching. So, be prepared to talk about your method and practice of teaching, assessments, student outcomes, and course objectives – in other words, how you plan to teach the course, grade the students, and generally what you expect the students will learn from the course. Two resources to check out are: *Teaching Law by Design: Engaging Students from the Syllabus to the Final Exam* and *Teaching Law by Design for Adjuncts*. Both books are written by the author team of Michael Hunter Schwartz, Sophie Sparrow, and Gerald Hess.

Courses and Course Approval?

The law school indicates its interest in you and your course. Great! Now the real work begins. You need to focus on course development and course approval.

The first thing to understand is the structure of education delivery in the law school. The ABA standards define and regulate course credit. ABA Standard 304: Course of Study and Academic Calendar provides that course credit is a measure of in-class time. Standard 304 requires 700 minutes of instruction time, exclusive of the examination period, for each course credit hour. If you want to teach a two-credit course over a 14-week semester you will need 1,400 minutes of in-class time. Class breaks are deducted from the total meeting minutes. For example, at a law school on the semester schedule, a two-credit class would require two weekly 50-minute class periods for 14 weeks to satisfy the 1,400-minute requirement.

You need not be constrained by the 14-week semester. Short-term classes are popular with students as the compressed schedule allows them to finish a course prior to

the examination period for their other classes. For example, you may have the opportunity to teach a two-credit course over 10 weeks or to use some weekend blocks.

You will need to have a well-developed course outline to submit to the law school's approval process. The course outline should detail the topics that will be covered in the course and the materials and methods you plan to use in the course. You should also include which assessments you plan to use and the grade percentages. For example, midterm 20%; research paper 30%, etc. If you weren't provided with working examples by the law school, check in with the faculty contacts you made during the application process. Ideally, the course outline will be detailed enough that it will easily morph into your syllabus.

You will also need to understand the mechanics and timing of the course approval process – that is, which dean coordinates the process and which committees are involved. You may want to see if you can submit your course for review and comment prior to the document's going to the full committee for a vote. For example, at Robert H. McKinney School of Law, the faculty Curriculum Committee may approve a one-time new course offered by adjunct faculty if the course is sponsored by a full-time faculty member. If the course does not have a sponsoring full-time faculty member, the course must be approved via the Academic Affairs Committee process.

Also, as mentioned, most law schools create schedules well in advance of each semester. So if this is April, you would be on track to teach the following spring, after the approval process that will take place in September.

The Actual Teaching of Law: Things to Expect, Things to Consider

Understanding and mastering pedagogy will be the single most important effort you undertake as an adjunct. There are volumes of materials to explain pedagogy and, with time and effort, you will discover your own path. Although it is true that you are the “expert” and you are in control of the materials to be taught, the students will not be overwhelmed by your credentials or your background. Much like sharks, they will sense your newness and perhaps uncertainty in your first foray into teaching. In this regard, the resident faculty have provided them something of a preconceived notion of what to expect from their legal instructor.

The key here is to remember the importance of the syllabus for the class. It is your contract with the students and lays out the expectations associated with the class. The more detailed and precise your syllabus is, the less opportunity there is for ambiguity and confusion as to your expectations of the students. And, much like a contract, it can serve as a reference point should there develop a misunderstanding as to class expectations.

The other essential elements of the course are the readings and the content you are delivering. Course materi-

als can be expensive, and we no longer live in the day of assigning a single course textbook or taking “select readings” to the copy center to create a course packet. Materials may be digital, but copyright must still be respected. As a teacher, you certainly have more leeway when it comes to distribution of materials in the name of “educational purposes,” but even that exception has limits. You are best advised to seek out a law librarian at the law school to help you navigate course reserves and develop course readings. A common solution is to use an online hosting site that links all your course content. Law librarians, if given sufficient notice, may offer to create a LibGuide that hosts all your materials or, as noted below, you may wish to link all your resources on the course learning management system (LMS) or other site.

Most law schools will give you access to LexisNexis®, Westlaw®, and Bloomberg BNA® as well as resources such as HeinOnline® and ProQuest® Congressional. These resources should contain many of the readings you will want to assign in your course. Besides presenting an opportunity for teaching a bit of legal research skills, such as listing the items for them and having them locate them in the available sources, it also allows for developing digital materials with persistent URLs that can be accessed from anywhere via the law school subscription access. Again, your law librarian is your best access point for learning about and delivering readings and other content for your course.

Finally, while there are many good writings in the area of pedagogy in the legal academy; one very useful article is by Gerald Hess, titled “Hearts and Heads: The Teaching and Learning Environment in Law School.”³ Among other things, Hess identifies and discusses the “Seven Principles for Good Practice” developed by Chickering and Gamson.⁴ Listed simply, good teaching:

- Encourages contact between students and faculty
- Encourages cooperation among students
- Encourages active learning
- Gives prompt feedback
- Emphasizes time on task
- Communicates high expectations
- Respects diverse talents and ways of learning

The Hess article is highly recommended because it provides a good overview of the teaching process.

In most instances, students will ask for your classroom PowerPoint presentations. As you develop your course presentations, consider whether you want to provide your PowerPoints to the students prior to or after the class, or not at all. Each choice comes with different concerns, some of which can be mitigated with pre-planning. For example, you may provide the slides but strip out the note fields or provide the slides as a static PDF that cannot be altered. Don't forget to include a copyright notice and date on your presentations to protect your work.

And, as a further gentle reminder, remember the scope of work outside of class. As mentioned earlier, a good

rule of thumb is four hours of prep time for each hour of class teaching. But then there will be post-class analysis of the work, assignment grading or review, meeting with students, finding new material, and on and on. Of course, once you've developed the course, keeping it up-to-date will take up less time. However, to keep a course current and fresh, you will still need to devote outside hours.

Educational Technology

The odds are that even relatively recent graduates will experience a moment of awe at the variety of technology now available in law school classrooms. The simple rule to keep in mind is that technology is another teaching tool. For a tool to be effective, it must solve a problem or fill an instructional need. Most important, you must be comfortable using it, and it must advance the students' learning. In short, don't use the tool simply to say you are using it in your classroom. Also, ask yourself if the "ed tech" is working seamlessly. If the students see you struggling with the technology or focus on the technology rather than the content, you need further training.

Learning management systems provide a platform for you to conduct your class. In most instances, the law school will have adopted, and provided support for, a particular LMS. The LMS provides a platform for you to host your course. In most instances, you will be able to customize the LMS by turning off unwanted features. For example, if you want to use a specific email for the course, you will be able to disable the email feature on the LMS.

Using the LMS may create additional challenges: for example, you may become the after-hours tech support for the LMS. Don't assume that all the students have used and are comfortable with the LMS, as not all law schools require that professors use an LMS. Use the first class period to gauge your students' abilities and interest in using the LMS and have a printed syllabus ready to hand out.

The classroom apparatus available will vary from law school to law school. Chalkboards still abound. A new "interactive learning environment," which is what many call added classroom apparatus, can be as simple as a whiteboard. (A word of caution: it often isn't clear who is supposed to make sure the dry erase pens work and that erasers are in the room; you are well advised to carry your own dry erase pens and an eraser.)

Often the overhead projector, screen, computer, and other equipment are controlled through one device that looks like a small touch panel. Usually these are fairly intuitive but in most cases instructions are on the teacher podium. Still, it is best to arrange a one-on-one session with the person tasked with AV in the law school. Don't forget to ask for and test your password access during this session. If you are bringing print or other materials there will probably be a document projection device – often generically called an ELMO. If there's an emergency – the computer or your PowerPoint presentation isn't

displaying – you can show print copies of your presentation via the ELMO one page at a time, much like the now-venerated but disappearing overhead transparency projector. Again, the types of classroom technology available will vary from law school to law school.

Another type of technology gaining traction in the legal academy is audience response systems, sometimes referred to as "clickers." The university or law school may have settled on a particular response system – for example, Turning Technologies or the i>clicker. These systems are a terrific way to ramp up student participation and interaction. They can also serve as an automated way to take attendance and measure student engagement. However, these systems require clear understanding and often have a bit of a learning curve. If you are developing a course for the first time, though, it will be easier to consider integrating this technology as part of the course development.

Two additional considerations: first, many law schools have instituted "lecture capture." This means there will be cameras in the classroom and technology for recording the class so that it can be viewed later by students. You will need to understand clearly what equipment the school uses and the policies developed for this, including attendance policies. Second, each law school will have its own network and its own security considerations. If you are using a third-party software or bringing your own device to the school, you may be asked to go through a security review. Seek out the law school IT staff, often part of the law library, to review the process.

Student Interaction Is Part of Your Teaching

Student interaction is part of teaching and requires the same planning and consideration you give to the content and instruction you plan to deliver in the course. Student interaction, both in the classroom and out of the classroom, should reflect a respectful professional relationship. Many law students are still developing their professional interaction skills, so don't be surprised to receive emails with exclamatory phrases, *txt* spellings, passive/aggressive language, emoticons, and phrases that most would find inappropriate in a professional context. And don't hesitate to use the opportunity to work on these practical skills with your students as well.

Most important, check with the law school. It is likely that the faculty handbook includes standards and provisions with respect to student-teacher interaction. In addition, use the syllabus and the first class meeting to establish the ground rules for out-of-class interactions. Specifically discuss how you prefer to be addressed and the when, where, and how to contact you outside of class.

Technology and social media offer a wide variety of student interaction options and you may use different options for different purposes. For example, in the absence of an LMS, you may choose to create an email just for this class that you will check at pre-arranged

times for specific purposes. You might use this option for students to report class absences or to request help or clarification with respect to assignments.

Technology may make holding office hours more convenient. Skype, AdobeConnect, and Google Chat compose a short list of synchronous online options that will enable you to hold office hours that don't require either you or your students to travel to a particular location. A more simple option might be to advise students that during "set" office hours you will respond to emails immediately.

Alternatively, if you want to have physical office hours, consider times convenient to student schedules. Consider holding office hours just prior to or after class, or even taking a short poll to find relatively convenient times for all involved.

Facebook or Twitter are options if you need to reach all the students with the same message. However, interacting with students via social media comes with its own particular challenges. Some professors will not "friend" a student on Facebook but will accept an invitation from a student on professional networks such as LinkedIn. Explain to your students what your social media boundaries are and apply them evenly. Given the growing use of social media, it is likely the law school has developed social media policies. Be sure to review and abide by these policies when developing your policy for your course.

There is one last important aspect of student interaction. Law students are under more pressure than ever. Many students are balancing work, family, and school obligations. As a law professor you will be in a unique position to observe student behavior. Be alert for students who appear to be struggling more than the law school "norm." It is better to have a conversation that alerts the law school's dean of students to a potential problem than to have a student self-destruct.

Following the provisions in the faculty handbook, establishing guidelines, and using basic common sense will help you create useful and productive student interactions and avoid any pitfalls.

Grading

Grading may be the largest challenge you face as an adjunct. If you are involved in hiring at your firm, you are perhaps more attuned than regular law school faculty to the important role grades play in interview selection and, ultimately, hiring decisions. If you go into the grading process expecting to be challenged by students, you will be better prepared for student meetings. Create a rubric for each assignment. You may wish to read some or all of the students' papers to get an understanding of how the students responded to the assignment. Even the best-designed and -tested assignment can generate unanticipated responses. A preliminary reading will give you the chance to make any adjustments to the rubric on the

front end and apply it consistently across all the students' work. Update the rubric and keep a copy of it to use during student conferences.

If you are giving points for classroom participation and attendance, be sure to keep those grades current. There are two reasons for this: First, it is most likely you won't remember if you let too many class meetings pass before updating the grade book. Second, if you enter these grades immediately after each class you will start to see a pattern of student performance. This will help you identify any student who is at risk and allow you to intervene while there is still time for the student to perform well in the class.

Last, keep copies of graded work and the related notes and grading rubric. Students tend to challenge grades on assignments at the end of the semester. This often occurs after they've calculated how many points they need on the final to achieve a certain grade in the class. You will need to be prepared to discuss grades that were awarded throughout the semester. Keeping good records will ensure you treat all students fairly.

Feedback

You will receive student evaluations to distribute to your class at the end of semester. However, this is too late for the students you are currently teaching. Throughout the semester, encourage students to make suggestions for changes in content and delivery; put a statement to this effect right up front in the syllabus. Among responses such as "this course is too much work" and "the assignment was too hard" you are likely to get some good solid advice. In addition, everyone appreciates the opportunity to express an opinion. You can easily create a short, simple, anonymous survey using online tools such as Survey Monkey⁵ to solicit feedback from your students. Be sure to acknowledge the comments and suggestions in the classroom. Include an explanation of why or why not the suggestions are feasible.

The Law Library

The increasing price of textbooks, course packets, and other resources are of constant concern to law students. The library reserve system may be a good option depending on the size of your class and the materials you plan to use. Consult with the law library early to determine if it makes sense to place items on reserve instead of requiring your students to purchase the materials. The library will also be able to advise you on any potential copyright issues. As the library is typically inundated with last-minute law faculty requests, take care of this part of your coursework as early as possible.

If you are going to ask your students to prepare a research paper or other writing that requires legal research don't hesitate to reach out to the law library. Law librarians are very willing to do in-class specialized research sessions or create online library guides

on a particular research topic if you give them enough time to prepare. Not only do the students benefit from these, but the overall work product is typically of a higher quality when students know where to start their research.

Don't Turn Down Unexpected Gifts

Many law schools offer adjunct faculty orientation. For example, an adjunct faculty orientation is held each semester at Indiana University's Robert H. McKinney School of Law. It includes short presentations by the IT department, legal research vendors, law library, student services, and others.

The recent calls for changes in the way in which legal education is delivered have prompted many law schools to develop teaching strategies that promote an active and engaged learning pedagogy, such as incorporating online or blended classroom environments that include problem-based learning, group projects, and the flipped classroom.⁶ At Robert H. McKinney School of Law, for example, the faculty routinely host programs on new instructional techniques and online education. These programs are open to all faculty, including adjunct faculty.

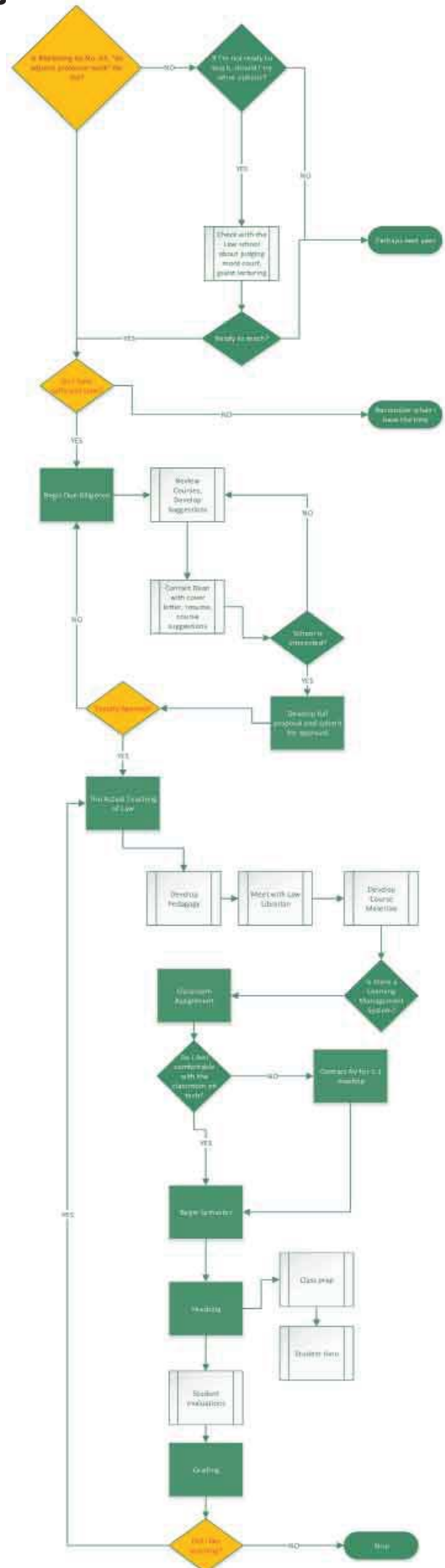
Make the time to attend if such gifts are offered at your law school.

Conclusion

“Doing adjunct faculty work” may not be lucrative but it can be highly rewarding. Very little compares with the experience of connecting with a student in a way that allows you to say, with certainty, that you made a difference in that person’s understanding and development as a lawyer-to-be. Not only can you enhance your credentials, you can enhance the reputation (and therefore the branding) of the law school you work for in a way that translates directly to the school’s ability to attract students. No question there are perils and pitfalls in this endeavor but, done well, you will gain a good deal of satisfaction on both personal and professional levels. ■

1. Stephanie Francis Ward, *50 Simple Ways to Market Your Practice*, ABA J. (July 2013) p. 34, http://www.abajournal.com/magazine/article/50_simple_ways_you_can_market_your_practice/ (last viewed Mar. 1, 2014).
2. Brent E. Newton, *The Ninety-Five Theses: Systematic Review of American Legal Education and Licensure*, 64 S.C.L. Rev. 55, 123 (2012).
3. Gerald Hess, *Hearts and Heads: The Teaching and Learning Environment in Law School*, 52 J. Legal Education 75 (2002).
4. Arthur W. Chickering & Zelda F. Gamson, *Seven Principles for Good Practice in Undergraduate Education*, AAHE Bull. (Mar. 1987) p. 3.
5. <https://www.surveymonkey.com>.
6. “Flip teaching or a flipped classroom is a form of blended learning in which students learn new content online by watching video lectures, usually at home, and what used to be homework (assigned problems) is now done in class with teachers offering more personalized guidance and interaction with students, instead of lecturing. This is also known as backwards classroom, flipped classroom, reverse teaching, and the Thayer Method.” (http://en.wikipedia.org/wiki/Flip_teaching).

A Decision Tree/Flow Chart for the Adjunct Faculty Decision Process



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