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A Proposal for the Adoption of Research-Based Interventions by Instructors for Law School Research Classes in American Law Schools

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Abstract

This paper identifies educational motivation issues in the law student population; particularly in required legal research courses. The author summarizes two relevant psychological theories widely applied in educational contexts: expectancy-value theory and attributional theory. Intervention methods to reduce or eliminate these motivational problems are suggested.

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Introduction

This paper will show that legal research instructors can encourage adaptive attributional thinking, self-efficacy, and mastery goal orientation in first-year law students. These changes in students' thinking about studying, and their greater awareness of the role of their perceptions about the outcome of academic tasks for motivation, will encourage adaptive attributional styles and self-efficacy. The positive results will pervade the students' law school experience, affecting not only legal research knowledge and skills but will more rapidly integrate the silos of knowledge from the first year of law school, into a more integrated practitioner-oriented form. The two theoretical foundations for the proposed interventions are expectancy-value theory and attributional theory. Each of these theories applies to educational settings with a target population ranging from late adolescence to all stages of adulthood. This paper recommends a value-based intervention at the beginning of the first year of law school and attributional retraining for any students who have completed at least one semester and are at risk for the development of maladaptive attributions after experiencing less than desirable academic outcomes in the novel challenges of law school. Forced grading curves, many type-A personalities, and the overall quantity and difficulty

of the work for law students often present law students with the highest intellectual challenge they have faced. As the research described below will demonstrate, previously confident students faced with novel challenges for which their standard methods of preparation were inadequate, may adopt maladaptive attributions they never demonstrated before.

There is a dearth of educational psychology studies on the law student population, but as this paper will demonstrate, many empirical studies have elucidated similar populations, i.e., first-year college students, non-traditional students in higher education, and post-graduate students. Law schools select applicants from an academically successful subset of undergraduate students. Despite this, not all law students come to law school with the study skills, information literacy, emotional resiliency, or the adaptive behaviors to succeed in law school, given that most of them will experience workloads and grades to which they are unaccustomed. In legal research classes, specifically, first-year law students (1Ls) lack the contextual knowledge of doctrinal law, which must be further developed to adequately develop the research-writing-thinking-application knowledge and skill matrix that practicing attorneys need. Additionally, 1Ls lack the practical experience in the practice of law to recognize the vital role of legal research in this professional knowledge and skill matrix. Some, but not all, American law schools that require a basic research course, or courses, are graded and contribute to a student's GPA. However, many basic legal research classes in

American law schools are pass-fail. This evaluation status can further diminish

the perceived value of legal research to 1Ls. Despite the above-average academic

performance and motivation of law students compared to the general

undergraduate student population, law students in required legal research courses

often exhibit a lack of knowledge about the importance of research as a skill.

Additionally, to the extent that law students act rationally, over-worked students

can hardly be blamed for making an ungraded course a lower priority than their

graded doctrinal law courses or legal writing.

Review of Theory

John Atkinson's Achievement Motivation Theory

The early cognitive motivation theorist, John William Atkinson,

influenced both expectancy-value theory and attribution theory. Diverging from

behaviorists, Atkinson emphasized cognition and beliefs over behaviors, drives,

needs, and habits.[1] His model "combined needs, expectancies, and values."[2]

Behavior has three main components, motives, probability of success, and

incentive value.

Motives are learned, stable, and enduring individual characteristics, that include

two achievement motives: the motive to approach success and the motive to avoid

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[1] DALE H. SCHUNK, et al., MOTIVATION IN EDUCATION: THEORY, RESEARCH, AND APPLICATIONS (Pearson Fourth ed. 2014)..
[2] Id. at, 49..

failure. The motive to approach success is a person's hope or anticipation of success and the "capacity to experience pride in accomplishment."[3] On the other end of the spectrum, the motive to avoid failure is related to the fear of failure and one's ability to feel shame and humiliation. The former leads people to participate in achievement tasks, while the later avoid them.[4]

The probability of expectancy of success is individual actors' perceptions or subjective beliefs about whether they can be successful. The incentive value of success is pride in accomplishment. Easy tasks are not worthy of pride, so they produce little incentive. Challenging tasks increase the chance of failure, so the expectancy of success is less, and the person is less likely to feel motivated to pursue that task. Tasks of intermediate difficulty become the most highly motivating for those with approach to success characteristics. Motive to avoid failure orientation leads to choosing easy tasks (low chance of failure) or challenging tasks (little expectation of success).[5]

Incentive value and probability of success are inversely related to task difficulty. Atkinson, therefore, defined "incentive value as 1.0 minus the probability of success."[6] A consequence of this definition was that value could only be defined concerning the probability of success, thereby making the

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[3] J. W. ATKINSON, AN INTRODUCTION TO MOTIVATION   (Van Nostrand. 1964)..
[4] SCHUNK, et al. 2014..
[5] Id. at..
[6] Id. at, 50..

determination of the probability of success all-important, and making value

secondary. Expectancy-value theory, and attribution theory built upon Atkinson's

theory, but diverged on this point, highlighting the importance of subjective

perceptions of value for individual motivation.[7]

Expectancy-Value Theory

Eccles, Wigfield, and their collaborators were the most important scholars

in the development of expectancy-value theory.[8] This theory focuses on and

demonstrates the role of "students' expectancies for academic success and their

perceived value for academic tasks."[9] Expectation of success and subjective task

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[7] Id. at..

[8] See generally, Jacquelynne S. Eccles, *School and Family Effects on the Ontogency of Children's Interests, Self-Perceptions, and Activity Choices*, *in* DEVELOPMENTAL PERSPECTIVES ON MOTIVATION (1993).; Jacquelynne S. Eccles, *Subjective task value and the Eccles et al. model of achievement-related choices*, *in* HANDBOOK OF COMPETENCE AND MOTIVATION (A. J. Elliot & C. S. Dweck ed. 2005).; Jacquelynne S. Eccles & Allan Wigfield, *Motivational Beliefs, Values, and Goals*, 53 ANNUAL REVIEW OF PSYCHOLOGY (2002).; A. Wigfield, et al., *Development During Early and Middle Adolescence*, *in* HANDBOOK OF EDUCATIONAL PSYCHOLOGY (2006).; A. Wigfield & Jenna Cambria, *Students' achievement values, goal orientations, and interest: Definitions, development, and relations to achievement outcomes*, 30 DEVELOPMENTAL REVIEW (2010).; A. Wigfield & Jacquelynne S. Eccles, *The development of achievement task values: A theoretical analysis*, 12 see id. at (1992).; A. Wigfield & Jacquelynne S. Eccles, *Expectancy–Value Theory of Achievement Motivation*, 25 CONTEMPORARY EDUCATIONAL PSYCHOLOGY (2000).; A. Wigfield & Jacquelynne S. Eccles, *Chapter 4 - The Development of Competence Beliefs, Expectancies for Success, and Achievement Values from Childhood through Adolescence*, *in* DEVELOPMENT OF ACHIEVEMENT MOTIVATION (Allan Wigfield & Jacquelynne S. Eccles eds., 2002).; Allan Wigfield, et al., *Expectancy Value Theory in Cross-Cultural Perspective*, *in* BIG THEORIES REVISITED (Dennis M. McIhemey & Shawn Van Etten eds., 2004).; Allan Wigfield, et al., *Expectancy-Value Theory*, *in* HANDBOOK OF MOTIVATION AT SCHOOL (K. R. Wentzel & A. Wigfield eds., 2009).; A. Wigfield & A. L. Wagner, *Competence, motivation, and identity development during adolesence*, *in* HANDBOOK OF COMPETENCE AND MOTIVATION (A. J. Elliot & C. S. Dweck eds., 2005)..

[9] SCHUNK, et al., 51. 2014..

value are the "most important predictors of achievement behavior" in this model.[10]

The expectation of success refers to how one believes and judges one's capability to complete a task successfully. Subjective task values describe why one would or would not link their beliefs and interests to participating in a task.[11] If a student with a 4.0 GPA and a high Law School Admissions Test (LSAT) score applies to law school only because her lawyer-parents encouraged her to go to law school, she may have a high expectancy of her ability to complete law school successfully. However, if she hated her pre-law courses, and has always dreamed of acting on the stage, her subjective task values in the context of practicing law may not be well suited to that career choice. Should this student attend law school, she may have difficulty maintaining interest, engagement, and persistence in a demanding field, in which she has no interest. This example demonstrates the emphasis on both expectancies and values in this theory. Another potential law student who has always dreamed of being a lawyer, but barely passed his classes as an undergraduate and his LSAT score is too low for even a fourth-tier law school, may feel that he lacks the skills to succeed in law school.

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[10] Id. at..
[11] Id. at, 47.

Expectations for success and subjective task values are developed over time by affective reactions and memories, goals, and self-schemas.[12] One can have an affective reaction to completing a particular task once or several times, such that the perceived expectation going forward will be similar. For example, if a law student does well on all of her doctrinal law courses (i.e., contracts, property, and torts), but feels that she badly embarrassed herself during the mock appellate argument at the end of her legal writing course, she may avoid appellate or trial advocacy opportunities in favor of transactional law. This affective reaction could influence her perceived expectation for similar activities in the future or lower her subject task value for oral advocacy roles for attorneys. Goals are "cognitive representations" of desired future outcomes that can be short or long term. Reaffirming students' goals for attending law school and joining the legal profession when they have not met their short-term goal of getting the desired grade are essential elements in assisting students who have previously measured success as being at the top of their class. Self-schemas are constructs that individuals have about their own beliefs and self-concepts.[13] For example, a law student is likely to have had a great deal of academic success overall, before law school, but may have struggled in one or several particular subjects. Therefore the student could have a self-schema for overall academic ability that is

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[12] Id. at.

[13] Id. at, 54..

very high, but a subject-specific self-schema about chemistry courses that is very

low.

Legal research instructors will benefit from the knowledge of how these

concepts relate to and influence academic outcomes and whether students engage

in adaptive or maladaptive scholarly/profession behavior on the road to

professional mastery of subject matter knowledge and skills. Cognitive

engagement, effort, persistence, and choice are a few of the outcomes associated

with expectancies and self-perceptions of ability.[14] Cognitive engagement refers

to the mental involvement that students employ in the classroom or while

studying. Not all strategies are equal. Eccles and Wigfield have demonstrated that

the strongest predictor of grades in mathematics and English among upper-

elementary, and middle school students were their self-perceptions of ability and

expectations for success.[15] As discussed in the review of the research literature

below, students with maladaptive strategies, are not doomed to repeat themselves.

Additionally, students strong self-competence beliefs are more likely to

engage in deeper processing of academic subject matter by engaging cognitive

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[14] Id. at, 55..

[15] See, Jacquelynne S. Eccles, *Expectancies, values and academic behaviors*, *in* ACHIEVEMENT AND ACHIEVEMENT MOTIVES (J. T. Spence ed. 1983).; Jacquelynne S. Eccles, et al., *Self-Concepts, Domain Values, and Self-Esteem: Relations and Changes at Early Adolescence*, 57 JOURNAL OF PERSONALITY (1989).; A. Wigfield, *Expectancy-value theory of achievement motivation: A developmental perspective*, 6 EDUCATIONAL PSYCHOLOGY REVIEW (1994).; Wigfield & Eccles, DEVELOPMENTAL REVIEW, (1992).; Wigfield & Eccles, Chapter 4 - The Development of Competence Beliefs, Expectancies for Success, and Achievement Values from Childhood through Adolescence. 2002..

strategies (methods of processing information), and metacognitive strategies (methods of controlling cognition) like planning, reviewing, putting learned information in the student's own words, etc. These adaptive strategies are linked to self-perceptions of ability and result in not just spending more time studying, but using the time effectively. See the work of Pintrich et al.[16]

Four components comprise subjective task value: 1) interest-enjoyment value, 2) attainment value, 3) utility value, and 4) relative cost (see figure 2.1 and Table 2.1).[17] Interest is the enjoyment or intrinsic interest in completing a task.[18] (Eccles, 2005). Attainment value indicates the importance of doing well on tasks, especially those tied to a particular self-schema.[19] Utility value is perceived as having high relevance for future goals.[20] Relative cost also called cost belief, is the perceived negative cost of engaging in a task.[21] It is similar to the concept of opportunity cost in economics.

Expectancy beliefs and academic achievement are positively correlated. While values and achievement are positively correlated, they are much more strongly correlated to choice behaviors, such as the choice to take additional courses on a subject in the future.[22] Both sides of this theory, expectancy beliefs,

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[16] SCHUNK, et al., 55-56. 2014..

[17] Id. at, 52-53..

[18] Eccles, Subjective task value and the Eccles et al. model of achievement-related choices. 2005..

[19] Wigfield & Eccles, DEVELOPMENTAL REVIEW, (1992)..

[20] SCHUNK, et al., 64. 2014..

[21] Wigfield & Eccles, DEVELOPMENTAL REVIEW, (1992)..

[22] SCHUNK, et al. 2014..

and subjective task value have clear implications for law students generally, and for their perception of, performance in, and tying professional goal setting to their basic legal research course. Attributional theory will be summarized next, before demonstrating the application of interventions with higher education students.

Attributional Theory

Bernard Weiner (mentored by Atkinson during his Ph.D. program), along with a handful of colleagues, is the most influential attribution theorist with regards to educational settings.[23] Two assumptions underlie attribution theory. The first is that people are motivated to master themselves and their environment. "The second assumption is that people are naïve scientists, trying to understand their environments and, in particular, the causal determinants of their behaviors and the behaviors of others." [24]

See "Figure 5," from Weiner's article on his professional life and development of attributional theory.[25] . This figure illustrates the entire attribution process for human motivation. There are seven headings in the top row of that

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[23] See id. at.. See also, Bernard Weiner, *A theory of motivation for some classroom experiences*, 71 JOURNAL OF EDUCATIONAL PSYCHOLOGY (1979).; Bernard Weiner, *An attributional theory of achievement motivation and emotion*, 92 PSYCHOLOGICAL REVIEW 548 (1985);BERNARD WEINER, HUMAN MOTIVATION (Springer-Verlag. 1985).; BERNARD WEINER, AN ATTRIBUTIONAL THEORY OF MOTIVATION AND EMOTION (Springer-Verlag. 1986).; Bernard Weiner, *Motivation from an attributional perspective and the social psychology of perceived cometence*, *in* HANDBOOK OF COMPETENCE AND MOTIVATION (A. J. Elliot & C. S. Dweck eds., 2005).; Bernard Weiner, *The Development of an Attribution-Based Theory of Motivation: A History of Ideas*, 45 EDUCATIONAL PSYCHOLOGIST (2010)..

[24] SCHUNK, et al., 82. 2014..

[25] Weiner, EDUCATIONAL PSYCHOLOGIST, 34 (2010)..

figure labeling the stages of this process. This section of the paper will summarize

the content of each stage before articulating educational interventions.

[insert "Figure 5"]

Using Weiner's "Figure 5,"[26] let us consider two hypothetical students who

aspire to attend law school. Walter is a junior in college who has just received a

low score on the LSAT. His outcome dependent affect will be unhappiness and

frustration. He will search for a cause for this outcome. Walter has often put in

long hours reading and re-reading material for classes, often getting grades that

were less than he hoped to earn. He spent much time studying for the LSAT. His

friend, with whom he studied with got a high score. This information pattern leads

Walter to believe that he may lack the aptitude to do better on the LSAT in the

future or to succeed in law school. "Aptitude is an internal, stable, uncontrollable

cause, so there is a lowering of self-esteem, low expectancy of future success,

hopelessness, and helplessness, and shame and humiliation. Low expectancy

(hopelessness) accompanied by these negative affects promotes the decision" for

Walter to give up on getting into law school.[27]

Now consider Angelica, who also received a disappointing result on the

LSAT. She is unhappy with the result, but she knows that she has been successful

at taking tests in the past and that she decided to attend a party on the night before

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[26] Id. at..
[27] Id. at, 33..

the exam. She feels that her result was due to not trying hard enough. "This internal, unstable, and controllable cause lowers personal regard but also gives rise to the maintenance of expectancy, hope, guilt, and regret, all of which are positive motivators. Hence motivation increases and she tries harder in the future."[28]

The two outcomes described above lead the actors to ascribe an attribution; however, not every outcome triggers an attribution.

> The theory does not predict that students will make an attribution for every event that happens to them. There are many occasions when attributions are not necessary, and students' motivation is more a function of their self-efficacy and value beliefs for the task. However, if the situation is a novel one for students, the probability increases that they will make attributions for their performance.[29]

Given that law students generally have academic success before law school, it might seem that it is unlikely that these particular students

> Attributions are the perceived causes of outcomes. "I have never worked so hard to prepare for a test. I earned that A." "I worked really hard on that book report. I only got a C because the teacher doesn't like me." "I didn't get a C

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[28] Id. at..

[29] SCHUNK, et al., 119. 2014..

because I procrastinated. I get mostly As, and I never crack a book until the night before the final. I got a C because I broke up with my girlfriend the week of the final." "I normally get As in math. This C on the mid-term just means I need to work that much harder to bring up my grade. I know I can do it." All of these examples show the perceptions of the actor. They may or may not reveal some or all of the actual causality for the respective outcomes. The teacher in each course would also have a perception of why those students earned those outcomes. Teachers are no less fallible than their students when it comes to the potential for inaccurate perceptions. Whether the perceptions are accurate or not, the perceived causes of outcomes have a remarkable impact on how we chart a course to try to control our environment. These perceptions shape our expectancy beliefs.

A student's causal attribution for an academic hardship consists of three dimensions: locus (whether the cause is internal to the student or an environmental cause), the stability of the cause over time, and the controllability of the cause. All three dimensions can independently and collectively influence expectancy beliefs, emotions, and motivated behaviors. An internal locus would include effort or ability. An external locus might be the difficulty of an exam (e.g., for the student, whereas the teacher has internal control over the difficulty of exams she creates). Internal attributions are more conducive to having a sense that one can do something to improve academic outcomes in the future. Other

theorists combined locus and control, described as the locus of control.[30] In social cognitive theory, Bandura calls this internal control, agency. The more choice that students have over what they study and how the type and content of their assessments, the higher their motivation will be.[31] While not a theoretical focus of this paper, social cognitive theory (along with other theories, like self-regulation) is related and has a crossover that might interest the reader.

In Weiner's separation of locus and control, the control dimension is measured on a continuum from stable to unstable. Ability and effort are both internal, but ability is relatively stable over time, whereas effort is instable. Students who attribute failures to unstable causes, like effort, are much more likely to have a sense of self-efficacy because they can make a change in behavior. Examples from external loci would include task difficulty (stable) and luck (unstable).[32]

The controllability dimension, as defined by Weiner, does not require that the actor making the attributions controls the action leading to the outcome, but that it merely be controllable. For example, a stable, external, controllable achievement attribution could include instructor bias or favoritism. A controllable, unstable achievement attribution could include help study for a test

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[30] R. DE CHARMS, PERSONAL CAUSATION: THE INTERNAL AFFECTIVE DETERMINANTS OF BEHAVIOR (Academic Press. 1968)..

[31] A. BANDURA, SELF-EFFICACY: THE EXERCISE OF CONTROL (Freeman. 1997)..

[32] WEINER, An attributional theory of motivation and emotion. 1986..

with friends. See figure 3.3 in MOTIVATION IN LEARNING.[33] Even if someone can control external controllable attributes, the adaptive student will be well served by learning to attribute outcomes to internal controllable achievement attributes.

Linking attributions to one's expectancy beliefs is the key to whether one develops adaptive strategies, self-efficacy, and is more likely to engage in more in-depth cognitive study. The interventions proposed below will help students with maladaptive strategies and attributions to make more useful choices. Weiner has demonstrated that the stability dimension, in particular, is closely related to expectancies for success. His expectancy principles show that stable attributions lead to more certain expectations for future outcomes. Unstable attributions lead to uncertain expectations for future outcomes. Events related to stable causes yield greater certainty than those related to unstable ones.[34]

Review of the Research Literature

Motivation scholars have created numerous applied techniques to assess behaviors and perceptions, and most importantly, simple interventions that can help at-risk students become better learners and more successful students. Law students, because they are preparing for a demanding profession have much to

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[33] SCHUNK, et al. 2014., adapted from WEINER, An attributional theory of motivation and emotion. 1986..
[34] WEINER, An attributional theory of motivation and emotion. 1986..

gain by learning how to learn for long term professional mastery, as opposed to learning just in time to pass a test, and then move on with life.

Utility-value interventions arise from expectancy-value theory. The contention by Eccles, et al.,[35] that expectations of success and the extent to which a task or topic is valued are the "most proximal predictors of achievement and achievement-related choices (e.g., which courses to take, how hard to study for an exam)." The students who are most at risk academically have low expectations of success and see little value in what they are learning.[36] While first-semester, first-year law students probably expect to succeed academically based on their prior experience, in a required legal research course, they may struggle to see the importance of the subject matter and its vital connection to accomplishing their underlying professional goals.

As the name implies, utility-value interventions target students perceived utility value for a course's subject matter by either having an instructor tell the students about the importance or more effectively, have the students come to that conclusion by themselves.[37]

The course-specific task value interventions tested to date have been self-generated utility-value interventions. In a prototypical

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[35] Eccles, Expectancies, values and academic behaviors. 1983.; Eccles & Wigfield, ANNUAL REVIEW OF PSYCHOLOGY, (2002)..

[36] Judith M. Harackiewicz & Stacy J. Priniski, *Improving Student Outcomes in Higher Education: The Science of Targeted Intervention*, 69 see id. at, 417 (2018)..

[37] Id. at..

self-generated utility-value intervention, students complete a series

of course writing assignments in which they choose a topic

covered in the current unit of the course and either discuss the

relevance and utility value of the topic (the intervention condition)

or summarize the topic (the control condition). This intervention

provides students opportunities to make real connections between

what they are learning and things that they care about, fostering

perceptions of value as well as engagement with the course

content.[38]

High school science students were the subject of the first field test. The

intervention helped students identified as having low success expectancy improve

their grades and increase their interest in science generally.[39] Two late semester

interventions in an introductory college psychology course had similar results.

Students who performed poorly on the first exam in the semester, had increased

utility value increasing interest in psychology and greater interest in majoring in

psychology.[40] In another psychology course, the utility-value intervention raised

final exam scores across the board, but had the most significant impact on grades

of those who had the worst scores initially, and was in at-risk groups (e.g. poor-

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[38] Id. at, 418..

[39] Chris S. Hulleman & Judith M. Harackiewicz, *Promoting Interest and Performance in High School Science Classes*, 326 SCIENCE (2009)..

[40] Chris S. Hulleman, et al., *Enhancing interest and performance with a utility value intervention*, 102 JOURNAL OF EDUCATIONAL PSYCHOLOGY (2010)..

performing men).[41] Utility-Value interventions integrate well into coursework for immediate results; this will form part of the synthesized intervention plan below.

Interventions derived from attribution theory are generally called attribution retraining. At its core, the goal is to shift students who exhibit maladaptive attribution styles to adopt adaptive attribution styles.[42]

These authors respectively proposed that it is advantageous to have a slightly optimistic perception of one's capabilities. An adaptive attributional style involves attributing the causes of success to stable, controllable, and internal factors (such as ability) and those of failure to unstable, controllable and external factors (such as effort). Research has shown that students who hold these attributional styles have more confidence in their academic progress and work harder towards reaching their goals . In contrast, learning suffers when individuals attribute success to external, unstable, and uncontrollable factors (such as luck) and failure to internal, stable, and uncontrollable factors (such as lack of ability). Such a maladaptive attributional style has been linked to students holding pessimistic views about their future success and

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[41] Chris S. Hulleman, et al., *Making connections: Replicating and extending the utility value intervention in the classroom*, 109 see id. at (2017)..

[42] See, Bernard Weiner & Jack Sierad, *Misattribution for failure and enhancement of achievement strivings*, 31 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY (1975).; A. BANDURA, SOCIAL FOUNDATIONS OF THOUGHT AND ACTION: A SOCIAL COGNITIVE THEORY   (Prentice Hall. 1986)..

withdrawal of effort on tasks they perceive to be difficult .

Therefore, how a student explains why he or she fails or succeeds

can have an adaptive or maladaptive influence on how that student

comes to perceive his or her capabilities and approaches learning

tasks.[43]

While these interventions succeed in the classroom with breakout groups

of at-risk students, studies have shown that all students can benefit from

these interventions so that class-wide interventions can be beneficial.[44]

Regular verbal feedback from the instructor about past achievements with

effort increased

motivation, self-efficacy, and skill acquisition, better than linking

their future achievements with effort . . . or not providing effort

feedback. For effort feedback to be effecting, students must believe

that it is credible; that is, students realistically must work hard to

succeed. This suggests that effort feedback may be especially

influential during the early stages of skill learning when more

effort typically is required to succeed.[45]

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[43] Alicia R. Chodkiewicz & Christopher Boyle, *Exploring the contribution of attribution retraining to student perceptions and the learning process*, 30 EDUCATIONAL PSYCHOLOGY IN PRACTICE, 79 (2014)..

[44] Id. at, 83..

[45] SCHUNK, et al., 116. 2014..

Give accurate feedback to students. Inaccurate feedback is likely to be perceived

as non-credible, even if the teacher intends to encourage. Therefore it would be

better to find out how much effort the student believes he put into the assignment

for which he earned a lower than the desired grade. Then the teacher could

honestly say, "This was not your best work, but given that you have done better

on other assignments, and that you feel you did not give 100% effort on this

project, you have every reason to be confident that you can master this material

and do better on the next project." If, however, the student has worked very hard

but was unsatisfied with the result, identifying knowledge and skill gaps, as

opposed to lack of ability attributions, will encourage adaptive attributional

associations. Further, if a teacher realizes from the overall performance of the

students on a particular assessment that the assignment was too easy for the

students, the teacher should refrain from falsely associating the results to effort.[46]

(Schunk, 2014, pp. 118-119)

Synthesized Intervention Plan

Familiarity with the data-based understanding of cognitive processes and

the psychological theoretical constructs that inform the process and behavior of

learning will make better teachers and students. There are straightforward

interventions or teaching strategies that any legal research instructor can employ.

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[46] Id. at, 118-119..

Identifying the students who are most at risk can be problematic for several

reasons, (lack of knowledge and skill on the part of the instructor, the possibility

of stigma for identified law students in a highly competitive academic

environment, etc.). In my class, I will integrate several tests and assessments that

will inform students about adaptive assessment styles and will structure the timing

and style of formative assessments to encourage effective study methods and

enhance self-efficacy.

Examples of Interventions

- Week one written assignment asking students to share their professional

  aspirations in the practice of law.

  - What inspired you to attend law school?

  - Imagine yourself practice the law in your dream job. Describe a

    rewarding day due to obtaining an excellent result for your client.

    Be as detailed as possible.

  - What role do you imagine that legal research plays in the day to

    day life of a new attorney? On what do you base this perception?

  - Have you ever experienced failure in your personal life, or in

    academics? You need not share the details, but answer the

    following questions about how you felt about that failure

    - A series of attributional styles will be modeled, with a 1-5

      scale, 1=not at all true and 5=true

The responses to these questions can help inform me as an instructor to answer, "In what starting point my students find themselves with regards to prior attributions, the perceived value of legal research, and their professional goals. To the extent possible, I would create assessment options based on legal topic, desired practice setting, gradually increased realism, having upper-level law students and new attorneys physically or virtually visit the class to discuss legal research in practice, and time permitting, to offer some instruction on study and test-taking methods that are specific to law school.

Expected Outcome

I hope that this will improve the performance and engagement with the material for the bottom performers in my class. Increased interest across the board would be incredible, but the self-efficacy and intrinsic motivation of students at or near the top of their class in law school means that those students will take care of themselves. Making sure that any student who graduates from our law school can become professionally competent and have a mastery-goal orientation is much more important than making incremental improvements with the top of the class.

Conclusions

Expectancy-value theory and attribution theory are relevant in the law school setting, but hardly represent the totality of relevant theories for the classroom. Self-regulated learning, for example, offers many examples for

students who wish to become excellent learners on their way to a profession that requires continuous learning. More than ever, law schools owe it to the students who matriculate and will eventually graduate, to set them up for success, which includes the competencies needed to obtain professional employment and to meet the standards of the profession. Legal research, along with legal writing, is the first practical skill set that law students acquire on their way to practicing law. It is not the content that draws any student to law school, but it is a vital part of making that dream of helping a client obtain an excellent result a reality.

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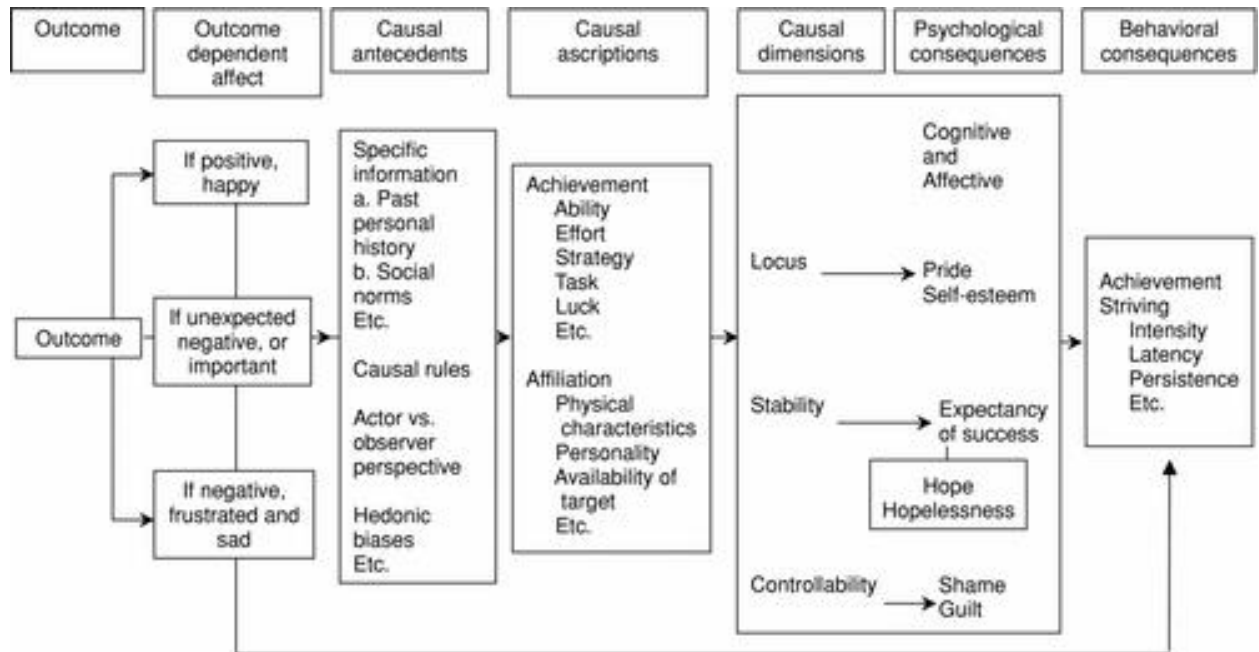
FIGURE 5 Final attribution-based theory of intrapersonal motivation. From

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