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The Need for Peer Mentoring Programs Linked to the Legal Writing Class: An Analysis and Proposed Model

By Amy R. Stein¹

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Legal writing professors serve as faculty advisors to their students in either an official or unofficial capacity. Yet this type of advising often takes up a significant portion of our time. Many of us also have the good fortune to be aided in this task by teaching assistants (“TAs”). According to the 2017–2018 ALWD/LWI Survey, 69% of legal writing programs use TAs at 182 schools.² This means that for many of us, we can leverage the use of our TAs to supplement the time consuming work we do advising and supporting first-year students. This article will discuss the importance of expanding the role of legal writing TAs to create a robust, school-supported peer mentoring program (“PMP”) and suggest a model for such a program.

Legal writing is the right place for this program because we—along with our TAs—are already doing much of this work. The legal writing classroom is the portal to so many other aspects of advising and professionalism through the efforts of both the professor and the TAs. I am not suggesting that the PMP be tied to the legal writing curriculum exclusively or be administered by the legal writing faculty; rather, I am suggesting that legal writing be used as the “anchor” to demonstrate to students that

the PMP is important and should be valued as part of their overall educational experience. Legal writing faculty could be involved with the program to the extent that they choose, since much of the instruction that we currently give about professionalism, writing samples, and job searching, for instance, could be easily incorporated into the PMP program.

Traditionally, the literature on peer mentoring in law school has examined the impact of either informal, student-driven, peer-to-peer relationships, or relationships between law students and practicing attorneys. There has been little or no discussion of more formal, law school-created programs. This article seeks to fill that gap by examining the strong need for such programs and suggests how such a program might be structured. The article begins by discussing, in part A, the characteristics of a mentor; in part B the characteristics of an effective mentor relationship; and in part C, the benefits of mentoring to both the mentor and mentee. This discussion will analyze literature from higher education generally, not just limited to law schools, since much excellent work has been done in this area throughout the higher education landscape. Next, part D will discuss high stress levels among law students and the need for mentoring, especially in the first year of law school; this has been well documented in the Law School Survey of Student Engagement. Finally, while one size does not fit all and each school will need to structure its program in a way that suits its population, part E suggests best practices for a law-school sponsored, peer-to-peer mentoring program run by the Legal Writing TAs who are already doing much of this work.

A. What is a Mentor?

The original mentor was described by Homer as the “wise and trusted counselor” whom Odysseus left

¹ Professor Stein wishes to express her gratitude to Sean A. Fanelli, PhD, Special Professor, Specialized Programs in Education and Director of the Higher Education Leadership Policy Studies Program at Hofstra University. Dr. Fanelli served as the faculty advisor for the capstone project for her M.S.Ed. which provided the foundation for this essay.

² The ALWD/LWI Survey, 2017–2018, is available at: <https://www.lwionline.org/resources/surveys>.

“This article will discuss the importance of expanding the role of legal writing TAs to create a robust, school-supported peer mentoring program . . .”

in charge of his household during his travels.³ The “[k]ey to the mentoring process is collaboration between individuals ‘who share mutual responsibility and accountability for helping the mentee work toward achievement of clear and mutually defined learning goals.’ Learning is the fundamental process, purpose, and product of mentoring.”⁴ While the definition of a peer mentor also focuses on the learning component, “[p]eer mentors are role models who often have valuable wisdom, which they gained from experience. The primary role of peer mentors is to aid others in their successful transition to college by providing academic and emotional support.”⁵ Peer mentors are “seasoned peer[s] who interact with targeted students, sharing his or her knowledge and experience, and thereby improving students’ understanding and learning. . . . The more the target student can identify with the mentor, the more receptive they will be to the mentor’s efforts to support and challenge them.”⁶

B. What Makes a Good Peer Mentor?

While it is difficult to quantify what makes a good peer mentor because programs have different needs, the literature suggests a number of characteristics are universal. Leadership skills, strong interpersonal communication skills, and relevant knowledge are all important.⁷ Moreover, in a higher education setting, the mentor should be academically strong. Many programs have GPA requirements. This may push students who desire to be mentors to work hard to achieve the requisite GPA.⁸ A letter of recommendation from a faculty member is also often required and serves as an indicator of academic integrity.⁹ One should also consider pairing

mentees from underrepresented groups (minority students, international students, first generation students), with a role model who is similar to them, so that the success of the mentor will lead them to believe that they, too, can be successful.¹⁰

C. What Are the Benefits of Peer Mentoring for the Mentee and the Mentor?

The academic and social support peer mentors can provide is impactful. This type of support can have a noticeable impact on the mentee’s level of achievement and connection to the institution.¹¹ This results in improved student performance (both inside and outside the classroom), as well as retention. Mentees often become inspired to become mentors.¹²

The benefits to the mentors are also huge and seem to revolve around three main themes:

- Being able to support, help, or uplift other students;
- Reapplying the concepts of mentoring in their own lives and becoming better students as a result; and
- The connections and friendships that they develop with other mentors through their participation in the program.¹³

Peer mentors are often the top students at an institution, so they represent the “model” to younger students. Many students who serve as mentors term the experience “life-changing,” and find this leadership experience to be one of their most significant educational experiences. Thus, a robust mentorship program can be a powerful tool to recruit and retain top students.¹⁴

³ NAT’L ACAD. OF SCI. ET AL., ADVISER, TEACHER, ROLE MODEL, FRIEND: ON BEING A MENTOR TO STUDENTS IN SCIENCE AND ENGINEERING ch.1 (1997) (ebook).

⁴ LOIS J. ZACHARY, CREATING A MENTORING CULTURE: THE ORGANIZATION’S GUIDE 3 (2005).

⁵ Laura Jo Rieske & Mimi Benjamin, *Utilizing Peer Mentor Roles in Learning Communities*, NEW DIRECTIONS FOR STUDENT SERVICES, Spring 2015, at 68, 67–77.

⁶ Frankie D. Minor, *Building Effective Peer Mentor Programs*, LEARNING COMMUNITIES & EDUC. REFORM, Summer 2007, at 2, 1–13.

⁷ Rieske & Benjamin, *supra* note 5, at 74.

⁸ *Id.* at 75.

⁹ *Id.*

¹⁰ Minor, *supra* note 6, at 3–4.

¹¹ Janet W. Colvin & Marinda Ashman, *Roles, Risks, and Benefits of Peer Mentoring Relationships in Higher Education*, 18 *Mentoring & Tutoring: Partnership Learning* 127–28, 131–34 (2010); Rieske & Benjamin, *supra* note 5, at 70.

¹² Minor, *supra* note 6, at 8.

¹³ Colvin & Ashman, *supra* note 11, at 127–28.

¹⁴ Minor, *supra* note 6, at 8.

“Leadership skills, strong interpersonal communication skills, and relevant knowledge are all important”

D. Why Do Law Students Need Peer Mentors?

Law students report that law school is extremely stressful. The Law School Survey of Student Engagement (“LSSSE”) is part of the Indiana University Center for Postsecondary Research. The LSSSE studies every aspect of the law student experience.¹⁵ In response to these reports about stress, LSSSE created a nine-question Law Student Stress Module appended to the core survey and administered to a subset of students at thirteen law schools.¹⁶ A summary of the very telling results follows:

- Half of respondents reported high stress or anxiety during the school year, 46% reported medium levels, and 4% reported low levels. This

means that virtually every respondent reported appreciable law school related stress or anxiety.¹⁷

- While nearly half of all law students indicated high levels of law school related stress, 3L students reported statistically significant lower levels of law school related stress than 1Ls or 2Ls.¹⁸
- The Law Student Stress Module identified six elements of the law school experience that are believed to be common stressors for students. Respondents were asked to indicate the extent to which each element indeed caused them stress or anxiety. The elements are listed on the following chart, in order of the proportion of respondents who indicated high levels of stress or anxiety relating to each:¹⁹
- Stress related to *academic performance* was more prevalent for 1L and 2L students than

¹⁵ LSSSE, *Who We Are*, LSSSE, <http://lsse.indiana.edu/who-we-are/> (last visited May 31, 2019).

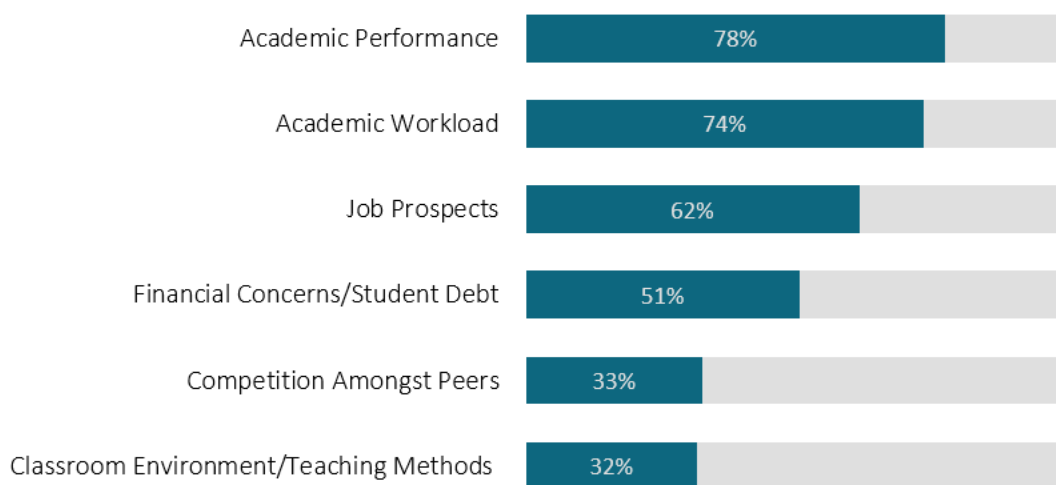
¹⁶ LSSSE, *Law Student Stress*, LSSSE, <http://lsse.indiana.edu/blog/law-student-stress> (Aug. 8, 2016).

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

HIGH STRESS BY INDIVIDUAL ELEMENT



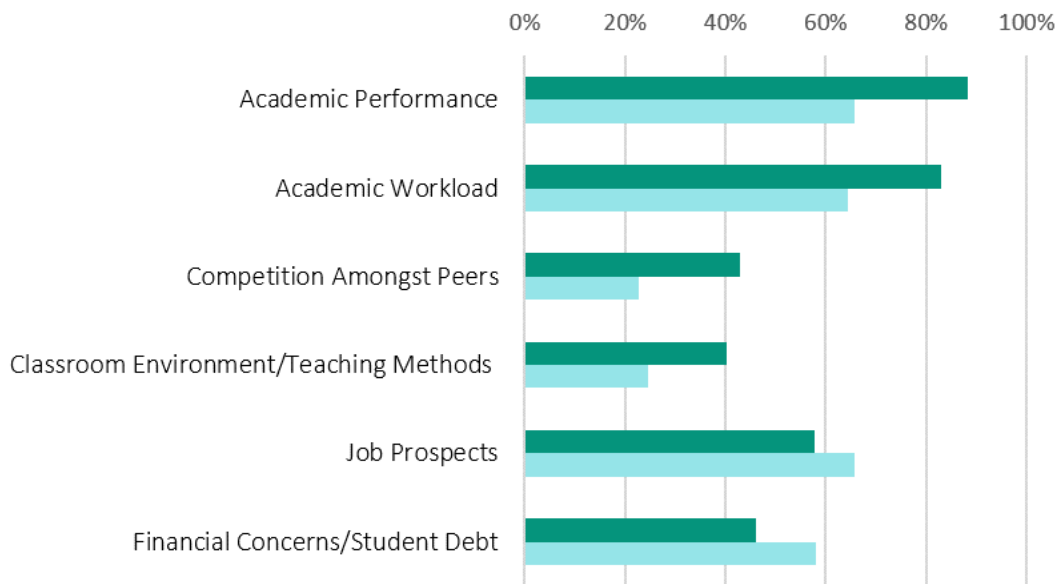
Source: *The Indiana University Center for Postsecondary Research*

“Thus, a robust mentorship program can be a powerful tool to recruit and retain top students.”

3L students. A similar pattern was shown for stress related to *academic workload*, *competition amongst peers*, and *classroom environment/teaching methods*, where 1Ls reported the most stress, followed by 2L and 3L students. Conversely, 3L students reported being more stressed about

financial concerns/student debt and *job prospects* than either 1L or 2L students.²⁰ A representation of stress loads by class is on the following chart:²¹

HIGH STRESS BY CLASS



Source: *The Indiana University Center for Postsecondary Research*

Note: The dark green relates to the 1Ls, and the light blue relates to the 2Ls and 3Ls.

- Stress in law school affects student performance, especially in the first year. About half (46.9%) of the respondents indicated that stress or anxiety impacted their law school performance, with only 19.5% indicating either “not at all” or “very little.” Only 8.2% of the respondents indicated that their law school “very much” emphasized ways to effectively manage stress or anxiety with the vast majority (69.7%) indicating either “very little” or “some.”²²

So what is the takeaway from this data? The survey provides empirical evidence demonstrating that while law school overall is quite stressful, it is especially so for 1Ls. This data seems to suggest that a PMP that has the support of the school might have a significant impact on reducing 1L stress and improving academic performance. This, in turn, could lead to more academically successful, satisfied students and a higher retention rate.

E. How Would an Effective Law School PMP be Structured?

There is no “one size fits all” for a program of this type. Ideally an institution should be flexible

“This, in turn, could lead to more academically successful, satisfied students and a higher retention rate.”

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

“Law school admissions are highly competitive; a student is far more likely to attend a school where they believe they will be nurtured and cared for.”

because in any given year the program may need to be adjusted to be maximally effective for a particular group of students. However some best practices should be employed. To send students the message that this program is an important part of their first-year experience, all 1Ls could be scheduled for an extra hour of legal writing every week or every other week. This time could be used for PMP-related activities and students might receive an extra pass/fail credit.

The process for choosing mentors should be highly selective. One way to accomplish this would be for each 1L professor to nominate two to three students towards the end of the spring semester of their first year. These students would then be invited to apply for positions in the PMP, and perhaps be interviewed by a committee composed of faculty, students, and administrators. It is also important that there be a robust training program. This training program should include both student affairs professionals and other relevant administrators, faculty members, and students who have previously served as mentors. Including members of all of the relevant constituencies in the selection and training process demonstrates that the school supports this program and views it as important.

Mentors and mentees should have both group and individual contact. Mentoring groups should be small, ideally fewer than ten students. This allows for both “vertical mentoring” between the mentor and the mentees, and “horizontal mentoring” between first-year colleague students. I coined these terms because in my experience as a teacher, students value learning from other students in their class (horizontal), not just from me or upper-class mentors (vertical).

Expectations on both sides must be clear—a written manual distributed to both mentors and mentees is an ideal way to communicate information. This manual could include such things as information about the type and frequency of meetings that the stakeholders are expected to have, suggestions as to the frequency of contact, as well as the best means of communication between the parties. It should also include the chain of command: who should either party contact if there are questions or problems regarding the relationship?

Ideally the mentoring relationship should extend throughout the entire first year of law school, with an emphasis on academics and study skills in the fall and on the summer job search in the spring. Throughout the year mindfulness activities might be included as a way to lower student stress levels (yoga, anybody?). The initial contact by the mentor should occur over the summer prior to the start of the 1L year. This will not only help ease the mentee’s concerns about the transition to law school, it also might help with enrollment. Law school admissions are highly competitive; a student is far more likely to attend a school where they believe they will be nurtured and cared for.

Administrative offices (such as Student Affairs and Career Services) should run much of their programming during the hour reserved for the PMP and seek the input of the peer mentors when planning such programs. There is a real value to new students hearing this information from successful upper-class students who have so recently had similar experiences. Programs might be done at key times throughout the semester, many of which are tied specifically to events that are occurring in legal writing. This will make students particularly receptive to advice given by peer mentors who are tied to their legal writing class. For example,

- A “getting to know you” program during Orientation will help establish the mentor-mentee relationship right from the beginning, when the mentees need it most. This could include discussion about the importance of legal writing both in the curriculum and in terms of obtaining a job.
- Consistent with the fall focus on academics, a program two to three weeks into the semester on law school study skills and time management might be well timed, after the “honeymoon phase” is over and students are settling into the reality of the workload. This is something that I routinely do in legal writing after the first closed memo assignment is handed in because students so frequently misjudge the amount of time it takes to produce quality legal writing. Peer mentors could help reinforce the message. For example, mentors could discuss their own

first-year successes and struggles with time management in legal writing as well as in their doctrinal classes. They can also discuss how improving their time management skills translated to improved performance in their summer jobs.

- A mid-semester program that introduces exam writing skills prior to the students' first set of midterms might be useful. A program on law school stress might also be effective around this time because about seven to eight weeks in, students are often feeling the pressure. They are starting to receive grades on legal writing assignments and midterms and realizing their expectations as to how they will perform in law school might need to be readjusted.
- Programs towards the end of the first semester might include an exam-preparation workshop, as well as something fun. For example, Hofstra Law School does a pancake "breakfast" one evening at the end of the semester, with faculty serving the food. This could be expanded to include the student mentors.
- In the spring semester, a "welcome back" event shortly prior to the start of the semester could be valuable. Students might need some help in recalibrating their expectations and approach to school if they are dissatisfied with their academic performance in the first semester. This is particularly relevant to legal writing because many students keep the same legal writing professor for the entire year and might appreciate some guidance as to how to approach their professor about ways to improve their research and writing skills.
- My TAs do research and citation review at the start of the spring semester, which helps reinforce these important skills. The TAs use this session as an opportunity to remind the students that these are the very skills they will utilize in their first summer jobs.
- As the semester progresses, TA-led sessions relating to looking for summer internships and jobs would be valuable. Peer mentors can be an invaluable source of help in revising writing samples and cover sheets for writing samples,

as well as cover letters. For the past few years, my TAs have conducted mock interview sessions with students. Recent graduates, especially those who are former peer mentors, could be brought in to help facilitate these discussions. Professionalism and networking might also be discussed in these sessions.

- As the semester progresses, mentors might assist their mentees with course planning throughout the rest of their law school career. This can be done in small groups or individually.
- Mentors should meet with each student individually at least once during each semester to ensure that *all* students benefit from the program, not just those who are more assertive about asking for help. Individual meetings might be geared to specific concerns students are having. Mentors should be aware of who they should contact if they believe a student is experiencing a significant mental health issue that requires immediate attention.
- Mentors must make it easy for students to reach out to them. For example, my TAs have specific hours that the students know they will be available in the library every week. Students can either stop by or schedule a specific appointment through a Google Docs spreadsheet.
- Finally, both the mentor and the mentee should engage in self-reflection about the experience through journaling. The legal writing professor can gain valuable insight into their teaching and their students' performance by reading these journals. They could be handed in as a homework assignment at several points throughout the semester. As a teacher, I would want to read them periodically rather than just at the end of the semester so that I could change course to correct misconceptions or misunderstandings.

A robust, well-planned peer mentoring program has the potential to yield huge benefits to law schools and their students at a modest financial cost. Such programs are a win-win for all stakeholders.

“Such programs are a win-win for stakeholders.”