

cially significant for the African-American and Latino-American groups because, while the distribution among socioeconomic groups did not deviate greatly for Asian-American and white students, 50% of African-American and 49% of Latino-American students were in the lower-to-middle socioeconomic group.

As many legal scholars have noted, multicultural students are subject to social isolation in law schools. These students often adopt a 'mask' to appear acculturated into the dominant culture, while trying to hold onto the values that they brought into law school. In addition, multicultural law students often feel invisible in law school classrooms and that their concerns are of little or no importance. This social isolation not only hinders multicultural students' acclimation to law school, and, subsequently, their self-confidence, but also cuts off these students from channels of information networking systems. These factors may therefore result in multicultural students not performing up to their capabilities.

A preliminary step in developing better study skills is for students to learn how to learn. Students who wish to improve their academic performances should incorporate learning theory into their study strategy. Students who performed better during their first year of law school than predicted by their undergraduate grade-point averages had more accurate expectations about the time required for particular law school related activities than those students who performed worse than predicted by their undergraduate grade-point averages. The next steps are to hone the time management skills of multicultural students, improve critical thinking skills and improve legal writing skills. One key to improving the academic suc-

cess of multicultural students is to provide a more realistic picture of law school but, ultimately, they themselves must ensure that they have the information necessary to acclimate themselves to law school.

### **Perceptions of stress and control in the first semester of law school**

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32 *Willamette L Rev* 3, 1996, pp 593–608

Legal education has been the focus of much criticism. It has been charged with warping personalities, undermining ethical and social values and fostering cynicism in students. It has been seen as the source of psychological patterns inimical to later ethical practice. Perhaps its most noted criticism is its apparent propensity for inducing psychological distress in law students. In fact, the experience of legal education as stressful may be a root cause of many of the other criticisms.

Students report being pressed for time and getting insufficient sleep. Symptoms of psychological distress, such as depression and anxiety, are also quite common. Students report extreme self-punishing attitudes, obsessive self-doubt, apathy, withdrawal from normal activities, fear, apprehension, a sense of impending doom and panic attacks. Interpersonal relationships with family members or significant others are often strained. Empirical research shows that law students consistently display elevated scores on validated psychiatric symptom survey instruments. These elevations are not a function of selection bias; law students do not start out with elevated psychiatric symptoms but show increases in these symptoms following their exposure to legal education.

The increases in psychological distress appear to be specific to law school and not a function of graduate education in general. While the use of the Socratic method is a salient difference between law and other graduate programs, it may not be the primary difference contributing to increased psychological distress among law students. Research in psychology shows that one major determinant of the impact of a stressor is its controllability. Therefore, the controllability of stressors associated with legal education also may be important in determining the degree of stress experienced by law students. It should be noted that the perception of control, in some cases, may be as important as actual control. Many of the negative effects of uncontrollable stressors are ameliorated when a person either is given the illusion of control or an option to exert control, even if this option is not exercised.

Despite its importance in determining the impact of stressors, perceived control has not been assessed as it applies to the stressors experienced by law students. Helplessness is characterised by deficits in motivation, mood disturbance, interpersonal insensitivity and negative physical outcomes, all of which are experienced by law students. To study the possible sources of helplessness in law school, 52 first-year students in their eighth and ninth weeks of law school rated 16 different law school stressors on their perceived stressfulness and controllability. First-year students were chosen because this appears to be the time frame in which the nature of legal education most affects students.

Stressors were statistically grouped into six factors: time pressure, difficulty of material, feedback, lack of



recreation, academic environment and pressure. The factors rated highest on stressfulness were time pressure, difficulty of material and feedback. Pressure and feedback were rated least controllable. Learned helplessness theory would predict that the interaction of stressfulness and controllability is most important to mental and physical health. A high sense of control can mitigate the adverse effects of a stressful situation; if a situation is not perceived as stressful, the addition of control may have only a mild positive effect. Therefore, a helplessness index was created that was the product of stressfulness and reversed controllability ratings. In this index, feedback received the highest score, followed by pressure, time pressure, difficulty of material, academic environment and lack of recreation.

A lack of feedback, particularly positive feedback, frequently has been cited by students as an aspect of law school that is even more stressful than the Socratic method. This stressor may have particular impact in that it can affect responses to other stressors such as learning material. For example, a student uncertain as to whether efforts to learn legal material are successful or not, lacking positive feedback, may begin to feel helpless in that her efforts to learn are not relevant to success or failure. By looking beyond the simple concept of stress, this study both supports the viewpoint that the Socratic method may increase the negative effects of law school and confirms previous findings regarding stress in law students. The combination of moderate demand and low control gives the Socratic method its potential for impact. Lack of feedback as to progress and performance also may be contributing to distress among law students, particularly in the first semester. Time

pressures, often cited as extremely stressful and rated most stressful in this study, also may be sufficiently uncontrollable as to create feelings of helplessness.

Understanding the role of control offers realistic options for reducing negative effects. Realising that both real and perceived control have positive effects, a number of changes seem possible. For example, an increasing number of law professors offer students the option of passing when called on in class. Even if the option is never exercised, the mere opportunity to exert control might have positive effects on the psychological well-being of students.

This research has a number of drawbacks, including a small sample size, limited generalisability to other law schools and no means by which to correlate the helplessness index with distress. Perhaps most important, however, it offers a framework for practical recommendations for legal educators that stops short of the abolition of the Socratic method, heavy workload and demanding academic environment that are integral parts of modern legal education.

## TEACHING METHODS & MEDIA

### A clinical textbook

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*20 Seattle University L Rev*, 1997, pp 353–382

Imagine a clinical textbook in torts or contracts. A clinical textbook is a text which presents material so as to situate the student explicitly within the world/context/perspective/schemata of the client and practising attorney, as contrasted with that of a law professor and appellate justice. In a traditional text, cases come first,

both literally and figuratively. The cases are not framed within the context of the client or attorney; rather, the doctrine is disseminated in the context of law professor or appellate justice and any attorney-client interaction almost always exists as a minor player in a particular case.

A clinical perspective should be embedded throughout the law school curriculum. First, the clinical perspective provides a context which is easy for students to understand. Secondly, it guides students in transferring the knowledge base that they have acquired in doctrinal courses into practice. Students trained with the clinical perspective have the practical information, understanding and context necessary to recognise the issues and start solving the problem. Thirdly, a substantial percentage of graduating students enter either a small firm or become sole practitioners. New attorneys have to know what they are doing from the moment of graduation.

Materials within standard casebooks have come a long way. Casebooks are filled with a wide variety of 'stuff': law review articles, excerpts from academic books, excerpts from novels, jurisprudential material, economic analyses, photographs, history, sociology, political theory, treatise-like offerings, essays and also problems and some lawyering exercises. However, most of the problems are 'doctrinal' and do not require students to engage in role-play with a client or participate in any other lawyering activity.

Everyone need not devote their entire class to the clinical perspective. What is important is the 'total' experience students have by the time they graduate. If every class devoted 10 or 15% of class time to this perspec-