

LAW SCHOOL MEMORIES: BUILDING EMPATHY BY CONNECTING TO ONE'S EARLIER SELF

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At the 2020 AALS Annual Meeting discussion group, “The Multigenerational Teaching of Legal Writing,”¹ participants discussed, among other issues, the different ways in which law professors from different generations experienced law school. In preparing for the discussion group, I focused on this theme by reflecting on my own experience as a 1L and considering the ways in which those experiences do or should inform my teaching. The exercise was far more helpful than I ever imagined it could be, and it was assisted by an unexpected source: social media.

Throughout my teaching career, I have always tried to—very selectively—share with my students some of my experiences and lessons I learned in law school, particularly during the challenging first year.² While I appreciate that every student is different and that my experience has in many ways been one of privilege (as a white, cisgender man), I believe that sharing some of my personal challenges helps me be a better teacher for several reasons. First, it humanizes me. Professors are often intimidating and viewed as infallible. In order to establish a positive learning environment, I believe it is important to share some of the struggles I experienced during the process that I am guiding students through. Second, I have found that displaying genuine humility makes me more approachable and encourages students to engage in an ongoing dialogue with me throughout the course. Third, students have reported sincerely appreciating hearing anecdotes and insights based on my experiences.

My reflection last fall made me wish I had kept a journal in law school so that I could have a larger pool of memories from which I could extract potentially helpful insight for the discussion group and, ultimately, my students. Thankfully, my reflection was aided by

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¹ AALS Annual Meeting, Washington, D.C. (Jan. 2, 2020).

² For example, I share that I struggled to establish effective study habits, that I was defensive when receiving critical feedback, and that I felt helpless being so far from home when family emergencies arose.

“Facebook Memories.”³ This social media feature provides Facebook users with reminders of photographs, status updates, and “wall posts” that appeared on their profiles on that specific date in past years. I paid extra-close attention to my Facebook Memory alerts this past fall because every memory from 2009 marked the ten-year anniversary of something I did or experienced in my first year of law school.

The exercise was humbling, at times emotional, and ultimately a helpful trip down memory lane. In the moment of reading the memories, some of the content made me laugh. Some of it reminded me of events, things, and people I had forgotten. Some of the content, in hindsight, was inappropriate for a then-aspiring legal professional, and I was glad to now have the opportunity to delete it from my still-active profile. Most importantly, though, the reminders facilitated reflection that might not have been possible without this digital documentation, since I have never formally kept a written journal.

The takeaways from this exercise were not profound, but they were enlightening given the vividness of my triggered memories and the new perspective they gave me. For example, I was reminded of the stresses that students face in law school classes and while completing common first-year assignments. I was reminded just how discouraging bad grades are. Seeing how many of my posts from 2009 were non-law school related also reminded me that personal life does not stop just because someone is in law school. Finally, I was reminded that someone’s public persona does not always reflect what that person is actually experiencing. Many of my posts projected confidence, apathy, or happiness that I know I did not actually feel at the time.

Some of these memories, such as struggling with knowing when I had done enough research for my 1L legal writing memo, serve as potentially useful anecdotes for sharing in class. Others, such as dealing with a family emergency, might help inform how I approach offering support to an individual student going through a challenging time. However, my memories, collectively, also reminded me that the challenges I faced do not compare to those of first-generation students, students with disabilities, and students from underrepresented communities. Moreover, I appreciate that students’ experiences are shaped by the time during which they attend law school, and that social, economic, and public health crises can present unique individual and collective challenges. For many law professors, reflecting on law school might bring back memories that are more painful than what I experienced. Without conscious effort, reflection

³ See Facebook Memories, https://www.facebook.com/help/1056848067697293/?helpref=hc_fnav (last visited Dec. 7, 2020).

risks narrowing one's perspective to individual lived experiences, rather than broadening it to allow for empathy with those whose experiences differ. It is therefore important to recognize the limits of personal reflection, and to frame any explicit or implicit insight offered to students accordingly.

While social media is often vilified (including by me) for tracking users and documenting our lives in sometimes unexpected ways,⁴ the Facebook Memories feature proved to be useful in this particular instance. But as helpful as Facebook was for me during this exercise, I do not believe that Facebook, or any social media for that matter, is the only way to engage in this type of reflection. After all, the vast majority of law school professors attended law school before Facebook launched in 2004. Looking at old photographs, reminiscing with law school friends, and catching up with law school professors are all activities that can bring to the surface once-lost memories from this formidable time. Remembering law school experiences, regardless of when they were experienced, can help law professors of every generation adopt and maintain an empathetic mindset that is often missing in legal education.

⁴ See, e.g., Peter Suci, *There Isn't Enough Privacy on Social Media and That Is a Real Problem*, FORBES (June 26, 2020), <https://www.forbes.com/sites/petersuci/2020/06/26/there-isnt-enough-privacy-on-social-media-and-that-is-a-real-problem/#246a6c6d44f1>.