

# TEACHING IN THE TIME OF DISRUPTION: A CASE FOR EMPATHY AND HONORING DIVERSITY

Sha-Shana Crichton\*

## Introduction

The nationwide protests sparked by the heinous murder of George Floyd at the hands of police officers have spoken volumes about the frustration of persons of all races regarding persistent racial injustices and the lack of accountability for the frequent killing of unarmed persons of color by police officers and ordinary citizens alike. Media coverage of the various protests showed an overwhelming number of Millennials and Gen Zers,<sup>1</sup> whose continued in-person and virtual activism demonstrated that they are watching, they want change, and they will not be silenced.

As a legal writing teacher, the protests have caused me to rethink my approach to teaching legal writing, the foundation of legal practice.<sup>2</sup> I became more curious about Gen Zers as a group and about how this incoming and future law-student cohort would be similar to,

---

\* Sha-Shana Crichton is an Assistant Professor of Lawyering Skills and Director of the Legal Writing Program at Howard University School of Law. She wishes to thank Jeff McCormack; Professors Kenneth Chestek, Sherri Keene, and Suzanne Rowe; and her research assistants Ashley Grey and Aysha Thompson for their thoughtful comments on an earlier version of this essay. She also thanks Howard University School of Law for research assistance.

<sup>1</sup> William H. Frey, *The Nation's Racial Justice Protests are a Pivotal Moment for Millennials and Gen Z*, BROOKINGS BLOG: THE AVENUE (June 9, 2020), <https://www.brookings.edu/blog/the-avenue/2020/06/08/the-nations-racial-justice-protests-are-a-pivotal-moment-for-millennials-and-gen-z>; Michael Dimock, *Defining Generations: Where Millennials End and Generation Z Begins*, PEW. RSCH. CTR. (Jan. 17, 2019), <https://www.pewresearch.org/fact-tank/2019/01/17/where-millennials-end-and-generation-z-begins> (classifying Millennials as persons born between 1981 and 1996; members of Generation Z, herein referred to as “Gen Zers,” are born after 1996).

<sup>2</sup> See RICHARD K. NEUMANN, JR. & KRISTEN KONRAD TISCIONE, *LEGAL REASONING AND LEGAL WRITING 6-7* (7th ed. 2013) (noting that the ability to write well is necessary to successfully practice law).

or different from, Millennials.<sup>3</sup> Chants demanding “justice” sent a clear message that these two groups of law students in particular would expect that legal stakeholders deliver on the promise of equal justice under the law.

### 1. Diversity, Gen Zers, and Anxiety

I teach at an HBCU, historically black college and university, with a social justice mission. Consequently, I knew the students would be interested in social justice. We incorporate social justice into the curriculum both because it is inherent in our mission and because teaching law students to address issues of social justice is critical to educating competent lawyers who can effectively address the legal needs of an increasingly diverse population consistent with the ABA requirements.<sup>4</sup>

Earlier in my career, I decided that to be a successful legal writing teacher, I had to study pedagogy and neuroeducation. It was important to me to understand how to teach effectively and how the brain learns. I put myself on a steady diet of extensive reading and reaching out to experts and dedicated teachers who gave generously of their time, including members of our legal writing community. As I pondered what to change in my approach to teaching in light of the protests and pandemic, this community again provided the help I needed. Professor Laura Graham’s *Generation Z Goes to Law School: Teaching and Reaching Law Students in the Post-Millennial Generation*<sup>5</sup> was particularly instructive.

---

<sup>3</sup> Laura P. Graham, *Generation Z Goes to Law School: Teaching and Reaching Law Students in the Post-Millennial Generation*, 41 U. ARK. LITTLE ROCK L. REV. 29, 85 (2018) (observing that Millennials were the largest cohort of law students in the past decade); see generally Jason S. Palmer, “The Millennials Are Coming!”: *Improving Self-Efficacy in Law Students Through Universal Design in Learning*, 63 CLEV. ST. L. REV. 675, 680-89 (2015) (describing Millennials as law students); see also Gabriel Kuris, *Advice for Older Law School Applicants to Consider*, U.S. NEWS (Jan. 27, 2020, 9:34 AM), <https://www.usnews.com/education/blogs/law-admissions-lowdown/articles/advice-for-older-law-school-applicants-to-consider#:~:text=Although%20most%20applicants%20are%20under,those%20that%20law%20school%20provides> (commenting that since the majority of applicants are under age 25, Gen Zers are now the largest group applying to law school).

<sup>4</sup> AMERICAN BAR ASSOCIATION SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR, STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2019–2020, STANDARDS 301(a) (2019).

<sup>5</sup> Graham, *supra* note 3, at 29.

Professor Graham advises law teachers to learn about Gen Zers, “who they are, where they have come from, and how they learn,” because we will need to “adapt our teaching methods to competently prepare this next generation of legal professionals.”<sup>6</sup> Professor Graham describes Gen Zers as “loyal, thoughtful, compassionate, open-minded, responsible, and determined.”<sup>7</sup> Like Millennials, Gen Zers are diverse in terms of race, gender, ethnicity, and sexual orientation.<sup>8</sup> However, Gen Zers are the most diverse generational group in terms of race and sexual orientation;<sup>9</sup> 48% of Gen Zers are non-white,<sup>10</sup> and they are the most likely generational group to know someone who uses gender-neutral pronouns to identify themselves.<sup>11</sup> Like Millennials, Gen Zers are concerned about racial inequality and social justice.<sup>12</sup> They are passionate about “greater racial justice and inclusion, better treatment of immigrants, stronger environmental protections, and effective gun control.”<sup>13</sup> While both Millennials and Gen Zers desire positive social change, Gen Zers appear to have “a much higher emotional connection”<sup>14</sup> to these causes and

---

<sup>6</sup> *Id.*; see Susan K. McClellan, *Externships for Millennial Generation Law Students: Bridging the Generation Gap*, 15 *CLINICAL L. REV.* 255, 258 (2009) (noting that generational research is not absolute; instead, it provides insight into generalized traits generational groups might exhibit, which can help educators to improve teaching methods).

<sup>7</sup> Graham, *supra* note 3, at 39 (citation omitted); see also COREY SEEMILLER & MEGHAN GRACE, *GENERATION Z: A CENTURY IN THE MAKING* 29 (2019) (noting that more than seventy percent of Gen Zers identified as “loyal, thoughtful, determined, compassionate, open-minded, and responsible”) (citation omitted).

<sup>8</sup> Graham, *supra* note 3, at 40; Kim Parker & Ruth Igielnik, *On the Cusp of Adulthood and Facing an Uncertain Future: What We Know About Gen Z So Far*, PEW RSCH. CTR. (May 14, 2020), <https://www.pewsocialtrends.org/essay/on-the-cusp-of-adulthood-and-facing-an-uncertain-future-what-we-know-about-gen-z-so-far>.

<sup>9</sup> Casey Bond, *There’s A Big Difference Between Millennials and Generation Z*, HUFF. POST (Aug. 7, 2020, 3:50 PM), [https://www.huffpost.com/entry/millennials-gen-z-differences\\_1\\_5f2b87f6c5b6e96a22adc439](https://www.huffpost.com/entry/millennials-gen-z-differences_1_5f2b87f6c5b6e96a22adc439).

<sup>10</sup> Parker & Igielnik, *supra* note 8 (compared to 39% of Millennials).

<sup>11</sup> *Id.*; see also SEEMILLER & GRACE, *supra* note 7, at 30 (citing a J. Walter Thompson Intelligence Group study finding that more than half of Gen Zers know someone who prefers using non-traditional gender pronouns).

<sup>12</sup> Graham, *supra* note 3, at 40; see Frey, *supra* note 1.

<sup>13</sup> Frey, *supra* note 1.

<sup>14</sup> Bond, *supra* note 9.

consequently “are ready to bring about change in our world.”<sup>15</sup> Strikingly, this visibly bold and seemingly confident group is also anxious and insecure.<sup>16</sup> I am aware of the rising levels of anxiety among law students, but the word “insecure” caused me to pause and then stop. In my mind, boldness and insecurity are polar opposites, but I took from this article that displays of boldness and overconfidence may be masks for insecurity. This revelation linking insecurity to anxiety inspired me to reevaluate my teaching.

Insecurity fuels anxiety.<sup>17</sup> Anxiety causes stress.<sup>18</sup> Anxiety and stress inhibit learning by challenging our attention span; diminishing our focus; affecting our perception; skewing our filtering process toward negative and fear-inducing stimuli, which causes further anxiety; weakening our memory; impeding efficient and effective recall; and obstructing our high-level cognition.<sup>19</sup> Anxiety and stress

---

<sup>15</sup> SEEMILLER & GRACE, *supra* note 7, at 28; see Graham, *supra* note 3, at 40 (“One of [Gen Zers’] central concerns is racial inequality and discord, and they aim to do something about it.”) (citation omitted); SEEMILLER & GRACE, *supra* note 7, at 281 (describing Gen Zers as “eager to create innovative and sustainable change”) (citation omitted); Tiffany D. Atkins, #FORTHETCULTURE: *Generation Z and the Future of Legal Education*, 26 MICH. J. RACE & L. (forthcoming 2021) (manuscript at 19) (on file with author) (noting that “Gen Zers aren’t afraid to use their voices to challenge prejudice and racism”).

<sup>16</sup> Graham, *supra* note 3, at 39, 72.

<sup>17</sup> See generally Robert B. Thornhill, *Lawyer Stress*, 78 ALA. LAW. 115, 115–16 (2017) (chronicling causes of lawyer stress and suggesting effective ways to achieve and maintain improved mental, emotional and physical health).

<sup>18</sup> BRUCE S. MCEWEN & ELIZABETH NORTON LASEY, *THE END OF STRESS AS WE KNOW IT 2-3* (2002).

<sup>19</sup> Graham, *supra* note 3, at 43; see generally Sha-Shana Crichton, *Incorporating Social Justice into the 1L Legal Writing Course: A Tool for Empowering Students of Color and of Historically Marginalized Groups and Improving Learning*, 24 MICH. J. RACE & L. 251, 277 (2019) (“[S]ome stress is good for learning. Mild to moderate short-term intrinsic stress increases alertness and motivation which facilitate learning.”) (citing Franklin Stein, *Stress Management Questionnaire*, in *ASSESSMENTS IN OCCUPATIONAL THERAPY MENTAL HEALTH: AN INTEGRATIVE APPROACH* 293, 294 (Barbara J. Hemphill-Pearson ed., 2008) (“Not all stress is bad; mild to moderate amounts of stress can be a motivating force in an individual.”)). But see Jennifer A. Heissel, Dorainne J. Levy & Emma K. Adam, *Stress, Sleep, and Performance on Standardized Tests: Understudied Pathways to the Achievement Gap*, 3 AERA OPEN 1, 5 (2017) (noting that intrinsic stress, like stress related to a test, is more likely to help recall whereas extrinsic stress, stress from external sources, is more likely to hinder recall).

also interfere with our sleep, which causes additional anxiety and further diminishes attention, memory, and learning.<sup>20</sup>

Law students experience the highest levels of anxiety of all graduate students.<sup>21</sup> And, the level of anxiety among law students is expected to rise. Millennials and Gen Zers comprise the largest cohort of present and incoming law students,<sup>22</sup> and Gen Zers, like Millennials, experience higher levels of anxiety than previous generations.<sup>23</sup> Moreover, Gen Zers are typically more anxious and stressed than all adults, including Millennials.<sup>24</sup> In fact, Gen Zers are described as “ultra-vulnerable to stress.”<sup>25</sup> In addition to the unique stressors associated with being in law school,<sup>26</sup> this cohort of law students views the world as unsafe in part because of the constant media reports of mass shootings and school shootings,<sup>27</sup> and now, the pandemic.<sup>28</sup> For law students of color, adding yet another layer of anxiety are the threats against their physical and emotional safety due to ever-present race-based microaggressions, othering, calls to the police solely to show persons of color they do not belong and are not

---

<sup>20</sup> Graham, *supra* note 3, at 43; Suzanne C. Segerstrom, *Perceptions of Stress and Control in the First Semester of Law School*, 32 WILLAMETTE L. REV. 593, 594 (1996) (noting that insufficient sleep leads to anxiety and depression); *see also* Jean M. Twenge, *Have Smartphones Destroyed a Generation?*, THE ATLANTIC (Sept. 2017), <https://www.theatlantic.com/magazine/archive/2017/09/has-the-smartphone-destroyed-a-generation/534198> (reporting that the prevalence of electronic devices and social media disrupts sleep, which leads to compromised thinking and reasoning, depression, and anxiety).

<sup>21</sup> Christine Pedigo Bartholomew & Johanna Oreskovic, *Normalizing Trepidation and Anxiety*, 48 DUQ. L. REV. 349, 359 (2010).

<sup>22</sup> Graham, *supra* note 3, at 85; Kuris, *supra* note 3.

<sup>23</sup> Geoff McMaster, *Millennials and Gen Z are More Anxious than Previous Generations: Here's Why*, FOLIO (Jan. 28, 2020) <https://www.folio.ca/millennials-and-gen-z-are-more-anxious-than-previous-generations-heres-why>.

<sup>24</sup> Callie Capraro, *Can You Z the Next Generation of Lawyers Coming?*, WYO. LAW., Aug. 2019, at 36, 39.

<sup>25</sup> *Id.*

<sup>26</sup> Segerstrom, *supra* note 20, at 595.

<sup>27</sup> SEEMILLER & GRACE, *supra* note 7, at 257-58; AM. PSYCHOL. ASS'N, *STRESS IN AMERICA: GENERATION Z* 2 (2018), <https://www.apa.org/news/press/releases/stress/2018/stress-gen-z.pdf>.

<sup>28</sup> AM. PSYCHOL. ASS'N, *STRESS IN AMERICA 2020: STRESS IN THE TIME OF COVID-19 (VOL. ONE)* 2 (2020), <https://www.apa.org/news/press/releases/stress/2020/stress-in-america-covid.pdf>.

free to participate in society, and the frequent shooting and harming of unarmed persons of color by the police and ordinary citizens.<sup>29</sup>

As I reflected on past semesters and planned for the upcoming school year, it dawned on me that law students likely feel insecure, anxious, and stressed because they want, and expect, to do well. They want to do well not only to position themselves for the job of their choice, but also to effectively address social injustices. Their willingness to risk their lives and liberty in recent protests against racial injustices and the unjust killing and harming of unarmed black and brown persons by the police is evidence of commitment and determination.<sup>30</sup> To address anxiety and support social justice, I now intentionally include empathy in my feedback and honor diversity by holding non-class sessions to provide a space to talk and support our feelings.

## **2. Empathetic Feedback**

An immediate and effective change I made is in the way I give feedback. Constructive and timely feedback are essential to successful learning.<sup>31</sup> The literature on delivering feedback cautions that Millennials and Gen Zers expect constant and immediate feedback.<sup>32</sup> Also, they are typically accustomed to being praised for being bright.<sup>33</sup> Anything that falls short, including constructive feedback, sends their stress response into high gear. Consequently, they either push back (fight), shut down (freeze), or ignore the comments (flight).<sup>34</sup> This caused me to feel overwhelmed and disappointed. My goal in giving feedback is to help them to build critical legal skills, not to add to their stress levels.

---

<sup>29</sup> See Crichton, *supra* note 19, at 261-68; Erin C. Lain, *Racialized Interactions in the Law School Classroom: Pedagogical Approaches to Creating a Safe Learning Environment*, 67 J. LEGAL EDUC. 780, 783-88 (2018).

<sup>30</sup> Frey, *supra* note 1.

<sup>31</sup> Alliance for Experiential Learning in Law, *Experience the Future: Papers from the Second National Symposium on Experiential Education in Law*, 7 ELON L. REV. 1, 29 (2015).

<sup>32</sup> Capraro, *supra* note 24, at 36, 38; McClellan, *supra* note 6, at 263-64.

<sup>33</sup> McClellan, *supra* note 6, at 263; Parker & Igielnik, *supra* note 8.

<sup>34</sup> CATHERINE M. PITTMAN & ELIZABETH M. KARLE, REWIRE YOUR ANXIOUS BRAIN: HOW TO USE THE NEUROSCIENCE OF FEAR TO END ANXIETY, PANIC, AND WORRY 15, 92 (2015) (noting that the stress response are fight, freeze, and flight.); see McMaster, *supra* note 23 (noting that today's students "tend to recoil even from constructive criticism").

Thinking of the students as anxious and insecure about doing well makes me realize that I should exercise more compassion and empathy. In other words, I should first think of how they feel when they are trying to do their best in legal writing, which has been compared to learning a new language,<sup>35</sup> and are hearing from the teacher (me) that there are ways that they can improve. Feedback in their legal writing classes is perhaps the first and, in many instances, the only feedback they will receive until their final exams in other courses because of the general practice of summative assessment.<sup>36</sup> Instead of assuming that my students know that my ultimate goal is to see them succeed in law school and have a successful legal career, I decided to make it a practice to tell them. I am working on finding the right balance of showing and telling my students that their success matters.<sup>37</sup> Specifically, I no longer assume that they know I care. Instead, I show and tell them: “I see you; I hear you; your concerns are important to me; and I am committed to your success in my class, in law school, and as a legal professional.”

### 3. Honoring Diversity with Conversation

In light of lessons from the protests, the second area I am focusing on is *honoring* the groups’ diversity and giving them a place to share their feelings.<sup>38</sup> To note, Millennials and Gen Zers are the most racially diverse of the generational groups.<sup>39</sup> The racial diversity of both groups helps to explain why protesting against racial injustices is so important to them. Racial diversity for them is not an option, it is a way of life. Many of them have a parent, relative, or friend who is of a different racial or ethnic group. Consequently, they identify with persons who are being racially marginalized and oppressed. Law students are not insulated from social injustices because they are in law school. Tethered to their cellphones and computers, these digital

---

<sup>35</sup> Suzanne E. Rowe, *Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice*, 29 STETSON L. REV. 1193, 1205–06 (2000).

<sup>36</sup> See Bartholomew & Oreskovic, *supra* note 21, at 371–72 (noting that “the LRW class is virtually the only venue where first-year law students can expect immediate or direct feedback on their work”).

<sup>37</sup> See *generally* RUTH ANNE ROBBINS, STEVE JOHANSEN & KEN CHESTEK, *YOUR CLIENT’S STORY: PERSUASIVE LEGAL WRITING* (2013) (noting the importance of showing and telling to effectively get one’s point across).

<sup>38</sup> This encompasses diversity in all its forms, including but not limited to race, gender, age, ethnicity, physical abilities, sexual orientation, religion, socio-economic status, and language.

<sup>39</sup> See *supra* notes 9-10 and accompanying text.

natives are a captive audience to constant reports of racial oppression and frequent killings of unarmed black and brown persons by police officers and also by ordinary white citizens, which are likely to cause them stress.<sup>40</sup> For law students of color, these ubiquitous reminders of their vulnerability solely because they belong to a historically marginalized group are likely to cause chronic stress.<sup>41</sup> Scientific research confirms that racial discrimination causes chronic stress.<sup>42</sup> Chronic stress interferes with successful learning.<sup>43</sup>

It should not be lost on us law teachers, that, while in law school, law students need the space and opportunity to be heard. Unlike the Silent Generation or other generations, Millennials and Gen Zers want to be heard, and they also want to feel like they are preparing to address causes that are important to them, such as racial injustices.<sup>44</sup> This does not require gargantuan efforts or resources. But, it requires providing opportunities for students to talk about how they feel, showing empathy and the willingness to listen, and developing the openness to make an effort to understand. It also requires us to show and tell students how the research, analysis, writing, and advocacy skills they are learning in the legal writing course are transferrable and can help them to create legal documents to effect positive legal and social change.<sup>45</sup>

---

<sup>40</sup> AM. PSYCHOL. ASS'N, *STRESS IN AMERICA 2020: STRESS IN THE TIME OF COVID-19 (VOL. THREE) 2* (2020), <https://www.apa.org/news/press/releases/stress/2020/stress-in-america-covid-july.pdf> [hereinafter *STRESS IN THE TIME OF COVID-19 VOL. III*] (noting that “[t]hree in 5 U.S. adults (60%) say police violence toward minorities is a significant source of stress in their life”); see also Josephine Ross, *Warning: Stop-and-Frisk May Be Hazardous to Your Health*, 25 WM. & MARY BILL RTS. J. 689, 723, 29 (2016).

<sup>41</sup> See Crichton, *supra* note 19, at 255.

<sup>42</sup> Hope Landrine & Elizabeth A. Klonoff, *The Schedule of Racist Events: A Measure of Racial Discrimination and a Study of its Negative Physical and Mental Health Consequences*, 22 J. BLACK PSYCH. 144, 146 (1996); see *STRESS IN THE TIME OF COVID-19 VOL. III*, *supra* note 40, at 2 (“Discrimination continues to be a source of stress for the majority of Black Americans.”).

<sup>43</sup> MCEWEN & LASEY, *supra* note 18, at 62.

<sup>44</sup> See generally Kim Parker, Nikki Graf & Ruth Igielnik, *Generation Z Looks a Lot Like Millennials on Key Social and Political Issues*, PEW RSCH. CTR. (Jan. 17, 2019), <https://www.pewsocialtrends.org/2019/01/17/generation-z-looks-a-lot-like-millennials-on-key-social-and-political-issues>.

<sup>45</sup> See Tonya Kowalski, *Toward a Pedagogy for Teaching Legal Writing in Law School Clinics*, 17 CLINICAL L. REV. 285 (2010).

Last semester, I started a weekly virtual 30-minute “Tea, Coffee, and Chat” session with my class.<sup>46</sup> We met on Wednesday evenings at 5 pm with tea, coffee, or nothing in hand and talked. There were two ground rules. First, they could not talk about the substance of any class assignments; I did not want this to turn into an extended office hours session. Second, we had to agree to respectfully disagree when there were divergent views. The idea for the sessions came as I grappled with the fear and uncertainty of the coronavirus pandemic, the reports and implications of the racial disparity in healthcare, and the brutal murder of Ahmaud Arbery, an unarmed young black man.

At times during that semester, I felt too overwhelmed to concentrate and I predicted that my students were having a similar experience.<sup>47</sup> Ahmaud’s death was particularly disconcerting.<sup>48</sup> Like many of my students, he was twenty-five years old, and like many of them, he is black. Images showed the unarmed Ahmaud being accosted and killed by two armed assailants while the third assailant hit Ahmaud with his truck because in their view he did not belong in ‘their’ neighborhood and should not have been jogging on ‘their’ streets.<sup>49</sup> These images evoked strong emotions including anger, fear, and frustration. During our sessions, students expressed their concern that the callousness of the murder and the prosecutor’s refusal to order an investigation and bring charges showed that like the life of the many other black and brown persons killed because of their race, Ahmaud’s life did not matter.

I reflected on our conversations during the Tea, Coffee, and Chat sessions fewer than three months later, as the nation erupted in protests demanding equitable treatment and justice for police brutality against unarmed persons of color. The nation and the world watched images of Officer Derek Chauvin, hands in his pocket, as he knelt on George Floyd’s neck during an arrest.<sup>50</sup> Pressure to the neck

---

<sup>46</sup> The sessions lasted sometimes 45 minutes or an hour. I had intended to stop the sessions before the students when into exams, but they asked that the sessions continue.

<sup>47</sup> See Ross, *supra* note 40, at 729 (2016) (noting that “adults and children can become alarmed and disturbed simply by seeing another person in distress”).

<sup>48</sup> Ross Barkan, *High-profile Killings of Unarmed Black People Spark Calls for Reform*, 106 A.B.A. J. 14-16 (Aug. – Sept. 2020); see *id.* (“[T]he coronavirus and general apathy over another Black man’s death meant little to no attention was paid to the case.”).

<sup>49</sup> *Id.* at 14-15.

<sup>50</sup> Evan Hill, Ainara Tiefenthäler, Christiaan Triebert, Drew Jordan, Haley Willis & Robin Stein, *How George Floyd Was Killed in Police Custody*, N.Y.

is a sure way of causing death. Basic biology tells us that pressure to the carotid arteries in the neck reduces the oxygen supply to the brain and to the body.<sup>51</sup> If sustained, it leads to death.<sup>52</sup> Officer Chauvin kept his knees on George Floyd's neck for seven minutes and forty-six seconds<sup>53</sup> while his fellow police officers watched in silence.

Instinctively, I reached out to several of my black and brown male and female past students by telephone, text, and email to check on them. Most noted feeling overwhelmed, fatigued, and unable to concentrate. Two calls immediately come to mind. One former student at a summer internship noted that while members of his law firm summer class talked about movies, he could not concentrate. Another, a senior associate, mentioned difficulties focusing on work and other tasks.

George Floyd's death "brought renewed [and focused] attention to police killings across the country."<sup>54</sup> As such, it brought nationwide attention to the killing of Breonna Taylor, an unarmed 26-year-old woman of color who was shot multiple times and killed by police officers while she slept in her home.<sup>55</sup> Breonna's death caused some students to become doubtful and impatient. They no longer wanted to hear about justice and equality under the law. They wanted to see justice. They wanted to see that persons of color are regarded as equal under the law and are entitled to equal rights. The fact that Breonna

---

TIMES (Aug. 13, 2020), <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>.

<sup>51</sup> Ben Poston, *Police agencies are banning a controversial neck hold after George Floyd's death*, L.A. TIMES (June 5, 2020), <https://www.latimes.com/california/story/2020-06-05/george-floyd-carotid-neck-hold-police>.

<sup>52</sup> *Id.*

<sup>53</sup> Nicholas Bogel-Burroughs, *8 Minutes, 46 Seconds Became a Symbol in George Floyd's Death. The Exact Time Is Less Clear*, N.Y. TIMES (June 20, 2020), <https://www.nytimes.com/2020/06/18/us/george-floyd-timing.html>.

<sup>54</sup> Eric Levenson, *A Timeline of Breonna Taylor's Case Since Police Broke Down Her Door and Shot Her*, CNN (Sept. 24, 2020), <https://www.cnn.com/2020/09/23/us/breonna-taylor-timeline/index.html>.

<sup>55</sup> *Id.*; see generally Brittney Cooper, *Why Are Black Women and Girls Still an Afterthought in Our Outrage Over Police Violence?*, TIME (June 4, 2020), <https://time.com/5847970/police-brutality-black-women-girls> (suggesting that Breonna Taylor's death, like that of similar female victims, would likely not have received nationwide attention if it weren't for the protests surrounding George Floyd's death because of the invisibility of black women and the lack of empathy for the traumas they experience resulting from racism and sexism).

was asleep in her home when she was killed had to mean something. I dug deep for hope for my students and myself. As future attorneys and advocates I wanted them to always remember Charles Hamilton Houston's teaching that the law has power to evoke social change.<sup>56</sup> I wanted them to believe that the justice system can and will deliver equal justice, and I wanted them to view police officers not as oppressors but as partners in the pursuit of justice.

A grand jury's decision not to hold anyone responsible for Breonna's death<sup>57</sup> deepened familiar emotional pain and raised a litany of longstanding and reoccurring questions and concerns. I have no answers, but I can and will listen.

### **Conclusion**

Teaching during the protests and pandemic has made me a more reflective teacher. It has caused me to reflect on how to better instruct a present and future cohort of law students whose generational cohorts have shown through their activism that they respect diversity, abhor racial and social injustices, demand equal justice and are willing to work to achieve it, want change, and will not be silenced. I have learned that to best prepare these inspiring and committed future lawyers to become competent lawyers, I should honor their diversity, be empathetic in instruction and feedback, give them the space to share their feelings, and actively listen.

---

<sup>56</sup> See GENNA RAE MCNEIL, *GROUNDWORK: CHARLES HAMILTON HOUSTON AND THE STRUGGLE FOR CIVIL RIGHTS* (1983) (documenting the life, works, and teachings of former dean of Howard University School of Law, Charles Hamilton Houston); see generally Ismael Oumzil, *David Boies: Law helps to bring about social change*, CORNELL CHRON. (Oct. 27, 2015), <https://news.cornell.edu/stories/2015/10/david-boies-law-helps-bring-about-social-change> (interviewing veteran attorney David Boies, who noted that "the reason why he studied law, [is] to be a part of and to influence social change—and that with law we can 'make our society a better and more inclusive place'").

<sup>57</sup> Shaila Dewan, Will Wright & John Eligon, *In the Breonna Taylor Case, a Battle of Blame Over the Grand Jury*, N.Y. TIMES (Oct. 2, 2020), <https://www.nytimes.com/2020/09/29/us/breonna-taylor-grand-jury.html>.