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Using Distance Learning To Enhance Cross-Listed Interdisciplinary Law School Courses

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USING DISTANCE LEARNING TO ENHANCE CROSS-LISTED INTERDISCIPLINARY LAW SCHOOL COURSES

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I. INTRODUCTION

Courses that are interdisciplinary in their approach to teaching substance and skills and that include graduate students from other disciplines can be a valuable addition to legal education.1 In

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1. See Janet Weinstein, Coming of Age: Recognizing the Importance of Interdisciplinary Education in Law Practice, 74 WASH. L. REV. 319, 340 (1999) (explaining that interdisciplinary courses help to overcome the traditional tendency of legal education to be narrowly focused, confined to linear thinking, and to send the implicit message that other disciplines are unimportant to solving legal problems); Linda R. Crane, Interdisciplinary Combined-Degree and Graduate Law Degree Programs: History and Trends, 33 J. MARSHALL L. REV. 47, 65 (1999) (explaining that cross-professional education exposes students to socialization systems, occupational cultures, and ideologies that may differ dramatically from their own); Randy Frances Kandel, Whither the Legal Whale: Interdisciplinary and the Socialization of Professional Identity, 27 LOY. L.A. L. REV. 9, 19 (1993) (“Interdisciplinary nourishment vitally engages students in the continuous reconceptualization of the relationships among themselves, the profession, the law, its users, and the broader social and moral order.”); Phillip Areeda, Always a Borrower: Law and Other Disciplines, 1988 DUKE L.J. 1029,
addition to enabling students to share different perspectives, such courses provide an ideal environment for teaching law students to collaborate with other types of professionals. This is increasingly essential to the effective practice of law. Cross-listed courses can also provide access to classes on subjects that are not otherwise offered and to the expertise of faculty members from other parts of an academic institution. Not surprisingly, such courses receive high ratings from law students.

Notwithstanding these benefits, the capacity of law schools to offer cross-listed courses is constrained by numerous logistical and administrative challenges. Distance learning, or distance education—the use of computers, telecommunications, and digital networking to permit learning outside the boundaries of the classroom—holds the potential to expand the availability of cross-listed courses by reducing these barriers. Equally important,

1043 (1988) ("We need lawyers... who can use the learning of other disciplines to formulate and revise legal rules and to apply them to the uncertain reality in which we live.").

2. See Weinstein, supra note 1, at 322 (explaining that law schools should train lawyers to be creative problem solvers, which necessitates learning how to collaborate with other professionals); Leigh Goodmark, Can Poverty Lawyers Play Well with Others? Including Legal Services in Integrated, School-Based Service Delivery Programs, 4 GEO. J. ON FIGHTING POVERTY 243, 244 (1997) (stating that addressing the needs of poor clients requires utilizing skills of people from various disciplines and developing interdisciplinary and holistic approaches); Cyril M. Harris & Albert J. Rosenthal, The Interdisciplinary Course in the Legal Aspects of Noise Pollution at Columbia University, 31 J. LEGAL EDUC. 128, 128 (1981) (explaining that all types of legal practice require understanding and working with experts from other fields).

3. See David B. Wilkins, Redefining the 'Professional' in Professional Ethics: An Interdisciplinary Approach to Teaching Professionalism, 58 LAW & CONTEMP. PROBS., Summer & Autumn 1995, at 241, 254-55 (1995) (explaining that law and medical students enrolled in a cross-listed course on professionalism gave the course high ratings with many students stating that it was the best course they had taken); Harris & Rosenthal, supra note 2, at 132 (stating that students are generally pleased with course cross-listed in law and engineering schools). I also received very positive feedback on my course.


distance learning can provide professors of cross-listed courses with pedagogical tools for enhancing interdisciplinary communication and collaboration, and circumventing some of the problems inherent in teaching students from different disciplines.

Since many law schools are physically separate from other parts of the university, it can be difficult to find a convenient location to hold cross-listed classes. Similarly, it is often difficult to find a suitable class time because the semester calendars and course schedules of law schools are frequently different from other university divisions.

For law professors specifically, cross-listed courses present unique pedagogical challenges stemming from the difficulty of teaching a class comprised of students who are near-experts in legal analysis, the language of the law, and the legal system, and students who are novices. Moreover, it is crucial but extremely difficult to create an environment in which these two groups of students, coming from different backgrounds, professional cultures, and knowledge bases, are not mutually intimidated. Indeed, one commentator has argued that impediments to cross-professional communication are so great that "English-speaking members of a particular profession may in fact communicate more clearly with non-English-speaking members of their profession from other cultures than they do with English-speaking persons who are not part of the profession."
In a class I recently taught on public health law, I used distance learning and evaluated its ability to: (1) facilitate teaching at different levels to students from two disciplines; (2) enhance interdisciplinary interaction and collaboration; and (3) reduce the barriers associated with time and place constraints.¹⁰

The course, offered to law students and graduate students in public health, presented the usual problems. The public health students, on the one hand, had considerable academic training and employment experience in their field, but most had never read a statute, regulation, or judicial opinion. The law students, on the other hand, had extensive training in legal analysis, legal process, and many relevant areas of law, but most knew nothing about the theory, methods, and practice of public health.

Additionally, the law and public health schools are located miles apart and the difference between the two schools’ schedules was substantial. The law school’s classes meet during the day and the public health school holds classes at night. As a consequence, it was impossible to schedule more than one “live” two-hour class each week, which did not provide sufficient time to accomplish the course’s substantive and skills objectives.

The purpose of this Article is to evaluate the capacity of distance education technology to enhance the effectiveness of cross-listed interdisciplinary courses. It is intended to help professors use distance education to make new and established law school courses accessible to graduate students studying other disciplines. Additionally, since there is little scholarship on the unique pedagogical challenges presented by cross-listed law school courses, this Article offers some general observations and suggestions that will hopefully be useful to teachers of these courses, regardless of whether or not they employ distance

¹⁰ Public health law explores the legal, ethical, and public policy issues that arise when government restricts and compels individual and corporate behavior to reduce public health risks. See generally Lawrence O. Gostin, Public Health Law: Power, Duty, Restraint (2000); New Ethics for the Public’s Health (Dan E. Beauchamp & Bonnie Steinbock eds., 1999); Kenneth R. Wing, The Law and the Public’s Health (2nd ed. 1985). Courses on public health law are increasingly appearing in medical schools, graduate programs in public health, and law schools.
II. COURSE OBJECTIVES AND PEDAGOGY

A. Live Class Pedagogy

The course's objective was not to make public health experts of the law students or to teach the public health students to think like lawyers. Instead, it sought to facilitate interdisciplinary collaboration by introducing each group of students to the foundational principles, language, theoretical perspectives, and problem-solving approaches of the other discipline. Because both groups of students intended to practice their respective professions within a public-interest setting, the course concentrated on the public policy implications of the law and provided training in

11. There are numerous articles describing cross-listed courses. See Weinstein, supra note 1, at 354-56 (describing course offered to law and social work students); Robertson, supra note 4, at 250-54 (describing cross-listed courses on environmental law); Wilkins, supra note 3, at 251-57 (describing course on professionalism offered to law and medical students); Harris & Rosenthal, supra note 2, at 129-31 (describing course on noise pollution that was offered to law and engineering students).

12. See Weinstein, supra note 1, at 352 (explaining that the goal of interdisciplinary education should be to train lawyers to work with professionals from other disciplines rather than to become experts in other disciplines that are implicated in their work). See Harris & Rosenthal, supra note 2, at 133 (stating that the primary objective of a course on noise pollution open to law and engineering students was to teach skills related to interdisciplinary collaboration); Francis C. Cady, A Successful Experiment in Interdisciplinary Teaching and Learning, 27 J. LEGAL. EDUC. 609, 609 (1975) (explaining that the primary goal of the course on juveniles and the law, which included law and social work students, was to counteract the antagonism that is frequently evident when members of these professions encounter each other in family court proceedings).

13. Reading materials included a textbook on public health law that was uniquely suited to a cross-listed course because, unlike traditional law school casebooks, its perspective was interdisciplinary and its style accessible to readers with no legal training. The text was supplemented with original legal materials, such as statutes, regulations, and cases; secondary materials that described or critiqued the law; and articles from public health journals.

14. The mission of both CUNY's law and public health schools is to train students to work in the public interest.

15. The course concentrated on federal constitutional law and the scope of state authority under the police power. It also examined alternative legal approaches to reducing particular public health risks, specifically: infectious disease, tobacco, guns and violence, workplace health hazards, urban
interdisciplinary collaboration within the simulated context of a government public health agency.

Aside from separate introductory lectures delivered to each group of students on the first day,16 live classes were conducted using the discussion method. Each class typically began with the explication of an assigned statute, regulation, or case, usually by a law student volunteer.17 The goal of this exercise was twofold. First, it offered the law students the opportunity to develop their ability to explain the law in a manner accessible to novices—a skill essential to effective collaboration with other professionals.18 Second, the exercise ensured that the public health students had a basic understanding of the rights at stake in various public health conflicts and the sources and scope of the legal protection of those rights.

Once this foundation was established, the discussion moved to the underlying objectives, philosophy, and social, political, and economic consequences of the judicial, legislative, or administrative solution to a particular public health problem. Students were encouraged to consider how the law promoted or thwarted public health objectives and to articulate alternative legal and public health approaches.

A considerable portion of live classes was devoted to surfacing differences and similarities between the problem-solving methodologies of law and public health. The goal of these discussions was to identify the distinct contributions that each discipline can make to the formulation of public health policy. These discussions culminated in the creation of a holistic model for generating and evaluating alternative solutions to public health problems that incorporated the dominant concerns and perspectives

environmental threats, excessive use of antibiotic medications, and obesity.

16. My lecture to the public health students covered the federal and state legal systems, an overview of the legal process, and how to read a case. A member of the public health school’s faculty introduced the law students to the basic theories, methods, and objectives of public health.

17. By the end of the semester, several public health students felt sufficiently self-confident to assume this role.

18. See Weinstein, supra note 1, at 331 (explaining that learning how to translate the specialized jargon of a profession is an important skill for interdisciplinary collaboration).
of both disciplines.

During a mid-semester class project, which was conducted partly online and partly in the live class, interdisciplinary teams of law and public health students employed this method to propose solutions to a particular public health problem. Students also used this interdisciplinary methodology to problem-solve on the final exam.

B. Distance Education Pedagogy

Distance education technology was employed to enhance the scope and depth of the course's substantive coverage, increase opportunities for and reduce barriers to interdisciplinary interaction, and remedy specific administrative and logistical problems. Specifically, I created a course website to enlarge the sphere of informational resources used in the course and expedite communication with the class. I also used the course website to post the syllabi (i.e., original and revised), announcements, reading materials, links to relevant Internet websites, and student surveys.

Asynchronous online discussion forums were used to increase

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19. The subject of the class project was the excessive use of antibiotic medications by doctors and patients, which leads to the emergence of drug-resistant bacteria and undermines the ability of medicine to successfully treat infectious diseases. For the exercise, interdisciplinary teams of law and public health students were assigned to analyze this public health problem from the perspective of a particular population group, such as patients, doctors, or drug manufacturers. Each team was asked to identify how its group contributed to the problem, the underlying motivations for these behaviors, and the legal and public policy measures that would encourage positive behavior and deter negative behavior. Each team presented its recommendations to the class.

20. For the final take-home exam, students were given background materials on the causes and consequences of increased obesity among the U.S. population, and were asked to propose and evaluate a set of legal and public policy recommendations.


22. I used surveys to ascertain students' backgrounds and their reactions to various aspects of the course. The latter, as well as my conversations with students about the course, form the basis of the observations, conclusions, and recommendations contained in this Article.
opportunities for student-to-student and student-to-teacher communication by reducing the constraints imposed by time and space. In addition to limited live class time, geography and scheduling conflicts made it virtually impossible for the law and public health students to get together to discuss assigned readings outside of class. To alleviate this problem, and to provide an additional opportunity for students to benefit from each other's expertise, I posted two discussion forums each week in advance of the live class—one on legal issues and the other on public health issues.23 Each week one or two law and public health students were assigned to be "on-call experts," responding to questions or initiating discussions in their respective forums. The primary purpose of these pre-class discussions was to enable each group of students to obtain answers to basic questions about the other discipline in an expedient manner. Additionally, the pre-class discussion environment was intended to be less intimidating than the live class.24 Equally important, the pre-class forums provided an opportunity for both groups of students to function as experts in their respective fields and explain concepts to novices.25

Post-class online discussion forums were used to compensate for the limited amount of live class time. After every class, I initiated and closely supervised an asynchronous discussion to explore issues in greater depth, cover additional topics, and analyze hypothetical problems. Also, I hoped these discussions, in addition to expanding course coverage, would encourage participation amongst students who found the live classroom intimidating.26

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23. Additionally, the pre-class discussion forums were intended to help me prepare the live classes by identifying aspects of the assigned readings that students found particularly difficult.

24. See Donahoe, supra note 21, at 30 (suggesting that law students feel more comfortable asking questions of an expert online).

25. Since the course was primarily about law, it was especially important to provide as many opportunities as possible for the public health students to function as experts.

26. A number of commentators have asserted that online discussion forums increase student participation in class discussions by providing an environment that is less intimidating than the traditional classroom. See, e.g., Shelley Ross Saxer, One Professor's Approach to Increasing Technology Use in Legal Education, 6 RICH. J.L. & TECH. 21, 26 (2000) (stating that online discussions offer students who hesitate to participate in class discussions an opportunity to share their ideas); Richard Warner, Stephen D. Sowel, & Will Sadler, Teaching
E-mail was used to increase student-teacher interaction and to compensate for my own unavailability to the public health students. E-mail allowed students to discuss any questions they had regarding the material. It also offered a means of communicating with me that was perhaps less daunting than meeting after the live class, and more private than posting a question on a pre- or post-class discussion forum.

III. THE EFFECTIVENESS OF DISTANCE EDUCATION AT ENHANCING CROSS-LISTED LAW SCHOOL COURSES

Distance learning technology can be used in cross-listed courses to increase opportunities for interdisciplinary interaction and collaboration, meet students’ disparate educational needs and desires, maintain student engagement, and overcome certain logistical and administrative problems. The specific techniques I used, and their varying degrees of success, are discussed below.

A. Facilitating Interdisciplinary Interaction and Creating a Safe Learning Environment

The success of cross-listed courses largely depends on the willingness of students from both disciplines to engage in an open and multidimensional exploration of the subject. Given the vast differences in the professional cultures and languages of individual

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27. For reasons of convenience, all live classes were held at the public health school. Since I did not maintain an office in this building, I was there only to teach the two-hour live class.

28. See Richard A. Matasar & Rosemary Shiels, Electronic Law Students: Repercussions on Legal Education, 29 VAL. U. L. REV. 909, 929 (1995) (explaining that e-mail promotes spirit of collaboration among faculty and students); Thomas, supra note 26, at 238 (explaining that e-mail communication between teacher and student is efficient, convenient, and less intimidating than face-to-face meetings).

Law With Computers, 24 RUTGERS COMPUTER & TECH. L.J. 107, 150 (1998) (explaining that students who lack confidence to participate in classroom may feel more comfortable participating online); Geist, supra note 21, at 170 (explaining that online discussions elicit participation from shy or withdrawn students); Robert H. Thomas, "Hey, Did You Get My E-Mail?" Reflections of a Retro-Grouch in the Computer Age of Legal Education, 44 J. LEGAL EDUC. 233, 240 (1994) (arguing that some students, who are otherwise uncommunicative, may participate in electronic communication because it lacks "oppressive physical or social climate of the law classroom.").
disciplines, it is a considerable challenge to create a learning environment in which students from both disciplines feel sufficiently comfortable to share their perspectives and experiences, openly question the opinions and assumptions of the other discipline, and express their own opinions about an unfamiliar subject in the presence of a group of experts. In my course, I was particularly concerned that the public health students would be reluctant to ask questions and express opinions regarding the law due to the presence of a law professor and second- and third-year law students who significantly outnumbered them.  

Additionally, when different kinds of professionals work together, gaps in basic knowledge about the other discipline frequently need to be filled. Therefore, an important aspect of training in interdisciplinary collaboration is learning when and how to ask "dumb" questions about an unfamiliar subject and, equally important, learning how to answer "dumb" questions about one's own area of expertise.  

A non-threatening learning environment is crucial to achieving these goals.

Some of the distance education techniques I used to facilitate interdisciplinary interaction succeeded, while others failed. For example, the course website allowed students from both groups to exchange informational resources and background materials easily. Throughout the semester, significant numbers of students from both groups came forward with documents or Internet URLs intended to fill apparent gaps in other students' knowledge, or facilitate a more sophisticated understanding of a topic discussed in the live class. The public health students often posted articles containing epidemiological data on a particular subject, while the law students posted law review articles supporting a position taken during the live class or providing helpful background information. The course website also enabled students from each group to share documents and create links related to subjects not covered in the course, but of particular interest to them.

29. Course enrollment included sixteen law students and eleven public health students.

30. See Weinstein, supra note 1, at 338 ("A professional needs to be able to ask other professionals what might appear to be 'dumb' questions. By doing so, we can clarify whether others are relying upon inappropriate assumptions and move all professionals involved to a more creative level of interaction.").
Post-class discussion forums were effective at breaking down barriers to interdisciplinary communication and increasing the ability of each group to benefit from the other's expertise and perspectives. In particular, the post-class forums succeeded at engaging a few additional public health students in class discussions. One of these students reported that he preferred to participate online because he sometimes felt intimidated by the law students in the live class. Another public health student said that, when participating online, he was less afraid that others would disagree with his opinions. Additionally, some students from both groups were more willing to discuss controversial subjects and express unpopular opinions online. For others, the post-class forums seemed to provide a more comfortable environment in which to share aspects of their background or personal experience.

In contrast, the pre-class discussion forums did not achieve their objective. While these forums did enable a few students from both groups to obtain answers to basic questions and share their expertise, very few students participated. There seemed to be two reasons for this. First and more significantly, students did not experience the pre-class forums as a non-threatening environment that enabled them to ask "dumb" questions about new concepts. Indeed, several students reported finding the prospect of writing a question for public display to be more intimidating than raising it orally in class. Second, a number of students found posting questions on the pre-class forum, in addition to reading the assigned material and perhaps participating in a post-class online discussion of material covered previously, to be too great a burden.

32. Instead, students who had questions about the reading material tended to e-mail me, approach me before the live class, or raise their questions during class.
33. I chose not to permit students to post anonymous comments or questions on the online discussion forums. In retrospect, I believe this may have deterred some students from participating.
34. See Johnson, supra note 5, at 120 ("As faculty make more information and instructional tools available to students, students may face information overload.").
Information overload likewise reduced student participation in the online component of the class project.\textsuperscript{35} Despite being cajoled by team leaders, very few students from either group participated in the small-group discussion forums. While the web-based part of the class exercise on interdisciplinary collaboration did not succeed, the live class component elicited a high degree of enthusiastic class participation.\textsuperscript{36}

B. Teaching at Different Levels and Maintaining Student Engagement

One of the most formidable challenges of teaching a cross-listed course is making the material accessible and challenging to both groups of students.\textsuperscript{37} Except during discussions and exercises that draw equally on the expertise of all students, each group in such a course is generally on very different footing when the principles of one or the other discipline are being covered. This requires the professor to find ways to meet the basic educational needs of novice students, while satisfying the appetite of experts who desire a more sophisticated inquiry.\textsuperscript{38}

In a traditional law school class, professors generally address the needs of students at different levels by teaching to the middle, on the theory that this will satisfy the largest number of students. In cross-listed courses, however, this tactic is generally precluded because there are two groups of students with completely different backgrounds and bases of knowledge. To meet the expectations of

\textsuperscript{35} See id.

\textsuperscript{36} A number of law and public health students reported that the class exercise was highly effective at facilitating interdisciplinary interaction and collaboration, and for this reason was their favorite part of the course. See also Harris & Rosenthal, \textit{supra} note 2, at 132 (describing class projects in which teams of law and engineering students worked together as the most successful and enjoyable part of the course).

\textsuperscript{37} See Harris & Rosenthal, \textit{supra} note 2, at 132 (observing that instruction in either discipline in cross-listed course tended to be either too simplistic for students in the same field or over the heads of students in the other).

\textsuperscript{38} Teachers of a cross-listed course for law and engineering students approached this problem by teaching to the lowest common denominator of both groups of students. See Harris & Rosenthal, \textit{supra} note 2, at 130 ("Because of the presence of students from both schools, and the diversities in the prior training of even those from the same school, instruction in fundamentals was structured on a lowest-common-denominator basis.").
novices, who desire an understanding of a discipline's basic principles or methodology, and experts, who desire more complexity, it is often necessary to alternate between teaching at an elementary level and teaching at a more sophisticated level.

Distance education technology provides a number of tools for teaching at different levels. For example, online discussion forums permit more or less sophisticated discussions of the same material simultaneously. After each live class, I initiated several discussion threads on the post-class forum that were deliberately targeted to students at different levels. For the novices, I often posted a problem that required the application of a new legal or public health concept to a relatively straightforward set of facts. At the same time, to engage the experts, I posted a complex problem or controversial comment about the same material. This multilevel approach, which is not available in the traditional classroom, usually succeeded at eliciting the participation of students at different levels.

In addition, the course website significantly enlarged the realm of informational resources that could be employed to meet students' different educational needs and appetites. If the public health students were having difficulty understanding a new legal concept, I could quickly respond by posting a device to assist them 39 or by creating links to other web-based resources. 40 Similarly, if students demonstrated an interest in exploring a subject in greater depth or learning about topics not covered in the course, I could make appropriate resources available on the website.

Finally, the course website generally increased my own capacity and willingness to respond to students' apparent and expressed

39. For example, early in the semester it became clear that the public health students needed additional guidance on how to read and understand judicial opinions. In response, I posted a checklist designed to insure that they focused on the portions of cases that were most relevant to our discussions.

40. As the semester progressed, it became apparent that the public health students found it especially difficult to read and understand statutes and regulations. I addressed this problem by posting secondary materials on the course website or creating Internet links to administrative agencies that contained useful background information and explanations of statutes and regulations designed for readers without legal training.
needs. For example, the website made it extremely convenient to communicate with the entire class, add or eliminate assigned readings, and alter the course’s focus. Therefore, I was far more agreeable than I would have been in a traditional class to modify the pacing of the course or alter the amount of time devoted to a specific topic.

Distance learning technology also provides a number of tools for reducing the risk of student disengagement. In any course, students’ level of engagement rises and falls according to whether the material and class discussions are below, equal to, or beyond their level of knowledge and analytical competence. This is especially the case in a cross-listed course, where the risk of student withdrawal is heightened because of the need to teach at different levels.

Distance education technology allows for the rapid integration of real-world developments into the course, which can give novices an incentive to master complex concepts and motivate experts to revisit familiar concepts in a new and timely context. New judicial opinions, regulations, and relevant news stories can be announced and posted on the course website and scheduled for discussion in the same week they appear.

The use of technology also increases opportunities for students to personalize a course’s content and collaborate with the professor on shaping its direction and focus. In my course, both the law and the public health students, after only a few live classes, began communicating with me via e-mail to suggest topics they wished the course to address. Usually these were subjects of particular interest to them, or subjects in which they had some special expertise. The e-mails often included attached documents or links to relevant Internet websites.

In a traditional course, a professor’s capacity to respond to such suggestions is constrained by limited class time and the burden of having to reproduce and distribute additional reading materials. Distance education technology considerably reduces those constraints. In my class, for example, every document and link

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41. I have never received so many suggestions from students regarding topics they would like covered in class. I interpreted this as further evidence that students experienced e-mail as a less intimidating way to communicate with me.
suggested by students was made available to the class as a whole. Those with a special interest or background in a particular subject simply posted the relevant documents or Internet links on the course website and initiated a related online conversation in a general discussion forum.\footnote{42} Because of the flexibility offered by the technology, students were far more involved in shaping the course's pace, method, and direction. As the semester progressed, this ability to influence the course content seemed, by itself, to enhance student engagement.

C. Reducing Time Constraints and Administrative Burdens

Post-class discussion forums were an effective substitute for additional live class time, enabling me to cover topics excluded from the live class because of time constraints and enabling the students to discuss issues in greater depth. The quality of the post-class discussions was equal to, and sometimes superior to, that of the live class. Indeed, comments, questions, and responses were often more detailed and thoughtful. These forums provided the essential educational elements of the live classroom: instructor supervision, instructor feedback on student comments, and the opportunity to respond to other students' contributions. The post-class forums even offered certain educational benefits not available in the classroom. For example, they provided students with more time to reflect on questions or comments, the opportunity to consult the textbook or other materials, and the challenge of writing clear and well-reasoned comments. Online discussions of hypothetical problems tended to be more successful than those in the live class because students had more time to absorb the facts, reflect, and formulate a response. Online problem solving seemed particularly helpful to the public health students, because they were more likely to encounter principles and terms that were completely unfamiliar.

Unlike some users of online discussion forums, however, I did not observe significant differences between students who

\footnote{42. A few weeks after the course had begun, I created a general discussion forum for students to discuss the documents and links that they posted on the course website.}
participated in the live class and those who participated online. While the post-class forums did succeed at engaging a few additional public health students, for the most part, those students in both groups who were most active in the live class also tended to be most active online, and those who rarely participated in the live class rarely participated online. The online discussions did not succeed at engaging the few students from both groups who almost never participated in the live class. These students almost never participated online, apparently because writing for a public forum was as intimidating to them as speaking in class.

Distance education technology also significantly reduced the administrative burdens associated with the course. In fact, without the benefit of this technology, these burdens would have been overwhelming. In particular, the course website provided a means of communicating with both groups of students about re-scheduling classes or changes in syllabus that was far more rapid and convenient than placing notices in students' mailboxes or on bulletin boards at the two schools.

Finally, the course website streamlined the distribution of reading materials. Instead of reproducing hard copies and physically transporting them to the live class, I simply downloaded documents onto the course website or created an Internet link. The availability of documents on the course website also made it easy for students who were absent from the live class to stay abreast of assignments and obtain reading materials assigned for the next class.

IV. CONCLUSIONS AND RECOMMENDATIONS

Courses that bring law students together with students from other professional schools provide an exciting environment for teaching interdisciplinary collaboration and exploring the contributions that

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43. See Lloyd, supra note 31, at 590.
44. Several of the most active live class participants were less active in online discussions. The most common reasons were a lack of time and slow Internet connections.
45. Of course, the effectiveness of this means of communicating with students from both groups depends upon their taking the initiative to periodically check the course website for announcements.
other disciplines can make to the solution of legal problems. While cross-listed courses present considerable pedagogical, logistical, and administrative challenges, many of these challenges can be significantly reduced by the use of distance education technology.

Specifically, course websites provide an easy means of increasing the number and range of informational resources available to address students' different educational needs and focus the course on new developments. These websites also enable students to share information with each other and collaborate on shaping the focus of the course. In addition, online discussion forums effectively compensate for limited live class time and increase the opportunities for students from different disciplines to share their perspectives and experiences. Post-class discussion forums, in particular, can be used to cover additional topics, address issues in greater depth, analyze hypothetical problems, promote discussions of class material targeted to meet students' different needs, and elicit the participation of additional students.

In my experience, online discussion forums were less effective at aiding class preparation by providing a means for students from different disciplines to ask each other questions. As a general matter, the students did not experience these forums as a less intimidating environment in which to ask basic questions about new material. Moreover, they found the pre-class online discussions to be excessively time-consuming when combined with reading assignments and other online work.

The following are some additional observations and recommendations for teachers of cross-listed courses and users of distance education. First, it is important to enroll roughly equal numbers of students from both disciplines in a cross-listed course. The presence in my class of a disproportionate number of law students made it considerably more difficult for some public health students to take part in both the live and online discussions.

Second, class exercises in which interdisciplinary teams of students work together on a problem are highly effective at breaking down cultural and communication barriers and enabling students to get the benefit of each other's expertise. These collaborative projects should be used several times during the semester, ideally at the beginning, middle, and end.
Third, it is unrealistic to expect students to engage in more than one online discussion forum at a time, and online discussions that are initiated and supervised by the professor seem to elicit more and higher-quality student participation than those overseen by students. In my class, both the pre-class discussion forums and the online component of the class exercise would probably have elicited greater student participation had I been more involved in their management and had they been the only online activity in which students were expected to engage. Additionally, students might have felt more comfortable using the pre-class forums to obtain answers to their basic questions about the other discipline if they had been able to post their questions anonymously.

As a final note, the American Bar Association’s (“ABA”) new standard on distance education should greatly facilitate the use of this technology in cross-listed law school courses. Under previous temporary guidelines, absent prior ABA approval, law students could not receive credit for an entire course, or any portion thereof, that was conducted online, unless the transmission was sent and received at a facility that had a law faculty, student body, and library in residence. This facilities-based limitation precluded law students from obtaining course credit for online work done away from a law school, such as in their homes. The effect of the temporary guidelines on my course was that the law students could obtain only two credits for the course, which

46. See also Harris & Rosenthal, supra note 2, at 133 (finding that close collaboration between students from two schools on projects outside of class may be difficult to achieve without close faculty supervision).

47. See American Bar Association Standards for Approval of Law Schools, Chapter 3 Standards, at http://www.abanet.org/legaled/standards/chapter3.html (last visited Jan. 26, 2003) (on file with the Rutgers Computer & Technology Law Journal). Standard 306, which the ABA approved in August 2002, defines distance education “as an educational process characterized by the separation, in time or place, between instructor and student. It includes courses offered principally by means of: (1) technological transmission; . . . (2) audio or computer conferencing; (3) video cassettes or discs; or (4) correspondence.” Id. at Standard 306(b).


49. Id. (stating that “delivery of course work to a person’s home or office would generally not be in compliance.”).
corresponded to the credit hours of the live class, while the public health students, who were not subject to a comparable restriction, received three credits, including one credit for online work.\textsuperscript{50} As a result, the law students experienced the workload, which included mandatory participation in the online component, as exceeding the two credits allocated to the course—and, of course, they were correct.

This problem is alleviated under the ABA’s new standard, which permits law students to receive credit for distance education courses. Under the new standard, a law school may award credit for distance education courses if their content, pedagogy, and student-evaluation method are approved as part of the school’s regular curriculum approval process.\textsuperscript{51} Credit for such a course may count toward meeting a student’s required instruction time in regularly scheduled classes at the law school if the course includes “ample interaction with the instructor and other students both inside and outside the formal structure of the course throughout its duration; and . . . ample monitoring of student effort and accomplishment as the course progresses.”\textsuperscript{52} Credits for distance education courses that do not meet these requirements are counted toward the remaining minutes of study that are permitted for courses outside the law school.\textsuperscript{53}

While the ABA’s new standard permits law students to receive credit for distance education coursework, it places two additional limitations on courses in which two-thirds or more of the instruction consists of distance education.\textsuperscript{54} First, these courses may not account for more than four credit hours of a student’s

\textsuperscript{50} The ABA’s temporary guidelines also create a barrier for cross-listed law school courses that were co-taught by members of a graduate school faculty by prohibiting law students from receiving credit for online course work that was transmitted from a co-teacher’s institution.

\textsuperscript{51} \textit{Supra} note 47, at Standard 306(a).

\textsuperscript{52} \textit{Id.} at Standard 306 (c)(1) & (2). Under Standard 304, law schools must require the successful completion of 56,000 minutes of instruction time as a condition of graduation. \textit{Id.} at Standard 304. At least 45,000 of these minutes shall be by attendance in regularly scheduled class sessions at the law school conferring the degree. \textit{Id.}

\textsuperscript{53} The standards permit 11,000 minutes of study at courses outside the student’s law school. \textit{See id.} at Standard 305(a).

\textsuperscript{54} \textit{Id.} at Interpretation of Standard 306-3.
course load in any semester, or more than a total of twelve credit hours toward a law degree.\textsuperscript{55} Second, students may not enroll in these courses until they have earned twenty-eight credit hours toward their degree.\textsuperscript{56} Courses, such as mine, that rely less extensively on distance education are not subject to these limits.

\textsuperscript{55} Id. at Standard 306(d).

\textsuperscript{56} Id. at Standard 306(e).