

# Widener University Commonwealth Law School

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2005

## Recognizing That They Watch

Mary Kate Kearney



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## RECOGNIZING THAT THEY WATCH

Mary Kate Kearney\*

My mother began her career as an English teacher at a girls' Catholic high school. She was twenty-two years old and eager to share her love of literature with her students. She read copiously and worked diligently to bring the texts of Melville, Shakespeare and Thoreau alive for them. Anxiously, she anticipated them eagerly flocking to discuss great works of literature with her. Alas, it was not to be.

Much to her chagrin, the students in the classroom were more interested in how she dressed and comported herself while students outside the classroom speculated about her personal life. In despair that she was failing as a teacher, she consulted an experienced colleague about how to re-focus her students' attention. "Do nothing differently," the woman replied. "After all, they are studying you."

The advice was well-taken, and my mother passed it along to me years later when I began my law teaching career. It has stood me in good stead for I understand that law students acquire from their professors not only the what of Torts and Contracts, but the how of becoming a lawyer.

I reflected on that advice as I prepared my remarks about law professors as professional role models. I will focus my remarks on two related areas where students turn to us as professional role models: keeping perspective and making career choices that strike a balance between the professional and the personal.

The importance of helping students keep perspective arose during my first week of teaching at Widener University School of Law. The students in my first-year Torts course were in the evening division. Most were working, had families and were commuting long distances. A student in that section had a nervous breakdown during another class. She stood up while the professor was lecturing and began to shout and cry. The class halted

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abruptly, and students were left to wonder what had just occurred. Understandably, the entire class was shaken by the experience.

Their next class was Torts a few days later. I thought long and hard before class met. I knew that it was important to talk about what had happened rather than to pretend that it was business as usual, but I did not know what I would say. It turned out that I did not have to say much. Students spoke openly and honestly about the pressures of balancing law school with so many other commitments. Although it was clear that the student in question had mental health issues that predated her arrival to law school, the incident brought into the open other students' concerns about whether they could manage the pressures of so many demands on their time.

We talked for the entire hour about losing and finding perspective. I shared some of my and my classmates' experiences in law school, and I would think it helped the students to hear how I had muddled through and that they would too. I learned a valuable lesson that day about teaching. I had always assumed that I would need to have all the answers for my students. In fact the opposite was true. It was more reassuring to them to find out that I had doubted my abilities to be successful in law and that I was still searching for answers.

Many years after that incident, I saw a former student from that class. He now practices law and teaches, and we were both speaking on the same panel at a conference. He confided that while he remembers little about *Palsgraf* and other cases from my Torts class, he will never forget our class discussion that day.

Students also turn to us as role models for career choices. At first, we might appear to be unlikely candidates for that job. Let's face it: most of our students do not aspire to be law professors. The majority will practice law in either the public or the private sector. In contrast, most of us have chosen not to practice law full time. Yet, as law professors, we are charged with training those students for a career which, in some fashion, we have rejected.

The tension is unavoidable, but an opportunity also exists. When students seek us out for career counseling, the discussion can be much richer because of our experiences. Students have told me that, in hindsight, they have made better informed career decisions after talking to me. It is not because I have any particular

insights into career choices. The reason is that I have raised questions or issues based on my experience that they have not thought to ask. The perspective of someone who chose teaching over practicing law also shows students the variety of opportunities open to them. A law degree need not lead to a linear career path as many of our experiences demonstrate.

Another related place that students turn to us as professional role models is in balancing work and family. During my career as a law teacher, I have followed a personal path similar to the one that many of our students will take. When I began teaching, I was unmarried. Over the course of my career, I got married, and recently, I had a child. Similarly, many of our students will graduate from law school and get married and have children while practicing law.

The issue of how to balance the demands of work outside and inside the home is of particular concern to many of my female students. They are concerned about how child-bearing, child rearing and working in a demanding field can be combined. Of course, the issue is not reserved for women, but women are the ones who usually voice it. Again, I have no script or set of answers for them. The best answer is usually the honest one, and the truth is that I don't know how it all comes together. I tell students that I could not do everything well simultaneously. I was lucky to do some things sequentially. For example, I received tenure and was promoted to full professor before having a child. That was not planned; it just happened that way.

I used to be more reluctant to bring any part of my personal life into the classroom. Now, I realize that both are integral parts of who I am, and that is who students want to see. As with all lives, mine is a work in progress: a messy combination held together by lecture notes and Cheerios. When, for example, I reached into my briefcase to prepare my notes for this talk, I discovered a burp cloth nestled at the bottom of the bag. I might not wave that burp cloth in class (unless I inadvertently forget to remove it from my shoulder), but being a parent has informed my teaching. I now look at some subjects in my Children and the Law seminar through the prism of parenthood. My "take" on some of them has changed in the year since I became a parent, and I tell that to students.

I now understand what my mother learned many years ago. Teaching is more than imparting subject matter to students. From a teacher's perspective, it is a willingness to participate in a conversation about who we are and why we do what we do. Our ability to have that conversation enables us to act as role models for our students and can contribute to our success as teachers.