

HINDSIGHT IS 20/20: FINDING TEACHABLE MOMENTS IN THE EXTRAORDINARY AND APPLYING THEM TO THE ORDINARY

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Service learning opportunities that offer social justice-oriented learning through disaster response have been identified as a highly effective and transformative experience for both students and professors. The author's recent experience with law students in the south of Israel during a time of turmoil resulted in significant learning for students in the areas of social justice orientation, empathy, reflective skills, and professional identity development, as well as for the author in her approach to, and implementation and evaluation of, clinical teaching. However, course enrollment limits, cost concerns, and the juggling of school, work and home life responsibilities required to engage in travel often restrict student participation in these types of experiences. This article proposes that clinical professors, through clinical pedagogy, can translate many of the extraordinary teachable moments that arise in the service-learning model to more ordinary clinical experiences and thereby enhance student learning.

INTRODUCTION

During the second week of March 2012, more than 250 rockets

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were launched from the Gaza Strip into the Negev Desert in Israel.² Roughly fifty of the rockets headed directly towards the city of Beer Sheva, located approximately sixty kilometers east of Gaza, and home to approximately 200,000 persons, and to Ben Gurion University of the Negev (BGU). While the Israeli Iron Dome³ defense system succeeded in destroying most of the rockets in mid-air, with a 75-90% success rate, others hit in and around the city. Property damage and emotional trauma to residents ensued, but no loss of life occurred.

That same week, eight law students and I spent our spring break in Beer Sheva as part of an exchange opportunity between Rutgers Law School - Newark and BGU's School of Social Work and Community Action Program. The exchange program aimed to educate Rutgers students about children's rights, identity and advocacy in Israel. We planned to study the Israeli legal system, focusing on children's issues in particular, and to tour several innovative social justice programs to learn about the services they provide to the indigent, the marginalized and underserved, and immigrant populations. Upon our arrival in Israel, however, we quickly learned that plans often do not turn out as expected.

Within one hour of meeting our BGU partners in the exchange, air raid sirens sounded, followed quickly by the "booms" of rockets. The alarms, rockets and "booms" became a constant for much of our visit. By the end of day one, we had learned that the "booms" have different sounds, the sounds mean different things, and timing is critical to differentiating the meaning. We also had learned that life for most residents of Beer Sheva returns to "normal" within minutes after a siren, with the exception of those directly impacted by a rocket that evades the missile defense system and those affected emotionally by the pervasive threat of harm. Despite rattled nerves and heightened anxiety, we followed suit, resulting in experiences that were simultaneously exciting, tumultuous, fear-generating, adrenalin-pumping, sensory-heightening, edifying, emotional, intellectual, motivating and enlightening—in sum, life-changing.

On returning to the U.S., I spent a great deal of time in "what-if" land, questioning and re-questioning every decision and judgment call I had made. I worried about potential long-term emotional damage to my students resulting from my decisions, and fretted over how I could

² Throughout the article, I deliberately use the passive tense when describing the launching of rockets and avoid discussion of the Israeli-Palestinian conflict to maintain focus on the article's thesis.

³ The Iron Dome defense system uses small, radar-guided missiles to destroy short-range rockets fired at Israeli targets. Dan Williams, *Israel to Make Do with Fewer Iron Dome Interceptors*, Reuters (Apr. 4, 2012, 10:42 AM), <http://www.reuters.com/article/2012/04/04/israel-arms-usa-idUSL6E8F4B3E20120404>.

best help them to learn from and find meaning in the experience without suffering lingering adverse effects. During this process, I discovered something remarkable—students as a whole had emerged from the experience with a renewed passion for social justice and service on behalf of vulnerable populations. They manifested a level of empathy far greater than I have witnessed in my clinical tenure; a resurgence of faith in and compassion for humanity and human beings; and a clearer sense of their own professional identity and the importance of *Tikkun Olam*⁴ as part of that identity.

This discovery prompted me to dissect the experience in an attempt to answer several questions: Why was the experience so transformative for students compared to their day-to-day work in the clinic? Why was it transformative for me? Where did I succeed in harnessing and highlighting teachable moments to benefit student learning? Where did I fail? And what can I use from the experience to inform my teaching and make other clinical experiences for students as meaningful? Through my reflection and research, several themes common to clinical pedagogy emerged: Social justice and service learning; empathy; disorienting moments; modeling and self-disclosure; and professional identity development.

The Israel experience is a telling example that supports the growing literature embracing service learning as a highly effective and transformative experience for professors and law students alike. However, enrollment limits, cost concerns, and the juggling of responsibilities required by students to engage in travel often impede student access to service learning opportunities. In an effort to counter these constraints, this article proposes that clinical professors, through clinical pedagogy, can translate many of the extraordinary teachable moments that arise in the service learning model to more ordinary clinical experiences and thereby enhance student learning. The article starts with my narrative of the relevant events that occurred before, during and after the trip. Section II offers an analysis of student learning from the experience, using concepts from clinical pedagogy and experiential legal education; excerpts from students' journals are incorporated where appropriate.⁵ In Section III, I present the lessons I learned and offer concrete suggestions for applying some of those lessons to day-to-day clinical teaching. I conclude with some final

⁴ Hebrew phrase defined literally as “world repair” and connected with the duty of humankind to fix what is wrong with the world. Over time, the term has come to signify social action and the pursuit of social justice. *Tikkun Olam: Repairing the World*, My Jewish Learning, http://www.myjewishlearning.com/practices/Ethics/Caring_For_Others/Tikkun_Olam_Repairing_the_World_shtml.

⁵ All journal excerpts used with students' written consent (journals and consent forms on file with author).

thoughts. My hope is that my reflections and lessons learned will not only help to inform my own clinical teaching and student learning, but benefit others as well.

I. MY NARRATIVE

A. *Background and Planning*

In November 2011, John Farmer, Jr., Dean of Rutgers Law School-Newark, received a request for letters of interest in an exchange program with BGU focused on children's rights, identity and advocacy in Israel.⁶ Richard Isralowitz, Professor of Social Work at BGU, spearheaded the program, in partnership with Vered Sarousi, Director of the BGU Community Action Program (CAP), Ya'ir Ronen, Attorney and Lecturer in Social Work at BGU, and BGU President, Rivka Carmi. American law students would study the Israeli legal system, focusing on children's issues in particular. They also would tour several social service initiatives in and around Beer Sheva, and meet with their representatives, to observe and learn about the programs and services offered to the indigent, the marginalized and the underserved, including the Bedouin population and immigrants to Israel from Russia, Ethiopia, and elsewhere. BGU requested that interested applicants reciprocate efforts with an offer of either student or faculty exchange.

Rutgers Law School-Newark's history of and commitment to social justice and public service appeared to match well with Ben Gurion University's tradition of and work in the area of social activism and community engagement. Beer Sheva is Israel's fourth largest city and home to a very large immigrant population, comprised of Jews from neighboring Arab nations, and immigrants from Ethiopia, the Sudan, and the former Soviet Union and its republics. A large Bedouin population resides in and around the city as well. Economically, Beer Sheva is predominantly "blue-collar,"⁷ but, like Newark and surrounding communities, has a large indigent population who suffer from the same conditions frequently associated with poverty in the U.S. and commonly seen in Newark, including unemployment, absent fathers, and substance addiction.

Of special interest to Rutgers was the opportunity for law students to partner with students in the BGU-CAP Open Apartments program, an innovative social justice initiative of which BGU is justifi-

⁶ BGU generously offered community-based housing for up to ten visiting students, in-country transportation, and partial cost coverage for meals and some touring. In addition, BGU paid in full for airfare, housing and most meals for the visiting scholar.

⁷ FODOR'S ISRAEL 493 (8th ed. 2011).

ably proud. To participate, BGU undergraduate and graduate students of various disciplines submit to a stringent application process and, if accepted, receive free housing in the most socio-economically challenged Beer Sheva neighborhoods. In return, these students volunteer 8-10 hours per week of educational, social and other assistance to neighborhood residents and “adopt” families in the community (e.g. help a new immigrant family adjust to Israeli life; assist family members with homework, adult literacy skills, or household needs). The program seeks to generate positive change in the community and to make BGU programs and services more accessible to local residents, thereby eliminating the “town-gown” divide.⁸ Several students in the Open Apartments program offered to share their apartments with the Rutgers students and to serve as hosts during any “downtime” in the schedule. This would enable Rutgers students to observe and participate in the community programs run by the BGU-CAP students.

With only three months between BGU’s acceptance of the Rutgers proposal and the dates for the visit, we had little time to prepare. The Israeli team arranged all in-country housing, transportation, meals, visits to social justice programs in and around Beer Sheva, and related informational lectures. Ya’ir Ronen and I developed a nine-hour curriculum on children’s rights and advocacy in Israel for Rutgers students participating in the exchange; we intended to co-teach the curriculum in three-hour intervals over the first three mornings of our stay, with students visiting local area programs and agencies in the afternoons. At the end of our trip, we planned to engage in touring activities, including visits to the Foreign Ministry, the Supreme Court, Yad Vashem (the Holocaust Museum and Memorial), the Old City in Jerusalem, as well as Masada and the Dead Sea.

Following an application process,⁹ eight Rutgers law students were accepted into the exchange program in early January 2012. The group represented the student population of Rutgers Law School-Newark, manifesting diversity in age, gender, race, ethnicity, religion, marital status, parental status, life experience, and more.¹⁰

⁸ Andrew Silow-Carroll, *Rutgers Law Students See an Israel Under Duress*, New Jersey Jewish News (March 27, 2012), <http://www.njjewishnews.com/article/8871/rutgers-law-students-see-an-israel-under-duress#.UNdAxHcqju8>.

⁹ Rutgers law students were invited to apply for the exchange program in mid-December 2011 by submitting a curriculum vitae and statement of interest. Students with a demonstrated interest and/or experience in child and family advocacy were encouraged to apply. Students could earn up to two independent study credits for their participation, provided they produced a written piece related to the exchange (e.g. comparative law paper or reflective journal).

¹⁰ Rutgers students participating in the exchange ranged in age from 24-41; their countries of origin included the U.S. (from New Jersey to Minnesota), Russia, the Philippines,

Despite my intention to meet regularly with the students prior to the exchange, we succeeded in meeting as a group only three times, due to students' scheduling conflicts.¹¹ We used the first session as a meet-and-greet so that the group members could learn a bit about each other and discuss their goals and expectations. At that time, I discovered some inconsistency in students' knowledge of the fundamentals of the U.S. child welfare, juvenile justice, and education systems. I arranged for two presentations by clinical professors on the U.S. child welfare and juvenile justice systems to give the students a point of comparison when learning about comparable systems in Israel. I had planned to provide students a brief orientation to education and special education law in the U.S. during our final meeting; however, since that session also served as our last contact before travel, we ended up addressing many logistical issues related to the exchange instead.

Several of the students also met with Richard Isralowitz during his visit to New Jersey one month prior to the exchange. Richard patiently prepared them for the experience; although I and two of the students had traveled to Israel previously, several others never had journeyed outside of the U.S. Students posed questions about safety, and Richard spoke frankly about the potential for an Iran invasion as well as our visit to Sderot, a community on the Gaza border that frequently comes under rocket fire. Richard assured students that he would alert them if significant concerns about safety arose before the exchange. However, he prefaced this statement with the caveat that he could not make such a determination until immediately before the trip, as the political climate in Israel, particularly in the south, can change quickly. This statement proved to be prophetic.

B. The Exchange

DAY 1: Saturday, March 10, 2012

Three students traveled with me on a Continental flight to Ben Gurion Airport in Tel Aviv; the others flew separately and would meet us in Israel. Approximately one hour before our flight, the stepfather of one student called from his home in New Jersey to let the

and Turkey; students identified themselves as African-American, Biracial, Pacific Islander, and Caucasian; they self-identified or identified their families as adhering to many different faiths, including Christianity, Judaism, Orthodox Judaism, Islam, as well as Atheism; some of the students have children; some had careers prior to law school and/or continue to work while attending school, and for others, law is the first career.

¹¹ Some of the participating students were night-students with full-time day jobs, others had primary child care responsibilities requiring that they be at home by late afternoon, and still others had class and internship schedules that limited meeting time possibilities.

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student know that rockets were being fired into the Negev from Gaza. Web news sources reported no injuries, the U.S. State Department issued no new travel warnings, nor did Richard contact me to express any concern or cancel the trip. So, after the students and I briefly discussed the situation, we boarded the flight and proceeded as planned.

DAY 2: Sunday, March 11, 2012

We met the other Rutgers students at the airport in Tel Aviv. Three of them had spent the preceding three days together touring Jerusalem and Tel Aviv. None had heard anything about rockets in southern Israel.

BGU provided us with a van and driver to transport us to the University, an approximately 1.5 hour journey through the Negev. I watched the scenery change from metropolitan Tel Aviv to arid desert, inhabited by occasional roadside camels, some unauthorized Bedouin communities that resembled small South African townships I had seen years earlier, and a few military sites. Eventually, a city emerged from the desert sand.

The architecture in Beer Sheva is nondescript, 1950s style concrete, with most buildings ranging from three to five stories. Solar panels and satellite dishes dot the rooftops, and lampposts covered with spikes and wires, described by one student as resembling giant erector sets, line the streets. Security was tight at the BGU campus entrance, requiring several minutes of phone calls and much patience to gain approval to enter. This became a recurring issue during our stay, even when accompanied by other BGU students and staff.

After greeting us, Richard immediately directed us to Aroma, the on-campus eatery where we would eat several of our meals. We marveled at how, for a mere \$5-\$7, one could purchase a sandwich on fresh baked bread, delicious salads made for two or three, all varieties of coffee, and more, when at our own law school's café we are lucky to get stale coffee and a power bar for the same sum. Since the exchange objectives included study of BGU programs with an eye towards potentially replicating what works there in Newark, we identified the creation of Rutgers' very own Aroma as our first order of business.

After lunch, we gathered in the CAP office on campus to meet with our BGU partners, including Richard, Vered Sarousi, Ilan Kalgrad (Assistant Director of CAP), and Ya'ir Ronen. There, Richard shared that the University had canceled all classes for the day due to rocket attacks that had commenced the preceding Friday. However, he assured us that we would proceed as planned to the greatest extent possible.

Moments later, we heard our first siren. Our partners hurried us

into a “safe room,” windowless and fortified with concrete pillars and steel supports. The scenario was surreal. Fatigue had started to set in after flying all night with little sleep, yet the seriousness with which our Israeli partners took the siren coupled with the “booms” we heard outside jolted us awake.

I watched the students to try to gauge their reactions. I knew two of them well, having worked closely with them in the clinic for two semesters; however, I had had little experience with the others. They all appeared to take the situation in stride. A few students shed tears and comforted one another. All expressed a degree of concern about the situation, some with a shrug of the shoulders and others with a hint of “is this really ok?” in their voices. As I checked in with each of them, and would continue to do so at various times throughout the rest of our stay, I offered the opportunity to return home. None accepted. Richard and I also offered to house students in the visiting dorms if this would make them feel safer than the student apartments. All rejected this offer as well. When Richard gave us the okay to leave the safe room (no more than five minutes had passed since the siren had sounded), I sighed in relief and thought with childish innocence and wishful thinking: This was not too bad. . . we have had our experience, chances are it will not happen again, and now we can move on.

We returned to the meeting room and proceeded as planned with an orientation to the CAP. Several students from the Open Apartments program spoke about their community work—one shared stories about the children who come by her apartment after school each day for homework help; another relayed his efforts to clean up the neighborhood; still another talked about programs in the arts, theater and dance he operates for the children. Their stories inspired us and we marveled at CAP students’ social consciousness. The Open Apartments program started more than 35 years ago and some of the current CAP students had received assistance from the program as children. Many of the current CAP students were themselves immigrants or first generation Israeli-born from Ethiopia, Morocco, Iran and Russia, and they eloquently described their commitment to improving the lives of all community members.

After the meeting, BGU transported Rutgers students and their hosts to their apartments across the city. Meanwhile, Richard and I discussed changes to the evening dinner plans since the originally scheduled restaurant had closed due to the rockets. Richard found another location that could accommodate the 25 or so diners from BGU and Rutgers and was equipped with a bomb shelter. We also discussed potential changes to the following day’s activities in the

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event the rockets continued.

Richard then escorted me to the visiting faculty dorms. The second siren sounded as I checked in with the building manager, Yaniv. When the siren began to wail, he quickly ushered Richard and me into the safe room a few doors away. Yaniv shared that each floor had a safe room, but one also could stand in the stairwells. He explained that in many of the apartment buildings in Beer Sheva, the windowless stairwells operated as safe room because the buildings had no such designated room. These buildings were constructed in the 1950s and 1960s to house recent immigrants and intended to function as temporary, not permanent, housing. One bomb shelter served every five or six buildings, and residents had to leave their buildings to get to it, which often took as much time as, if not more than, the time for a rocket to hit or be destroyed; for this reason, most went to the stairwells instead. Yaniv also described the conversion of some shelters, due to non-use, into preschools or centers for children, with hand-painted murals of superheroes on the walls and shelves filled with books, games, and arts and sports supplies. I pictured my students in the stairwells with their hosts and hoped they all were safe.

Yaniv went on to say that in the building where he resides with his wife and three-year old daughter, his daughter's bedroom serves as the safe room. Each time the siren sounds, he tells his daughter that it is time to go into her bedroom to play. When asked how his daughter reacts to the sirens, Yaniv shared that, the day before, he had been walking outside with her when a siren sounded. Immediately, she grabbed his hand tight and pulled him in the direction of their home. When he asked what she was doing, she answered that it was time to go to her room to play. Just as with the bomb shelter turned child care center, the juxtaposition of positive images and associations on top of such a negative struck me as both disconcerting and inspiring.

As Yaniv spoke, I saw him pause periodically. I then realized that he was listening to the sounds of the "booms." The Israeli Iron Dome deploying its counter-missile makes one kind of boom, the defense missile destroying the rocket creates another, and still another boom is the sound one hears when the defense missile fails to meet its target and the rocket strikes the earth. The amount of time that passes between booms signals the success or failure of the defense missile. BGU-CAP students later shared the belief that the rockets frequently are fired in threes because the Iron Dome allegedly cannot destroy more than two rockets at a time when fired in short succession. To date, I have not confirmed whether this is fact or myth.

Ten minutes later, Yaniv showed me my new temporary home and Richard left so I could settle in and rest before dinner. At 6:30

that evening, Richard, his wife, Sofi, and I drove to the restaurant on deserted city streets. The empty outdoor café tables, vacant sidewalks and darkened businesses created an eerie, ghost-town atmosphere. Security searched my bag at the restaurant's front door, jarring me momentarily. However, once inside, the food and drinks began to flow, as did the sound of chatter and laughter, creating a lively scene that soothed any frayed nerves. The meal, served family style, was delicious, and watching Rutgers students boisterously break bread with their Israeli counterparts, BGU faculty, CAP program lead staff and even the BGU President, Rivka Carmi, warmed my heart. Conversation came easily, friendships commenced and by the end of the evening I knew that, in spite of everything we had experienced thus far, or perhaps because of everything, our trip would be a success although perhaps not for the reasons we initially had planned.

When I crawled into bed at 11:30 p.m., after having been awake for nearly 40 hours straight, sleep initially eluded me. I finally began to nod off fitfully shortly after 1:00 a.m.

DAY 3: Monday, March 12, 2012

My Monday started at approximately 3:00 a.m. when the next siren rang. I threw on my flip-flops, grabbed the room key, and dashed into the stairwell since the safe room for my floor was a good distance away. I stood alone, four or five steps down from the 10th floor landing. While listening for the booms, I overheard a couple speaking French from the floor above. Referring to the rockets, the woman's voice repeated, "Les fusées sont très fortes cette fois. . . Pourquoi? Pourquoi?" Over and over, she asked why the attacks were so strong, so persistent, this time. If I close my eyes, I can still hear her voice. The experience felt different as I was on my own this time. I felt relieved knowing that my students, at least, were not alone. After five or so minutes, the upstairs stairwell door slammed shut and the voices ceased, so I returned to my room and crawled into bed. Ten minutes later, the siren went off again. The French woman's voice, laced with increasing angst, continued its questioning. The gap between booms lasted longer this time, followed by a much louder boom that sent vibrations through the building. When I heard her gasp, I knew one had hit. I slept no more that night.

Several more sirens sounded the next day, shutting down the city. Schools closed, the university closed, programs closed. Organizations such as the Ethiopian Absorption Center, which provides assistance to new African immigrants adapting to life in Israel, a school for children with disabilities, and a program for high-risk residents of the town of Sderot canceled our previously scheduled visits. With our initial plans

scrapped, we headed for a settlement in the Negev near the kibbutz of Sde Boker, out of range and earshot of the rockets, or so we thought. In the middle of the desert, we visited a residential treatment facility for teens and adults. During a tour of the facility, we learned about the drug and alcohol problems in Israel, the laws and consequences in place for related offenses and the program's efforts to address the needs of those afflicted. We then stood side-by-side with the facility's staff and residents in the safe room as another siren wailed.

Due to the increasing likelihood of an Israeli ground invasion, Richard and I made an executive decision to leave Beer Sheva until the situation calmed, necessitating additional changes in curriculum, program activities and living arrangements. With one exception, I will not review the other alarms that sounded over the following days or their impact on our exchange program, except to state that the sirens, rockets and booms became a constant for much of our visit.¹²

DAY 4: Tuesday, March 13, 2012

On Day 4, we traveled to Kfar Adiel, a village for BGU students in the town of Ashalim, located in the Negev, south of Beer Sheva. Kfar Adiel provides another example of a student-initiated and student-run social justice movement in Israel. In exchange for free housing and university tuition, BGU graduate students help to build and run this settlement in the middle of the desert and offer programs, services and support to area residents, including Bedouins living in nearby villages.

After touring Kfar Adiel, where we would return to spend the night, we received a lecture on the Bedouin population in Israel. We then visited a Bedouin children's shelter, also known as a "safe house"—in reality, a Bedouin family home that opens its doors to care for abused, neglected and abandoned children, including children from other Bedouin as well as immigrant communities. For security reasons, specifically the potential for life-threatening retaliation by members of other Bedouin "clans" for taking in their children, the safe house's location remains confidential; so confidential, in fact, that our lecturer and guide insisted that the van company transporting us replace the initial driver assigned to take us to the safe house with another since the first driver was a Bedouin.

The family welcomed us warmly. The father allowed us to sit in the large, "men-only" meeting room connected to the house with cement walls and a tin roof; colorful rugs and pillows covered the floor, brightening the otherwise austere space and allowing for comfortable

¹² To do otherwise would detract from the many other significant learning experiences we had during the exchange.

seating. Two of his teenage sons served fresh fruit and Turkish coffee while he spoke frankly about his views on his family's duty to help those in need. Although polygamy is still common in Bedouin culture, the father has only one wife along with eight biological children. At the time of our visit, he and his wife were caring for four foster children ranging in ages from three to seven; two from another Bedouin clan and two from the Sudan. The father shared with us that, when he recently built an addition onto his home, his neighbors believed he was taking another wife. This only made him chuckle, since he wanted the space to house more foster children. The family's dedication to helping those less fortunate in the face of tremendous risk (including death) simultaneously inspired us to do more for others, and induced shame in us for not doing enough. Tears flowed freely as students expressed their thoughts about this family's lifework, reminding us all to love human beings, not just humanity.¹³ After the father spoke, he, his wife and children toured us around their home.

That night in Ashalim, the Israeli students built a bonfire under the desert moon and slow-cooked stew in an old cast iron poike pot. Occasionally, we heard faint booms in the distance but our hosts assured us that they likely emanated from training exercises at a local military base. For five hours, wine flowed, as did easy conversation under the clear, starry night sky. Once again, friendships formed easily with this new group of BGU students and by the end of the night we were like family.

DAY 5: Wednesday, March 14, 2012

When I called Richard early the next morning, I learned that a ceasefire was now in effect and the BGU campus in Beer Sheva finally had opened after three days of closure, so we packed our bags and returned to the city. There, local area experts shared their knowledge with Rutgers students on Sharia Law, the application of family law to different populations in Israel (e.g. ultra-orthodox Jewish, Bedouin) and the relationship between Israeli civil law and cultural/religious-based law.

During a break in the lectures, I met briefly with Stu Mirkin, the Deputy Director of the Ministry of Social Affairs for the Negev, who was scheduled to speak with the students. We decided in an impromptu fashion that he would discuss the events of the last three days from an insider's (governmental) perspective, as his office handles all emergency preparedness, crisis planning and management for

¹³ One day prior, we had joked about the title of an article Ya'ir had mentioned by Gerald P. Lopez entitled "Response Essay: An Aversion to Clients – Loving Humanity and Hating Human Beings," 31 HARV. CR-CL L. REV. 315 (1996).

southern Israel. Stu also has an extensive clinical social work background and has worked with numerous populations suffering from post-traumatic stress, from soldiers returning from service to children and families residing in areas that border Gaza and are under frequent rocket attack. He asked whether I thought it might be helpful for students to process what they had experienced over the last three days as well. I jumped at the opportunity knowing, as both a clinical professor and a social worker, the critical need to reflect on and work through trauma. Thus far on the trip, I had only limited opportunity to process the experience individually with students, and no time to do it as a group. Little did I know how much I, personally, needed the chance to process as well.

A three-hour discussion followed, during which Rutgers students let down their guards for the first time since our arrival. They expressed their feelings and reactions to what had happened, and the effects of their own values and experiences on their interpretation of and responses to the events. Stu and the students spoke of frames of reference, how they differ and what that means for the Rutgers students and for Israelis. Students drew connections between their personal feelings and reactions and their own past experiences. While some students shared more freely than others, they all spoke honestly about the impact the last few days had had on their lives.

For most of the session, I remained a neutral observer, watching Stu draw out the students one by one. I paid close attention to each student's reactions, making careful note of those who struggled somewhat with engaging in the process to ensure I continued to check in with them later. After all had spoken, Stu unexpectedly turned to me and asked if I wished to share as well. For a brief moment, I hesitated, asking myself if it would be appropriate. The answer came easily, and as the words tumbled out of my mouth, for the first time in front of the students that trip, my own tears began to fall.

Before concluding, Stu asked that each of us think of one word to describe how we felt in that moment. Students volunteered: therapy; connected; thankful; comfort; reassured; footprints; release. I said, "Relief."

As the sun began to set, we exhaled a communal sigh – the ceasefire had held all day, allowing us to breathe more deeply and easily, and move on with our trip. With the release of some tension came total exhaustion. We were drained not only physically, but mentally. When we returned to the faculty dorms, where we would spend the night, some students lay down for a nap while others and I walked to the nearby supermarket to buy our breakfast food and scout out local hangouts for a dinner of falafel and shawarma.

As two students and I strolled back to the dorms with small sacks of pita, fresh cheese and Turkish coffee in hand, we remarked on the oddity that, despite the events of the last few days, none of us had felt fear of actual harm. Sure, our hearts raced at times, but we never felt personally in danger. Was this teenage invincibility? Denial? Living life as we witnessed some Israelis do, boldly, and perhaps even brazenly, disregarding the “what if” unless and until the “what if” actually occurs? Our conversation slowly turned to our new-found feelings of liberation, a direct result of sharing our thoughts and feelings with each other as a group.

Catharsis was short-lived, though. Moments later, the siren sounded again.

This time, the alarm’s low moan caught me off guard. For some odd reason I thought, albeit naively, that our reflection time with Stu, coupled with the ceasefire, had marked an end to the rockets. The siren’s pitch crept up the scale while its volume steadily increased; still a good three blocks or so from the dorms, the two students and I looked at each other as we silently contemplated what to do. Finding ourselves on a small road with telephone towers and electrical poles on either side and narrow alley ways to our left and right, we made a communal, though unspoken, decision that dashing to the dorms probably was not the smartest option. Instead, we headed into an alley. A thin gentleman with a long gray beard, wearing a dark formal suit and a head covering motioned to us to follow him. I later would wonder “Was it a yarmulke or a taqiyah [skullcap]?” “Was he a Palestinian or a Jew?” Although I saw him, in that moment I did not notice such things. Nor does it matter. What I do know is that he exuded calm and showed us extreme kindness.

The gentleman led us to the side of a building on the opposite side of the alley and demonstrated for us to hug our backs to the wall. We followed suit. He then, through gestures and very few words, pointed in various directions for us to watch the events that would ensue. Like a conductor, with scientific precision in his timing, he presided over his orchestra of rockets and defense missiles and had them perform for us a symphony with which he clearly was all too familiar. He first pointed to the western sky, and we watched the bright light of a rocket speeding toward us. Night had set in, making it difficult to discern distances with the glow of the rocket against the blackness of the sky. He then pointed to the north and we witnessed another light soaring fast and furiously towards the rocket – the Israeli Iron Dome defense missile. The missile met its target and exploded in mid-air above us. Boom. The gentleman pointed again to the western sky. We were not yet done. We witnessed the light of a second rocket

rushing toward us, and with the point of his index finger to the north, we again saw the defense missile moving quickly toward its target. This time it missed. We watched the defense missile fizzle as the bright light of the rocket raced, unstoppable, in our direction. The three of us turned our heads simultaneously toward the gentleman with a look on our faces that asked, “What is next?” He wagged his finger, closed his eyes briefly and shook his head, as if uttering a prayer. “Boom,” he said. Boom, we heard, much louder this time as the rocket hit the earth.

We stood for a moment in shock, uncertain whether all was done, at least for now. The gentleman clasped his hands together, gently bowed his head toward us and started to walk away. Thank you, we called out over and over. I put my hand over my heart as I said it. I wanted to show him in a way he could understand how much it meant to me that he had helped us, stayed with us. In the weeks that followed, each time I shut my eyes, these events replayed in my mind.

We spent the last two days of the exchange touring other parts of the country.¹⁴ When the time came for me to leave Richard, the CAP students and my Rutgers cohort, I struggled immensely with saying good-bye; while I wanted very much to go home to see my family, I did not want to leave my new family, even though I would see many of them in a matter of days. I knew, then, that this experience had transformed me in more ways than I could imagine.

C. The Aftermath

For most of us, return to “normal life” after the exchange did not come easily. Nearly all of us experienced at least one or more common traumatic stress reactions: Difficulty readjusting to daily life and responsibilities at home, work and school; a strong desire to be with each other as we “got” what each other was feeling; greatly missing everyone in Israel and wanting still to be there; frustration over having to pay attention to “small” issues that now seemed so silly; and recurrent thoughts, dreams, and/or nightmares. Before leaving Israel, and later by email, Stu Mirkin and I spoke about the need for me to continue to process our experience with students upon our return. He provided suggestions for several exercises to use for this purpose.

¹⁴ DAYS 6-8: On Thursday, March 15, 2012, we traveled to Jerusalem where we met with Arthur Lenk, Director of the International Law Department of the Foreign Ministry, visited the Supreme Court, wandered the old city, and received a private tour of Yad Vashem. On Friday, March 16, 2012, we visited the ruins at Masada, and spent the afternoon relaxing in mud baths, sulphur pools and the Dead Sea. Rutgers students spent their last night (Friday) in Tel Aviv with some of their Israeli CAP hosts and left the following morning. I stayed with family in Tel Aviv until Sunday. During the flight home, I began to write.

They ranged from punching balloons in the air while shouting out something at which one is angry, to breathing exercises (inhaling while thinking of all things good and pleasant, and exhaling all bad feelings, fears, anxieties, etc.), to taking proactive steps to reframe the experience as an opportunity by channeling energy (be it positive or negative) from the experience and directing it toward the good.¹⁵ I researched these and other exercises as well.

I continued to check in with students both individually, in-person and by email, and collectively, by email, to find out how they were doing. Since the exchange program was not an official class with a designated meeting time built into the course schedule, I did not have the preset opportunity to speak with students. As I did prior to the exchange, I offered possible dates to the students to get together as a group within the first two weeks of returning home, and all but one agreed on a meeting time. I found this group session much more difficult than our meeting with Stu Mirkin, since I no longer could sit back and observe or participate, but rather had to lead. We spent part of the time in a “free chat format” sharing our feelings and concerns with readjusting to daily life; again, some shared more openly than others about their nightmares, anxious reactions to sounds resembling the air raid sirens, and difficulty concentrating. After establishing the “normalcy” of these types of reactions through group sharing and a short presentation of my research on post-traumatic stress, I felt it was important, and Stu had agreed in prior email conversations on the topic, not to dwell on the negative. Following Stu’s advice to reinforce normalcy and harness and channel students’ energy into something positive, I gently redirected the conversation toward what we could and should do with the experience.

To encourage the process of reframing, I asked each student to volunteer one thing lost and two things gained during the exchange. Borrowing from narrative therapy,¹⁶ I hoped that this exercise might help students to leave negative thoughts and feelings behind and shift focus to the positive. Things students had lost included: Inhibition; self-consciousness; sense of contentment; complacency with how things are; piece of self; equilibrium; fear arising from uncertainty; and American arrogance. Things gained included: Sense of belonging;

¹⁵ See E-mails from Stu Mirkin, Deputy Dir., Southern District of Israel Ministry of Social Affairs and Social Services, to author (March 23-24, 2012) (on file with author).

¹⁶ Narrative therapy stands for the proposition that “a person’s identity is formed by [his/her] experiences or narratives. Because [problems are] seen as a separate entity from the person, a therapist can help a client externalize sensitive issues. This objectification dissipates resistance and defenses and allows a client to address this entity in a more productive manner.” *Narrative Therapy*, GoodTherapy.org (Jan. 3, 2012), http://www.goodtherapy.org/Narrative_Therapy.html.

friends; new perspective and insight into self, identity and place; sense of community; hope; social justice mission; sense of independence; appreciation for what I have; confidence; patience with others; knowledge; questions; desire to learn more; and determination to do more. I found it interesting that many of the things lost were beneficial to lose. I also found remarkable that those things gained mirrored the skills I wanted my clinic students to learn by semester's end.

I then asked students what they wanted to do with the experience, again following one of narrative therapy's core tenets that one can create alternate, preferred stories or endings to events.¹⁷ By extending the experience, as opposed to letting it end with our return from Israel, students could, in essence, rewrite the ending by creating a new one. Little did I know that for most of the students, this would result in efforts ongoing to this day to foster the development and continuation of the exchange program despite school, graduation, bar exams, and other work and familial responsibilities.¹⁸

As Stu had prophesied, within two months of the exchange, my ongoing checking in with students via email and conversation revealed that they all had returned to their day-to-day lives with no lingering traumatic stress reactions. I felt the same. Despite the subsiding of symptoms, however, many of us continue the search to find meaning in the experience and to build something meaningful from it.¹⁹

II. REFLECTIONS ON STUDENT LEARNING

As I reflected on the transformative nature of the experience for my students, I discovered that several concepts and lenses of clinical pedagogy could assist me in organizing my thoughts and in exploring what worked and why. These concepts and lenses included: Service

¹⁷ Peter Read, *Working With Communities That Have Experienced Trauma: Using the Tree of Life Concept*, 7 (2010), available at <http://www.dulwichcentre.com.au/tree-of-life-peter-read.pdf>.

¹⁸ For example, Rutgers students organized a presentation for their peers and faculty about the exchange. One student, on her own initiative, identified and contacted potential funders about the event, and before we knew it, had amassed a list of several notable guests who agreed to come, including the local Jewish newspaper. In the following months, some students continued to pursue potential funders to ensure the exchange program continues, including reciprocal efforts. Other students took part in meetings with the City of Newark to begin discussions about developing an Open Apartments program here. Still another developed a business plan for such a program. Four students, three of whom graduated in May 2012, hosted visiting BGU students for a one-week exchange in October 2012. Nearly all of the students participated in some way with the BGU students' visit, including organizing aspects of their stay and facilitating advance preparations; providing transportation to and attending agency visits and lectures with the BGU students; taking them out socially in the evenings; touring them around New Jersey and New York City, and hosting them in their homes.

¹⁹ See *id.*

learning and social justice; empathy; disorienting moments; modeling and self-disclosure; and professional identity development. I discuss each in detail below, and together they form a framework for my analysis of student learning from the exchange.

A. *Service Learning and Social Justice*

I struggled a great deal with defining the Israel experience from a teaching perspective. Although advertised as a short-term study abroad program, it did not fit the typical mold for study abroad whereby students spend time, typically one summer or semester, taking classes at a host institution in another country. Here, in contrast, students engaged in minimal classroom learning and most of the instruction they received was in the context of visits to social justice programs with accompanying lectures. Their living arrangements with CAP students and the built-in opportunity to participate in the CAP student-run community programs also distinguished this experience by fostering the development of personal relationships among students of both nations. As a result, Rutgers students experienced Israeli life as “insiders” as opposed to watching life as “outsiders looking in.” The opportunity for Rutgers students to observe and participate in the community programs CAP students run further differentiated this exchange program from a more traditional study abroad program by extending student learning beyond the classroom and bridging it to the community.

The experience did not meet the definitions of an in-house clinic or an externship either. Rutgers students did not perform “work” on behalf of a client or population; they did not receive instruction or practice in lawyering skills; and they did not “learn by doing” while in Israel, as students primarily observed, interacted and passively experienced, as opposed to actually “doing” on behalf of another.

Nor did the Israel experience meet the traditional definition of “service-learning.”²⁰ The only set tasks were for students to learn about child advocacy and children’s rights through a combination of

²⁰ See Jon C. Dubin, *Clinical Design for Social Justice Imperatives*, 51 S.M.U. L. REV. 1461, 1481 (July-Aug. 1998) (defining service learning as “a [form of experiential education emphasizing], the accomplishment of tasks which meet human needs in combination with conscious educational growth”) (citing Janet Luce, *Service Learning: An Annotated Bibliography Linking Public Service with the Curriculum* (Janet Luce, ed., 1988)); see also Morin & Waysdorf, *The Service-Learning Model in the Law School Curriculum*, 56 N.Y.L. SCH. L. REV. 561, 590 (2011/2012) (defining service learning as “combin[ing] education with hands-on social action, and merg[ing] volunteering with a learning component”); and see generally Susan R. Jones & Shirley J. Jones, *Innovative Approaches to Public Service Through Institutionalized Action Research: Reflections From Law and Social Work*, 33 U. ARK. LITTLE ROCK L. REV. 377 (summer 2011).

lectures, visits to social justice programs and interactions with those who implemented some of the programs.²¹ While we built into the exchange occasions for students to volunteer with the CAP student-run programs, ultimately the political situation prevented exploration of such opportunities. Despite these distinctions, however, the effects of the experience on my students bore a striking resemblance to those discussed in recent literature regarding the impact of service learning on students in the context of disaster response. For this reason, I chose to examine the exchange using the service learning paradigm.

Over the last decade, several law schools have created new courses and programs of service learning that teach social justice through disaster response.²² For example, Golden Gate University School of Law created a seminar to enable students to “view[] social injustice through the lenses of hurricanes, earthquakes, fires and floods. . .” so that they will “see the disastrous effects of everyday injustices such as poverty, hyper-incarceration, and inadequate access to education and health care for the most vulnerable.”²³ Similarly, University of the District of Columbia, Davis and Clark School of Law developed a capstone model for students to engage in service learning.²⁴ Students in their final law school year can participate in a doctrinal course with an experiential learning component; examples include enrollment in UDC’s *Katrina and Beyond* course and volunteering during spring break in post-Katrina New Orleans or on the Mississippi Gulf Coast following the BP oil spill.²⁵ Through this capstone activity, students experience the fusion of clinical practice and pedagogy, service learning, social justice, doctrinal coursework and externship experiences.²⁶

This type of service learning has been described as “authentic,” “selfless and self-motivated,”²⁷ with students’ service learning experiences depicted as having an “immediate and powerful”²⁸ impact on students. Rutgers students’ time in Israel evidenced similar responses. In a journal entry, one student describes the potent effects of meeting

²¹ One may argue that the Rutgers students engaged in service-related tasks upon their return, through their efforts to present the program to a wide audience, raise funds to ensure the program continues, and create a CAP-like program in Newark.

²² See generally Finger et al., *Engaging the Legal Academy in Disaster Response*, 10 SEATTLE J. FOR SOC. JUST. 211 (fall/winter 2011) (describing law school clinical programs and courses formed in reaction to the Katrina disaster); and see generally Morin & Waysdorf, *supra* note 20, at 561.

²³ Finger et al., *supra* note 22, at 239-240.

²⁴ Morin & Waysdorf, *supra* note 20, at 595.

²⁵ *Id.* at 595-96.

²⁶ *Id.* at 563, 565, 594.

²⁷ *Id.* at 595.

²⁸ *Id.* at 602.

the Bedouin family that runs the safe house as follows:

“I cry [there]. There is so much love in the way the husband envelops the Arab and African foster children in his arms. They are safe. I feel like there is hope for humanity. I feel like I am in the presence of special individuals that restore my sense of hope. That goodness transcends language and culture. That one family, one couple, can change the lives of many children.”

This single visit provided students with “inspirational role-modeling” and helped to instill in students “ethical-social values of service and civic engagement.”²⁹ Service learning experiences also have the capacity to reaffirm students’ passion for justice.³⁰ Several students, in their journals, reflected on their rediscovery of the law and its power to good. In the words of one:

“[I]nteracting with the CAP students, seeing the Bedouin foster family, and even seeing the rehab center reminded me that, for all the injustices there are in Israel, there are still people – just like in the U.S. [with all of its own injustices] – who are on the ground, working to ‘swim against the tide’. . . and honestly try to work for Tikkun Olam.”

While students frequently experience highly charged, intense, authentic, adrenaline-inducing situations with their clients and adversaries in the clinic, these experiences typically do not result in such a visceral and powerful response. What was it about the Israel trip that caused students to emerge with a renewed dedication to and passion for social justice— the intensity? The experiencing of events first-hand? The adrenaline? And what can I do to elicit the same reaction through clinic participation?

All of the above played a role in students’ transformative responses and heightened their sense of injustice in the world. However, group dynamics appear to have played a major role as well. Professors Morin and Waysdorf identify the values of “collaboration, teamwork, camaraderie, professional friendships and shared opportunities to heal the world”³¹ as central to the service learning paradigm. These values, which contrast starkly with the competitive atmosphere that exists in most law schools,³² distinguish this type of service learning from tradi-

²⁹ *Id.* at 594.

³⁰ *Id.* at 606.

³¹ *See id.* at 607 (emphasizing that values do not have to be taught in service learning as they are in traditional pedagogical models because they are personally experienced by the student); *but see* Fran Quigley, *Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics*, 2 *CLINICAL L. REV.* 37, 48-49 (fall 1995) (noting that experience requires reflection in order for lessons to be transformative and lasting).

³² *See generally* Eli Wald & Russell G. Pearce, *Making Good Lawyers*, 9 *U. ST. THOMAS L.J.* 403 (fall 2011).

tional experiential learning.³³ Professors Morin and Waysdorf aver that service learning emphasizes the collective, stating, “personal growth is achieved through humanitarian, *collective action*, and embracing a set of iconic ethical-social values. . . students gain self-knowledge brought on by intentional learning through *collectivized social justice action*.”³⁴

I witnessed this first-hand: Rutgers students embarked on the trip to Israel as individuals and returned as a tight-knit group, united both by the experience and from it. The communal experiencing of the events strengthened bonds not only among the Rutgers students themselves, but also with their CAP counterparts, other social justice program representatives, persons served by the various programs, and others whom they simply met along the way. From this emerged a unified group with a value system that stressed a humanitarian vision and social justice mission. Students’ self-identified membership in this group played a major role in the experience’s transformative nature.

While all of the students knew of the social justice mission of the exchange program and had demonstrated some commitment to social justice on behalf of children and families as a precondition for participating, their coming together as a group strengthened their commitment to humanistic values, social consciousness and action. This realization caused me to reflect further on those semesters in clinic where I had witnessed my students react differently to their experience, in a way that more closely resembles the level of learning I saw in Israel. I discovered that the greatest impact on student learning in clinic occurred not when my students had particularly complex or challenging cases and players but rather when they successfully had gelled as a group.

What did my Israeli partners and I do to help promote this positive value-laden cohesiveness? We created a situation where students studied, lived and experienced in extremely close quarters. We provided opportunities for students to bond in educational/professional venues as well as social ones. We encouraged students to share their thoughts and feelings in different settings without fear of judgment. We identified connections between past and present experiences and reactions and future plans and dreams. We modeled our expectations for students and participated in the experiences alongside them. In sum, we actively promoted collaboration and camaraderie.

How did the collective identity emerge on its own? Students initiated and engaged in frank discussions of race, nationality, religion, ethnicity, politics, and pride in and service to country. They bonded in

³³ Morin & Waysdorf, *supra* note 20, at 607.

³⁴ *Id.* at 595. (italics added).

fear during rocket attacks; in awe at the Bedouin safe house; in admiration as CAP students spoke about their experiences and interacted with their communities; and over food, drink and endless conversation at an impromptu Purim party, a bonfire and karaoke bar. And they were immersed in never-ending examples of humanity helping humanity, even when faced with impending peril.

This last point requires additional attention. One cannot ignore the effects of witnessing first-hand so many examples of social justice, social action and *Tikkun Olam* on the inculcation of the positive value system that emerged. Students observed the promotion of social justice ethics and values at all levels, from the institutional to the individual. On the societal benefit of BGU offering incentives to students to participate in social justice-oriented programs such as the CAP and Kfar Adiel, one student reflected:

“ . . . [t]hese programs place social justice in the mainstream of university culture. . . [They] also shape larger society—even the students who don’t specifically become professionals engaged in social justice and/or community engagement are altered by their experiences in these programs. The programs shape a worldview and political opinions that are informed by these early experiences.”

On the impact of these programs at the individual level, another student stated:

“When we arrived at [my host student]’s apartment, as soon as we closed the door there was a knock. A young girl [who lived in the building] had come to ask for help with her homework. [My host student] gave her a hug, answered her questions and [she] went on her way. Now I understood what CAP was about.”

All of the people with whom we interacted have dedicated themselves to improving the lives of others without need for accolades and without complaint; this selfless service on behalf of those less fortunate is integral to their identities and daily life. The social justice work of the CAP students, the representatives of the social service programs we visited, and the Bedouin father are not deterred by conditions of instability, but fed by it. Rutgers students saw that injustice can be fought even in the face of danger or threat of danger. Rather than providing reasons to run and hide, danger and the threat thereof become motivators to stand up and advocate. The exchange program reinforced the notion that social justice values cannot be taught by instruction in a classroom; they must be witnessed and/or experienced, reflected upon and thereby instilled.

B. Empathy

Legal scholarship is rich with literature discussing the importance

of empathy in legal practice.³⁵ Empathy has been defined as learning to “feel with” others and experience “‘the other’ from the values that the other holds;”³⁶ the expression of a lawyer’s “understanding of the client’s expression of her problems and situation;”³⁷ “a form of understanding, a phenomenon that encompasses affect as well as cognition in determining meanings;”³⁸ and “the affective state that is elicited by the observation or imagination of another person’s affective state.”³⁹ While these definitions differ slightly, they are all variations on the theme of putting oneself in another’s shoes to better understand the other. This necessitates a change in perspective.

Empathy enables an attorney to cross the divides created by differences in race, gender, culture, class and experience and thereby develop an appreciation and understanding of the client’s meaning of a legal situation.⁴⁰ Teachers use different methods to increase law students’ skill of empathic engagement, including instruction on empathy, active listening,⁴¹ parallel universe thinking,⁴² classroom simulations, and exposure to client experiences through “windows” into their worlds (e.g. observations of court, visits to local welfare office or shelter). While these methods all have the potential to teach students about empathy, to develop empathy as a skill typically requires some type of experiential learning: “Simulations are too neat.

³⁵ See generally, Ian Gallacher, *Thinking Like Nonlawyers: Why Empathy is a Core Lawyering Skill and Why Legal Education Should Change to Reflect its Importance*, 8 LEGAL COMM. & RHETORIC: JAWLD 109 (fall 2011); see also Lynne N. Henderson, *Legality and Empathy*, 85 MICH. L. REV. 1574 (June 1987); see also Phillip M. Genty, *Clients Don’t Take Sabbaticals: The Indispensable In-House Clinic and the Teaching of Empathy*, 7 CLINICAL L. REV. 273 (fall 2000); and see Stephen Ellman, *Theoretics of Practice: The Integration of Progressive Thought and Action: Empathy and Approval*, 43 HASTINGS L.J. 991 (1992).

³⁶ Carrie Menkel-Meadow, *Narrowing the Gap by narrowing the Field: What’s Missing from the MacCrate Report of Skills, Legal Science and Being a Human Being*, 69 WASH. L. REV. 593, 620 (1994).

³⁷ Quigley, *supra* note 31, at 45 (citing Stephen Ellman, *Theoretics of Practice: The Integration of Progressive Thought and Action: Empathy and Approval*, 43 HASTINGS L.J. 991, 991-993 (1992)).

³⁸ Henderson, *supra* note 35, at 1576.

³⁹ Susan L. Brooks, *Epistemology and Ethics in Relationship-Centered Legal Education and Practice*, 56 N.Y.L. SCH. L. REV. 331, 363 (2011-2012) (citing Frederique de Vignemont & Tania Singer, *The Empathic Brain: How, When and Why?*, 10 *Trends in Cognitive Science*, 435, 435-6 (2006)).

⁴⁰ Henderson, *supra* note 35, at 1576.

⁴¹ Active listening involves “identifying a client’s vaguely or inarticulately stated feelings and reflecting them back to the client to show understanding or to allow the client to correct a misunderstanding.” R. Hal Ritter, Jr. & Patricia A. Wilson, *The Fine Art of Listening: Skilled Listening is Critical in Establishing Productive Attorney-Client Relationships*, 81 JAN MICH. B.J. 36, 37 (Jan. 2002).

⁴² Parallel universe thinking “involves identifying multiple explanations for the same behavior.” Susan Bryant & Elliott S. Milstein, *Rounds: A “Signature Pedagogy” for Clinical Education?*, 14 CLINICAL L. REV. 193, 223 (fall 2007).

Real-life advocacy is confusing, intimidating, unpredictable and messy, and our students need to know this.”⁴³

Professor Susan Brooks, in discussing recent brain /cognitive research findings related to empathy, concludes that, “. . .increased opportunities for law students to personally experience client stories first-hand would create more empathy, especially when the experience is enhanced by skill development and personal insights gained as students reflect on the experience.”⁴⁴ This is consistent with the literature on andragogy, or adult learning theory, which stresses that adults “favor[] participatory, experiential learning techniques. . . to reinforce the important role of experience in the lives and learning of adults. The assumption is that ‘the more active the learner’s role in the process, the more he is probably learning.’”⁴⁵

Also critical to empathy skills development is contextualization of clients, problems and suffering. Professor Sarah Buhler, in her recent article, lays the groundwork for a “pedagogy of suffering”⁴⁶ in clinical practice; she considers “human suffering as a signifier of larger political and systemic injustice, and one which encourages critical, attentive and politicized ‘witnessing’ and responses to suffering by lawyers and law students.”⁴⁷ Professor Buhler posits that law students must examine clients’ social and political contexts⁴⁸ in order to better understand “the ways in which [client] suffering and the responses to suffering are political and directly related to questions of justice and politics, rather than separate or detached from these questions.”⁴⁹ She cautions that compassionate or empathic emotional responses to suffering devoid of context “can serve to sustain the very power relations that create the conditions for suffering in the first place, and can also obscure the role of the empathizer in ongoing conditions of injustice.”⁵⁰

⁴³ Genty, *supra* note 35, at 282.

⁴⁴ Brooks, *supra* note 39, at 362-3.

⁴⁵ Frank S. Bloch, *The Andragogical Basis of Clinical Legal Education*, 35 VAND. L. REV. 321, 331 (March, 1982).

⁴⁶ Sarah Buhler, *Painful Injustices: Clinical Legal Education and the Pedagogy of Suffering*, 19 CLINICAL L. REV. 405, 408 (spring 2013).

⁴⁷ *Id.* at 5.

⁴⁸ *Id.* at 12.

⁴⁹ *Id.* at 16.

⁵⁰ *Id.* at 13. (While I agree that there are great risks and costs inherent in decontextualizing suffering, I similarly warn readers of the dangers of *over-contextualizing* suffering. No two individuals’ experience of the same traumatic events are the same, even where their social, political, economic and other experiences may be the same or similar, because the individual psyche plays a tremendous role in how each of us interprets and responds to events. For example, adverse events may be viewed by one as a challenge to be overcome or an opportunity, and by another as an insurmountable hurdle causing depression or paralysis to act, even where the two grew up in identical circumstances.)

The Israel experience provided students with numerous opportunities for first-hand contextualized, experiential learning, both planned and unplanned. In the time students spent reflecting on their experiences, individually through journals, with me one-on-one, and with each other and their CAP counterparts in small and larger group settings, they crossed the divides created by age, nationality, race/ethnicity, religion, culture, and life experience. Rutgers students came away with an appreciation for and beginning understanding of the diverse backgrounds, experiences and perspectives of each other,⁵¹ their CAP partners, the Bedouin family operating the safe house, immigrant women and children from Ethiopia and Russia, and Palestinians in Gaza. Although our students were not engaged in traditional international human rights work or service learning as a part of disaster response, their placement in “geographical proximity to communities” in need,⁵² their experience of rocket attacks alongside CAP students, new immigrants and recovering addicts, and their visits with leaders of and participants in social justice initiatives, cultivated in them a deep understanding of and empathy for the people of Israel and communities at risk.

Students’ journals illustrate their active use of empathy skills to develop a meaningful understanding of others’ realities. For example, following our visit to the Bedouin safe house, one student noted:

“As we drove back to our desert homes for the evening. . . I was thinking about what the foster children’s lives might be like after leaving the safe house. I wondered if they would ever think about their experience with this family. . .”

Another student shared:

“There’s an image I can’t get out of my mind from that day at the Bedouin safe house. It was the two little boys that they believed were from Sudan. The Bedouin father explained that they could not communicate with them because they spoke neither Arabic nor Hebrew. The boys didn’t know their ages, and suspect they may be brothers but have no way of knowing. As we left, the two of them were sitting on a rug. . . I tried to catch their eyes but one looked at me and quickly dropped his eyes to the floor. What have they had to witness in their short lives? Did they come here alone? Do they cry for their mothers? Do they understand what is going on around them?”

⁵¹ Much can be said about the diversity of Rutgers students participating in the exchange and the effects of their diversity on how they perceived and responded to the events that occurred; however, I have chosen not to focus on this aspect of the exchange here.

⁵² Johanna Bond, *The Global Classroom: International Human Rights Fact-Finding as Clinical Method*, 28 WM. MITCHELL L. REV. 317, 332 (2001).

In these instances, students placed themselves in the shoes of the children being fostered by the Bedouin family. They similarly placed themselves in the shoes of residents of the drug treatment facility and the people of Israel when recalling the rocket attacks. Said one student:

“As we stood in the safe room with drug counselors and clients. . . [i]t was one of those moments when the reality of how truly challenging life in Israel must be, not for visitors like us but for Israelis and those that call Israel home.”

Another commented:

[After the rockets] I realized that Israelis live life and enjoy each day in part, I’m sure, because of the constant reminder that tomorrow is not guaranteed for anyone.”

Students’ face-to-face contact with the Bedouin family in their home, and their standing side-by-side with residents and staff at the drug treatment facility under rocket attack created windows into the worlds of others that none of the students had experienced previously. This enhanced students’ meaningful understanding of the realities of “others.”

The empathy displayed by our Israeli counterparts played a significant role in the high level of empathy exhibited by Rutgers students as well—it was infectious and contagious. The CAP students spoke of the country’s problems, including the hardships faced by immigrants from Africa, Russia and elsewhere living in Beer Sheva, as “our” problems, not “theirs.”⁵³ They took empathy one step further – from temporarily “putting oneself in another’s shoes” to wearing another’s shoes, viewing the problems of certain populations in the country not as belonging to the “other” but to all, society. Rutgers students picked up on this notion of universality as well. For example, one student offered the following insight:

“There was something quite humbling about being in the safe room with the patients of the drug rehab facility. We are all vulnerable here to these rocket attacks. The threat of impending attacks must be a unifying factor in Israeli society.”

Another stated:

“Standing with patients in the safe room of the residential treatment center and with local residents in the stairwells of apartment buildings in Beer Sheva, I realized that fear is universal.”

⁵³ This notion of “ours” was not unique to discussions of problems or concerns. When, as we made our way by car to Masada, I asked one of the CAP students whether he realized how beautiful his country is, he responded with: “I often forget to sit back and look at it and appreciate it. I take it for granted. Yes, you are right it is beautiful. But you are also wrong because it is not *my* country. It is *our* country.”

As I observed our Israeli partners' displays of empathy and listened to them speak in terms of "all" and "we," I realized how much we, in the US, still differentiate "us" from "them," "in-group" from "out-group." It occurs even in clinical settings when discussing client issues and client problems. We test the waters in which our clients swim as if dipping our toes into a cold pool, but never take the full plunge – with one significant exception: Client victories strangely become "ours." Why, then, should client issues and problems not belong to "us" as well? Would this not heighten the empathy our students have for the people we serve?

In critiquing what I did intentionally to foster empathy development during the trip, my answer is, "very little." We had many discussions about the impact and toll that the Middle East conflict takes on the lives of children in the Negev (as well as in Gaza and other neighboring countries), the selfless risk taken by the Bedouin family to care for children in need, and the tremendous dedication of so many people with whom we met to improve the lives of the vulnerable and less-fortunate. However, these conversations occurred spontaneously, and were motivated by what we witnessed and heard from those we met—people like Yaniv, the building manager, the Bedouin father, and CAP students.

Perhaps the most important thing I did to promote empathy development during our stay in Israel was to allow sufficient time for conversation and dialogue. I cannot help but wonder, though, whether the pervasiveness of uncertainty and the degree of fear we experienced in Israel "reset" our empathy to some higher level. I came away questioning whether anyone ever can fully relax or let one's guard down when living there. My answer to this was 'no.' Certainly, Israel is not the only place in the world where one feels this way; many if not most of my clients in Newark and surrounding areas live in and with uncertainty and fear every day,⁵⁴ but we "others" too often take for granted these realities of our clients. Does the univer-

⁵⁴ According to the U.S. Census Bureau, New Jersey had approximately 8,800,000 residents and experienced 380 murders in 2011. See *State and County Quick Facts: New Jersey*, (revised Dec. 6, 2012), <http://quickfacts.census.gov/qfd/states/34000.html>; and see *New Jersey State Police: 2011 Uniform Crime Report*, <http://www.njsp.org/info/ucr2011/index.html>. Meanwhile, during the same time span there were three fatalities from rocket fire in Israel out of a population of approximately 7,800,000 individuals. See *Palestinian Rocket Attacks on Israel*, http://en.wikipedia.org/wiki/Palestinian_rocket_attacks_on_Israel.html. (last visited Dec. 24, 2012); and see Central Bureau of Statistics, State of Israel, *Selected Data from the New Statistical Abstract of Israel: No. 63-2012*, available at www.cbs.gov.il. Thus, one has approximately a 100 times greater likelihood of being murdered in New Jersey than being killed by rocket fire in Israel (not taking into account that the great majority of murders in New Jersey and the great majority of rocket attacks in Israel take place in a handful of discrete geographic areas).

sality of fear in Israel create more empathy? Can we ever have the same level of empathy here, for the populations we serve, if we do not experience their daily lives with them?

While I do not have all of the answers, I can state with certainty that the Israel exchange experience prompted students to explore these questions. Their drive to explore came from within, and they strived to understand the perspectives, experiences and contexts of so many “others” while there—the abandoned Sudanese children, the Bedouin family caring for them, the residents of the drug treatment facility, the facility staff, the CAP students, the victims of the rocket attacks and of Israel’s response, and more. They also searched inside themselves to better comprehend the ways in which their own backgrounds, experiences and perspectives color their overall understanding and attribute meaning. This exploration produced in students a heightened development of humanitarian values, including enhanced appreciation of difference, compassion and empathy.

C. *Disorienting Moments*

The multitude of “disorienting moments” during the exchange resulted in transformative student learning as well. Professor Fran Quigley coined the term, defining “disorienting moments” as “when the learner confronts an experience that is disorienting or even disturbing because the experience cannot be easily explained by reference to the learner’s prior understanding – referred to in learning theory as ‘meaning schemes’ – of how the world works.”⁵⁵ Professor Quigley advocates seizing these opportunities in the clinical setting because of the tremendous impact they can have on student learning, particularly in social justice.⁵⁶ Relying on Jack Mezirow’s work on andragogy, Professor Quigley explains that disorienting moments are “opportunities for transformative experience for the adult learner” because they can produce “perspective transformation,” leading the learner to reassess his/her personal norms, values and beliefs.⁵⁷

Mere exposure to a disorienting moment does not lead to transformative learning. Rather, students must explore and reflect upon the moment, and then reorient their belief scheme.⁵⁸ Without so doing, “students are more likely to ignore or reject the experience than learn from it.”⁵⁹ Thus, teachers play an essential role in the trans-

⁵⁵ Quigley, *supra* note 31, at 51.

⁵⁶ *See id.* at 53.

⁵⁷ *See id.* at 51-52 (referencing JACK MEZIROW, TRANSFORMATIVE DIMENSIONS OF ADULT LEARNING 168 (1991)).

⁵⁸ *Id.* at 52 (discussing the three stages of transformative learning – the “disorienting experience,” “exploration and reflection,” and “reorientation”).

⁵⁹ Emily Hughes, *Taking First-Year Students to Court: Disorienting Moments as Cata-*

formative learning process; they must provide opportunities for the learners to “identify their prior meaning schemes and consider why the new experience did not fit into those meaning schemes.”⁶⁰ This requires teachers to prepare learners in advance of disorienting moments, to the extent possible, so that they have tools to use when encountering them,⁶¹ and to assist learners to understand the information they gained from the disorienting moment to reorient their meaning scheme.⁶²

According to Professor Quigley, several methods can be used to facilitate social justice learning from a disorienting moment, including student-supervisor discussions and journals.⁶³ However, Professor Quigley highlights student-student discussion, through cooperative learning and opportunities for peers to share their experiences and insights, as the “most effective style. . . consistent with adult learning theory” for transformative learning from disorienting moments.⁶⁴ “Adult learning theory holds that disorienting information is most powerful in its potential to inspire real learning when it is experientially-based and/or is provided by the narratives of fellow learners.”⁶⁵

Disorienting moments in Israel came in all shapes and sizes. Some of the disorienting moments dismantled students’ preconceived notions in one fell swoop, particularly in the areas of race/ethnicity, religion/culture and political rights/beliefs. For example, upon their arrival in Israel, one student reflected on his expectation for the population:

“My whole image of Jewish culture was what I saw in Williamsburg, Brooklyn. When I got here and saw the different ethnicities, I had no idea I was in Israel.”

Another similarly commented:

“I watched Israelis of all colors and creeds mixing in the Jerusalem marketplace. . . All three of us were fascinated with how diverse the Israelis looked. . . There are so many groups of people in the country,

lysts for Change, 28 WASH. U.J.L. & POL’Y 11, 17 (2008); see also Laurie Morin, *A Tale of Two Cities: Lessons Learned from new Orleans to the District of Columbia for the Protection of Vulnerable Populations from the Consequences of Disaster*, 12 U.D.C. L. REV. 45, 47 (spring 2009) (referencing the effects of Hurricane Katrina, stating: “[d]isorienting moments provide an opportunity to reflect and learn, or to be doomed to repeat the mistakes of the past.”).

⁶⁰ Quigley, *supra* note 31, at 54.

⁶¹ Carolyn Grose, *A Field Trip to Benetton . . . and Beyond: Some Thoughts on Outsider Narrative in a Law School Clinic*, 4 CLINICAL L. REV. 109, 124 (Fall 1997) (discussing the use of stories and outsider narratives as tools for preparing students to experience disorienting moments).

⁶² See Quigley, *supra* note 31, at 55.

⁶³ See *id.* at 57-61.

⁶⁴ *Id.* at 57.

⁶⁵ *Id.* at 62.

Jewish, Arab, Russian, refugees, Bedouin, Ethiopian. So many different types of citizens and rights afforded to each.”

Rutgers students engaged in open dialogue about expectations, differences and misconceptions, with each other and the CAP students, leading to further disorienting moments and discoveries. In a frank discussion between Rutgers and CAP students about race, race-based discrimination and religion in the U.S. versus Israel, one student described the following:

“Over a bottle (or a few bottles) of various beverages, we had an incredibly in-depth conversation about racism and religion in Israel. A BGU-CAP student - an Israeli-born Ethiopian Jew - shared his experiences growing up in Israel as a black man. Surprisingly, he said that he really didn’t experience much racism from his peers or society in general. He attributed this, in part, to the ongoing conflict between Israel and its many neighbors and the fact that he and his peers have grown up fighting to protect each other from outsiders so ethnic differences are not as divisive in Israeli society.”

Another student reflected on religious and cultural differences that, for some, hold great meaning, and for others, are so subtle that they often go unnoticed:

“A [Rutgers] student shows me a picture that he took [earlier that day] of me and one of the Bedouin family’s teenage daughters. She is wearing a hijab and I am wearing a mitpachat.⁶⁶ They are probably the same scarves-just worn in different ways. How crazy that the way that the scarf is tied means so much?!”

In the area of politics, CAP students’ pronouncements that the majority of young Israelis just want peaceful coexistence with their neighbors further surprised Rutgers students. These moments disoriented students because they shattered prior stereotypes, forced students to reassess their own norms, values and beliefs, and ultimately led to a change in student perception and perspective. Rutgers students’ willingness to share their reflections on these moments, in their journals and through conversation, helped to solidify the reorientation of their belief scheme, resulting in transformative learning.

Other events in Israel led to transformative learning because they disturbed students—not by changing preconceived beliefs but by the mere fact that the events themselves fell far outside students’ realms of possibility and points of reference, as did students’ own reactions to the events and the reactions they witnessed. With regard to being under rocket fire, one student stated:

⁶⁶ The *hijab* and *mitpachat* are head coverings worn by Muslim and married Jewish women, respectively, in compliance with standards of modesty, <http://www.thefreedictionary.com>.

“I was surprised at how strongly I reacted to the sirens. I have been to Israel so many times it is hard for me to accurately count. I have lived here for a year. I have brought my family here. I speak the language. I feel connected to the people. Until now, I had never felt so much anxiety when being here. Could it be that it is all about life station? I’m a mom with a husband and four young children. If something happens to me, their lives will never be the same. Is it that – that as your web of connections and responsibilities grow, you feel more important? I felt anxious, but [despite this] there was no way I was leaving the group!”

In the words of another student:

“When the first sirens went off and we all got up and headed to the safe room, I remember thinking that it felt more like a drill than an actual real life situation. It wasn’t until I [experienced] the second bomb siren that I realized that this was actually for real. When we heard the second BOOM my host student shook his head and said that was not a good BOOM. Moments later, the radio reported that everyone needed to clear the streets and remain inside. After one hour, we heard via the radio that it was ok to go back outside so we all hopped in the car and went to the supermarket. Life seemed to go right back to normal, no discussions about the rockets, no concern about what had just happened, just back to doing what was done every day.”

There is no doubt that the experience of being under rocket fire disoriented students. But, as evidenced by the reflections above, students also found unsettling their own, individual reactions to the rockets and the reactions they observed in others that life simply goes on. Here, students had no prior meaning schemes on which they could rely to explain the events or subsequent responses. Thus, post-event reflection played a critical role in helping students to process what had occurred and the myriad reasons for the different reactions, so that students could learn from the experience as opposed to ignore or reject it.

Still other moments transformed students by inspiring them to be better, to do better by and for others. These moments offered live demonstrations to students that the power of one or the few can be as strong as the power of many to do good. Students reacted powerfully to these moments. For example:

“Walking the neighborhood with [CAP student] was humbling. The kids would run up to him to talk and just be near him. He pointed out various things in the neighborhood—murals, art projects—they had worked on them together and each one had a story.”

Another student remarked:

“I was in awe of the Bedouin father who opened his house and

heart to these children, these beautiful. . . children, even though he had his own family and other responsibilities to deal with. . . There is good in this world and every so often, I am reminded about that. I feel inspired.”

On the visit to the Bedouin safe house, another student had this to share:

“I’m still not sure why the tears started flowing as the father spoke. I was so ‘filled’. . . In his eyes, I saw a man with compassion, love, respect intellect, awareness, faith, all balanced with the strength to. . . take on the burdens of the world without excuses, without complaint, just because it was the right thing to do. . .”

Other moments were disorienting because while they inspired students, they simultaneously induced some feelings of shame. One student shared:

“The fact that [the Bedouin father’s role] as a foster parent must be kept under wraps because there is fear of retaliation from other Bedouin tribes and parents of the children he takes in. . . [makes me feel] ashamed for all the times I complained about pretty much anything in life.”

Another student expressed:

“[In looking at] how this trip has impacted me as a person. . . I have not seen anyone that comes close to all of the [CAP students] I met when it comes to putting their ideals into practice. . . I feel that I come up short as a human being compared to most of the volunteers in the BGU-CAP program.”

Students grappled with finding meaning in all of these disorienting experiences individually, through reflection and journaling, and with each other through conversation. For the most part, student reactions to these experiences did not surprise me, as most of the experiences were beyond all of our frames of reference. However, that the visit to the Bedouin safe house for abused, neglected and/or abandoned children was a disorienting moment for us all still confounds me. The father’s views on family, love and duty, which extended beyond religion and culture to humanity and humankind, profoundly affected us. While we have thousands of foster families in our own country who take in abused, neglected and/or abandoned children out of their own notions of family, love and duty, I question whether we would have had the same reaction to them. Was it because this particular Bedouin family blew away the stereotypes we had been seeing in the unauthorized Bedouin settlements along the highway or the lecture we had received on Bedouin culture, tribal justice, and the treatment of men’s multiple wives and families? Was it because this one family risked their lives doing this work and could do so only under a

shroud of secrecy? Or was it because they made us remember that one person, one family, can still make a difference?

In thinking about student learning from disorienting moments in the clinical setting, I wonder whether students are so inured to certain situations here, such as gang warfare, child abuse, deplorable living conditions, and denigrating and derogatory treatment of those living in poverty, that the experiences no longer unsettle or disturb them, even when a situation directly involves or affects a client. Or, perhaps, these occurrences, whether they be community violence, a client's negative experience and/or treatment by a school district or public benefits program, or an adversary's borderline unethical tactics, simply have become the norm for me. I am sad and frightened to say that my lack of surprise in encountering these events or, worse yet, my expectation that we will encounter them, may result in a failure to proactively encourage students to explore these moments.

Perhaps the sheer number of disorienting moments occurring in a short period of time in Israel, the intensity, the extreme emotional highs and lows that accompanied the experiences, the sleep deprivation, and the effects of adrenaline made this exchange so transformative for students. It also may be that students took sufficient time to reflect on the emotional effects of the events as well as the events themselves that resulted in such a high level of student learning.

The emotional impact of the Israel trip on students far outweighed the legal/analytical one. Seldom, if ever, in legal education are students prepared for what they might experience emotionally from their work. When such preparation does occur, it typically happens in the clinical setting. In a recent article, Professor Lynette Parker discusses the duty of care of law schools to "train and support law students in order to minimize or avoid vicarious trauma or retraumatization."⁶⁷ This training helps students to overcome the detachment of logic from emotions that traditional law school courses customarily expect of law students, where students study cases and legal principles devoid of the individuals themselves and the emotions they bring to the disputes.⁶⁸ In reality, law students and lawyers, especially those working with traumatized clients, routinely deal with emotions of clients, adversaries, witnesses and the like, and may experience trauma themselves.⁶⁹ The trauma they experience is, more

⁶⁷ Lynette M. Parker, *Increasing Law Students' Effectiveness when Representing Traumatized Clients: A Case Study of the Katharine & George Alexander Community Law Center*, 21 GEO. IMMIGR. L.J. 163, 180 (2007).

⁶⁸ *Id.* at 167.

⁶⁹ *See id.* at 174.

often than not, a “normal response[] to abnormal events,”⁷⁰ but without the preparatory knowledge about trauma and the “techniques for self-care” to deal with it,⁷¹ such reactions can have deleterious outcomes.⁷²

The importance of emotion in legal work is not limited to the effects of vicarious trauma. Emotions can be valuable tools of the trade in general:⁷³ “As one’s own ability to express feeling declines, it seems to follow that the ability to hear other people’s feelings atrophies too,” resulting in the failure of lawyers to understand client needs and goals and to hear their narratives.⁷⁴ However, it falls on teachers of law to convey to and demonstrate for students the “professional value in expressing by emotion.”⁷⁵

In Israel, brief opportunities arose that allowed me to check in individually with students on how they were handling the emotional impact of the events that transpired. However, the time we spent as a group with Stu Mirkin discussing and processing our emotions and feelings related to the disorienting moments had a much greater bearing on student learning. This may be because the one-on-one interactions with students were limited in terms of time and privacy; it may also be because of the power of collective reflection on collective trauma.⁷⁶ Our group session with Stu provided students with the time and place to reflect on the affective aspects of their experience.

Students’ overwhelmingly positive reactions to the group therapy time with Stu evidence their need for a safe forum in which to unburden themselves from their emotional responses to events. Their reactions also demonstrate the benefits of engaging in this type of emotional sharing on students’ overall well-being and sense of connectedness to others. As one student stated:

⁷⁰ *Id.* at 168.

⁷¹ *Id.* at 182-83.

⁷² *See, e.g., id.* at 190.

⁷³ *See* Ann Juergens, *Practicing What We Teach: The Importance of Emotion and Community Connection in Law Work and Law Teaching*, 11 *CLINICAL L. REV.* 413, 418 (spring 2005).

⁷⁴ *Id.* at 417.

⁷⁵ *Id.* at 415.

⁷⁶ *See generally* *The Impact of Trauma*, Human Solutions Now, http://www.humansolutionsnow.com/impact_of_trauma/ (last visited Dec. 25, 2012); and *see* *Healing Collective and Generational Trauma*, Human Solutions Now, http://www.humansolutionsnow.com/impact_of_trauma/healing-and-preventing-trauma/healing-collective-and-generational-trauma/ (last visited Dec. 25, 2012) (defining collective trauma as when a group (e.g. family, community, or ethnic group) shares a traumatic experience. In such situations, one’s personal identity becomes tied with the group identity and the group becomes part of the “person’s self-identity and consciousness.” Since the trauma is experienced *as* and *through* the group, “[a]s individuals heal, so it becomes easier for the collective to heal; and as the collective heals it provides a supportive context for individual healing.”).

“The group therapy session [allowed us] to express our anxieties and emotions relative to the rockets and the trip in general [and gave] us the opportunity to emotionally unload and relax.”

Another had this to say:

“One by one [Stu] encourages each of us to discuss how we felt over the past few days. Several students share. Listening to the others, my eyes start welling, my heart pounds and my palms are sweaty. . . [After all have shared], we go around and say a word about how we’re feeling—I think I choose release. It was intense. . . I can tell that the conversation has weighed heavily on [our] minds.”

Still another student expressed the following:

“Everyone was really generous about sharing their feelings about being in Israel and feeling vulnerable and the roots of that vulnerability on an individual level. . . I feel so alive-like we have really connected on the deepest levels.”

The opportunity for emotional reflection further heightened the sense of community that had developed and a communal understanding about the events that had occurred. By hearing each other speak, students came to understand that their emotional reactions were okay, in essence normalizing them as typical responses to traumatic events. The bonds students had formed were further strengthened by the trust they had in each other, such that all willingly divulged feelings, thoughts and reactions without fear of being judged. Stu succeeded in creating an honest, safe space, and through reflecting on the events, facilitated internalization of the lessons learned. This group work continued upon our return to the states, providing a supportive atmosphere for students and thereby enabling them to continue the reflection and healing process.

By allowing time for and implementing methods that encourage students to discuss the emotional and affective responses they have to traumatic events, both “sentimental [and] desensitized responses to suffering” can be challenged.⁷⁷ Processing of emotions further serves to channel discomfort and convert negative feelings into energy for praxis and transformation.⁷⁸ However, having meaningful conversations on these topics and taking active steps to engage students in talking about these issues requires modeling and a certain degree of teacher self-disclosure.

D. Modeling and Self-Disclosure

In Israel, I found myself in a different relationship with students

⁷⁷ Buhler, *supra* note 46, at 25 (citing MICHALINOS ZEMBYLAS, *THE POLITICS OF TRAUMA IN EDUCATION* 15, 32 (2008)).

⁷⁸ *Id.*

from that to which I have become accustomed. Unlike a meeting with a client, or mediation or courtroom situations I typically share with my students, where I have more than a decade of experience than they and a decade of clinical teaching under my belt, during the week in Beer Sheva, I was one of them. I had no prior professional or personal experience with rocket attacks⁷⁹ so I was as much a novice in the process, just another subject of one big experiment that very much did not proceed as planned. My placement in this new position has led me to reflect upon decisions I made in Israel concerning self-disclosure and modeling, as well as choices I make in these areas, consciously and not, in clinic. I have combined these topics for discussion purposes because each impacts the other.

Clinicians fall across the spectrum when it comes to self-disclosure, modeling and role assumption.⁸⁰ Benefits of teacher self-disclosure with students include increased empathy and connection, which helps to enlist student cooperation and engagement in clinic work.⁸¹ Self-disclosure models relationship reciprocity; a teacher's sharing can encourage a student to share,⁸² thereby fostering the process of self-reflection.⁸³ However, self-disclosure also carries risks: It can lead to a distortion of roles and boundaries between professors and students, creating role confusion,⁸⁴ coerce students into engaging in reciprocal self-disclosure due to the power imbalance inherent in the teacher-

⁷⁹ I do, however, recall hearing occasional booms off in the distance when I was a child. For a few months during the summer 1984, my family lived in Kiryat Bialik, outside of Haifa, while my father worked at the Technion Institute. At that time, there was fighting between Israel and Lebanon. Whether the booms were rockets or army training exercises, I cannot now say. However, my recent trip did bring up memories of that time, as opposed to any of the several other times I have visited Israel over the years, so there was some connection I was drawing between the two events.

⁸⁰ See Minna J. Kotkin, *Reconsidering Role Assumption in Clinical Education*, 19 N.M. L. REV. 185, 186-187 (1989) (positing that traditional clinical teacher/student role-assumption, with the student taking on the role of the attorney, may not work for students with differing learning styles, and noting the need to re-evaluate use of role-modeling in order to better serve all students while pointing out that these propositions will seem "heretical" to some clinicians).

⁸¹ See Jennifer P. Lyman, *Getting Personal in Supervision: Looking for that Fine Line*, 2 CLINICAL L. REV. 211, 218, 219 (fall 1995) (citing Stephen Ellman, *The Ethic of Care as an Ethic For Lawyers*, 81 GEO. L.J. 2665 (1993)); see also Alexis Anderson et al., *Challenges of Sameness: Pitfalls and Benefits to Assumed Connections in Lawyering*, 18 CLINICAL L. REV. 339, 349 (spring 2012).

⁸² Anderson et al., *supra* note 81, at 349.

⁸³ Kathleen A. Sullivan, *Self-Disclosure, Separation and Students: Intimacy in the Clinical Relationship*, 27 IND. L. REV. 115, 128 (1993-1994).

⁸⁴ Anderson et al., *supra* note 81, at 349; see also Lyman, *supra* note 81, at 226 (discussing how self-disclosure may dissolve boundaries needed to maintain positive working relationships and may change relationships by creating problem solving responsibilities outside the lawyering and teaching roles).

student relationship,⁸⁵ and even “compromise” one’s “image as a competent professional,” thereby undermining the teacher’s authority.⁸⁶

One important element of the discussion on self-disclosure is that we, as clinicians, expect our students to engage in at least a certain level of self-sharing by requiring them to reflect on their clinical experience. We not only ask this of them, but also grade them on the quality of their self-reflection and self-awareness.⁸⁷ Professor Minna Kotkin poses and answers the logical follow-up question: Should we not model for our students our expectations of them, in essence, do ourselves as we ask them to do?⁸⁸ The challenge in this proposition lies in the fact that this, “require[s] a discomfoting degree of self-exposure and revelation on the part of the teacher,”⁸⁹ in other words, a willingness to be vulnerable and put oneself out there.

Professor Kotkin advocates for teachers to undertake more role modeling in addition to role assumption in clinical education. “Learning theory suggests. . . that for students who have difficulty immersing themselves in an experience, opportunities to observe others ‘in role’ provide an important bridge to acquisition of skills.”⁹⁰ Again, modeling has inherent risks, including creation of a “right-wrong dichotomy” and the potential for “mimicry” as opposed to students finding their own professional voice.⁹¹ However, if the teacher engages in honest self-reflection that includes thinking out loud to “expos[e] the analysis that goes into each decision and judgment” regardless of the vulnerability and discomfort this may create, a successful model of self-reflection can be achieved.⁹²

Teacher modeling and self-disclosure further benefit students’ development of critical thinking skills, particularly in times of uncertainty or “indeterminate zones,”⁹³ of practice. “One of the most useful forms of teaching through modeling is for the clinical supervisors to demonstrate rigorous self-reflection and evaluation to students,” for teachers have “just as many teachable moments as the student attor-

⁸⁵ See Lyman, *supra* note 81, at 221-222.

⁸⁶ Sullivan, *supra* note 83, at 128.

⁸⁷ See Lyman, *supra* note 81 at 221-222, 224.

⁸⁸ See Kotkin, *supra* note 80, at 200; accord Carolyn Grose, *Flies on the Wall or in the Ointment? Some Thoughts on the Role of Clinic Supervisors at Initial Client Interviews*, 14 CLINICAL L. REV. 415, 436 (spring 2008).

⁸⁹ Kotkin, *supra* note 80, at 202.

⁹⁰ *Id.* at 199.

⁹¹ *Id.* at 199-200.

⁹² See *id.* at 200-202.

⁹³ Jennifer A. Gundlach, *This is a Courtroom, Not a Classroom: So What is the Role of the Clinical Supervisor?*, 13 CLINICAL L. REV. 279, 296 (fall 2006).

ney.”⁹⁴ By modeling for students a “conversation with the situation,”⁹⁵ teachers can use self-disclosure to demonstrate, in the moment, how to identify problems, assess information, weigh benefits and consequences and make decisions.⁹⁶

My willingness to engage in self-disclosure in Israel greatly surprised some of my Israeli partners and students on the trip, and some of my colleagues at home. For example, during the group session with Stu Mirkin, he asked whether I wanted to share with students, and I chose to do so freely. Was this in part because I felt the need to unburden myself of the emotions I had trapped inside for days in order to be the “rock” for students during a time of turmoil? To say otherwise would be a lie. However, as one who often uses herself and her own failings as points of discussion from which students can learn in clinic, my choice to disclose did not stray far from the norm for me, nor is it something I regret. I think in many ways it helped students to hear that I, too, had been scared at times, and second-guessed some of my own decisions regarding the trip. I also felt it important for them to hear how profoundly and positively the BGU students, Bedouin family, social justice programs, rocket attacks and the actions of the Rutgers students affected me. By sharing my feelings, I helped to normalize some of the reactions of other students and allowed them to see that it is okay to react emotionally, but critical to reflect on the emotions as well. I also wanted them to see that it is equally important to be able to remain functional in times of uncertainty despite emotion as opposed to letting ourselves be paralyzed by it. “Allowing a student to watch a teacher solve and fail to solve problems can be a powerful learning experience, and empower students to take on solving problems themselves.”⁹⁷

On our group session with Stu Merkin and the benefits of self-disclosure and modeling, one student had the following to say:

“When the first person shared his perspective on the attacks and what we had experienced over the last few days, there was an instantaneous shift in the room. Suddenly, the designations that often restrict people to playing their roles—teacher, student, man, woman—seemed trivial and no longer mattered. We were now ten people sitting together finally admitting, out loud, each one of us, that this ordeal had been scary. . . . Our emotionally fraught trip had triggered feelings and memories long hidden in the recesses of our brains, and vocalizing our emo-

⁹⁴ *Id.* at 320.

⁹⁵ *Id.* at 296 (citing DONALD A. SCHON, EDUCATING THE REFLECTIVE PRACTITIONER: TOWARD A NEW DESIGN FOR TEACHING AND LEARNING IN THE PROFESSIONS (1987)).

⁹⁶ *See id.* at 315.

⁹⁷ Sullivan, *supra* note 83, at 148.

tions unburdened us, or at least unburdened me. At the end of the session, I looked around while still wiping tears in my eyes and was so proud to be in a room with such an incredible group. Sure, we would all go back to playing our prior roles and designations, but we had personally connected and that would not change. . . I really wish more people in law school and my professional life would understand the tremendous value of this type of sharing and connection.”

Did this self-disclosure and degree of modeling change roles and boundaries between my students and me? The student’s reflection above provides the answer—for a brief time, yes. But as I stated at the start of this section, during our week in Israel, I was just as much a learner in the process as a teacher. Did students take advantage of this change? No. Did roles and boundaries return to normalcy in the clinic and classroom components of the exchange? Yes, they reestablished themselves fairly quickly following our return. Have students and I discussed the potential awkwardness of this as well? Yes. And did my self-disclosure encourage students to share and reflect, and normalize the sharing process and the content of what was shared? From my vantage point, the answer was yes. The benefits of self-disclosure and modeling far outweighed the risks and helped to promote the importance of student self-reflection as a key component of learning and professional development.

E. Professional Identity Development

While I plan to author a separate article on the impact of the Israel experience on students’ professional identity formation, I would be remiss not to mention it here since I consider the development of a positive professional identity in students a primary goal of clinical legal education. The 2007 Carnegie Report’s criticism that legal education fails to pay sufficient attention to the “third apprenticeship” has shed well-needed light on concerns raised by certain legal scholars for years – the need to focus on law students’ professional identity development.⁹⁸ Over the last decade, and particularly since the Carnegie report’s publication, increased attention is being paid to professional identity development, spurred by the emergence of the humanizing legal education movement,⁹⁹ development of coursework and classroom exercises focused on identity formation,¹⁰⁰ and even the creation

⁹⁸ See generally WILLIAM M. SULLIVAN ET AL., *EDUCATION LAWYERS: PREPARATION FOR THE PROFESSION OF LAW* (2007) [hereinafter *CARNEGIE REPORT*].

⁹⁹ See generally Michael Hunter Schwartz, *Humanizing Legal Education: An Introduction to a Symposium Whose Time Came*, 47 *WASHBURN L.J.* 235 (2008); see also Barbara Glesner Fines, *Fundamental Principles and Challenges of Humanizing Legal Education*, 47 *WASHBURN L.J.* 313 (2008).

¹⁰⁰ See generally Charlotte S. Alexander, *Learning to be Lawyers: Professional Identity*

of a conceptual model for professional identity development with its roots in relationship-centered lawyering.¹⁰¹ The question is whether curricular reform can achieve the transformative impact that the one-week Israel exchange and other similar service learning experiences had on students' professional identity formation.

The growth in students' professionalism, morals, value system and humanism in six days far exceeded that which I typically see in 14 or more weeks of clinic. And yet, no one intentionally instructed students on professionalism or even mentioned it specifically while in Israel. It emerged through witnessing, first-hand, varied types of leadership and opportunities to take on such a role, as well as through a collective socialization and experiential process. Students developed a positive value-laden collective identity, and this collective identity helped strengthen students' individual professional identities. Interestingly, the identity that emerged was not attorney- or law-focused but rather helping-profession-focused – with an eye towards promoting humanity and remedying social injustice.

Leadership is a key aspect of professional identity formation and a skill seldom, if at all, taught in the law school context. Author James Joseph, in his work, "Leadership as a Way of Being," speaks eloquently about the development of leadership through adversity, and offers four "observations" on the topic: "1) adversity introduces us to ourselves; 2) effective leaders don't just overcome adversity, they use it as an opportunity for growth and reform; 3) the most effective leaders are those who are able to help reduce anxiety. They don't just lighten burdens, they broaden shoulders; and 4) the most effective leaders are purveyors of hope. They are the ones who are able to make hope and history rhyme."¹⁰² In helping to inculcate a professional identity in our students, we need to increase focus on lawyers who are effective leaders, by exposing students to leadership first hand in the myriad forms in which it can come, and providing them with more opportunities to emerge as leaders themselves.

The exchange did just that. Students came face-to-face with many examples of leadership in the actions of the people whom we encountered randomly and with whom we met as part of the exchange. There was the bearded gentleman in the alley who helped some of us take cover under rocket fire; Stu Mirkin leading the "group therapy" ses-

and the Law School Curriculum, 70 MD. L. REV. 465 (2011); see also DAVID CHAVKIN, CLINICAL LEGAL EDUCATION: A TEXTBOOK FOR LAW SCHOOL CLINICAL PROGRAMS, 155-164 (2002).

¹⁰¹ See generally Susan L. Brooks, *Meeting the Professional Identity Challenge in Legal Education through a Relationship-Centered Experiential Curriculum*, 41 BAL. L. REV. 395 (forthcoming 2012).

¹⁰² JAMES JOSEPH, LEADERSHIP AS A WAY OF BEING 35 (2003).

sion; the Bedouin family who operate the safe house; host faculty and CAP students taking responsibility for not only our safety but also the safety and well-being of the families whom they assist in their neighborhoods (instead of fleeing Beer Sheva and escaping to their parents' homes, many of which fell outside the target zone). Rutgers students also had the opportunity to take on leadership roles and did, by playing an active role in presenting the program to faculty, students and potential donors in the U.S., pursuing funding opportunities to provide for a reciprocal exchange for their host students, and organizing and hosting them during the reverse exchange.

In addition to leadership, the power of the collective appears to have played a significant role in professional identity development. Collective identity is a form of “categorical membership.”¹⁰³ It is shared with a group of others who have characteristic(s) in common, regardless of whether the shared characteristics are “ascribed” (e.g. gender, religion, ethnicity) or “achieved” (e.g. occupation).¹⁰⁴ Collective identity is multi-dimensional: It incorporates a “set of cognitive beliefs associated with [the] category,” has “value and emotional significance,” and “behavioral implications” for its members.¹⁰⁵ It also has a subjective element—“although others may refer to one in terms of a particular social category, that category does not become a collective identity unless it is personally acknowledged as self defining in some respect.”¹⁰⁶

That social norms, values, and socialization influence professional identity development is nothing new,¹⁰⁷ and the effects may be positive or negative. Legal education and attorney socialization, for example, have been found to adversely affect positive professional identity as they “erode integrity by separating people from their personal values and beliefs, conscience, truthfulness, and intrinsic needs for caring and cooperation.”¹⁰⁸ In contrast, the Israel experience did the opposite—through observing social justice initiatives and experiencing

¹⁰³ See Richard D. Ashmore et al., *An Organizing Framework for Collective Identity: Articulation and Significance of Multidimensionality*, 130 *PSYCHOLOGICAL BULLETIN*, 80-114, 81 (2004); accord Marilyn B. Brewer & Wendi Gardner, *Who is this We? Levels of Collective Identity and Self-Representations*, 71 *J. PERSONALITY AND SOC. PSYCH.* 83-93 (1996).

¹⁰⁴ Ashmore et al., *supra* note 103, at 81.

¹⁰⁵ *Id.* at 82.

¹⁰⁶ *Id.* at 81.

¹⁰⁷ See generally Melissa H. Weresh, *I'll Start Walking Your Way, You Start Walking Mine: Sociological Perspectives on Professional Identity Development and Influence of Generational Differences*, 61 *S.C. L. REV.* 337, 349-350 (2009).

¹⁰⁸ Lawrence S. Krieger, *The Inseparability of Professionalism and Personal Satisfaction Perspectives on Values, Integrity and Happiness*, 11 *CLINICAL L. REV.* 425, 432 (Spring 2005).

first-hand the quietly heroic acts of everyday people, even in situations of extreme hardship and uncertainty, students, together, discovered, and in some cases rediscovered, the “helping” and loving”¹⁰⁹ roles of lawyer.

One student described the impact of the trip on her decision to focus on social justice as a future lawyer as follows:

“[Social justice lawyering] is what I am meant to do, where I am meant to be. . . In fact, the CAP experience touched me so profoundly. . . There is so much potential and [so many] ideas brewing from the experience, and I am feeling more energized than ever. It’s too easy to forget why we stay in social justice, why we advocate for the weakest voices, so I’m hoping I remember this feeling and remember Israel whenever I am feeling burned out, too poor, or just sick of the red tape. A life-changing trip indeed.”

The student’s reflection, one of several, evidences that the Israel experience made the issue of professional identity personally relevant.¹¹⁰ Students began to understand that “professionalism and life/career satisfaction are essentially inseparable within the nature of human beings, and that quality of life and professional reputation both manifest from the choice of optimal goals, values and motives.”¹¹¹ They learned these lessons collectively, which helped to shape the values of the group identity that emerged. Through exposure, reflection and repetition,¹¹² the positive values of the collective concretized, as did students’ attitudes and priorities that form their professional identity.

III. LESSONS LEARNED FOR CLINICAL TEACHING

My own engagement in seeking meaning in the experience came, for the most part, in research and writing. As I reflected on student learning from the experience, I discovered that I can replicate in the clinical setting many of the “light-bulb” learning moments they experienced in Israel. However, to do so requires changes to my clinical teaching and pedagogical approach, expressed as the following lessons learned:

A. *Actively Naming Social Justice*

In reflecting on the social justice aspects of the Israel experience,

¹⁰⁹ Steven H. Leleiko, *Love, Professional Responsibility, the Role of Law and Clinical Legal Education*, 29 CLEV. ST. L. REV. 641, 642 (1980).

¹¹⁰ See Krieger, *supra* note 108, at 438.

¹¹¹ *Id.*

¹¹² See *id.* (“These lessons require repetition and reflection to effect the core changes in attitudes and priorities that may be needed. . .”).

I discovered that in my day-to-day clinical teaching, I had strayed from actively, consciously and intentionally highlighting the social justice mission and values of the work we do in clinic. I had come to expect, albeit naively, that students' day-to-day clinic work would, on its own, instill social justice morals, mission and purpose in them, and this would simply become part of their professional identity. In so doing, I had fallen prey to what Professor Stephen Wizner has termed "micro-lawyering" risks, by failing to actively "nurture students' capacity for moral indignation at injustice in the world."¹¹³ The Israel exchange reminded me that social consciousness and action, and associated positive values, will not emerge and be instilled in a student's identity without observation, experience, reflection, and repetition. Therefore, I must do a better job of naming¹¹⁴ and calling attention to examples of social justice as well as highlighting the social justice mission of the clinic.

Without doubt, the clinical setting is replete with examples of social justice and social action on behalf of those in need. The key is to name, discuss and reflect upon them. In case rounds, student supervision sessions and impromptu discussions, I now encourage discussion specifically about social justice by repeatedly emphasizing and labeling examples of it in action. Students also must submit weekly journal entries reflecting not on the specifics of events that occur in clinic but rather on the whys and hows of their experiences and the reactions and feelings that these experiences generate in them, with an eye toward social justice. As themes around social justice emerge through journaling, I raise them in case rounds and student supervision to continue the naming, discussion and reflection process.

B. Nurturing Group Cohesion and Collaboration

As discussed earlier, group dynamics, cooperative learning and collective action significantly impact humanitarian values development. I must encourage the same in clinic. To do so, I have started to incorporate some of the work of Professors Jane Aiken, Deborah Epstein and Wally Mlyniec into my teaching. For example, Professors Epstein and Aiken have created a sample class plan and activities on collaboration that I now use in our clinic's one-day orientation program.¹¹⁵ Activities in which the students engage include individual

¹¹³ See Stephen Wizner, *Beyond Skills Training*, 7 CLINICAL L. REV. 327, 330-331; accord Stephen Wizner, *Can Law Schools Teach Students to Do Good? Legal Education and the Future of Legal Services for the Poor*, 3 N.Y. CITY L. REV. 259.

¹¹⁴ See Professors Sue Bryant & Deborah Epstein, Remarks to participants at the Georgetown Institute for Clinical Teaching (June 2012) (discussing the importance of "naming" what one wants to teach as well as what one wants students to learn).

¹¹⁵ See Deborah Epstein, Jane Aiken & Wallace J. Mlyniec, *Collaboration Class Plan*,

“free writes” on past collaborative experiences whether good or bad; brainstorming as a group the elements of a successful collaboration; and reflecting, first individually and then as a group, on one’s individual styles for each of these elements, e.g. communication style; preparation level; handling of conflict; and approach to problem solving. I then use the information I learn about students to assist me in pairing students for their casework (also a new element of my teaching as, in the past, students usually worked individually on their cases). The pairings require students to develop a framework with each other for collaboration on all aspects of clinic work, such as communication with clients, one another and me; division of labor; structuring of client meetings; preparing for student supervision sessions; and more. Collaboration also has become an ongoing theme in weekly case rounds with students and in team supervision sessions; rather than expecting students to recognize examples of collaborative work, good and bad, and the importance of collaboration in practice, I spend much more time naming and bringing attention to this skill and the values and benefits stemming from it.

C. *Promoting the Development of Empathy Skills*

While it is nearly impossible to create opportunities for students to experience first-hand the hardships and challenging aspects of the lives of the people we serve, there always is more I can—in fact, should—do as a teacher to help students hone their empathy skills so that they can better understand and relate to their clients. Since my return, I have taken several steps to promote the importance of empathy in legal practice by giving students “windows into clients’ lives”¹¹⁶ and enhancing empathy development through a variety of different exercises and activities.

For example, I devote an entire case rounds session early in the semester to discussion of and exercises on bias, and the effects of individual norms, values, culture, ethnicity and past experience on how we perceive our clients (parents of children with disabilities), their children, and their worlds. Exercises include having students free-write their thoughts and feelings in response to a scenario I lay out, piece by piece, and having them describe the pictures that come to mind at the mention of one word, e.g. “client.” These exercises are revelatory as students discover quickly that they instinctually add many facts to a scene where no such facts were stated; that the facts added by one student can vary greatly from those added by another; and that each

Clinical Pedagogy in Practice: A Step-by-Step Guide to Developing a Law School Clinical Program (forthcoming 2014).

¹¹⁶ Genty, *supra* note 35, at 281.

fact can greatly influence one's perception and interpretation of the scene, situation or word. I also encourage students to share with each other "pictures" of the children of our clients whose educational rights our clients are asserting, and we brainstorm as a group the origins of the information creating such pictures. I devote another case rounds sessions to activities concerning sameness and difference, including having students participate in individual "free writes" and larger group discussion on how they and their peers are the same and different, and how they and their clients are the same and different.¹¹⁷ These activities pave the way to discussions of the effects of our own norms, values, culture and experience on how we perceive and respond to others, a vital component of empathy development.

To encourage dialogue and reflection on the roles of social, political and economic systems on human trauma and suffering in the clinical context, I now actively highlight the social work "person-in-situation" and "person-in-environment" perspectives.¹¹⁸ I also intentionally push students beyond their comfort zones to confront their individual biases and assumptions and the influential effects of one's own norms and values in law practice by engaging in the exercises discussed above. Beyond the classroom environment, I encourage students to observe and interact more with those they represent in the community. This may take the form of spending an afternoon with a client and his or her child with a disability; touring the neighborhood in which the child and family live, and reflecting both verbally and in writing (journals) on the social and emotional aspects of clients' lives. Through discussion, journaling, and critical reflection, I plan to have students examine problem definition more closely so that they can explore the ways in which problem definition determines problem response, in an effort to improve their identification and understanding of insufficient resolutions to social problems. I also plan to explore questions of problem attribution—to whom does a problem belong? Are our clients' problems solely theirs? Should they be? Or are they *our* problems too? My aim is to foster development of balanced empathy skills that consider the role of context in suffering without succumbing to the dangers of over-contextualizing suffering such that the individual's experience of traumatic events becomes subordinate to the social, economic, political or public context.¹¹⁹

¹¹⁷ See Bryant & Epstein, *supra* note 114.

¹¹⁸ See MARY E. WOODS & FLORENCE HOLLIS, CASEWORK: A PSYCHOSOCIAL THERAPY 27-28, 171-74 (4th ed. 1990) (describing the "person-in-environment" and "person-in-situation" perspectives as approaches to social work that stress consideration of the individual's physical, psychological, and social gestalt *as well as* the individual's situation and environment when assessing and working with clients to resolve problems).

¹¹⁹ See ANN E. KAPLAN, TRAUMA CULTURE: THE POLITICS OF TERROR AND LOSS IN

D. *Preparing for Disorienting Moments*

In reflecting on my failure to adequately prepare students for the Israel experience, I discovered that I do not sufficiently prepare my students for the emotional effects of the work we do in clinic. This finding greatly surprised me, particularly because I have a background in social work and law, and supervise students of both disciplines in the clinic. I suddenly realized that while I always have thought that I use an integrated interdisciplinary teaching approach with all of my students, in reality, this is not the case. Somewhere along the way, I disassociated legal competence from feelings.¹²⁰ I compartmentalized my social work and law students, spending much more time on the emotional effects of the work we do with the social work students and focusing more on the facts, law and logic with students of law. I, too, had fallen prey to stereotype. And despite my knowledge of and familiarity with secondary trauma,¹²¹ I was at fault for not teaching and modeling for all of my students the critical need to pay attention to their own emotions, in addition to those of their clients.

This led me to examine how I prepare students in the clinical setting. My method of preparation reminds me of conversations I have with my own children where I gently end perseveration on and ceaseless questioning related to certain topics with the reminder that, “we don’t live in ‘what-if’ land.” I say the same thing at times to my students when they engage in, what I consider to be, over-hypothesizing about the “indeterminate zones”¹²² of legal work. While we can, should and do spend time conjecturing, discussing and acting out how we would respond to various realistic events or changes in case scenarios, I strive to instill in my students the essential skills of feeling comfort in the discomfort of not knowing fully what a situation will bring and of flexible and in-the-moment thinking. I gently remind students that it is impossible to predict and prepare for every potential change of fact, perception or event and thus, at a certain point in time, the “what-ifs” must stop.

I now recognize that I should explore the “what-ifs” more, particularly in the realm of emotions, for empathy and positive professional

MEDIA AND LITERATURE 125 (2005).

¹²⁰ Ann Juergens, *Practicing What We Teach: The Importance of Emotion and Community Connection in Law Work and Law Teaching*, 11 CLINICAL L. REV. 413, 417 (spring 2005).

¹²¹ See COMPASSION FATIGUE: COPING WITH SECONDARY TRAUMA STRESS DISORDER, XIV (CHARLES R. FIGLEY ED., 1995) (defining secondary trauma, a.k.a. compassion fatigue or vicarious trauma, as the trauma experienced by those persons working with or related to persons who are actual victims of trauma).

¹²² See Gundlach, *supra* note 93, at 296 (defining “indeterminate zones” of professional work as situations where practitioners face “uncertainty, uniqueness and conflict.”).

identity development cannot exist devoid of affect. The question then becomes one of “how”— how does one prepare students for the potential emotional impact of their work? How much is enough? How much is too much, with the potential of generating excessive fear, paranoia, paralysis, flight or fight? How does each student’s frame of reference, made up of his/her own norms, values, culture and experience, influence the way the student receives the information and how can we account for this in our preparations? Again, through case rounds, supervision, journaling, and many of the same exercises discussed above, I now push students to go beyond their ‘to-do’ task lists and skills simulations to discuss the potential and actual emotional impact of their work on themselves, their professional relationships and their productivity, as well as their own health and well-being.

E. Processing and Reflecting on Disorienting Moments

I also realize that I need to spend more time processing and reflecting on disorienting moments and other clinic experiences with students after they occur, including the emotional facets of the work we do. Too often, I focus my attention on tasks and skills during supervision and case rounds, even redirecting the conversation to address those issues because time always is so short. This inhibits affective (i.e. emotional) reflection and deprives students of the opportunity to discuss their emotions in relation to their clinic experiences. Conversations such as these are critical to learning from disorienting moments, enhancing empathy skills, and learning to maintain emotional health and well-being in practice.

To foster students’ affective reflection on their clinical experiences, in addition to the activities and approaches discussed above, I plan to teach them about process recordings and begin requiring them to use this tool. Process recordings are a traditional tool of social work practice used to assess our interactions with others in the areas of verbal and nonverbal communication, mood, responses, assumptions and interpretations.¹²³ At present, social work students in the clinic must submit a certain number of process recordings (and journal entries) each semester but I never have translated use of this tool to law students. By encouraging law students to delve deeper into the affective reflection process, I hope and expect to see them recognize that there is so much more to law practice than legal argument and

¹²³ See *Senior Field Education Manual: 2011-2012*, Social Work Dept., Rutgers Univ., Newark Campus, 12, 32 (last visited Jan. 8, 2013) available at www.ncas.rutgers.edu/departmen.../senior-field-education-manual (defining “process recording” as written accounts of face-to-face interviews with clients or others, as well as the emotions the social worker feels during the interview and subsequent observations and analysis of what occurred.).

lawyering skills, and that enhancing their own skills of communication, reading people and situations, recognizing assumptions and biases in oneself and others, and understanding the role of emotion in practice are beneficial to their professional identity and future work. In so doing, I will not ignore the importance of understanding the law and honing lawyering skills. However, I believe that equal time must be spent on affect so that students' professional identity development and growth better match their growth in legal skills and substantive areas of the law.

F. Furthering Student Self-Disclosure

In my clinical teaching, I fall on the more open, sharing end of the modeling/self-disclosure spectrum, using my own actions, inaction and decisions, whether good, bad or indifferent, as sources of lessons for students, just as much as I use theirs. I do this for a variety of reasons – to show that I am human and, even after a decade of practice, still make mistakes and question my own judgment and decisions; to demonstrate that when hindsight reveals we could have or ought to have done something differently, the key is not to dwell but rather to reflect on and learn from those decisions (and show that most errors made are correctable); and to create an atmosphere of trust, caring and understanding, in which I put myself on the line just as I expect the students to do. This carries some of the dangers of self-sharing and modeling discussed above, but as Professor Kotkin indicates, when done honestly and openly, the benefits outweigh the risks.¹²⁴

In more concrete terms, I will persist in demonstrating reflection processes as well as self-disclosure in case rounds, supervision sessions, and even outside the clinic's doors. I also plan to identify and create opportunities for students to observe and meet with programs and persons who can serve as local models of *Tikkun Olam* in action for clinic students. It is my hope that through modeling and self-disclosure, students' comfort levels, engagement, professional development and learning will be enhanced.

G. Encouraging the Development of Leadership Skills

I have learned that I must foster more proactively the development of leadership skills in my students. This includes providing opportunities for them to step up as leaders and taking a backseat approach when they do. Seeing students assume and thrive in leadership roles during and following the Israel exchange made me reflect on my need to encourage this skill more in my clinical teaching. Too

¹²⁴ See Kotkin, *supra* note 80, at 202.

often, I come to the rescue of students. This may occur when they misstate the law or facts in a meeting or courtroom; when I hear them stammer or trail off into non sequiturs; or when I see their deer-in-headlights eyes appear. Instead of biting my tongue and thereby instilling in them the trust and self-confidence they need to know they can handle a situation, I tend to jump in. No matter how hard it may be, this is something I must stop. For only when pressed to rise to the occasion will students do so and thereby begin to develop faith in themselves and their skills and feel in charge of situations and capable of being in charge of situations – which includes knowing when to push forward, when to ask questions or for help, when to reflect, and when to move on.

While I am still in the early phases of integrating all of these activities and pedagogical approaches in clinic, I already have noticed an increase in levels of student sharing, connectedness, communication and engagement in both the pairings and larger group settings. I also notice greater attention being paid to the importance of empathy, social justice mission and leadership in practice. I hope that, by bringing these concepts to the forefront, students will see that they often are not alone in their experiences, reactions and feelings, increasing their comfort sharing with one other. The more comfortable students feel, the more honest they will be with themselves, resulting in greater openness to learning.

Despite these notable improvements, as always, I find the greatest obstacle to implementing these tools and approaches is time. The key for clinical teachers is to strike the balance between teaching and practice—a skill with which many clinical teachers struggle—leading to the much larger question of our primary mission and purpose: Is it to teach while doing? Or to do while teaching? The ultimate answer will determine how the lion's share of our time is, or should be, spent.

CONCLUSION

After several weeks of living in “what-if” land following the Israel experience, I understood the meaninglessness of second-guessing, as hindsight is always 20/20. Did the students learn? Did they bond with one another and their hosts? Did they gain an understanding of and appreciation for the complexity of international events and differences among peoples? Did they witness heroism through the unsung actions of one family and of many typical university students? Did they receive the best available support and counseling from local professionals skilled in the management of post-traumatic stress? Could I have done things differently with different effects? The answer to all of these questions is yes. In the end, I concluded that while

we did not plan for what happened, we reacted as best we could and are now, hopefully, better individuals from the experience.

When the second-guessing ceased, I directed my energy and attention to reflection and analysis to learn from the experience. While it has taken time for me to process and synthesize all that I have learned, the end result is much greater than I ever imagined. The trip was transformative not only for my students in terms of social justice orientation, empathy, reflective skills, and professional identity development, but also for me, particularly in the area of clinical teaching. The experience fundamentally transformed my own teaching frame of reference, and opened the door to new ways of approaching, implementing and evaluating my work as a clinical professor. Initially, I was uncertain how many teachable moments that occurred during this extraordinary experience could be translated successfully to day-to-day-teaching. Through this process, I have found that the answer is *all*.

The greatest take-away from the experience, however, is that we all understand now, more than ever, the need not only to process and find meaning in what we have learned but also to continue questioning, reflecting and learning. Students, in their journals, reflect on their pursuit of continued learning from the experience:

“The trip exposed me to people and ideas that amazed me. I feel that I gained a deeper understanding of Israel and the Middle East as a result of the trip. . . I left with a much greater respect for the depths of the issues . . . but have more questions now than when I first went.”

“I still think about the trip, try to process the details and the events, but I’m not convinced I have fully realized the impact. I know for sure that I have barely scraped the surface of understanding Israel and our experience. I came back with a million more questions than answers. . . but am determined to continue searching for meaning.”

As I sit here now, more than one year after the trip, putting final touches on this article before completing and moving on from it, I feel the same angst that I felt when I said goodbye to Richard, the CAP students and the Rutgers students at the end of the exchange. The process of writing this article has been both cathartic and revelatory, and I, too, feel that I have only begun to scrape the surface of discovery and learning from the experience. It was, and continues to be, a transformative experience, the lessons of which will last a lifetime.