

TODD RAKOFF: Over the course of a semester, everybody deserves to be called on. And one thing that you can do with cold calling is to bring into the conversation, people who otherwise don't volunteer. And I use the cold calling, partly, to expand the audience, the participation. And after the trial examiner says here is what I think it adds up to, Joseph, what then happens?

JOSEPH: They make a decision about it.

TODD RAKOFF: Who makes the decision?

JOSEPH: The trial examiner makes the decision.

TODD RAKOFF: All right, and what happens after the trial examiner makes a decision?

BENJAMIN SPACAPAN: The first couple of seconds after you get cold called, I feel like a deer in headlights. I think a lot of students do. But, especially the second, third, fourth time you get cold called, that really wears off very quickly.

My reaction was very similar to the reaction when you're called upon in team athletics-- when you get the ball in your hands, or the baseball's being thrown at you to hit. There's that same, for me, burst of adrenaline. And it brings out a lot of that same, I would say, team spirit in not wanting to let the rest of the class down.

HANNAH KLAIN: A lot of people talk about law school, the cold call, as being put on the spot. And you've got 79 of your classmates just staring at you. Your professor is just staring at you. Everyone's just waiting for you to say something right, wrong, whatever. And Professor Rakoff, it just doesn't feel that way at all.

TODD RAKOFF: All right and then, and what happens after the trial examiner?

JOSEPH: After the trial examiner, the trial examiner makes a finding and that becomes the new rule.

TODD RAKOFF: Like a trial judge?

JOSEPH: Yeah.

TODD RAKOFF: Yeah, you would think.

JOSEPH: Yes, I do think.

[LAUGHTER]

KATE FISCH: I think it's a big logistical feat to facilitate a conversation among 80 people. And Professor Rakoff does a good job of calling on people who wouldn't speak up every day in class. And I think he makes sure that it's not the same five or six people giving their opinions for every conversation that we have.

TODD RAKOFF: In a modern classroom, there's a very complicated sociology dash psychology of which groups are participating and which groups are not participating. It slices in an incredible number of different ways. It slices politically between liberals and conservative.

It slices gender wise. It slices racially. It slices US born versus foreign born. And there are lots of subtexts in the conversation of these 80 people. As a teacher, you have to be both aware of those and not to aware of those.

BENJAMIN SPACAPAN: Law school is a very competitive environment. But I would say that, conversely, the cold calling method, in my own mind, has brought me closer to other students because we're all in it together.