

Inside Out: Emotional responses to feedback*

Simulation

Janine (as Narrator): In this skit you will meet Sarah, a 3L, and Frank, her supervising attorney. Sarah is externing with the civil division of the state Attorney General's Office. During the semester she hopes to build core, transferrable legal skills, and gain exposure to a variety of substantive areas.

Frank, an Assistant Attorney General who has been practicing for 7 years, is Sarah's supervisor. Early in the semester, Frank asks Sarah to prepare a petition for declaratory judgment. In giving the assignment, Frank provides a background of the case and the law, and gives Sarah instructions about where to find a sample, but acknowledges that it is uncommon for the State to file this kind of pleading.

Sarah spends a few days putting together an outline, consisting of bullet points and initial thoughts, and e-mails it to Frank. When Sarah doesn't hear back from him the following week, she begins drafting the petition to the best of her abilities and sends the product to him by e-mail.

Two weeks pass and Sarah doesn't hear anything from Frank about the assignment. She doesn't seek out feedback from him because he seems busy and she doesn't want to interrupt him. Meanwhile, she gets assignments from other attorneys and stays busy.

But inside of Sarah's brain her emotions are reacting to the lack of feedback. We have five emotions ready to share their reaction – Joy, Sadness, Fear, Disgust, and Anger.

Pause; Meg holds up her sign.

Meg (as Joy): I LOVE this externship at the AG's office and I think everyone loves me. The attorneys keep telling me that I have a great attitude and go-getter style. My supervisor trusted me with a BIG assignment and I did a great job! He's going to love how I approached it—strong research, a crisp outline so he could see my direction and progress, and then a full-fledged draft. I'm glad I soldiered on when I didn't hear back from him after I sent the outline. He'll know I respect his heavy workload and didn't want to be a pest. Smart, respectful, full of initiative: that's me!

Courtney (as Sadness): But Joy. . . . It's been two weeks and we haven't heard anything from Frank about the petition. I'm sure he hates it. Why did we do this externship? We would've been happier in classes. I miss our friends. I bet they're having fun without us. They haven't been messaging lately. They probably forgot about us.

Reena (as Fear): You may be right Sadness, but that's the least of our problems. We never should have drafted that petition. Our supervisor is probably avoiding us because he's mad that he had to redo it. What were we thinking? We should have demanded feedback on the outline. I bet our supervisor will never trust us with important work again and he'll tell the other attorney's to give us simple tasks, too. I'm never sticking my neck out like this again.

Janine (as Disgust): But Fear, it's not *our* fault. The supervisor never should have given us this assignment. It was totally inappropriate. Why would he give a student an assignment that is so rare that the attorneys in the office seldom do it? I'm going to look for another attorney to work with. This one has no idea how to delegate responsibility.

Sally (as Anger): You got that right. I signed up for this externship because I wanted feedback. And that clinical professor (and by the way, what does that even mean—clinical professor—do they think I'm sick?), that clinical professor promised me feedback. This is no different from that useless undergraduate internship I took. What am I paying for? WHERE'S MY FEEDBACK!!?

Mid-term evaluation

Janine (as Narrator): Let's see how the semester progressed. Sarah is now in the 7th week of her externship and it's time for the mid-term evaluation. She still hasn't heard anything about the petition assignment, but she continues to get other assignments, mostly discrete, quick research questions. The assigning attorneys have said "thanks" and "that's exactly what I need."

Frank sets up a mid-term evaluation meeting. His philosophy is that most feedback should be positive—give the student something to build on, and don't give a long list of missteps. During the meeting, Frank brings up the petition assignment. He tells Sarah that what she wrote was very helpful, and that he will definitely use it. Then, he tells her that he needs a simpler pleading, in a different format, focused narrowly on the main issue they discussed in detail at their initial

meeting. He gives her a bit more guidance, tells her he really appreciates her help, and asks her to take another stab. Frank decides not to share his concerns about Sarah. She's showed poor judgment in missing the primary issue. Her bullet-point outline was not a helpful step and not what he expects from lawyers. And, generally, Sarah is overly confident in her instincts and about her work product.

Here's how Sarah's emotions react to the mid-term evaluation:

Pause, and Meg picks up her sign.

Meg (as Joy): Fantastic! Our work was helpful and Frank is going to use it! And that's on our very first draft of a really hard pleading. He is a super mentor. He even told us a few things to do to improve the piece. I'll get cracking! This is a very, very exciting externship. And I'm sure the judge will grant our petition and the Governor will be happy, too.

Courtney (as Sadness): What are you so happy about Joy? I don't even understand what Frank was saying. It's like he was talking a foreign language. I just want to go home, get under the blankets, eat ice cream, and binge-watch Netflix. And cry. Crying is good. Maybe it will make sense later. . . but probably not.

Reena (as Fear): I told you. I knew it was going to be all wrong. We should have looked at more samples. All of the other attorneys, and worse all the other externs, are going to find out that we're not smart and don't belong here. I can't deal with this. We have no idea where to start and we can't ask more questions. He already thinks we're incompetent. What should we do? Wait, I know. I have an idea. Let's put the petition in the drawer and think about it later.

Janine (as Disgust): [Dripping sarcasm] No feedback for weeks and now he tells us we're wrong? This guy has no idea what he's doing. I bet he didn't even read what we wrote. He probably couldn't focus long enough. Let's review: I followed the sample, I did exactly what he wanted, and now he doesn't like it. Nice.

Sally (as Anger): Yeah, you said it, Disgust. **DO IT AGAIN??? AGAIN??? I WORK MY BUTT OFF (LET ME ADD WITHOUT ANY HELP FROM HIM), AND NOW HE WANTS ME TO DO IT AGAIN?? I DID ADDRESS THE MOST IMPORTANT ISSUE – HE'S JUST TOO THICK TO REALIZE IT. I NEED A NEW SUPERVISOR – I'M SMARTER THAN THIS ONE.**

Back at the School

Janine (as the Narrator): Sarah leaves her externship that afternoon and heads back to school. Now we want to put you all in the play as Sarah's teacher.

After returning to school, Sarah sits down to write a journal entry. Still roiling, her emotions take turns operating the control switch in her brain and, to your surprise, you receive not one, but five journal entries about the day. As you hear what Sarah's emotions share with you, think about your reaction and your next step.

Pause and Meg picks up her sign.

Meg (as Joy): Things are going great at the AG's office. I really get along with everyone. I met with my supervisor, Frank, today for the mid-term evaluation and he said I did a good job on my first major assignment. He sent me back to make some revisions, but he said what I did was good, and he barely needs to make any changes. I didn't get a chance to ask if the outline was a useful step, but I'm sure it was. If not, he would have told me, right? I sure don't want anyone to think I need handholding. I'm trying to figure out the right moment to ask about hiring for post-grad jobs.

Courtney (as Sadness): I just had my mid-term meeting with my supervisor today and he thinks I'm terrible. Everything I've done has been garbage. I went down the completely wrong path and spent two weeks writing something he can't use. I don't think anyone at the office likes me. I'm not doing anything meaningful. What's the point? If I'm this miserable now, how will I get through each day when I'm a lawyer. Every day, I just die a little.

Reena (as Fear): I totally screwed up the assignment. I think I've ruined my chances of getting a good evaluation or good reference. I'll never get a job. I hope my parents didn't clean out my room.

Janine (as Disgust): My supervisor clearly has no idea what level of assignment is appropriate for a student. I told him I wasn't a good writer and improving was one of my goals. Yet he still started me off with a hard assignment. Do you think he even listened to my goals or read my writing sample? I recommend the school not work with this guy again.

Sally (as Anger): **SO, HERE'S WHAT HAPPENED TODAY. I COMPLETELY NAILED AN ASSIGNMENT AND NOW MY**

SUPERVISOR WANTS ME TO DO IT OVER AGAIN!! I FOLLOWED THE SAMPLE HE GAVE ME, BUT NOW HE'S CHANGED HIS MIND. HE WANTS IT DONE DIFFERENTLY. WHAT A WASTE OF MY TIME. WHAT IS WRONG WITH THIS JERK!! IT'S NO WONDER HE'S ONLY AN ASSISTANT AG.

** This simulation was created by Courtney Q. Brooks, University of New Hampshire School of Law, Sally C. Gertz, Florida State University College of Law, Reena E. Parambath, Drexel University Thomas R. Kline School of Law, Margaret E. Reuter, Indiana University Maurer School of Law, and Janine M. Zanin, University of North Carolina School of Law for a presentation entitled Inside Out: Helping Students Manage Emotional Reactions and Learn From Corrective Feedback given at the Externship 8 Conference held at Cleveland-Marshall College of Law, March 4 – 6, 2016.*