

# From Editor to Mentor: Considering the Effect of Your Commenting Style

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Most legal writing teachers agree that commenting on students' papers is one of the most important aspects of teaching writing.<sup>1</sup> Teachers of legal writing also acknowledge that commenting on student papers is one of their most time-consuming activities.<sup>2</sup> I would argue that reading and attempting to understand and respond to these written remarks also takes up a large amount of our students' time and energy. Given the many hours that both readers and writers of such comments devote to the task, scrutiny about how effectively teachers and students may be spending that time, and to what end, seems in order.

As a writing advisor, a liaison between writing teachers and their students,<sup>3</sup> I witness this exchange of information and energy and am in a unique position to see how much effort is expended in

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<sup>1</sup> In a survey gathering information on effective commenting practices of experienced legal writing teachers, all the experts polled on the importance of commenting on student papers ranked the activity "at or near" the top of their list of most-important teaching activities. Anne Enquist, *Critiquing and Evaluating Law Students' Writing: Advice from Thirty-five Experts*, 22 Seattle U. L. Rev. 1119, 1125 (1999).

<sup>2</sup> According to the 2000 ALWD Survey results, the average legal writing faculty member read 1,588 pages of student writing in an academic year. Jo Anne Durako, *ALWD/LWI 2000 Survey Results*, <<http://www.alwd.org/downloads/surveys/1999/Highlights.pdf>> (last modified Mar. 2, 2001).

<sup>3</sup> For a more in-depth definition and a discussion of the role of the writing advisor at law schools, see Jessie Gearson and Anne Enquist's study, *A History of Writing Advisors at Law Schools: Looking at Our Past, Looking at Our Future*, 5 Leg. Writing 55 (1999).

writing and reading these comments. I believe that we should approach commenting as environmentalists: with conservation of resources and energy in mind. We should tailor our written comments to give the amount of information that can be best absorbed by each student, allowing for the maximum insight. Too much, and our words overwhelm students or go unheeded, wasting everyone's precious time and energy. Too little, and students feel lost or unaided.

We should also consider how our own personalities and preferences as teachers may play an important, and perhaps an overlooked, role in the activity of commenting. Reflecting on our commenting styles and their potential effect on students can help us avoid provoking counterproductive reactions that waste students' and teachers' time and energy.

To our credit, legal writing professionals seem remarkably willing to engage in this self-scrutiny for the benefit of our students. From our consideration of Myers-Briggs personality tests<sup>4</sup> to our interest in Anne Enquist's research<sup>5</sup> on students' reactions to our written comments, we have begun to scrutinize our own efforts at written communication, rather than merely fine-tuning our ability to critique our students' communications.<sup>6</sup>

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<sup>4</sup> For example, Christina L. Kunz presented "Using the Myers-Briggs Type Indicator to Accommodate Teaching Preferences and Learning Preferences," to the Legal Writing Institute in July 1990.

<sup>5</sup> Anne Enquist, *Critiquing Law Students' Writing: What the Students Say Is Effective*, 2 *Leg. Writing* 145 (1996).

<sup>6</sup> Despite the overall significance of teacher commentary's potential effect on students and their writing, it is interesting to note that the preponderance of articles on the subject was written in the 1980s, and that the most recent large-scale study of which I am aware was conducted by Robert J. Connors and Andrea A. Lunsford in 1988, and reported on in 1993. Robert J. Connors & Andrea A. Lunsford, *Teachers' Rhetorical Comments on Student Papers*, 44 *College Composition & Commun.* 200 (1993).

It is more challenging to find recent research on the topic; perhaps this reflects not a lack of interest but of resources — how to fund and conduct a valid empirical study on something that has so many variables. I also note that this turn away from practice-oriented, classroom-based articles toward more theoretical ones occurred as the field of Composition Studies struggled to see itself as a scholarly discipline. For a discussion of how politics can affect a discourse community's preference for writing theories see Jessie Grearson, *Teaching the Transitions*, 4 *Leg. Writing* 57, 63 (1998), and Pat Belanoff, *Book Review—Plethora of Practice: A Dollop of Theory*, 62 *College English* 394, 401 (2000) (the author suggests that "too much of the [recent] theory in our field has not been tested or even linked to practice . . . . Our discipline could do with more than a dollop of such approaches, for our connection to our classroom is our strength and ultimately our rationale for being a discipline at all."). In our legal writing community, it seems likely that future commenting research will focus

Our long-term purpose as educators is to teach students how to become competent writers and readers of their own work. This Article helps teachers address this goal by (1) reviewing generally accepted commenting goals, (2) considering the phenomenon of overcommenting<sup>7</sup> and its link to underprioritizing, (3) highlighting the pros and cons of four common commenting styles used by legal writing teachers, and (4) discussing difficult commenting situations that may trigger unhelpful responses in commenters.

### I. COMMENTING GOALS

I begin this assessment of commenting effectiveness by articulating generally accepted goals of effective commenting.<sup>8</sup> These goals are familiar to us, and yet they are remarkably easy to lose sight of, especially when we are struggling to critique a tall stack of papers in a short amount of time. I believe that it helps to return to them especially when we feel ourselves struggling to write helpful responses to students. Throughout this Article, I use these three goals to measure the effectiveness of our written communication.

- (1) Providing feedback. We want to let students know whether and how well they are meeting the goals we have set for them.
- (2) Dramatizing the role of the reader. We want to represent the reactions of the reader to let writers know whether they have attended to or ignored the targeted reader's needs or interests.
- (3) Creating motivation for change in future writing. We want to encourage students to understand and accept the

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on the effect of technology on the student-teacher dialogue, as we begin to explore the influence of electronic commenting. *E.g.* Laurel Oates, *The Paperless Writing Class*, 15 Second Draft 18 (June 2001).

<sup>7</sup> I define overcommenting as providing more comments than a student can possibly use; however, I am concerned with the activity's negative effect on both student and teacher.

<sup>8</sup> Although these general goals have their roots in several venerable composition articles, they are particularly well-expressed in one authored by Nancy Sommers. Nancy Sommers, *Responding to Student Writing*, 33 *College Composition & Comm.* 148 (1982).

need to approach writing tasks differently in a new draft or a future paper.

I would argue that our ultimate goal as teachers, the goal that unifies these three goals, is to teach students to become their own best critics and editors — professional, flexible, adaptable writers. By providing written comments and questions to our students, we hope to encourage them to begin asking such questions themselves, to begin to anticipate the “needs and expectations”<sup>9</sup> of future readers.

This last goal resonates with our conference theme<sup>10</sup> of preparing students for life after the first year. As students move beyond their first year of law school (and beyond our individual classrooms), one of our common goals as legal writing professionals should be to foster in them this ability to critically review their own writing. Thus, we must always teach our students with an eye on their future, and with an understanding that they will soon encounter a new audience with new demands and preferences. Understanding how our comments may help (or inadvertently hinder<sup>11</sup>) that ability to adapt to future audiences is critical if we are to help our students become confident, competent professional writers.

## II. THE LINK BETWEEN OVERCOMMENTING AND UNDERPRIORITIZING

Overcommenting<sup>12</sup> is one of the tragedies of our profession because it represents so much well-intentioned but misdirected effort

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<sup>9</sup> C.H. Knoblauch & Lil Brannon, *Teacher Commentary on Student Writing: The State of the Art*, in *Rhetoric and Composition: A Sourcebook for Teachers and Writers* 285, 286 (Richard L. Graves ed., Boynton/Cook 1984).

<sup>10</sup> The Legal Writing Institute's 2000 conference theme was “Moving On: Preparing Students for Life after the First Year.”

<sup>11</sup> For example, unconsciously presenting personal writing preferences as “Universal Writing Truths” is inherently problematic for students sure to encounter other views when they leave our classrooms.

<sup>12</sup> For an entertaining discussion of issues related to overcommenting (including the unfortunate fate of teachers who continue to believe that more is always better,) see Maxine Hairston's *On Not Being a Composition Slave*, in *Training the New Teacher of College Composition* 117 (Charles W. Bridges ed., Natl. Council of Teachers of English 1986); see generally Terri LeClercq, *The Premature Deaths of Writing Instructors*, 3 *Integrated Leg. Res.* 4 (1991).

and because it frustrates students and teachers alike. Generally, overcommenting (writing more comments than a student can successfully absorb and implement) results in overwhelmed students and exhausted, irritated teachers.<sup>13</sup>

When asked why they overcomment, teachers typically articulate two reasons: they feel a sense of responsibility to convey a wealth of information to students, and they feel the need to justify their grades on students' work.<sup>14</sup> Writing of his feeling of accountability to students, one teacher notes, "I feel it is my job to point out mistakes . . . and I am not sure what is enough to get the point across." Another writes, "I feel I owe it to my students to give them as much advice as I can." Describing how justifying grades influences her commenting, another notes: "If I don't comment on certain weaknesses and errors in the writing, the student will assume that the absence of comments means there are no problems in a particular section and be upset later — 'You didn't mark that!'"<sup>15</sup>

My observations as a writing advisor suggest that generally, overcommenters fare better in students' estimations than undercommenters, which may be partly why so many overcommenters exist.<sup>16</sup> Students sense that such teachers want to help, and they appreciate this, though they may still be no less confused, lost, or blocked in their writing.

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<sup>13</sup> One often-cited study of seventh and eight graders that considered, among other factors, the effect of brief versus extensive teacher remarks found little difference between them, although it noted that such longer comments "may be more meaningful when they have been preceded by instruction which is related to their content." George Hillocks, Jr., *The Interaction of Instruction, Teacher Comment, and Revision in Teaching the Composing Process*, 16 *Research in the Teaching of English* 261, 275 (1982).

<sup>14</sup> The following directly quoted responses come from the adjunct faculty of The John Marshall Law School and the full-time faculty of Seattle University Law School.

<sup>15</sup> Elaine Lees notes how difficult it is to resist writing a full critique of a paper and marking every error and lapse, connecting this tendency to a sense of security: "I . . . clung to the belief that it was somehow safer to do so, as my aunt believes it's safer to rinse the cups when they come from the dishwasher and iron every pair of Levi's she washed. A teacher marks things because they're THERE." Elaine O. Lees, *Evaluating Student Writing*, in *The Writing Teacher's Sourcebook* 263, 266 (Gary Tate & Edward P.J. Corbett eds., 2d ed., Oxford U. Press 1988).

<sup>16</sup> I am currently conducting further research on the roots of overcommenting; early work suggests that perfectionists are often susceptible. One participant at the Seattle conference, Peter Cotorceanu of Washburn University School of Law, suggested that overcommenting can become a "co-dependent relationship" from which neither students nor teachers can easily extricate themselves.

I designed the following graphic to explore what I believe may be a third contributing factor: the link between underprioritizing and overcommenting. In other words, I predict that the more carefully we select our priorities and convey them to students (for each assignment and throughout the semester), the less likely we will be to fall into the trap of overcommenting. To balance the picture, I decided to explore two other negative extremes — undercommenting and overprioritizing — although I think these tend to happen much less frequently.

I charted overprioritizing and underprioritizing on a vertical axis, set against overcommenting and undercommenting on a horizontal axis. Striking the perfect balance in our comments would mean that we would provide just the right number to perfectly convey the ideal number of priorities or goals for a given assignment, leading to maximum insights for the students, and minimum wasted effort for us. Taking each quadrant at a time, we can examine how each works in light of the three commenting goals listed earlier (providing feedback, dramatizing the reader's role, and creating motivation for future change).

### Overcommenting and Underprioritizing

<p><b>D. Unknown/in the dark</b>          lack of information          lack of incentive          lack of future focus  <i>hostility</i></p>	<p>Priorities          (Less)          ↑</p>	<p><b>A. Incomplete picture</b>          Inconsistent information/          shotgun approach          lack of incentive          lack of future focus  <i>confusion</i></p>
<p>Undercommenting ←</p>	<p>Insight/          Balance</p>	<p>→ Overcommenting</p>
<p><b>C. Hidden hoops</b>          sensed but unspoken agenda          no information on how to achieve  <i>apathy/resentment</i></p>	<p>Priorities          (More)          ↓</p>	<p><b>B. Blinded/overwhelmed</b>          too much information          pressure to perform          no place to start  <i>writer's block</i></p>

Balance between prioritizing and commenting provides insight and enables students to become independent, flexible writers by:

**Providing feedback** — give information to enhance student's sense of purpose and accomplishment

**Dramatizing role of reader** — encourage students to be responsible participants by being aware of and responding to reader's needs

**Creating motivation for change** — highlight doable tasks and focus students on concrete steps to achieve results.

### **Quadrant A: Underprioritize, Overcomment.**

This type of commenter has not taken the necessary step of establishing clear priorities for the assignment before commenting, and ends up commenting profusely on many different aspects of a paper. Such a commenter may take a kind of “wait and see what develops as common class problems” approach or may simply comment on whatever catches the eye on a given paper. This commenter provides ample feedback, though it may seem inconsistent or scattered to the student. The teacher dramatizes a reader, but that reader is one who may surprise or even seem to ambush the student, one whom the student cannot successfully anticipate for the next paper, thus undercutting the motivation for future change. The result is likely to be a confused student and a tired teacher.

### **Quadrant B: Overprioritize, Overcomment.**

The teacher who has set many priorities and who also provides many comments per paper presents slightly different problems for the student. Again, the teacher provides ample feedback, but the student is often overwhelmed at the amount that must be addressed by the next paper, and confused about the most important priorities for the next paper. A reader is dramatized, but that reader may seem to have impossibly high expectations, given that the teacher is using the vehicle of the paper as a forum in which to address all semester-long goals and in which to catch each individual error. The student in this scenario is likely to suffer from writer's block without a clear sense of where to begin. The teacher is likely to feel tired and frustrated.

**Quadrant C: Overprioritize, Undercomment.**

In this scenario, the teacher has, in fact, many priorities but has not thought to convey them beforehand to the student, or discovers them only after receiving responses to the assignment. This type of commenter may write a few zingers to let the students know how far off track or below expectations they are without detailing the path back, suggesting that the student “ought to know this by now.” Students may feel condescended to because the teacher has not bothered to tell them important goals beforehand and does not bother to do so in writing on the paper. Students have been failed on three fronts: they lack feedback, they cannot picture the reader they must write to, and they are likely to feel apathetic about changing much for the next paper. The teacher in this scenario is likely to feel less tired than an overcommenter, though probably more vexed by the students’ apparent unwillingness or inability to manage the work or to make improvements.

**Quadrant D: Underprioritize, Undercomment.**

A teacher who articulates and conveys few priorities and who also writes very few comments invariably invokes great hostility from students. Of course, this anger is justified because students have once again been failed on three fronts: they receive inadequate feedback, they have no identifiable audience for whom to write, and they have no incentive or direction for future change. The teacher in this scenario invariably feels perplexed by and alienated from the students.

Although we have been discussing the phenomenon of overcommenting for years, more work needs to be done in this area to understand why we still persist in what is often exhausting and unproductive behavior. Considering where we fall on the continuum of overcommenting and undercommenting and asking ourselves why and when we overcomment is a good place to begin and (especially for compulsive overcommenters) a good place to return to with each new commenting occasion.



### III. FOUR COMMON COMMENTING STYLES OF LEGAL WRITING TEACHERS: EDITORS, MARGIN CONVERSATION-ALISTS, END COMMENTERS, AND MENTORS

#### A. *Complications in Discussing Commenting Styles*

Even as I invite teachers to think about their personal commenting styles, I feel obliged to offer several caveats that complicate this discussion. First, we must acknowledge that our comments and our particular styles of commenting cannot ever be entirely “personal” or “natural” because they do not occur in isolation. They are always already part of a larger institutional picture, where teachers are subject to a variety of stresses that may include but are never limited to grading curves, grade inflation, and student evaluations. In this sense, our comments on student papers are often highly artificial representations of us, or our ideas. They are more likely to represent who we are as instruments of a particular institution or profession as much as who we might be under more ideal circumstances.<sup>17</sup>

Meaningful discussion of commenting styles is also complicated by the reality that our comments are only one part of a larger teaching picture. We cannot separate this one form of communication from the classroom context in which it occurs or from the curricular goals our comments are meant to further.<sup>18</sup> The manner in which students read a teacher’s remarks hinges on how that teacher is perceived in a variety of other communications, including her in-class teaching, the way she creates and explains as-

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<sup>17</sup> For example, a teacher who thinks of herself as nurturing may be forced to come across as judgmental because she must ultimately grade a student’s work, not just encourage it. Even a female instructor’s reluctance to be seen as “nurturing” (and thus subject to less prestige and pay) may affect her on-paper persona. For an excellent discussion of the tension between the roles of coach and judge as well as other tensions inherent in commenting on student work, see Peter Elbow, *Embracing Contraries in the Teaching Process*, in *The Writing Teacher’s Sourcebook* 224 (Gary Tate & Edward P.J. Corbett eds., 2d ed., Oxford U. Press 1988).

<sup>18</sup> It is interesting to note that the experts in Enquist’s study apparently agreed with this view that everything in a writing class connects, as they vigorously resisted ranking competing priorities such as class instruction, commenting, in-class teaching, etc. Enquist, *supra* n. 2, at 1126.

signments, the way that she responds to questions in or after class, as well as the way she conducts personal conferences.

In fact, singling out our written comments for evaluation can be a potentially misleading endeavor. In their article, *Commenting: The State of the Art*,<sup>19</sup> C.H. Knoblauch and Lil Brannon remind us that it is dangerous to “expect too much from isolated marginal remarks on essays and to reflect too little on the larger conversation between teacher and student to which they only contribute.”<sup>20</sup> As the authors point out, even remarks such as the common “is this the best word here?” and “can’t you be more specific?” bear vastly different connotations depending on a teacher’s overall communication with a class.<sup>21</sup>

And finally, if we argue that our personal styles of commenting affect how students read our comments, we must also acknowledge that students’ own personalities and individual histories as writers, as people, will affect their reading of our comments too.<sup>22</sup> Not only do many new law students lack practice in writing, but most lack experience reading and applying teachers’ commentary. Few have received the kind of in-depth critiques that are common in first-year legal writing classes. Many students are also likely to be caught off guard by the grade attached to such comments, especially when they have been accustomed to thinking of themselves as strong writers in previous educational settings.

Given all these complications, is there a reason to even bother trying to describe different commenting styles and discuss their effectiveness? I think so. First, I believe that simply naming these complications helps us better appreciate the sheer complexity and difficulty of the commenting act, which in turn encourages us to leave time for it, to understand why it is so difficult, to be more deliberate in our efforts and so more helpful to our students. Mapping the complicated terrain on which we work helps us see how

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<sup>19</sup> Knoblauch & Brannon, *supra* n. 10, at 286.

<sup>20</sup> *Id.* at 287.

<sup>21</sup> *Id.*

<sup>22</sup> For a thoughtful consideration of how teachers’ previous remarks may affect — often in negative ways — students’ writing and color their reactions to teacher response, see Cleo Martin, *Responding to Student Writing*, in *Ways of Knowing: Research and Practice in the Teaching of Writing* 111, 115 (James Davis & James Marshall eds., Iowa Council of Teachers of English 1988).

these various constraints may force us into commenting patterns that we may sometimes wish to resist.

Additionally, despite all the ways in which academia may pressure us into roles or types, it seems that, for better and sometimes for worse, our own particular personalities are indeed often vividly apparent in the act of commenting on student papers. It is this sense of the highly personal, the essence of the individual writer embodied in written comments (whether scolding or cheering from the margins), that makes them such potentially powerful tools. Most writers can recall at least one comment some long-ago teacher made on their writing, and most teachers of writing have heard stories about the profound effects of some remark a teacher made on a paper, words that lingered long after the subject of the paper or course had been forgotten. We need to consider the effect of our comments because they can have such an enduring impact on the students who read them.

### B. The Four Styles

Below, I have attempted to distill four types or styles of commenting that legal writing teachers frequently use.<sup>23</sup> The first two are typically found in the margins of students' papers, and the latter two typically at the end of their papers. My goal is to characterize each style and then to consider potential risks associated with each style. Many teachers suggest that they employ different styles with different students, or at different times in the semester, though they typically report a tendency toward one style or another. I recognize that each style has its helpful aspects as well as potential hazards, disadvantages that may be exacerbated by the difficult commenting situations that teachers invariably face, such as tight paper turnaround deadlines, students who seem to

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<sup>23</sup> These categories, and the observations about them, come from ten years of observing a variety of teachers in a variety of legal writing courses commenting on countless student papers. I am aware of little material available that directly relates to commenting styles, although one teacher has divided the activity of commenting into seven modes: correcting, emoting, describing, suggesting, questioning, reminding, and assigning. Lees, *supra* n. 16, at 263. Peter Elbow and Pat Belanoff have also created a variety of useful activities that commenters can use in different situations that include not responding, descriptive responding, analytic responding, and reader-based responding. See Peter Elbow & Pat Belanoff, *Sharing and Responding* (Random House 1989).

be ignoring previous suggestions, or some less capable students.<sup>24</sup> My goal throughout this article is to encourage commenters to think about tendencies associated with each style in order to maximize the benefits of each and minimize the potential damaging effects of each.

### **1. The Editor**

The style of editor is quite common among legal writing professors, perhaps because so many *were* editors — frequently of legal journals or in the offices or law firms where they previously worked. The editor tends to read methodically, line by line, usually commenting in words or short phrases. Editors tend to be rule-based, very systematic and comprehensive, and they typically use matter-of-fact or slightly neutral tones when telling the writer what to do. They come across as “straight-shooters” and do not create a false or hierarchical relationship with the student — the comments they put on the paper are there to instruct and teach the student about rules of writing, not to enact the role of the senior partner. They may use symbols (such as “wc” for “word choice” or “f. comp.” for faulty comparison) or codes that match prescriptive sections in writing handbooks. They are likely to write fewer positive comments, perhaps because they do not see praise as a primary function of the editing role. Overall, editors bring a high level of competence to their remarks, and they offer students valuable insights into the challenging standards expected of professional writers.

Under less than ideal circumstances, however, the editor may come across to the student as the God of grammar and punctuation (or as one student put it, a “grammar geek”), overly concerned with a paper’s surface features. The editor may seem to focus more attention on the paper’s individual parts than on its big picture and may offer multiple comments on a variety of subjects can disorient the writer about priorities for revision. Also, the editor may risk sending conflicted messages if he has mechanically corrected a paragraph whose relevance he also questions.

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<sup>24</sup> These difficult commenting situations will be addressed later, but are raised here to help the reader picture the kinds of less than ideal commenting circumstances that we so often labor under.

A problem that the editor can create for the student is that the student may become a typist, mechanically entering the corrections of another writer who has already mastered these conventions, rather than thinking them through herself. If a paper has too many symbols or encoded messages (e.g., “see B7 in writer’s reference” or just “B7!” and “C2!”) the student may become frustrated shuttling back and forth between sources and feel inclined to give up. The student may also feel that she lacks guidance about the top priorities for a rewrite or the following paper. Finally, the lack of positive response can discourage the student, especially in the face of much work to be done. As a result, the student may feel disengaged from the paper, as though it is no longer hers, making it much less likely that she will find it a fruitful site for further learning.

A solution that helps the editor to address these problems is limiting comments to one part of the paper, and inviting the student to apply similar editing strategies to another, to be later reviewed in conference. As a result, the student can focus on understanding the error and thinking through solutions in the context of her own writing. Editors can also limit their remarks to a finite set of writing issues per paper, and can provide examples of those mistakes so that the student can begin to see and correct patterns of error in the writing.

In this scenario, a student who might have been overwhelmed by receiving thirty seemingly unrelated remarks will be more enlightened and less daunted to receive ten examples of three writing issues to be addressed in the next draft. As one teacher wrote: “I know I am an editor—so I try to give detailed end comments to compensate.” This teacher puts a detailed prioritizing end comment first, and asks the student to read that comprehensive comment before reviewing the rest of the paper that has been “taken apart” in the margins.

## ***2. The Margin Conversationalist***

The margin conversationalist is another popular commenting style. Margin conversationalists tend to be slightly less comprehensive than editors. Their comments come across as chatty, spontaneous, energetic, inquisitive, and conversational in tone, and they tend to be based on reactions as a reader and posed as ques-

tions. Generally, the margin conversationalist offers reactions to larger chunks of the paper (to paragraphs instead of words or sentences) and also tends to comment in sentences, phrases, or questions. Their comments tend to record their thoughts and feelings as they read the paper,<sup>25</sup> and typically include a sprinkling of both positive and negative remarks. As one teacher put it, the margin conversationalist regards the margins of the paper as a "chance to really 'talk' to students" about their writing. Because their style is that of "talking on paper," this type of commenter can help draw on the oral proficiencies of students, which is especially important to many who are excellent talkers but less experienced writers. Overall, margin conversationalists offer valuable insights about the effect of the writing on a real reader, as well as concrete evidence of the reader's reactions that can vividly convey information about the effectiveness of certain choices the writer has made. Such valuable information can provide incentive for revision.

Under less ideal circumstances, the somewhat spontaneous approach of the margin conversationalist may come across as random and without an agenda, partly because such commenters may pursue tangential points at some length, or even cross out a comment with a "never mind" attached to it. Because they do pursue a variety of points at a variety of lengths, such commenters may run the risk of miscommunicating priorities to students who logically assume, in the absence of any other cues, that the amount of time spent on a point is proportionate to its importance to the teacher. These commenters tend to run the highest risk of being dismissed as idiosyncratic by students, partly because they are more guided by their reactions as a reader and less rule-based.

If a teacher is commenting partly in a territorial way (to show he has read that page) or as a way of verbal nodding (to show that he is listening to the point under discussion), he may also mislead the student about future need for revisions. Unless notified about the intention (or lack of intention) of such remarks, students may read such comments as cues for rewriting, simply because they are used to seeing written remarks on their papers as more prescrip-

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<sup>25</sup> Peter Elbow might describe this way of commenting as offering a "movie of your mind." Peter Elbow, *Writing without Teachers* 85 (Oxford U. Press 1977). With this technique, the teacher may seem to be adopting an egalitarian approach — providing one reader's descriptive reaction — rather than performing a more evaluative, prescriptive role.

tive of a writer's future tasks than descriptive of a reader's process.

Because the energy and spontaneous nature of the margin conversationalist's remarks tends to infuse them with a more personal tone, the possibility of a student misreading that tone is increased. At times, such commenters can come across as opinionated or on the attack, thus provoking an emotional rather than a rational reaction from the student.

A problem that the margin conversationalist can create for the student is that she may be distracted from the paper's real problems, focusing on what was actually a minor, tangential point. A student may waste time on personal reactions such as "the teacher doesn't like me" or "the teacher hated this paper," instead of addressing the paper's actual problems. The student may also be confused about priorities for the next paper.

Strategies that often work well for margin conversationalists include (1) reading students' work once through without a pen in order to get a clearer sense of what writing issues the student faces, and (2) determining priorities before writing comments, perhaps by handing out a form before each assignment to notify writers what the focus tasks will be, and then sticking to those tasks for that assignment. One teacher who found herself writing remarks that felt unfocused says she "tries to stop and articulate for myself — and then the student — what the gist of all this is." Another says she reads through a copy of the student's paper, "free-writing" her comments there before putting a second draft on the one she hands back to the student.

Margin conversationalists can address issues of tone in their comments by handing out a previously commented on paper and helping students become versed in the style and the intended tone of such remarks. Comments that the margin conversationalist may see as evidence of her engagement with a writer's ideas can come across to students as much more negative than intended; modeling the tone of written remarks in class and providing a running commentary on them can help prevent future misreadings. Teachers who favor this style may also wish to make sure that the tone of their comments has been correctly interpreted by sounding out students' reactions to them in conferences.

Although questions may be an excellent pedagogical tool, margin conversationalists may wish to consider, and perhaps even

limit, their use, as the tone of questions can come across as more hostile than quizzical. Are the questions used rhetorical? Genuine? Cross-examining? How can students tell the difference? One teacher suggested that he wrote his comments in the form of questions because he felt it sounded “less opinionated,” less likely to suggest there was “one right answer.” But in the hands of attorneys, the useful tool of questioning can take on a different tone and a darker side. A battery of questions (“What do you mean by this? Are you sure? Where? When? Why?”) can make students feel as though they are being grilled, which can make them defensive and less open to learning. At such times, the margin conversationalist may seem more like a cross-examiner. A summarizing end comment that sets priorities for students and that helps them see how such questions are tied to an overarching concern or issue in the paper can help here as well.

### ***3. The End Commenter***

The end commenter tends to focus on global goals in a paper and strives to emphasize the big picture and the reader’s reaction to the paper as a whole. Of all the commenting styles, this one tends to be the most future-oriented, most aware that the paper is one brief stopping place in a procession of writing occasions during which skills will be acquired and sharpened. The end commenter typically talks to the writer about the writing, using the paper as a particular example of a writing principle in action. She tends to write longer comments at the end of the paper in complete paragraphs of prose. The end commenter typically offers a list of priorities for the paper and sets out concrete steps the student can take to achieve them; she offers students valuable information regarding a paper’s overall strengths and weaknesses as well as important insights into its large-scale structure. First-year students benefit from such information on their organization, and they appreciate the time such teachers spend writing to them about their work. The end commenter realizes that the final comment is a great opportunity to communicate with — even to persuade — students of future work to be done as well as strengths to be replicated.<sup>26</sup>

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<sup>26</sup> Indeed, Anne Enquist’s current research suggests that students read end comments



Under less than ideal circumstances, however, the end commenter may find herself mechanically writing an end comment out of a sense of duty, and grasping for something to say. She may include positive comments out of this same feeling of obligation, falling into the formula of “good job but . . .” or “I know you worked hard, but . . .” that may come across as insincere to the student, reminiscent of the “Dear John” letter (“you’re a real nice guy, but I’m still gonna dump you”).

Unfortunately, long end comments, especially those that lack clear priorities or a strong sense of purpose and conviction, run the risk of losing students’ attention. Students often miss the point of such epistles, especially if they must infer that point from a page or dense paragraph of prose. Students’ ability to infer meaning from such end comments is further complicated by their inevitable focus on any discrepancy between the “nice” paragraph and the grade they received on the paper. Such discrepancies make them cynical, suspicious, and ultimately less likely to credit the gist of a positive response or to consider replicating what was praised in the future.

Strategies that may be used to address these potential pitfalls include organizing a long end comment into a number of specific points by using point headings, numbers, or bullets, and by including references to margin comments that illustrate the particular point under discussion. Such points could mirror a list of expectations that the teacher has distributed in advance. It is critical to remember that poor writers are often also poor readers, so the message must be as clear as possible to reach such students.<sup>27</sup>

Even for more capable writers and readers, it is important to recall that each remark represents additional work to be done, time spent struggling at the brink of chaos. Thus, comments need to be as engaging and enticing as possible. When a commenter shows a genuine level of engagement with some part of the work, the student is more likely to be engaged too, and more able to tackle the work of addressing (or salvaging) the paper. As writers,

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over and over again for purposes of instruction and inspiration, typically returning to the end comments three to four times and sometimes even seven to eight times. Ongoing research, data on file with Anne Enquist.

<sup>27</sup> See John Butler, *Remedial Writers: The Teacher’s Job as Corrector of Papers*, 31 *College Composition & Commun.* 270, 273 (1980).

we know how much more inclined we are to linger over a paragraph that has been praised, at least in part, than one that has been, as students put it, “slammed.” And yet, students must return to reread and linger over their writing if they are to engage in the hard work of revision.

Breaking up the “Dear John” letter format by beginning with a topic sentence of praise that leads into work still needing to be done can address the students’ tendency to skip over the “generic” nice paragraph. Sincerity — truly finding something in the work to admire — is still the best way to address the cynical student’s assumption that a remark has been made merely to cushion the blow of a C. Specific references to a student’s progress, for example, provide such encouragement. Calling the student’s attention to a better attempt at a topic sentence, for instance, while pointing out a weaker example at another point in the same paper is instructive.

Vague compliments (a generic, floating “good” in the margin with no reference, for example) are almost as bad as no compliments at all. It is imperative that students receive positive comments that really mean something—not just empty praise, but also something concrete, something they can take pride in having done and interest in doing again on the next paper.

#### ***4. The Professional Mentor***

The professional mentor is another typical commenting style, again because so many legal writing teachers were practitioners who have played this role before coming to their classrooms. The mentor focuses on introducing students to legal conventions by emphasizing the reader’s reactions (particularly the legal reader’s reactions) and by professional role-playing. Typical comments might begin with phrases such as, “A judge would . . . your boss would” or “as your senior partner, I felt . . .” The mentor is likely to engage students by relating war stories and horror stories from their professional pasts, and often phrases comments in the form of terse questions, as a boss reviewing a brief might do.

The mentor’s remarks often reflect a hierarchical relationship with students. As one self-identified mentor said, “I do tend to run my class like a small law firm.” The mentor offers important information about the student’s “real-world” audience, as well as the

possible reactions and opinions of those who populate it. Such glimpses are often intensely interesting to students looking ahead to their own professional futures.

Under pressure, however, the mentor's comments may reflect the discrepancy between what she has been trained to do in the profession (pounce on an opponent's weakness) and what students often need her to do in her comments (build up a weak student's strengths). Such a commenter may also feel pressured to represent all real-world readers, and may feel irritated or alarmed by students' poor performance in light of looming professional expectations.

As one teacher noted, "I feel such a sense of urgency about how soon they will be criticized by judges, bosses, and clients and I would rather have them resent me than be embarrassed later." As a result, the comments of a mentor may inadvertently sound alarmed, overemphasize the expert/novice divide, or seem to represent the royal "we" of a profession unwilling to accept a given student into its ranks. Finally, given the intensity of their on-paper interactions and their sense of responsibility to the profession, such commenters may almost become parental, and over-identify with students' choices, failures, and successes. "I tend to feel bad when a student does poorly—and see it as my failure as a teacher."

In its extreme form, this approach can be daunting to students. Students may feel overwhelmed at the disparity between where they are and where they will need to be as professional legal writers. They may feel inadequate ("I am not worthy to be part of this scholarly community"), which can lead to writer's block. Also, an intense "mentoring" experience may inadvertently decrease a student's sense of independence and adaptability by encouraging the student to be overly reliant on one person's perceptions and advice, and overly trained to that reader's particular preferences.

The mentor may want to experiment with using peer responses to offset this potential weakness. Hearing the reactions of more than one reader can help the writer keep the mentor's advice in perspective, and can also serve to reinforce that advice in useful ways. The mentor may also want to invite student dialogue on her comments. Inviting students to comment on written comments can provide valuable insights into what they learned and what they misunderstood, and it can provide much to talk about in some-

times quiet or one-sided conferences. Although all types of commenters would benefit from such insights, the mentor (because of potentially more hierarchical overtones in his relationship with students) may be least likely to hear students volunteer such information unless explicitly encouraging students to offer it.

The mentor also must recall that students need to be able to make their own choices, just as experienced writers do. As Elaine Maimon reminds us, seasoned writers "frequently ask colleagues and editors to comment on the work-in-progress, but they also know how to reject advice as well as how to accept it. Experienced writers know that no matter how much help they seek, they alone are responsible for final decisions about their own work."<sup>28</sup>

Even while we keep our students' professional futures in mind, it helps to recall where first-year students are on the educational continuum, how much time they do still have to learn, and how, astonishingly quickly, they are able to absorb information in light of all the information we are throwing at them. It is important for the mentor to remember that students are adults who are balancing competing priorities, that they are responsible for their own choices, and that ultimately they must learn the material themselves.

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<sup>28</sup> Elaine Maimon, *Knowledge, Acknowledgement and Writing across the Curriculum: Toward an Educated Community*, in *The Territory of Language: Linguistics, Stylistics, and the Teaching of Writing* 89, 95 (Donald McQuade ed., S. Ill. U. Press 1986).

Summary of Commenting Styles & Characteristics

<p><b>Grammar and punctuation god</b></p> <ul style="list-style-type: none"> <li>• systematic and comprehensive</li> <li>• matter of fact, neutral tone</li> <li>• tell oriented, reads and responds line by line comments in words or short phrases</li> </ul>	<p><b>Cross examiner</b></p> <ul style="list-style-type: none"> <li>• a little less comprehensive than editor</li> <li>• energetic, inquisitive, conversational tone</li> <li>• ask oriented, offers reader's reaction to larger chunks of paper (paragraphs) comments in sentences, questions</li> </ul>	<p><b>Dear John</b></p> <ul style="list-style-type: none"> <li>• focuses on global goals based on particular moments in paper</li> <li>• emphasizes the big picture and reader's reaction to whole paper</li> </ul>	<p><b>Professional mentor... Parent</b></p> <ul style="list-style-type: none"> <li>• focuses on introducing students to legal conventions</li> <li>• emphasizes reader's reactions by professional role-playing ("A judge would...your boss would")</li> </ul>
<p><b>Under pressure may:</b></p> <ul style="list-style-type: none"> <li>• come across as focused on surface features of grammar and punctuation</li> <li>• seem to focus more on individual parts than big picture</li> </ul>	<ul style="list-style-type: none"> <li>• come across as opinionated or on the attack; may go off on a tangent</li> <li>• seem critical of person instead of paper</li> </ul>	<ul style="list-style-type: none"> <li>• come across as insincere to student ("you're a real nice guy, but I'm still gonna dump you")</li> <li>• overuse formula of "good job BUT"</li> </ul>	<ul style="list-style-type: none"> <li>• feel irritated by students' poor performance</li> <li>• overemphasize the expert/novice divide</li> <li>• over identify with students' choices/failures/successes</li> </ul>
<p><b>Problems for student:</b></p> <ul style="list-style-type: none"> <li>• student becomes a typist—whole paper has been corrected</li> <li>• lacks guidance about top priorities</li> </ul>	<ul style="list-style-type: none"> <li>• may be distracted from real problem ("teacher doesn't like me")</li> <li>• may miss priorities for next paper</li> </ul>	<ul style="list-style-type: none"> <li>• may not get the gist — "What am I supposed to do?"</li> <li>• may focus on discrepancy between "nice" paragraph and grade</li> </ul>	<ul style="list-style-type: none"> <li>• may decrease student's sense of independence and adaptability</li> <li>• may make students feel inadequate</li> </ul>
<p><b>Possible solutions:</b></p> <ul style="list-style-type: none"> <li>• group comments into categories (e.g. group 30 comments into 3 categories)</li> <li>• only edit part of paper and require student to do part</li> <li>• read paper without a pen</li> </ul>	<ul style="list-style-type: none"> <li>• determine priorities before writing</li> <li>• consider use of questions rhetorical, genuine, cross-examining</li> </ul>	<ul style="list-style-type: none"> <li>• be specific with praise</li> <li>• break up long paragraphs: use numbers, bullets, references to margin comments</li> </ul>	<ul style="list-style-type: none"> <li>• remember where students are on educational continuum</li> <li>• remember that students are adults balancing competing priorities</li> </ul>

**IV. DIFFICULT COMMENTING SITUATIONS THAT CAN TRIGGER UNHELPFUL RESPONSES**

While preparing this Article, I invited a variety of legal writing teachers to comment on what the top stresses on their commenting might be. Teachers reported with remarkable consistency on three stresses that triggered their less strategic commenting: (1) the exhaustion arising from reading too many papers in too short a time frame, (2) irritation with students who ignored their specific remarks made either in class or in previous comments, and (3) the difficulty of communicating with the struggling writer (also referred to as "the C student").

The first problem—too many papers and too little time to grade them—is most often institutional in nature, and I won't address it here beyond hoping that to the extent possible we pace ourselves and avoid commenting on too many papers at once. More in keeping with the scope of this paper are the other two stresses that commenters experienced working with students who ignored

their advice or whose writing reflected great difficulty with the assignment. Though I list them as separate points, I would argue that the student who appears to be ignoring advice is in fact another version of the inexperienced writer struggling to cope with the demands of the assignment.

As someone who has written her own share of indignant “see my comments on last draft!,” I certainly sympathize with teachers who feel their written or in-class comments have been ignored. But I have also wondered why students who are so focused on class rankings, so grade driven, so conscious that their writing class was the only place where they had some control over their grades would deliberately scuttle their own chances for improvement. I have become convinced that the problem is rarely that of insolence or laziness on the part of the student, and conversations with many student writers bear out this impression.

I have sat with students who couldn’t even begin to read, much less comprehend, comments attached to the lowest grade they had ever received in their lives, and with others who seemed genuinely incapable of absorbing the meaning of such comments despite multiple readings evidenced by scribbled notations and highlighter in the margins. I have translated comments for students who were attempting to prioritize the work before them. As one student facing a heavily commented-on paper joked, “I know my paper’s bleeding out, but I don’t know where to press!”

Over time I have come to believe that it is the students’ inexperience with writing in general and with revising in particular that hampers their ability to read and usefully apply the information the teacher has provided.<sup>29</sup> A common trait of unsophisticated writers, Knoblauch and Brannon point out, is that they “ordinarily limit their revising to changes that minimally affect the plan and order of ideas with which they began, readily making only those adjustments that place the least pressure on them to reconceive or significantly extend the writing they have already done.”<sup>30</sup> As the

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<sup>29</sup> For a deeper understanding of why students cannot simply march through the stages of the writing process from generating to drafting to revising, see James A. Reither, *Writing and Knowing: Toward Redefining the Writing Process*, in *The Writing Teacher’s Sourcebook* 141 (Gary Tate & Edward P.J. Corbett eds., 2d ed., Oxford U. Press 1988) (citing Patricia Bizzell’s idea that students’ inability to revise has a large “social component,” and arises from their lack of familiarity with academic conventions and expectations).

<sup>30</sup> Knoblauch & Brannon, *supra* n. 10, at 289.

authors note, "this resistance seems more complicated than laziness," and is, indeed, "natural, rising out of the anxiety that even experienced writers feel at having to reduce an achieved coherence, however inadequate, to the chaos of fragments and underdeveloped insights from which they started."<sup>31</sup>

While experienced writers have the confidence built from previous success and practice rewriting, "no such comforting pattern of successes exists to steady the resolve of the apprentice."<sup>32</sup> As writers ourselves, we can alert our students to the heavy work of revising and, perhaps even more important, we can empathize with them when they are in the throes of its deep miseries. We can talk honestly with them about how we have coped with similar frustrations and lived to see future drafts.<sup>33</sup>

One teacher explicitly linked the frustrations of working with the C student to the irritations of ignored suggestions:

The papers of the students who ignore class expectations are harder to read and require more interpretation. It is difficult to comment on numerous levels when the basic expectations are not met. Yet I often find in tutorials that the paper is not as bad as I perceived it to be. Students given an opportunity to explain their arguments demonstrate a greater understanding than the writing would suggest.

I was struck by this teacher's willingness to make room for a genuine conversation about the writing that has occurred. By doing so, the teacher has created an opportunity for the writer to understand the power of her written words and to realize her communicative shortcomings by discussing the gap between intention and realization. Similarly, other teachers who ask students to respond in writing to their comments invite meaningful dialogues that can provide company for students who are engaging in the lonely, anxious work of revision. Such conversations can allow students to move away from defensiveness toward a greater under-

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<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> It is interesting to note the highly charged language writers use to describe their difficulties rewriting. As a writing advisor, I frequently hear students describe their efforts at revising using words such as chaotic, stressful, lonely, and anxious.

standing as they gain experience and eventual success in writing and revising.

## V. FINAL COMMENT

If, as I suggested earlier, the underlying purpose of commenting is to teach students how to become capable writers and thoughtful readers of their own work, then teachers of writing must consider and reconsider how their written remarks can best encourage students along this path. Repeated cycles of writing, response and rewriting can help students, as Knoblauch and Brannon suggest, gradually “internalize” the “Questioning Reader” in order to learn how to anticipate the needs and expectations of future readers.<sup>34</sup> Such Questioning Readers may also fill another important role, that of providing the writer with companionship during the often difficult and lonely work of writing. As Elaine Maimon reminds us,

Experienced writers can tolerate the solitude of the silent library because they have learned not to be alone there. Writers hear the voices of colleagues asking questions about the formulation of ideas, reminding them about absent readers, pointing to potential dissonances. Inexperienced writers hear voices, too, but these . . . are often mocking and disdainful: “You can’t write,” they chide. Or they ask the student’s pre-occupying question: “Do you belong here?” When the writers hear the voices of colleagues, they can talk back to them on paper, and that dialogue can drown out the voices of self-doubt and discouragement.<sup>35</sup>

Internalizing an unhelpful Questioning Reader, one whose voice seems to mock or to nag at a student’s confidence, could substantially increase the hurdles of self-doubt and discouragement so many first-year law students feel. In contrast, internalizing a helpful Questioning Reader, whose collegial voice provides company and encouragement for future writing, could help smooth the difficult road ahead of most writers. It is important to remember that our students do hear our voices in the comments we write and that

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<sup>34</sup> Knoblauch & Brannon, *supra* n. 10, at 285.

<sup>35</sup> Maimon, *supra* n. 29, at 89.



our words are likely to linger long after students have left our classes. It is important to remember the power we wield as commenters, and that we can afford to use that power gently.

## APPENDIX

Suggestions for making comments an effective and integrated part of the class environment:

### **Identify and share your priorities in advance.**

Writers should not feel ambushed by your written comments. Hand out a list of priorities for each writing assignment. Highlight priorities in class and in your meetings with students, and follow up on these top concerns in your comments.

### **Prepare writers to read your comments.**

Be aware of your own commenting style and your reasons for it. Give students a copy of a draft with your comments on it, and model how to read your comments in terms of their content and tone as well as how to respond to them in future assignments. Be sure to explain any symbols that you use, and consider limiting them so that writers need not spend excessive time decoding.

### **Select writing issues to comment on.**

Follow a hierarchy of concerns when commenting, especially for writers in earlier stages of drafting. Focus first on content and development of ideas, then organization, then on more surface-level concerns. Consider only correcting errors that are frequent enough to form patterns or that interfere with the reader's understanding. Let students know when you are using this "triage" approach; specify what level of response you are offering on a particular draft and why.

### **Use comments to reinforce points made in previous meetings.**

Effective comments draw on and extend ideas from previous conversations you have had with the student. Envision comments

as part of an ongoing dialogue between teacher and student. Students thrive on a sense of continuity and accomplishment. Ask students to submit previous drafts with new drafts, and refer, when relevant, to your remarks on previous drafts.

**Use end comments as a way to prioritize tasks for writers.**

Use end comments<sup>36</sup> to add coherence to your margin comments so they don't appear to be random criticisms but part of a greater whole effort on your part. Use end comments to define and prioritize tasks for next draft. Use bullets or numbers within end comments to organize and prioritize your suggestions.

**Make your comments as specific as possible.**

Offer text-specific, anchored comments instead of "rubber stamping"<sup>37</sup> a paper with generic comments that could be used on any paper at any time.

**Write comments that can be easily read.**

Students who struggle with writing often struggle with reading as well.<sup>38</sup> In order for them to digest your comments (and so to improve their writing) they must read those comments carefully, probably more than once. Attempt to make each comment as accessible and as palatable as possible. Remember that each comment typically represents more work to be done. Consider using headings, numbers, and typed comments because, as we tell students, neatness counts. Use neutral tones that focus on the writing — not the writer.

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<sup>36</sup> For compelling evidence of how much students value the unifying end comment, see Enquist, *supra* n. 6, at 188.

<sup>37</sup> This phrase comes from Nancy Sommers, urging teachers to be specific in their comments and critiquing those generic remarks that could be stamped anywhere on a student's paper. Sommers, *supra* n. 9, at 152.

<sup>38</sup> Butler, *supra* n. 28, at 273.

**Write comments that include genuine appreciation for the work that the writer has accomplished.**

Do not underestimate the power of genuine praise. Also, do not assume that the student “blew off” an assignment, unless the student confesses having done so. Make certain that each set of comments includes some positive points.<sup>39</sup>

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<sup>39</sup> If there is nothing positive to comment on, consider inviting the writer to discuss the paper in conference to determine where he or she went wrong.