

OK, Zoomer: Teaching Legal Research to Gen Z

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Abstract

Generation Z has entered law school. With each new generation comes new education preferences. While research on Gen Z in the legal academy has grown over the past few years, to date none deal explicitly with teaching legal research to Gen Z. This paper will connect Gen Z's childhood and resulting peer personality to ten tangible pedagogical changes for teaching legal research to Gen Z.

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The children now love luxury; they have bad manners, contempt for authority; they show disrespect for elders and love chatter in place of exercise. Children are now tyrants, not the servants of their households. They no longer rise when elders enter the room. They contradict their parents, chatter before company, gobble up dainties at the table, cross their legs, and tyrannize their teachers.¹

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Introduction

People love to categorize: animals into classes (then orders, families, genres, and species); learning into subjects (language arts, history, philosophy); food into food groups (fruits, vegetables, grains, protein, dairy); music into genres (classical, jazz, blues, pop, country, alternative, rap, hip-hop, rock, and so on). Categories help us organize, navigate, and make sense of the world. Categorization

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¹ Plato. Or Socrates. Nobody knows.

is not a modern phenomenon but rather a human one; one of Aristotle's greatest works is on categories.² People especially love categorizing themselves, assigning people to social groups based on their race, gender, class, religion, you name it. One of these well-analyzed categories of people is the generation: a group of similarly aged people.

We often use generational categories to make assumptions about people's attitudes, beliefs, habits, and values. For example, the Baby Boomers, born 1946-1964, have a strong work ethic and buy wholeheartedly into the American Dream, raised to believe that "hard work is the path to success."³ Gen Xers, a "relatively small, jaded generation"⁴ born 1965-1980 were the "latchkey kids," considered cynical and "lost" as young adults and are often overlooked as a cohort today.⁵ The Millennials, born 1981-1994, are often painted as lazy, entitled, and self-centered,⁶ blamed for "killing" every industry over the sun,⁷ and mocked as the "participation trophy" generation.⁸

Outside of these (often negative) stereotypes, generational categories can be useful for pedagogical purposes. Understanding a generation's peer personality helps professors better educate that generation of students.⁹ Students arrive in the classroom with pre-existing traits, attributes, and attitudes, all of which are informed by their generation.¹⁰ Educators in all fields have considered the unique characteristics of Millennial students to better teach them. Indeed, many law librarians have researched the Millennial cohort and legal research instruction, providing advice to their colleagues across the profession for teaching the first generation of "digital natives."¹¹ We now must do the same for the Gen Z cohort.

² See ARISTOTLE, CATEGORIES (Harold P. Cooke ed. & trans., Harvard University 1996) (1938).

³ Robert Minarcin, *OK Boomer - The Approaching DiZruption of Legal Education by Generation Z*, 39 QUINNIPIAC L. REV. 29, 36 (2020).

⁴ Alex Williams, *Move Over, Millennials, Here Comes Generation Z*, N.Y. TIMES, Sept. 18, 2015, at 1.

⁵ See, e.g. Paul Taylor & George Gao, *Generation X: America's Neglected Middle Child*, PEW RSCH. CTR., June 5, 2014, <https://www.pewresearch.org/fact-tank/2014/06/05/generation-x-americas-neglected-middle-child/> ("This overlooked generation [. . .] bookended by two much larger generations").

⁶ See, e.g., Willem Gravett, *The Generational Traits of Millennial Law Students*, 83 THRHR 67, 72 (2020) ("they more accurately fit the stereotype of the disengaged, entitled student customer, expecting high marks without significant effort and often just for showing up to class; demanding comfort more than a rigorous education; seeing themselves as consumers and expecting services and personal attention on demand; having little respect for authority and showing disdain for collegial and social rules of conduct; failing to differentiate between civil exchange of reasoned ideas and shouting personal beliefs, yet growing defense when faced with constructive criticism; and having a naïve sense of the future.")

⁷ See, e.g., Kate Taylor, *'Psychologically Scarred' Millennials are Killing Countless Industries from Napkins to Applebee's - Here are the Businesses They Like the Least*, BUS. INSIDER (Oct. 31, 2017, 2:18 PM), <https://www.businessinsider.com/millennials-are-killing-list-2017-8> (listing the industries Millennials allegedly "killed," including diamonds, cereal, banks, and football).

⁸ Jeffrey Zaslow, *The Most-Praised Generation Goes to Work*, WALL ST. J. (Apr. 20, 2007, 12:01 AM), <https://www.wsj.com/articles/SB117702894815776259> ("some researchers suggest that inappropriate kudos are turning too many adults into narcissistic praise-junkies.").

⁹ See Laura P. Graham, *Generation Z Goes to Law School: Teaching and Reaching Law Students in the post-Millennial Generation*, 41 UNIV. OF ARK. LITTLE ROCK L. REV 29, 36 (2018) ("Put simply, everyone and no one is to "blame" for the attributes of Gen Z law students, good or bad. Our focus should be on understanding them more fully, so we can educate them more effectively.").

¹⁰ *Id.* at 39.

¹¹ See, e.g., Aliza B. Kaplan & Kathleen Darvil, *Think and Practice like a Lawyer: Legal Research for the New Millennials*, 8 LEGAL COMM. & RHETORIC: JAWLD 153 (2011) (calling for curriculum change to adapt to incoming Millennial law students); Kari Mercer Dalton, *Bridging the Digital Divide and Guiding the Millennial Generation's Research and Analysis*, 18 BARRY L. REV. 167 (2012) (discussing strategies for teaching information literacy and legal research to Millennials); Jessica Haseltine, *Yes, You Can: A Millennial on Millennials*, 19 AALL SPECTRUM 8 (2014) (describing the Millennial generation and suggesting approaches to teaching them legal research).

Generation Z, referred to simply as “Gen Z” or the “Zoomers,”¹² is the group of people born sometime between 1995 and 2012.¹³ Today they are roughly ten to twenty-seven years old and make up nearly quarter of the United States population – about 75 million people.¹⁴ In the context of legal education, Gen Z students have been in law school for at least the last five years,¹⁵ but only a handful of articles discuss their impact on law schools.¹⁶ To date, none focus specifically on legal research instruction for Gen Z law students, making it difficult for legal research professors to tailor their courses to them. Given their ever-growing population within our halls, it is time to pay serious attention to Gen Z students, their characteristics, how they learn, and how legal research instructors can best teach them.

It is important to note several assumptions before beginning. First, this paper assumes that categorizing by generation is a useful project and that persons falling within a generation will share some characteristics. Second, this paper assumes that most law students fall within the same age range and that some number of current law students are part of Gen Z.¹⁷

This paper will proceed as follows: Part I will provide a brief overview of generational theory. Part II will discuss Gen Z as a cohort, exploring first the societal context of their upbringing and then their resulting traits and characteristics. Part III will apply Gen Z’s traits to offer ten tangible suggestions on how to best instruct Gen Z students in the legal research classroom.

By understanding Gen Z’s characteristics and the specifics of how they prefer to learn, educators will be better equipped to face their incoming Gen Z students. Specifically, this paper will allow law librarians and other legal research instructors to better prepare for teaching Gen Z

¹² See Michael Dimock, *Defining Generations: Where Millennials End and Generation Z Begins*, PEW RSCH. CTR., Jan. 17, 2019, <https://www.pewresearch.org/fact-tank/2019/01/17/where-millennials-end-and-generation-z-begins/> (“we hesitated at first to give them a name [. . .] but over the past year, Gen Z has taken hold in popular culture and journalism.”); see also Merriam-Webster, *Words We’re Watching: ‘Zoomer’*, <https://www.merriam-webster.com/words-at-play/words-were-watching-zoomer-gen-z> (last visited Feb. 27, 2022). Interestingly, the nickname Zoomer pre-dates the use of Zoom for education during the COVID-19 pandemic. See Know Your Meme, *Zoomer Wojak*, <https://knowyourmeme.com/memes/zoomer-wojak> (last visited Feb. 27, 2022).

¹³ See *infra* Part I.

¹⁴ DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS, POPULATION DIVISION, WORLD POPULATION PROSPECTS 2019 ANNUAL POPULATION BY AGE – BOTH SEXES, UNITED NATIONS (2019), <https://population.un.org/wpp2019/Download/Standard/Interpolated/> (showing 77,414,000 people in the United States ages 8 to 25 in 2020).

¹⁵ Born in 1995, the oldest Gen Z law students would be 27 as of this writing. Zoomers who entered law school immediately after graduating college would have enrolled in 2017 and graduated in 2020.

¹⁶ As of February 2022: Elizabeth A. Cameron & Marisa Anne Pagnattaro, *Beyond Millennials: Engaging Generation Z in Business Law Classes*, 34 J. LEGAL STUD. EDUC. 317 (2017) (discussing Gen Z’s “three major learning styles”); Graham, *supra* note 9 (exploring Gen Z’s personality and learning characteristics and providing suggestions on how to adjust legal education to fit Gen Z’s needs); Minarcin, *supra* note 3 (examining Gen Z’s personality and traits and suggesting changes to curricula to meet their learning characteristics); Mark D. Janis & Norman J. Hedges, *Training Post-Millennial IP Lawyers: A Field Guide*, 11 LANDSLIDE MAG. (2019) (providing guidance on how to train law students to be intellectual property practitioners); Carolyn V. Williams, *#CriticalReading #WickedProblem*, 44 S. ILL. UNIV. L. J. 179 (2020) (discussing the problem of critical readings skills for Millennials and Gen Z in law school); Tiffany D. Atkins, *#ForTheCulture: Generation Z and the Future of Legal Education*, 26 MICH. J. RACE & L. 115 (2020) (advocating for structural changes to the law school curriculum to increase diversity and social justice initiatives); Sha-Shana Crichton, *Teaching in the Time of Disruption: A Case for Empathy and Honoring Diversity*, 25 LEGAL WRITING: J. LEGAL WRITING INST. 4 (2021) (discussing approaches to education Gen Z law students to appeal to their desire for equal justice under the law); Laura P. Graham, *“Safe Spaces” And “Brave Spaces”: The Case for Creating Law School Classrooms That Are Both*, 76 U. MIAMI L. REV. 84 (2021) (advocating for changes to the law school environment to foster dialogue about racial and social injustice with Gen Z students).

¹⁷ The average age of a 1L at the top 50 law schools, ranked by US News, is 24. Many members of the Class of 2025, entering law school in Fall 2022, will be born between 1998 and 2000. See Barbara Vargo, *Later-than-most to law school*, ABA STUDENT LAWYER, Jan. 1, 2020, <https://abaforlawstudents.com/2020/01/01/later-than-most-to-law-school/> (“According to LSAC, 1L students average between 22-24 years old.”).

students based on their generational characteristics. Moreover, it will focus on Gen Z in a positive light and encourage other educators to do the same. After all, you catch more flies with honey than vinegar.

Part I: An Overview of Generational Theory

Several sociologists contributed to the categories we now call “generations,” what the public thinks of when they call someone a “Boomer” or a “Gen Xer” or a “Millennial.”¹⁸ A generation is a group of similarly-aged people spanning about two decades, although most scholars today agree that the cutoff date for a generation has some fluidity.¹⁹ Generational membership is *involuntary, permanent* (unlike age, which is involuntary but ever-changing), and *finite*; “after its last birthyear, a cohort-group can only shrink in size.”²⁰ Because all members of a generation are born between two fixed points, all members of that generation experience “the same national events, moods, and trends at similar ages,” leading to a distinct peer personality.²¹

The generations alive today are as follows: the G.I. Generation (also known as the Greatest Generation), born 1901-1924; the Silent generation, born 1925-1946;²² the Baby Boomers, born 1946-1964;²³ Gen X, born 1965-1980;²⁴ the Millennials, born 1981-1994;²⁵ Gen Z, born 1995-2012;²⁶ and Generation Alpha, born after 2013.²⁷

The end of the Millennial generation and the span of the Gen Z generation is not necessarily a fixed date. But the impreciseness of the beginning and end of a generational cohort should not impact its usefulness as an analytical tool.²⁸ Those born at the beginning or end of the date range more with the common traits and stereotypes of another generation than their own. For example, some people born between 1995 and 2000 describe feeling stuck between the Millennial and Gen Z cohorts,

¹⁸ See Karl Mannheim, *The Problem of Generations*, in KARL MANNHEIM: ESSAYS ON THE SOCIOLOGY OF KNOWLEDGE (1952) (outlining the structure of generations); see also NEIL HOWE & WILLIAM STRAUSS, *GENERATIONS: THE HISTORY OF AMERICA’S FUTURE* (1992) (describing generation theory and describing the generations of American history beginning in 1584).

¹⁹ HOWE & STRAUSS, *supra* note 18, at 34. See also Dimock, *supra* note 12 (“generational cutoff points aren’t an exact science.”).

²⁰ HOWE & STRAUSS, *supra* note 18, at 48.

²¹ *Id.*

²² *Id.* at 8.

²³ The “Baby Boomer” generation is the only generation officially recognized by the United States Census. SANDRA L. COLBY & JENNIFER M. ORTMAN, *THE BABY BOOM COHORT IN THE UNITED STATES: 2012 TO 2060 2* (2014).

²⁴ Dimock, *supra* note 12.

²⁵ *Id.*

²⁶ The birth year range for Gen Z varies by source. The leading researchers on Gen Z as college students, Corey Seemiller and Meghan Grace, use the span of 1995-2010. The Pew Research Center uses 1997-2012. I have chosen 1995-2012 to encompass the widest range. COREY SEEMILLER & MEGHAN GRACE, *GENERATION Z GOES TO COLLEGE* (2015); see also Dimock, *supra* note 12.

²⁷ Gen Alpha are the children of Millennials and older Gen Zers. See MARK MCCRINDLE, ASHLEY FELL & SAM BUCKERFIELD, *GENERATION ALPHA: UNDERSTANDING OUR CHILDREN & HELPING THEM THRIVE* (2021) (describing Gen Alpha’s birth years between 2010 and 2024); see also Joe Pinsker, *Ob No, They’ve Come Up With Another Generation Label*, *THE ATLANTIC*, (Feb. 21, 2020), <https://www.theatlantic.com/family/archive/2020/02/generation-after-gen-z-named-alpha/606862/>. (“What comes after Z? *Alpha*, apparently. That’s the (Greek) letter that the unofficial namers of generations – marketers, researchers, cultural commentators, and the like – have affixed to Gen Z’s successors, the oldest of whom are on the cusp of turning 10.”).

²⁸ “Like most other social categories – religion, political party, income, occupation, race – generations can be imprecise at the boundaries. We define generational boundaries by calendar year – and, of course, some people born on just one side may really belong on the other. But a little ambiguity does not keep us from distinguishing Catholics from Protestants, Democrats from Republicans, or the middle class from the poor.” HOWE & STRAUSS, *supra* note 18, at 59.

dubbing themselves the “Zillennials.”²⁹ The preciseness of the date is immaterial when the importance is in *shared experiences*, or “generation defining moments.”³⁰ By “living through certain historical events” with similarly aged people, worldviews and values emerge.³¹

Not all members of a generation will exhibit all – or any – of the traits of their generation.³² Instead, generational theory allows us to uncover a “peer personality,” common beliefs and behaviors as informed by age and perceived generational membership.³³ Put differently, peer personality is “a caricature” of a generation’s “prototypical member.”³⁴ While not every member of a generation will fit into this caricature, and indeed some members may have no generational traits at all, “even those who differ from the peer norm are generally *aware* of their nonconformity,”³⁵ like a person born in 1987 steadfastly refusing Millennial traits and insisting they fit more with Gen X.

By learning a generation’s peer personality, we can begin to tailor pedagogy to fit those preferences. What follows is a look inside of the upbringing and characteristics of Zoomers in America.

Part II: Gen Z’s Peer Personality

Gen Z, born between 1995 and 2012, are today aged roughly 10 to 27. Since birth, Zoomers have lived in a world of perpetual crisis, beginning with the terror attacks of September 11, 2011.³⁶ Whereas even the youngest Millennial would have a memory of the day, the majority of Zoomers were not even alive when the towers fell. Those that were alive are unlikely to have a memory of the day. While Millennials remember airports before the Transportation Security Administration and a world before the hyper-surveillance of the Patriot Act state, Gen Z has grown up almost entirely in a “post-9/11” world. They have always taken their shoes off at the airport.³⁷ It is normal to them.

To paint a picture of the “average” Gen Z law student, I will use descriptions from the Mindset List,³⁸ as Laura P. Graham does.³⁹ As an example, the undergraduate Class of 2019 – students largely born in 1997 and entering law schools after 2019 – “have never licked a postage stamp, have assumed that WiFi is an entitlement, and have no first-hand experience of Princess Diana’s charismatic

²⁹ Urban Dictionary defines Zillennial as “a microgeneration consisting of persons born 3 years before the end of Millennials and/or 3 years after the start of Generation Z.” *Zillennial*, URBAN DICTIONARY, <https://www.urbandictionary.com/define.php?term=Zillennial> (last visited Feb. 27, 2020). See also Alicia Lansom, *Too Old for Gen Z, Too Young for Millennials: Life as a Confused Zillennial*, REFINERY29, Mar. 9, 2021 <https://www.refinery29.com/en-gb/generation-zillennial> (describing the confusion of identifying which generation someone born in 1996 belongs to).

³⁰ GEN HQ, STATE OF GEN Z 2020: GEN Z AS EMPLOYEES AND EMERGING LEADERS 5 (2020), <https://genhq.com/wp-content/uploads/2020/10/State-of-Gen-Z-2020-Employers.pdf>.

³¹ JOHN DELLA VOLPE, FIGHT: HOW GENERATION Z IS CHANNELING THEIR FEAR AND PASSION TO SAVE AMERICA 1 (2022).

³² HOWE & STRAUSS, *supra* note 18, at 8-9.

³³ *Id.* at 64.

³⁴ *Id.*

³⁵ *Id.* at 66.

³⁶ See ROBERTA KATZ, SARAH OGILVIE, JANE SHAW & LINDA WOODHEAD, GEN Z, EXPLAINED: THE ART OF LIVING IN A DIGITAL AGE 125 (2021) (“a perpetual atmosphere of crisis, whether local, regional, or global, has been brought right into their bedrooms through their internet feeds.”).

³⁷ In December 2001, Richard Reid boarded a flight from Paris to Miami with bombs hidden in his shoes, which lead to the requirement that all passengers remove their footwear to be screened by the Transportation Security Administration (TSA) before boarding a flight. See FBI, *Artifact of the Month: December 2020: Richard Reid’s Shoes*, <https://www.fbi.gov/history/artifact-of-the-month/december-2020-richard-reids-shoes> (last visited Feb. 27, 2022).

³⁸ “The Mindset list has delighted millions for over a decade about what has “always” or “never” been true for entering college students.” MINDSET LISTS, <http://themindsetlist.com/lists/> (last visited Feb. 27, 2022).

³⁹ Graham, *supra* note 9, at 38.

celebrity.”⁴⁰ For the class of 2023 – largely born in 2001 and yet to walk the law school halls – “the primary use of a phone has always been to take pictures.”⁴¹

Studies of Gen Z thus far describe them as cautious, pragmatic,⁴² confident,⁴³ and self-reliant.⁴⁴ As college students, Zoomers were found to be as loyal, compassionate, thoughtful, open-minded, responsible, and determined.⁴⁵ They are motivated by making a difference⁴⁶ even if “deeply pessimistic about the problems they have inherited” like climate change, racial injustice, and economic issues. Constantly connected to technology,⁴⁷ Gen Z “values ‘information, stimulation, and connection.’”⁴⁸ They are entrepreneurial and motivated by the prospect of future financial security. In terms of the classroom, Gen Z wants “an education they can apply.”⁴⁹

Of course, we can no longer talk about a generation’s peer personality without discussing the COVID-19 pandemic. Before COVID-19, Gen Z was on track to “inherit a strong economy with record-low unemployment,” setting their adulthood off on the right foot.⁵⁰ And then COVID-19 arrived, leaving Gen Z among the hardest hit by job loss and pay cuts,⁵¹ causing the steepest decline in college enrollment in recorded history,⁵² and driving many living on their own to move back in with their parents.⁵³

1. The Tech Factor

Technology has had a profound impact on every single part of Gen Z’s lives, and so before discussing this generation’s upbringing and peer personality, first we must examine the role of

⁴⁰ Tom McBride & Charles Westerberg, *The Mindset List for the Class of 2019*, MINDSET LISTS, <http://themindsetlist.com/lists/the-mindset-list-for-the-class-of-2019/> (last visited Feb. 27, 2022).

⁴¹ *Read the Marist Mindset List for the Class of 2023*, MINDSET LISTS, <https://www.marist.edu/mindset-list> (last visited Feb. 27, 2022).

⁴² See Hedges & Janis, *supra* note 16 (“They’re pragmatic. Millennials may be idealists; post-millennials are projected to be more hard-headed, valuing long-term job security.”); see Williams, *supra* note 16 at 190 (tracing Gen Z’s pragmatism to their Gen X parents’ parenting and values); see also Williams, *supra* note 4 (“I think I can speak for my generation when I say that our optimism has long ago been replaced with pragmatism.”).

⁴³ See KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 191; see also Crichton, *supra* note 16, at 7 (“this visibly bold and strikingly confident group”).

⁴⁴ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 127.

⁴⁵ SEEMILLER & GRACE, *supra* note 26, at 7-13.

⁴⁶ *Id.* at 15.

⁴⁷ See *id.*, at 29 (“[O]ne study found that 100 percent of all Generation Z students indicate being online at least one hour per day with nearly three-quarters of those within one hour of waking up.”).

⁴⁸ Cameron & Pagnattaro, *supra* note 16, at 318 (internal citations omitted).

⁴⁹ JEFFREY J. SELINGO, THE NEW GENERATION OF STUDENTS: HOW COLLEGES CAN RECRUIT, TEACH, AND SERVE GEN Z (The Chronicle of Higher Education 2018) 26.

⁵⁰ Kim Parker & Ruth Igielnik, *On the Cusp of Adulthood and Facing an Uncertain Future: What We Know About Gen Z So Far*, PEW RSCH. CTR., (May 14, 2020), <https://www.pewsocialtrends.org/essay/on-the-cusp-of-adulthood-and-facing-an-uncertain-future-what-we-know-about-gen-z-so-far/>.

⁵¹ Richard Fry, Jeffrey S. Passel & D’vera Cohn, *A Majority of Young Adults in the U.S. Live With Their Parents For the First Time Since the Great Depression*, PEW RSCH. CTR., (Sept. 4, 2002), <https://www.pewresearch.org/fact-tank/2020/09/04/a-majority-of-young-adults-in-the-u-s-live-with-their-parents-for-the-first-time-since-the-great-depression/>.

⁵² JEFFREY J. SELINGO, THE FUTURE OF GEN Z: HOW COVID-19 WILL SHAPE STUDENTS AND HIGHER EDUCATION FOR THE NEXT DECADE (The Chronicle of Higher Education 2022) 5 (“Never before had colleges experienced a one-year decline in enrollment as steep as the one they witnessed between the high-school graduating classes of 2019 and 2020. In that one-year period, the number of students enrolling directly in college from high school dropped by some 700,000 students, or nearly 7 percent.”).

⁵³ Fry, Passel & Cohn, *supra* note 51 (“The share of 18- to 29-year-olds living with their parents has become a majority since U.S. coronavirus cases began spreading early this year, surpassing the previous peak during the Great Depression era.”).

technology. For Gen Z, technology is central to their being. It is an “extension of themselves.”⁵⁴ They are comfortable and confident technology users, learning at a young age “how to find their own answers to questions [. . .] and navigate networks and use tools that confounded their elders”⁵⁵ “*They never get off their dang phones?*” is a common complaint, often made by older adults in their lives: parents and grandparents, bosses, strangers on the train. As two researchers aptly note, it becomes apparent who is Gen Z and who is not when a question arises in conversation that nobody can answer; whoever immediately “reaches for a smartphone to query Google, Bing, or Yahoo for the answer” is a Zoomer.⁵⁶

Some call people who grow up using technology “digital natives.”⁵⁷ In fact, it is the Millennials who were first called “digital natives.” Born beginning in the 1980s, many Millennials attended primary school and perhaps high school without computer and Internet access. Their technological education focused less on online information literacy skills (outside of an ever-present warning to Never Use Wikipedia Ever) and more on physical skills like typing. Millennials might remember being in late high school when MySpace, the “original” social media site, became popular; college when Facebook first emerged. Perhaps the more accurate way to describe Millennials is that they were the first generation to *grow up* with computer and Internet technology.

Gen Z has since taken their place as the first generation to be *born into* technology. The vast majority of Gen Z were children – or not yet born – when social media gained popularity.⁵⁸ The oldest Gen Z members were barely in the double-digits when the first iPhone was released⁵⁹ and adolescents when the first iPad hit the shelves.⁶⁰ Many Zoomers may not remember a time before smartphones were the norm and laptops in classrooms were commonplace.

Zoomers use their phones, computers, tablets, and televisions to view or post on social media, browse the internet, play games, shop, watch videos, and do schoolwork. Zoomers *love* YouTube,⁶¹ and their social media platforms of choice are Instagram, Snapchat, and TikTok.⁶² The format of this media – “snack media,” or “bite-size communications” – appeals to this generation, who have short attention spans.⁶³ Additionally, Zoomers stay current on news and politics largely through social media

⁵⁴ SELINGO, *supra* note 52, at 17.

⁵⁵ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 191

⁵⁶ TOM KOULOPOULOS & DAN KELDSEN, THE GEN Z EFFECT: THE SIX FORCES SHAPING THE FUTURE OF Business (2014) 3 (“In fact, many children born into Gen Z have an annoying habit of constantly fact-checking their parents during conversations.”).

⁵⁷ This term was coined by Marc Prensky in 2001. See Marc Prensky, *Digital Natives, Digital Immigrants*, 9 ON THE HORIZON 1, <https://www.marcprensky.com/writing/Prensky%20-%20Digital%20Natives,%20Digital%20Immigrants%20-%20Part1.pdf> (“the most useful designation I have found for them is Digital Natives. Our students today are all ‘native speakers’ of the digital language of computers, video games, and the Internet.”).

⁵⁸ While various social media – like messaging services and blogs – existed throughout the 90s, the “first” social media site, MySpace, launched in 2003, followed by Facebook in 2004, YouTube in 2005, Reddit in 2005, Twitter in 2006, Tumblr in 2007, Pinterest and Instagram in 2010, and Snapchat in 2011. See JOSE VAN DIJCK, THE CULTURE OF CONNECTIVITY: A CRITICAL HISTORY OF SOCIAL MEDIA 7 (2013); see also Jolie O’Dell, *iPhone Photo App Instagram Nabs 100K Users in One Week*, MASHABLE (Oct. 13,2010), <https://mashable.com/archive/instagram-100k-users/#e8nU0D3CAaqb>.

⁵⁹ The first iPhone was released in the US on June 29, 2007.

⁶⁰ The first iPad was released in the US on April 3, 2010.

⁶¹ PEARSON, BEYOND MILLENNIALS: THE NEXT GENERATION OF LEARNERS 11 (2018).

⁶² Brooke Auzier & Monica Anderson, *Social Media Use in 2021*, PEW RSCH. CTR., Apr. 7, 2021, <https://www.pewresearch.org/internet/2021/04/07/social-media-use-in-2021/> (“In fact, a majority of 18- to 29-year-olds say they use Instagram (71%) or Snapchat (65%), while roughly half say the same for TikTok.”).

⁶³ Cameron & Pagnattaro, *supra* note 16, at 318.

and have no qualms about admitting this oft-taboo format for news consumption,⁶⁴ with nine in ten students reporting using their phones to check the news, and three-fifths getting news from social media directly.⁶⁵

Clearly, Zoomers spend a *lot* of time looking at screens. In 2018, almost half of U.S. teens reported using the internet “almost constantly.”⁶⁶ One study finds that this generation struggles “to go even fifteen minutes without checking their [phones] for new messages.”⁶⁷ Some estimate that Gen Z’s social media usage is as high as eleven hours per week.⁶⁸ To put this in perspective, Americans overall check their phones around 50 times per day⁶⁹ and spend about three and a half hours on their phones per day.⁷⁰

Their introduction to digital technologies at an early age certainly impacts the way Gen Z interacts with and uses technology as adults. But their comfort with digital technology does not necessarily equate to proficiency in the way the “digital natives” moniker implies.⁷¹ Simply growing up using digital technologies has not “endowed this growing group with specific and even unique characteristics that make its members completely different from those growing up in previous generations.”⁷² While younger people might *use* digital technologies more frequently than older people, this does not mean that they are *better* at using technology than any other generation.⁷³ The ability to use a smartphone to text, tweet, film content for Tik’Tok, and take and share photos on Instagram or Snapchat is very different from using a computer to perform academic or legal research and draft and edit written work product using a word processing program.⁷⁴

Students who grew up with digital technologies “often substitute gathering a high volume of information – something they can do quickly online – for critically evaluating the information,” and may struggle to understand that a large quantity of information does not necessarily outweigh quality

⁶⁴ See Kim Parker, Nikki Graf & Ruth Igielnik, *Generation Z Looks a Lot Like Millennials on Key Social and Political Issues*, PEW RSCH. CTR., Jan. 17, 2019, <https://www.pewsocialtrends.org/2019/01/17/generation-z-looks-a-lot-like-millennials-on-key-social-and-political-issues/> (“Gen Z ... are much less likely than older generations to say the fact that more people are getting their news from social media is a bad thing – 39% of Gen Zers hold this view, compared with about half among each of the older generations.”).

⁶⁵ Niaz Ahmed, *Perception of Fake News: A Survey of Post-Millennials*, 10 JOURNALISM & MASS COMM’N 1, 12 (2020).

⁶⁶ SELINGO, *supra* note 49, at 38.

⁶⁷ Lauren A. Newell, *Rebooting Empathy for the Digital Generation Lawyer*, 34 OHIO ST. J. DISP. RESOL. 1, 50 (2019) (internal citations omitted).

⁶⁸ ELLEN BARA STOLZENBERG, KEVIN EAGAN, EDGAR ROMO, ELAINE JESSICA TAMARGO, MELISSA C. AGARON, MADELINE LUEDKE & NATHANIEL KANG, *THE AMERICAN FRESHMAN: NATIONAL NORMS FALL 2018 9*, (Higher Education Research Institute, 2019).

⁶⁹ Todd Spangler, *Are Americans Addicted to Smartphones? U.S. Consumers Check Their Phones 52 Times Daily, Study Finds*, VARIETY (Nov 14, 2018), <https://variety.com/2018/digital/news/smartphone-addiction-study-check-phones-52-times-daily-1203028454/>.

⁷⁰ Rani Molla, *Tech Companies Tried to Help Us Spend Less Time on Our Phones. It Didn’t Work.*, VOX (Jan. 6, 2020), <https://www.vox.com/recode/2020/1/6/21048116/tech-companies-time-well-spent-mobile-phone-usage-data>.

⁷¹ Paul A. Kirschner & Pedro De Bruyckere, *The Myths of the Digital Native and the Multitasker*, 67 TEACHING & TCHR. EDUC. 135 (2017); see also Bernd W. Becker, *Information Literacy in the Digital Age: Myths and Principles of Digital Literacy*, 7 SCH. INFO. STUDENT RES. J. 1, 2 (2018) (“Another myth that is important to address is the idea that digital natives are by default, digitally literate. The term *digital natives* is a categorization of a person born or brought up during the age of digital technology. In many ways this leads them to be familiar with computers and the Internet from an early age. The problem is that being familiar and being literate are not necessarily the same thing.”).

⁷² Kirschner & Bruyckere, *supra* note 71, at 136.

⁷³ See, e.g., Kaplan & Darvil, *supra* note 11, at 175 n. 131 (“It is important to mention that though these students were born into a world of technology and it is second nature to them, it doesn’t necessarily mean that they understand how to use all of the tools appropriately or effectively.”).

⁷⁴ See, e.g., Susan Azyndar, *Work With Me Here: Collaborative Learning in the Legal Research Classroom*, 1 LEGAL INFO. REV. 1, 3 (2015-2016) (“Although Millennials are born-digital and have been exposed to technology for much or all of their lives, these students are not necessarily experts in the use of technology or electronic-based research.”).

information.⁷⁵ And while being a “digital native” does not equate to more advanced digital skills, some Zoomers nonetheless assume they are naturally gifted technology users and researchers.⁷⁶

Because Zoomers get so much of their news and current events knowledge from social media, some voice concerns that Gen Z will struggle with separating fact from misinformation.⁷⁷ Gen Z are confident technology users who have in some cases taught their parents and grandparents how to use the internet and how to identify misinformation online.⁷⁸ And to some extent, this confidence and skill does protect them from “fake news”: a 2018 study found that “younger Americans are better than their elders at separating factual from opinion statements in the news.”⁷⁹ Zoomers are “generally very apt at being able to trace the origins of stories or discern the authenticity of a vital story line.”⁸⁰ Instead, the issue for Gen Z lies in the pure volume of information they can access. In some instances, they may “have the ability to discern misinformation, but not necessarily the time or desire to do so.”⁸¹

In terms of research, Gen Z is “skilled at non-linear and selective reading, keyword spotting, scanning behaviors, and ‘power browsing,’” but less so at “careful study of word choices and sentence structure,” which is imperative to critical reading.⁸² As early Googlers, Zoomers often “prioritize relevance” in search results, meaning they often dismiss “information that does not immediately appear pertinent.”⁸³

Gen Z’s computer and digital skills, like using word programs or creating spreadsheets, may be self-taught – particularly those older Zoomers who had less technology in their schools. By 2017, when the eldest Zoomers were graduating college, “more than half the nation’s primary- and secondary-school students” used Google education apps and tools like Chromebooks.⁸⁴

Because of their familiarity with the digital world, Zoomers indicate a preference for learning via video. Almost sixty percent describe YouTube as their “number one preferred learning method,” and fifty-five percent say YouTube has contributed to their education.⁸⁵ Whereas the majority of Millennial students indicate a preference for print books, less than half of Zoomers say the same.⁸⁶ This preference does not mean that Gen Z wants entirely online or virtual learning experiences – the

⁷⁵ Williams, *supra* note 16, at 199.

⁷⁶ Melissa Correll, *What Do High School Students Know About Information Literacy?: A Case Study of One University’s Feeder Schools*, 7 PA. LIBR.: RSCH. & PRAC. 25, 32 (2019).

⁷⁷ See, e.g., Jennifer Neda John, *Why Generation Z Falls for Online Misinformation*, MIT TECH. REV. (June 30, 2021), <https://www.technologyreview.com/2021/06/30/1026338/gen-z-online-misinformation/> (“Young people are more likely to believe and pass on misinformation if they feel a sense of common identity with the person who shared it in the first place.”); see also Matthew Choi, *When Gen Z Is the Source of the Misinformation it Consumes*, POLITICO (Oct. 11, 2020), <https://www.politico.com/news/2020/10/11/gen-z-misinformation-politics-news-conspiracy-423913> (“With an inundation of information, a penchant for picture-based platforms that can obfuscate nuance and an emotional media landscape rife with conflicting and dubious accounts, Gen Zers can and do fall into pitfalls with serious implications on their political outlook.”).

⁷⁸ Choi, *supra* note 77 (“The sharing of fake news stories still tends to be the domain of older generations[. . .] “younger social media users are often quick to call out in the comments of problematic posts when something is misleading or flat-out false.”).

⁷⁹ Jeffrey Gottfried & Elizabeth Grieco, *Younger Americans Are Better Than Older Americans at Telling Factual News Statements From Opinions*, PEW RSCH. CTR., Oct. 23, 2018, <https://www.pewresearch.org/fact-tank/2018/10/23/younger-americans-are-better-than-older-americans-at-telling-factual-news-statements-from-opinions>.

⁸⁰ Choi, *supra* note 77.

⁸¹ *Id.*

⁸² Williams, *supra* note 16, at 198.

⁸³ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 23.

⁸⁴ Natasha Singer, *How Google Took Over the Classroom*, N.Y. TIMES (May 13, 2017), <https://www.nytimes.com/2017/05/13/technology/google-education-chromebooks-schools.html>.

⁸⁵ PEARSON, *supra* note 61, at 15.

⁸⁶ *Id.* at 14 (“Notably, while 60% of Millennials prefer printed books for learning, only 47% of Gen Zers prefer books for learning.”).

COVID-19 pandemic has made that obvious.⁸⁷ Instead, they “favor a mix of learning environments and activities, both face-to-face and online.”⁸⁸

2. Gen Z is Diverse

Gen Z is the “most diverse generation in modern American history,”⁸⁹ with just over half of its members identifying as non-Hispanic white.⁹⁰ One in four Zoomers are Hispanic; fourteen percent are Black; and six percent are Asian.⁹¹ They are less likely to be immigrants than Millennials⁹² but more likely to have one foreign-born parent.⁹³

Gen Z is also the gayest generation yet. About one in five Gen Z adults identify as LGBTQ – “nearly double the proportion of Millennials who do so.”⁹⁴ About two percent of Zoomers identify as transgender,⁹⁵ and thirty-five percent know someone who uses gender-neutral pronouns (as compared to 25% of Millennials, 16% of Gen Xers, and 12% of Boomers).⁹⁶

3. Gen Z is Pragmatic & Money-Conscious

Gen Z’s childhood was plagued by an economic crash and a plummeting employment rate. During the Great Recession, the eldest Gen Z members would have been just twelve years old – adolescents by its official end. The Great Recession was “formative” for this generation,⁹⁷ leaving them “debt averse” and prioritizing financial security.⁹⁸ More like the “Silent Generation,” those born around the Great Depression in their spending and saving habits than Millennials or Gen Xers,⁹⁹ Zoomers are mindful about spending money.¹⁰⁰ They are pragmatic and value job security, looking to achieve “financial security in an uncertain future.”¹⁰¹

⁸⁷ See, e.g., The Learning Network, *What Students Are Saying About Remote Learning*, N.Y. TIMES (Apr. 9, 2020), <https://www.nytimes.com/2020/04/09/learning/what-students-are-saying-about-remote-learning.html> (describing the struggles facing students during remote learning).

⁸⁸ SELINGO, *supra* note 49, at 25.

⁸⁹ *Id.* at 9.

⁹⁰ Richard Fry & Kim Parker, *Early Benchmarks Show ‘Post-Millennials’ on Track to be Most Diverse, Best-Educated Generation Yet*, PEW RSCH. CTR., Nov. 15, 2018, <https://www.pewsocialtrends.org/2018/11/15/early-benchmarks-show-post-millennials-on-track-to-be-most-diverse-best-educated-generation-yet/>.

⁹¹ *Id.*

⁹² *Id.* (“some 7% of post-Millennials are foreign born, as were 8% of Millennials in 2002.”).

⁹³ *Id.* (reporting that 22% of Gen Z have at least one foreign born parent, compared to 15% of Millennials).

⁹⁴ Jeffrey M. Jones, *LGBT Identification in U.S. Ticks Up To 7.1%*, GALLUP (Feb. 17, 2022),

https://news.gallup.com/poll/389792/lgbt-identification-ticks-up.aspx?utm_source=twitterbutton&utm_medium=twitter&utm_campaign=sharing (“Roughly 21% of Generation Z Americans who have reached adulthood – those born between 1997 and 2003 – identify as LGBT.”).

⁹⁵ *Id.*

⁹⁶ Parker, Graf & Igielnik, *supra* note 64.

⁹⁷ SELINGO, *supra* note 49, at 18.

⁹⁸ *Id.* at 19.

⁹⁹ BRUCE TULGAN, *MEET GENERATION Z: THE SECOND GENERATION WITHIN THE GIANT “MILLENNIAL” COHORT 5* (2013).

¹⁰⁰ Atkins, *supra* note 16, at 126.

¹⁰¹ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 161.

For Gen Z, the Great Recession meant watching their parents lose their jobs and perhaps their homes.¹⁰² It “eliminated twenty percent of the net worth from four in every five American families.”¹⁰³ In 2008, about one-fifth of all households with children were food insecure,¹⁰⁴ and by 2009, approximately a year and half into the recession, the child poverty rate was 20.7%—an increase of 33.4% since the beginning of the millennium.¹⁰⁵ In 2010, one in nine children and teenagers in the United States had an unemployed parent.¹⁰⁶

Economic instability and low socioeconomic status have been shown to have profound impacts on children, causing increased psychiatric disorders and behavioral problems.¹⁰⁷ Children who witness their parents experiencing financial hardship may face a “cognitive tax on psychic resources such as attention, self-control, and patience.”¹⁰⁸ Those children whose parents lost their jobs are more likely to end up on unemployment or some sort of social assistance as adults.¹⁰⁹

The Great Recession had severe consequences for education. Spending per student fell across the country¹¹⁰ and student achievement declined.¹¹¹ Existing inequalities were exacerbated; schools serving low-income and minority students were more likely to show adverse effects of the recession on educational achievement.¹¹² Approximately 300,000 teachers lost their jobs during the Recession while school enrollment rose, meaning the recession eliminated over a decade of reductions in pupil/teacher ratios in classrooms in just three years.¹¹³ Gen Z children whose parents lost their jobs during the Recession struggled academically and saw an increased likelihood that they would need to repeat a grade.¹¹⁴

The Recession put pressure on Gen Z children to attend the best college to ensure future financial security. College education was often described as The Ultimate Goal;¹¹⁵ educators stressed that test success could lead to Ivy League admissions and merit scholarships (necessary to combat the

¹⁰² Seemiller & Grace, *supra* note 26 at 41; *see also* Atkins, *supra* note 16, at 126 (“Gen Zers saw their hard-working parents suffer job loss, foreclosure, and other hardships during the Recession, and developed a financially conservative attitude as a result.”).

¹⁰³ VOLPE, *supra* note 31, at 37 (internal citations omitted).

¹⁰⁴ Charles N. Oberg, *The Great Recession’s Impact on Children*, 15 *MATERNAL & CHILD HEALTH J.* 553, 554 (2011).

¹⁰⁵ *Id.* at 553.

¹⁰⁶ Nancy Cook & National Journal, *What Happens to the Children of the Unemployed?*, *THE ATLANTIC* (Oct. 13, 2012), <https://www.theatlantic.com/politics/archive/2012/10/what-happens-to-the-children-of-the-unemployed/429054/>.

¹⁰⁷ *See generally* Franziska Reiss, *Socioeconomic Inequalities and Mental Health Problems in Children and Adolescents: A Systematic Review*, 90 *SOC. SCI. & MED.* 24 (2013) (finding consistently low or declining socioeconomic status as a predictor for the onset of mental health problems for children and adolescents).

¹⁰⁸ Ariel Kalil, *Effects of the Great Recession on Child Development*, *ANNALS AM. ACAD. POL. & SOC. SCI.* 232, 238 (2013).

¹⁰⁹ Cook & National Journal, *supra* note 106.

¹¹⁰ C. Kirabo Jackson, Cora Wigger & Heyu Xiong, *Do School Spending Cuts Matter? Evidence from the Great Recession*, 31 *AM. ECON. J.* 304, 304 (2021) (“public school per-pupil spending fell by roughly 7 percent nationally.”).

¹¹¹ *See* Kenneth Shores & Matthew P. Steinberg, *The Impact of the Great Recession on Student Achievement: Evidence from Population Data* 4, 17 (2017), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3026151 (reporting that students in areas hit hardest by the Recession fared worse in math and ELA achievement).

¹¹² *Id.* at 29.

¹¹³ William Evans, Robert Schwab & Kathryn Wagner, *The Great Recession & Public Education*, 14 *EDUC. FIN. & POL’Y* 298 (2019).

¹¹⁴ *See* Ann Huff Stevens & Jessamyn Schaller, *Short-Run Effects of Parental Job Loss on Children’s Academic Achievement*, 30 *ECONS. EDUC. REV.* 289, 290 (2011) (“Our results show that a parental job loss increases the probability that a child repeats a grade in school by nearly 1 percentage point per year, or roughly 15%.”).

¹¹⁵ *See, e.g.* Alexandra Robbins, *Kids Are the Victims of the Elite-College Obsession*, *THE ATLANTIC* (Mar. 12, 2019), <https://www.theatlantic.com/ideas/archive/2019/03/college-bribe-scandal-shows-elite-college-obsession/584719/> (describing the intense pressure put on teenagers to attend “name brand” universities).

rising prices of college tuition). Pressure to excel academically to get into selective schools has become one of the main sources of stress for high school students.¹¹⁶

Prior to the Recession, the main reason for college attendance was to “learn about things that interest” the student.¹¹⁷ Today, Gen Z’s number one goal in higher education is to get a better job.¹¹⁸ They are wary of student debt and take it on reluctantly to achieve future economic security. Gen Z is aware of the financial struggles that await and as such are focused on getting a job after graduation.¹¹⁹ Focusing on “sensible” careers,¹²⁰ Gen Z looks for education that is relevant and will give them skills they will use in their jobs.¹²¹ This means that Zoomers want to know, at the outset, how a skill or tool will help them in the careers (and to achieve future financial stability).

4. Gen Z is Motivated by Making a Difference

Gen Z wants to change the world,¹²² and they want their education to help them do so.¹²³ Zoomers have spent most of their lives exposed to “considerable human suffering” in real life and online,¹²⁴ following live on social media police violence, racism and white supremacy, protests, war, and climate change.¹²⁵ They are a “generation forged by trauma and loss.”¹²⁶ The reality of the world is not lost on Gen Z; “for them, America at times has resembled a dystopia.”¹²⁷ As a result, this generation is anxious, driven, pragmatic, money-conscious, and motivated by making a difference.

As a generational cohort, Gen Z is politically progressive¹²⁸ and politically engaged.¹²⁹ The social and political issues they care about are deeply personal. A childhood surrounded by “rising inequality, discrimination, an endangered environment, and a fractured politics”¹³⁰ has created a

¹¹⁶ Noelle R. Leonard, Marya V. Gwadz, Amanda Ritchie, Jessica L. Linick, Charles M. Cleland, Luther Elliott & Michele Grethel, *A Multi-Method Exploratory Study of Stress, Coping, and Substance Use Among High School Youth in Private Schools*, 6 FRONTIERS PSYCH. 1, 2 (2015) (“The pressure to gain admission to a selective college or university is one of the main factors identified in the popular and empirical literatures as driving the conditions that lead to high rates of chronic stress among high-achieving youth.”).

¹¹⁷ SELINGO, *supra* note 49, at 21.

¹¹⁸ *Id.*

¹¹⁹ SELINGO, *supra* note 52, at 18.

¹²⁰ Williams, *supra* note 4.

¹²¹ See Minarcin, *supra* note 3, at 54 (“The Great Recession and the evolving economy has shown this generation that traditional careers, even steady ones like accounting and law, lack the security they once had; thus, Generation Z students are demanding education that is relevant and useful in obtaining employment.”).

¹²² See Time Video, *How Generation Z Will Change the World*, TIME (Apr. 23, 2018, 11:36 AM), <https://time.com/5250542/generation-z/>.

¹²³ SEEMILLER & GRACE, *supra* note 26, at 203.

¹²⁴ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 192.

¹²⁵ SELINGO, *supra* note 49, at 8; see VOLPE, *supra* note 31, at 20 (“as a consequence of an unfolding climate crisis, economic upheaval, gun violence, civil unrest, and increasingly brazen displays of intolerance, white nationalism, and hate, Zoomers have endured more adversity than any generation of young Americans in at least seventy years.”).

¹²⁶ David Hogg, *Introduction to VOLPE*, *supra* note 31, at 1.

¹²⁷ VOLPE, *supra* note 31, at 20.

¹²⁸ See *id.* at 28; see also Parker, Graf & Igielnik, *supra* note 64 (describing Gen Z as liberal); see also Laura Barrón-López, *The Rise of Gen Z Could Foretell the Fall of Trumpism*, POLITICO (Oct. 11, 2020, 5:00 AM), <https://www.politico.com/news/2020/10/11/gen-z-fall-trumpism-gop-realignment-424171> (describing Gen Z as leaning left in their political opinions).

¹²⁹ VOLPE, *supra* note 31, at 15 (“In November 2018, Generation Z and other young Americans exceeded even the rosier expectations and turned out in historic fashion to vote Trumpism out of office, though they would have to wait two more years to do the same for its namesake. Voters under age thirty doubled their participation.”).

¹³⁰ *Id.* at 17.

generation ready to engage and fight for the country they were promised but not given.¹³¹ Zoomers are passionate about fighting racism, economic inequality, and climate change.¹³² They are particularly anxious about climate change regardless of political affiliation.¹³³ Already this generation has seen vocal activists fighting for political, economic, social, and human rights. Take, for example, the recent wave of unionization at Starbucks across the country led by Gen Z baristas.¹³⁴

Gen Z's diversity makes them more "attentive to inclusion," and they expect the same of higher education institutions.¹³⁵ Polls from the Pew Research Center show two-thirds of Zoomers believe Black people are treated "less fairly" than white people in the United States and a majority approved of the NFL kneeling protest in support of Black Lives Matter.¹³⁶

A common criticism of Gen Z is that they are "intolerant," disrespectful, easily offended youths – "snowflakes" – who require "safe spaces" and "trigger warnings."¹³⁷ This critique has also been lobbed at Millennials and liberals more broadly, regardless of their age.¹³⁸ Studies have shown that Zoomers are more likely to "support limits such as free-speech zones, speech codes, and prohibitions on hate speech" when faced with speech challenging their values.¹³⁹

Instead of characterizing this generation as entitled or intolerant, Gen Z can instead be seen as devoted to creating positive social change. What older generations perceive as snowflake-ism can instead be seen as the younger generations' demand for equitable and decent treatment. Despite only being admitted to law schools over the last five or so years, Gen Z has already demanded change in the academy. For example, in the summer of 2020, admitted 1Ls at the University of Michigan wrote to the law school administration "expressing disappointment at the lack of institutional response to incidents of violence and oppression in the Black community at large, and reported incidents of bias by the Black students on campus."¹⁴⁰ Instead of being intolerant, then, Gen Z is *demanding tolerance*; they are seeking a more equitable, competent, anti-racist legal education. To perceive this demand as entitlement or intolerance or disrespect would be a mischaracterization.

¹³¹ See *id.* at 20 ("The failure of older generations to resolve [challenges of economic upheaval, civil unrest, and racism] weighs heavy on them.").

¹³² See Barrón-López, *supra* note 128 ("They rank climate change, racism and economic inequality consistently in their top issues").

¹³³ Alec Tyson, Brian Kennedy & Cry Funk, *Gen Z, Millennials Stand Out for Climate Change Activism, Social Media Engagement With Issue*, PEW RSCH. CTR., May 26, 2021, <https://www.pewresearch.org/science/2021/05/26/gen-z-millennials-stand-out-for-climate-change-activism-social-media-engagement-with-issue/> ("nearly seven-in-ten Gen Zers (69%) say they felt anxious about the future the most recent time they saw content about addressing climate change. [. . .]). In fact, *among Republicans*, generational differences in views are often quite pronounced. For example, 49% of Gen Z and 48% of Millennial Republicans (including Republican leaners) say action to reduce the effects of climate change need to be prioritized today, even if that means fewer resources to deal with other important problems; significantly fewer Gen X (37%) and Baby Boomer and older (26%) Republicans say the same.").

¹³⁴ Liz Garone, *How Gen Z Baristas Are Spreading the Starbucks Unionization Effort*, TIME (Feb. 18, 2022, 12:39 PM), <https://time.com/6148475/starbucks-union-organizers-gen-z/>.

¹³⁵ SELINGO, *supra* note 49, at 9.

¹³⁶ Parker, Graf & Igielnik, *supra* note 64.

¹³⁷ See, e.g., CLAIRE FOX, I FIND THAT OFFENSIVE! (2016) (describing college students as "generation snowflake"); see also KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 160 ("some critics of postmillennials have proposed that Gen Z [. . .] is a fragile, coddled, or *snowflake* generation."); see also U.S. Department of Justice, *Attorney General Jeff Sessions Delivers Remarks to Turning Point USA's High School Leadership Summit* (Jul. 25, 2018) ("Rather than molding a generation of mature and well-informed adults, some schools are doing everything they can to create a generation of sanctimonious, sensitive, supercilious snowflakes.").

¹³⁸ See, e.g., Gravett, *supra* note 6, at 74 ("Besides narcissism, what the millennial generation is most (in)famous for is the effect thereof: entitlement. I and other law teachers increasingly experience a sense of entitlement among our millennial students - a sense that they deserve what they want, because they want it, they want it all and they want it now.").

¹³⁹ SELINGO, *supra* note 49, at 40.

¹⁴⁰ Atkins, *supra* note 16, at 140.

5. Gen Z Struggles with Critical Thinking

Gen Z's primary and secondary education failed to adequately teach them the critical thinking, reading, and analytical skills so necessary to succeeding in law school. Their primary education revolved around "test-driven accountability policies,"¹⁴¹ leaving students well equipped to memorize and regurgitate information but less able to think, read, or write critically. Because of federal education policy throughout the 2000s and 2010s, Zoomers have taken more standardized tests than any previous generation.¹⁴²

Gen Z's early education was directed by some combination of the No Child Left Behind Act of 2001 (NCLB),¹⁴³ The Race to the Top,¹⁴⁴ and the Every Student Succeeds Act.¹⁴⁵ The NCLB, a bipartisan bill dreamed up as an attempt to "fix" America's so-called learning/achievement problem, is most notable for its introduction of regular standardized testing into America's public schools.¹⁴⁶ NCLB's strategy was to regularly test children and hold their teachers responsible for improving their test scores, making every student "proficient" by 2014.¹⁴⁷ The law "more than doubled the number of federally required standardized tests," requiring annual tests in grades three through eight for reading and mathematics.¹⁴⁸

In 2015, when the oldest Zoomers were already in college but the majority remained in primary and secondary school, NCLB was "effectively repealed" and replaced by the Every Student Succeeds Act (ESSA).¹⁴⁹ Under ESSA, states must submit annual plans to the United States Department of Education in order to receive funding for education.¹⁵⁰ ESSA retained the standardized testing requirements from its predecessor but shifted control over education and accountability to individual states. In order to receive federal funding for education, all states must administer the following standard examinations: math and English Language Arts (ELA) every year for grades 3 through 8 plus once in high school; and a science assessment once per set of three grade spans (grades 3-5, grades 6-

¹⁴¹ KEVIN G. WELNER & WILLIAM J. MATHIS, REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT: TIME TO MOVE BEYOND TEST-FOCUSED POLICIES 2 (National Education Policy Center 2015), <https://nepc.colorado.edu/sites/default/files/nepc-policymemo-esea.pdf>.

¹⁴² "A typical student takes 112 mandated standardized tests between pre-kindergarten classes and 12th grade." Lyndsey Layton, *Study Says Standardized Testing is Overwhelming Nation's Public Schools*, WASH. POST (Oct. 24, 2015), https://www.washingtonpost.com/local/education/study-says-standardized-testing-is-overwhelming-nations-public-schools/2015/10/24/8a22092c-79ae-11e5-a958-d889faf561dc_story.html.

¹⁴³ The No Child Left Behind Act of 2001, Pub. L. 107-110, 115 Stat. 1425 (2001).

¹⁴⁴ Race to the Top Fund, 74 Fed. Reg. 37803 (Jul. 29, 2009).

¹⁴⁵ Every Student Succeeds Act, 20 U.S.C. § 6301 note; Pub L. 114-95, 129 Stat. 1802 (Dec. 10, 2015).

¹⁴⁶ Schools began administering standardized tests like the Iowa Basic Skills Test and the California Achievement Test in the 1980s. In 1998, Marc Tucker, the president of the National Center on Education and Economy, wrote to then-First Lady Hillary Clinton a four-part plan for education reform that included a "national system [. . .] examinations." 144 Cong. Rec. 22310 (1998). In 1994, President Bill Clinton signed the Improving America's Schools Act, reauthorizing the Elementary and Secondary Education Act (ESEA) first passed in 1965, and included the first federally mandated tests to "be administered at some time during grades 3 through 5; grades 6 through 9; and grades 10 through 12." Improving America's Schools Act, Pub. L. No. 103-382, § 1111, 108 Stat. 3518, 3525 (1994). For a history of standardized testing in America, see ANYA KAMENETZ, THE TEST: WHY OUR SCHOOLS ARE OBSESSED WITH STANDARDIZED TESTING: BUT YOU DON'T HAVE TO BE 39-112 (2014).

¹⁴⁷ WELNER & MATHIS, *supra* note 141, at 2.

¹⁴⁸ KAMENETZ, *supra* note 146, at 85.

¹⁴⁹ 20 U.S.C. § 6301.

¹⁵⁰ 20 U.S.C. § 6311.

9, and grades 10-12).¹⁵¹ As a result, in the 2018-2019 school year, all fifty states and D.C. administered some form of standardized testing beginning in grade 3.¹⁵²

Spoiler alert: the standardized testing strategy failed. Instead, today we have a generation of students whose education revolved around being told “what to learn and how to learn it.”¹⁵³ Facing potential career consequences for failing students, teachers are forced to teach students how to respond to questions “even if they never learn the underlying concepts,” meaning students learn material “in isolation.”¹⁵⁴ Standardized tests put enormous pressure on children as young as 8 to get high marks to achieve eventual educational and financial success.¹⁵⁵

Because of these standardized tests, Gen Z students were taught to ace The Test and not to think critically.¹⁵⁶ Millennials and Zoomers joke, “*I can tell you the mitochondria is the powerhouse of the cell, but I can’t tell you how to file your taxes.*”¹⁵⁷ It’s a joke, sure, but a joke that gets to the heart of the problem with test-focused education systems: those who attended primary and secondary school after 2002 were taught to learn specific facts and trivia to answer questions correctly on standardized tests. Critical thinking, reading, analysis, and other skills took the backburner in favor of rote memorization.

6. Gen Z is Wary of Experts

Zoomers are wary of experts and see their professors as “guides rather than authorities”¹⁵⁸ whose job it is to facilitate, not lecture. This professor-as-facilitator role requires good communication between the professor and student and guidance on assignments and projects. Gen Z wants a “helpful, responsive, practical educational environment” and look to their professors to create that space.¹⁵⁹ Professors can be a source of motivation, particularly if they are enthusiastic and involved.¹⁶⁰ Studies show that Gen Z students who believe their professors “care about them” are more motivated to engage with the work.¹⁶¹ Gen Z values feedback from their professors and wants to receive it as quickly as possible.¹⁶²

Professors often complain that their Millennial and Gen Z students are incapable of receiving negative feedback, reacting “with confusion and hostility” to constructive criticism.¹⁶³ But Zoomers, educated during the era of NCLB and Common core, education systems that reward correct answers

¹⁵¹ Under the ESSA, a state must implement “a set of high-quality student academic assessments” that are “administered to all public elementary school and secondary school students in the state.” These assessments must be administered according to a specific timeframe. 20 U.S.C. § 6311.

¹⁵² Catherine Gewertz, *What Tests Does Each State Require*, EDUC. WEEK (Mar. 7, 2018), <https://www.edweek.org/teaching-learning/what-tests-does-each-state-require>.

¹⁵³ Emily Grant, *Helicopter Professors*, 53 GONZAGA L. REV. 1, 16 (2017).

¹⁵⁴ AMY L. KELLY, *THE HIGH STAKES OF TESTING: EXPLORING STUDENT EXPERIENCE WITH STANDARDIZED ASSESSMENT THROUGH GOVERNMENTALITY* 23-24 (2019).

¹⁵⁵ *Id.* at 69-75 (describing children’s responses to standardized testing).

¹⁵⁶ Grant, *supra* note 153, at 16 (“Students “have been trained to take exams: ‘they’ve learned to ‘be a student,’ not to use their minds.””).

¹⁵⁷ See KNOW YOUR MEME, “*Mitochondria is the Powerhouse of the Cell*,” <https://knowyourmeme.com/memes/mitochondria-is-the-powerhouse-of-the-cell> (last visited Feb. 28, 2022); see also Logan (@LJD31), TWITTER (Oct. 17, 2017, 6:36 PM), <https://twitter.com/LJD31/status/920418311246139393> (“You’re almost 22, you should have learned about taxes in high school.” First of all, the mitochondria is the powerhouse of the cell.”).

¹⁵⁸ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 197.

¹⁵⁹ Amy Chasteen Miller & Brooklyn Mills, *If They Don’t Care, I Don’t Care’: Millennial and Generation Z Students and the Impact of Faculty Caring*, 19 J. SCHOLARSHIP TEACH. & LEARNING 78, 80 (2019).

¹⁶⁰ SELINGO, *supra* note 49, at 27.

¹⁶¹ Miller & Mills, *supra* note 159, at 80.

¹⁶² SELINGO, *supra* note 49, at 27.

¹⁶³ Gravett, *supra* note 6, at 75.

and not process, have little experience with negative feedback. They react negatively to criticism because their entire educational upbringing made them see failure as a “catastrophe rather than an opportunity for learning and growth.”¹⁶⁴ Thus, Gen Z need to be taught how to “receive constructive criticism well”¹⁶⁵ and how to frame failure as an educational opportunity.¹⁶⁶

Perhaps the most common criticism of the Millennial and Gen Z generations alike is their so-called entitlement and disrespect for authority figures. One professor writes, “Millennial students see professors less as intellectual leaders who are to be respected and more as simple gatekeepers – even impediments – on students’ path to education completion.”¹⁶⁷ But what professors may perceive as disrespect and entitlement from their Gen Z students is instead a manifestation of their pragmatism and economic anxiety. Gen Z needs to see the value in their education and want to ensure their money spent on tuition and other expenses serves a purpose.¹⁶⁸ They view higher education as a service they pay for and thus that they should have some control over (in terms of what they are taught, when they are taught, and how they are treated).

7. Gen Z is Anxious and Depressed

Gen Z is very open about their mental health challenges, which appear to be more prevalent than with older generations – almost half of Zoomers are being treated for symptoms of depression.¹⁶⁹ More than one in four undergraduate and graduate students report mental health challenges,¹⁷⁰ with one in three first-time, full-time freshmen in 2018 reporting feelings of anxiety.¹⁷¹ Nearly 90% of Zoomer undergrads report education as a significant stressor.¹⁷² Even before COVID-19, Zoomers were more likely to report poor mental health than any other generation,¹⁷³ and youth suicide rates had increased by almost half.¹⁷⁴

Gen Z’s mental health challenges are perhaps the result of a lifetime of “an unprecedented information overload about traumatic and disturbing events.”¹⁷⁵ Take, for example, the impact of school shootings on Gen Z’s mental health. The eldest of the Gen Z generation were toddlers when

¹⁶⁴ SELINGO, *supra* note 49, at 39 (“Students rarely see good models of failure in their daily lives because parents and teachers often hide their mistakes.”).

¹⁶⁵ Graham, *supra* note 9, at 83. *But see* GEN HQ, *supra* note 30 (“in 2018, we discovered that 2/3 of Gen Z need feedback from their supervisor every few weeks or more often in order to stay at their job.”).

¹⁶⁶ *See* Kaci Bishop, *Framing Failure in the Legal Classroom: Techniques for Encouraging Growth and Resilience*, 70 ARK. L. REV. 959 (2018) (describing the importance of teaching students to be resilient in the face of failure); *see also* Catherine Martin Christopher, *Normalizing Struggle*, 73 ARK. L. REV. 27 (2020) (advocating for the normalizing of struggle and describing how law professors can do so in their classrooms).

¹⁶⁷ Gravett, *supra* note 6, at 75.

¹⁶⁸ Regina Pefanis Schlee, Vicki Blakney Eveland & Katrin R. Harich, *From Millennials to Gen Z: Changes in Student Attitudes About Group Projects*, 95 J. EDUC. BUSINESS 139, 145 (2020).

¹⁶⁹ VOLPE, *supra* note 31, at 23.

¹⁷⁰ Sara Lipka, *“I Didn’t Know How to Ask For Help”*: *Stories of Students with Anxiety*, 64 CHRON. HIGHER EDUC. 14 (2018).

¹⁷¹ STOLZENBERG, EAGAN, ROMO, TAMARGO, AGARON, LUEDKE & KANG, *supra* note 69, at 10.

¹⁷² AMERICAN PSYCHOLOGICAL ASSOCIATION, *STRESS IN AMERICA 2020: A NATIONAL MENTAL HEALTH CRISIS 4* (2020), <https://www.apa.org/news/press/releases/stress/2020/report-october>.

¹⁷³ AMERICAN PSYCHOLOGICAL ASSOCIATION, *Stress in America Generation Z* (2018) 1, <https://www.apa.org/news/press/releases/stress/2018/stress-gen-z.pdf> (citing gun violence, immigration, and sexual harassment as major causes of stress for Gen Z young adults); *but see* KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 162 (“The clear articulation of mental health issues raises the question as to whether this generation has greater mental health issues or is simply much better at naming their problems and seeking care.”)

¹⁷⁴ VOLPE, *supra* note 31, at 23 (“From an eight year period of stability (2000 to 2007), the suicide rate began increasing as Gen Z aged into adolescence. When government researchers compared the period of 2007-2009 with 2016-2018, they found that suicide rates among youths increased by 47 percent.”).

¹⁷⁵ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 164.

two high schoolers murdered their classmates and a teacher in the 1999 Columbine shooting.¹⁷⁶ In the twenty-three years since, there have been over 300 shootings in America’s public and private K-12 schools and universities¹⁷⁷ (and hundreds more in other public and private settings, like concert venues, grocery stores, and the like).¹⁷⁸ At least 292,000 children have experienced gun violence at school since Columbine, with at least 157 children and educators killed and over 350 injured in school shootings.¹⁷⁹

Gen Z grew up watching these shootings play out on the national stage: first the initial news coverage, then the listing of the injured and dead, then the inevitable political fight to “do something” about America’s gun problem that would eventually come to a dead end with no solution.¹⁸⁰ School shootings have drastic psychological effects on those who live through them and can have an even wider impact, causing fear and anxiety for those outside of the impacted community.¹⁸¹ In 2018, around the time of the Parkland shooting,¹⁸² three in four Zoomers were stressed because of mass shootings.¹⁸³

The pandemic impacted everyone’s mental health, but Zoomers have been hit particularly hard. A recent study by the American Psychological Association found that Gen Z adults have had some of the highest stress levels during the pandemic and nearly three quarters of Gen Z adults reported symptoms of depression.¹⁸⁴ Half of Gen Z teens “report that the coronavirus pandemic makes planning for their future feel impossible,”¹⁸⁵ and almost fifty percent report that the pandemic has made pursuing “educational or career goals more difficult.”¹⁸⁶

Aware of the importance of mental health, Gen Z prioritize self-care. For example, Zoomers were likely to consider quitting their jobs during “The Great Resignation,” leaving if they felt burned out, stifled, unproductive, or unappreciated.¹⁸⁷ In 2020, about one-third of Zoomers reported taking

¹⁷⁶ On April 20, 1999, two shooters killed 15 people at Columbine High School. *See* RALPH W. LARKIN, COMPREHENDING COLUMBINE 1 (2007).

¹⁷⁷ John Woodrow Cox, Steven Rich, Allyson Chiu, John Muyskens & Monica Ulmanu, *More Than 292,000 Students Have Experienced Gun Violence at School Since Columbine*, WASH. POST (Jan. 24, 2022, 12:22 PM), <https://www.washingtonpost.com/graphics/2018/local/school-shootings-database/>.

¹⁷⁸ At least 2,000 people have been killed or injured in a mass shooting in the United States since 1999. Chris Canipe & Travis Hartman, *A Timeline of Mass Shootings in the U.S.*, REUTERS GRAPHICS (Mar. 23, 2021), <https://graphics.reuters.com/USA-GUNS/MASS-SHOOTING/nmovardgrpa/>.

¹⁷⁹ Cox, Rich, Chiu, Muyskens & Ulmanu, *supra* note 177.

¹⁸⁰ *See, e.g.*, KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 164 note 14 (“I don’t understand why adults are so worried about social media. I’m much more likely to get killed at school than I am on Instagram.”).

¹⁸¹ Valentina Cimolai, Jacob Schmitz & Aradhana Bela Sood, *Effects of Mass Shootings on the Mental Health of Children and Adolescents*, 23 CURRENT PSYCHIATRY REPS. 1, 5 (2021) (“directly exposed survivors are not the only ones affected by mass shootings. The community in which they occur get profoundly shaken and immediate response can include mass panic, loss of cohesion, and widespread anxiety.”).

¹⁸² On Valentine’s Day in 2018, a gunman opened fire at Marjory Stoneman Douglas High School in Parkland, Florida, killing seventeen people, including fourteen students. *See* Audra D. S. Burch & Patricia Mazzei, *Death Toll Is At 17 and Could Rise in Florida School Shooting*, N.Y. TIMES (Feb. 14, 2018), <https://www.nytimes.com/2018/02/14/us/parkland-school-shooting.html>.

¹⁸³ VOLPE, *supra* note 31, at 71.

¹⁸⁴ AMERICAN PSYCHOLOGICAL ASSOCIATION, *supra* note 172, at 3.

¹⁸⁵ *Id.* at 4.

¹⁸⁶ *Gen Z and the Toll of the Pandemic*, AP (Dec. 6, 2021) <https://apnorc.org/projects/gen-z-and-the-toll-of-the-pandemic/>.

¹⁸⁷ *See* Raisa Bruner, *Young People Are Leaving Their Jobs in Record Numbers – And Not Going Back*, TIME (Oct. 29 2021), <https://time.com/6111245/young-workers-quitting/> (describing Gen Z and Millennials leaving their jobs because of poor treatment, low wages, and burnout).

time off work because of stress or anxiety.¹⁸⁸ In school, Zoomers prioritize their mental health over their schoolwork, risking lower grades and late work in return for self-care.¹⁸⁹

The mental wellbeing of their peers is important for Gen Z, too. “Safe spaces” and “trigger warnings,” while often ridiculed, are “elements of mental self-care and consideration of others.”¹⁹⁰ Trigger warnings alert students to upcoming content that might [trigger] a trauma response in students who have experienced or witnessed some catastrophic event, like “combat, violent crimes, sexual assault, kidnapping, natural disasters, car accidents, and imprisonment.”¹⁹¹

8. Gen Z is Independent and Self-Reliant

Gen Z is an individualistic generation. Perhaps a result of their access to an unprecedented amount of information and resources via the internet, Zoomers prefer intrapersonal learning where they can “learn independently and at their own pace.”¹⁹² They appreciate time to “puzzle through” or reflect on the material on their own before discussing with their peers.¹⁹³

Their preferences for working with peers is one of the greatest differences between the Millennial and Gen Z generations. Millennials famously enjoy collaboration¹⁹⁴ and higher education has adapted to this preference, incorporating group projects and assignments and focusing on group discussion as a pedagogical tool.¹⁹⁵ Gen Z too are “highly collaborative and social”¹⁹⁶ but often “prefer to work alone rather than in groups.”¹⁹⁷ These two preferences can appear contradictory at first glance but with context, it become clear that collaboration for Gen Z just looks *different* than collaboration for Millennials.

When collaborating in school, Zoomers rely on digital tools; Google Docs and GroupMe allow them to work together without necessarily working *alongside* their peers.¹⁹⁸ For example, “instead of collaborating on the project verbally, they work independently next to each other on the same Google Doc.”¹⁹⁹ They may want time to obtain foundational information independently before coming together as a group to discuss.²⁰⁰ While they often prefer working alone, Zoomers “enjoy

¹⁸⁸ Sophia June, *Could Gen Z Free the World From Email?*, N.Y. TIMES (July 10, 2021), <https://www.nytimes.com/2021/07/10/business/gen-z-email.html> //.

¹⁸⁹ See KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 167 (“Owning your vulnerability and inability to cope extends to the classroom, and students increasingly prioritize self-care over their studies, even if that means accepting lower grades because of incomplete or late assignments.”).

¹⁹⁰ *Id.*

¹⁹¹ Francesca Laguardia, Venezia Michalsen & Holly Rider-Milkovich, *Trigger Warnings: From Panic to Data*, 66 J. LEGAL EDUC. 882, at 886-87 (2017).

¹⁹² SEEMILLER & GRACE, *supra* note 26, at 178; see Minarcin, *supra* note 3, at 51 (“This technological presence in their educational environment, along with Generation Z’s trait for self-reliance, contributes to their preference to work alone and makes intrapersonal learning one of the most preferred learning methods of this new generation of students.”).

¹⁹³ SELINGO, *supra* note 49, at 28.

¹⁹⁴ See, e.g., Emily A. Benfer & Colleen F. Shanahan, *Educating the Invincibles: Strategies for Teaching the Millennial Generation in Law School*, 20 CLINICAL L. REV. 1, 11 (2013) (“Millennial students prefer to learn in networks or teams.”); see also Kaplan & Darvil, *supra* note 11, at 180 (“Millennials do not want a passive learning environment. They want assignments that are hands-on and exploratory. In addition to using technology, legal research instructors should incorporate collaborative learning into their lessons. Collaborative work suits this generation’s style; because Millennials have grown up working in groups and playing on teams, they enjoy working with their peers.”).

¹⁹⁵ See, e.g., Benfer & Shanahan, *supra* note 198, at 24-25 (“independent learning elements and experiences should be integrated into group work so that independent thinking skills are developed in a comfortable setting.”).

¹⁹⁶ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 195.

¹⁹⁷ Graham, *supra* note 9, at 67.

¹⁹⁸ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 17-18.

¹⁹⁹ *Id.* at 181.

²⁰⁰ Minarcin, *supra* note 3, at 51-52.

group work when it involves creativity and applying new lessons.”²⁰¹ And when working in groups, Gen Z collaboration tends to be amorphous and leaderless.²⁰²

For Gen Z, group work can be a source of stress and anxiety, with many students worried that other group members might not pull their weight in the assignment.²⁰³ When it comes to grading, this pragmatic generation might balk at group work that impacts their grade.²⁰⁴ Additionally, Zoomers must see the educational value in collaborative learning to take it seriously.

9. Gen Z is Easily Distracted

While Gen Z are considered excellent multitaskers, perceived skill is instead “likely an inability to focus”²⁰⁵ worsened by technology. Experts have debunked the myth of multi-tasking; in reality, no person is ever really able to multi-task.²⁰⁶ If anything, Zoomers are good at “task-switching,”²⁰⁷ or “dividing their attention between tasks.”²⁰⁸ Where Millennials are accustomed to switching between two screens, Zoomers toggle between five.²⁰⁹

Task-switching or multitasking has been found to have an impact on our attention spans; the average Gen Z attention span is about eight seconds.²¹⁰ This results in students who struggle to focus on long lectures or complex problems²¹¹ and may leave students struggling to prioritize their work.²¹² You might notice Gen Zers “power-browsing,” or skimming complex reading material in the way they skim social media.²¹³ Some new research suggests Gen Z’s brains are “wired to complex, sophisticated, visual imagery,” meaning they often prefer visual instruction.

10. Gen Z Wants In-Person Communication

Given Gen Z’s technological saturation from an early age, some raise concerns about the generation’s ability to communicate properly. For Gen Z, online and offline interactions are “interchangeable.”²¹⁴ These students prefer texting over many other forms of communication, and over one-third of Gen Zers report sending “three thousand text messages per month – roughly one

²⁰¹ *Id.*

²⁰² See KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36 at 129 (“In collaborative work, Gen Zers “cannot understand why officers are needed if the organization can get its work done without such formality.”).

²⁰³ Schlee, Eveland & Harich, *supra* note 168, at 145 (explaining that Gen Z students are anxious that their group members will not produce quality work and do not enjoy the camaraderie in team projects).

²⁰⁴ *Id.* at 145.

²⁰⁵ SEEMILLER & GRACE, *supra* note 26, at 181.

²⁰⁶ See, e.g., Kirschner & Bruyckere, *supra* note 71, at 138 (“In general, research has shown that when thinking or any other form of conscious information processing is involved in carrying out a task, people are not capable of multitasking and can, at best, switch quickly and apparently seamlessly from one activity to another.”).

²⁰⁷ *Id.*

²⁰⁸ Graham, *supra* note 9, at 53.

²⁰⁹ *Id.*

²¹⁰ Cameron & Pagnattaro, *supra* note 16, at 318.

²¹¹ Minarcin, *supra* note 3, at 53.

²¹² Kurt Meyer, *Teaching Legal Research to Today’s Digital Natives*, 21 AALL SPECTRUM 12, 14 (2017).

²¹³ Graham, *supra* note 9, at 52 (internal citations omitted).

²¹⁴ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 12-13.

hundred messages a day.”²¹⁵ They find email “burdensome”²¹⁶ and voice calls anxiety-producing. But they still seek interpersonal connections, with over eighty percent of Zoomers preferring “face-to-face communication [that allow] them to connect better and read the other person.”²¹⁷

Part III: Leveraging Gen Z’s Traits for More Effective Legal Research Pedagogy

With an understanding of Gen Z’s upbringing and characteristics, educators can adjust their teaching strategies to better train Gen Z lawyers. Using a generational framework to inform pedagogy allows professors to “anticipate the challenges our students will face when entering our classrooms.”²¹⁸ While this blanket approach to discerning the traits of a group is useful for informing pedagogy, “meeting the diverse needs of diverse students requires an individualized approach.”²¹⁹ Professors are encouraged to tailor their courses in a way that makes the most sense for their individual students.

Law schools began matriculating Gen Z students in fall 2017; today, most law students are Zoomers.²²⁰ A handful of articles discuss Gen Z law students, identifying the following suggestions for Zoomer-focused pedagogy: incorporating critical reading instruction into each course;²²¹ using technology in the classroom thoughtfully;²²² offering opportunities for collaboration with a purpose;²²³ providing opportunities for experiential learning;²²⁴ focusing on “active learning” and moving away from the traditional lecture model of legal instruction;²²⁵ committing to teaching lawyers skills in all courses, including providing the chance to practice legal writing across the curriculum;²²⁶ providing

²¹⁵ Minarcin, *supra* note 3, at 48; *but see*, Salma Alaa, *Gen Z Hates the Full Stop*, WRITING COOP. (Oct. 2, 2020), <https://writingcooperative.com/gen-z-hates-the-full-stop-47dde5ec2b5c> (discussing the use of paragraphs versus sending sentences separately in individual text messages).

²¹⁶ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 15 (“For Gen Zers, emails, like business letters in the past, are for formal communications that require care over content and grammar, such as exchanges with professors and employers. Some students expressed an intense dislike of emailing, finding the composition of an email message – to a faculty member, for example – burdensome in its formality and too time-consuming.”).

²¹⁷ SEEMILLER & GRACE, *supra* note 26, at 61.

²¹⁸ Atkins, *supra* note 16, at 123.

²¹⁹ Rebecca Flanagan, *Better by Design: Implementing Meaningful Change for the Next Generation of Law Students*, 71 ME. L. REV. 103, 118 (2018).

²²⁰ The average age of a 1L is between 22 and 24. Many members of the Class of 2025, entering law school in Fall 2022, will be born between 1998 and 2000. Gregory Yang, *How Age Affects Your Law School Application*, TIPPING THE SCALES (Apr. 3, 2019), <https://tippingthescales.com/2019/04/how-age-affects-your-law-school-application/#:~:text=According%20to%20numbers%20by%20LSAC,is%20between%2022%20and%2024.>

²²¹ Graham, *supra* note 9, at 72-75 (describing ways for law professors to incorporate critical reading into all law school courses); *see also* Williams, *supra* note 16, at 219-223 (advocating for the buy-in of legal education stakeholders to address the problem of critical reading skills in law schools).

²²² Graham, *supra* note 9, at 80-85 (advocating for more careful use of technology in law classrooms because of Gen Z’s attention span issues); *see also* Minarcin, *supra* note 3, at 59-63 (discussing multimedia learning and incorporating technology into the classroom).

²²³ Graham, *supra* note 9, at 85-89 (explaining that unlike Millennials, Gen Z does not like collaboration and describing changes law professors can make to their collaborative learning pedagogies); *see also* Minarcin, *supra* note 3, at 64-66 (encouraging adding collaborative elements to law classes for Gen Z students).

²²⁴ Minarcin, *supra* note 3, at 69-70 (arguing for more experiential learning to appeal to Gen Z students); *see also* Atkins, *supra* note 16, at 164-167 (suggesting experiential learning as a useful pedagogical mode for Gen Z students).

²²⁵ Minarcin, *supra* note 3, at 60 (“To accommodate Generation Z, law professors will need to throw out long lectures, “surrender the soapbox,” and make active learning the hallmark of classes.”).

²²⁶ Graham, *supra* note 9, at 75-80 (“Gen Z students have not grown up having the kind of rigorous writing experiences in their secondary and post-secondary education that many of their law professors had [. . .] thus, teaching critical writing across the curriculum must be a top priority for legal educators moving forward.”).

individualized feedback;²²⁷ creating space for students to practice mindfulness and self-care;²²⁸ and supporting students of color by creating “identity-safe” institutions and classrooms.²²⁹

Those suggestions, while useful, are not necessarily made with legal research instruction in mind. Below, I identify ten tangible strategies for better teaching Gen Z *research*, supplementing the already-existing strategies outlined above.

1. Explain how each skill, topic, or resource will be used in legal practice.

Gen Z is motivated by financial security, by getting a good job after graduation. They enter law school with an average of \$30,000 in student loan debt from their undergraduate education alone²³⁰ and will almost certainly take on more given the ever-increasing cost of attending law school.²³¹ These financial burdens mean that that Gen Z law students will want to see the connection between what they are learning and how it will apply in their future careers.

Meeting this demand in the classroom is as simple as explaining your pedagogy to your students. Gen Z “want their teachers to get to the point. Immediately.”²³² Before teaching *how* to research in a particular area, explain *why* students are learning that particular research skill. Luckily, this should not be difficult for a class like legal research because legal research “underpins virtually everything that an attorney does.”²³³ Explain that legal research is *the* most important skill in finding and maintain current legal knowledge.²³⁴

To tap into Gen Z’s pragmatism, discuss the cost of legal research, both in terms of the amount paid to database vendors and the amount charged to clients for time spent researching. Emphasize the value of efficient research. Explain to students concerned with speed that that internalizing various legal research strategies will make them more efficient – faster – researchers, which will save them time and their clients money. Then, give students the opportunity to practice using secondary sources to underscore their importance as a time-and-money saving strategy that will make them more effective advocates. Appealing to students’ pragmatism in this way – by explaining why a skill will be useful in the “real world” – will help engage Gen Z law students.²³⁵

²²⁷ Janis & Hedges, *supra* note 16 (“an effective training program for post-millennial lawyers should [. . . include] high-quality individualized feedback.”).

²²⁸ See Graham, *supra* note 9, at 89-94 (advocating for providing student services because of Gen Z’s mental health struggles).

²²⁹ See Atkins, *supra* note 16, at 160 (explaining how to create identify safe classrooms after changing legal education on an institutional level).

²³⁰ See Emma Kerr & Sarah Wood, *See 10 Years of Average Student Loan Debt*, U.S. News (Sept. 14, 2021, 9:00 AM), <https://www.usnews.com/education/best-colleges/paying-for-college/articles/see-how-student-loan-borrowing-has-risen-in-10-years#:~:text=College%20graduates%20from%20the%20class,in%20the%20amount%20students%20borrow> (“college graduates from the class of 2019 who took out student loans borrowed \$30,062 on average [...] that’s around \$6,300 more than borrowers from the class of 2009 had to shoulder – representing a more than 26% increase in the amount students borrow.”).

²³¹ See LAW SCHOOL TRANSPARENCY, *Law School Costs* <https://data.lawschooltransparency.com/costs/tuition/> (last visited Feb. 28, 2022) (“law school tuition increases exceed the inflation rate between 1985 and 2019. [...] In other words, private law school was 2.76 times as expensive in 2019 as it was in 1985 after adjusting for inflation. [...] Public school was 5.92 times more expensive in 2019 as it was in 1985 after adjusting for inflation.”)

²³² Janis & Hedges, *supra* note 16.

²³³ Barbara Bintliff, *Introductory Essay*, in *THE BOULDER STATEMENTS ON LEGAL RESEARCH EDUCATION: THE INTERSECTION OF INTELLECTUAL AND PRACTICAL SKILLS* v (Susan Nevelow Mart ed., 2014).

²³⁴ *Id.*

²³⁵ See, e.g., Crichton, *supra* note 16, at 11 (“It also requires us to show and tell students how the research, analysis, writing, and advocacy skills they are learning in the legal writing course are transferrable and can help them to create legal documents to effect positive legal and social change.”).

2. Use short, pre-recorded lectures to flip your classroom.

Gen Z has a short attention span – approximately eight seconds.²³⁶ They were “born into a world where algorithms keep them clicking, scrolling and wiping at a frenetic pace.”²³⁷ When it comes to in-class instruction, shorter lectures is probably best for Gen Z. Even better? Eliminate your lectures and flip your classroom.²³⁸

In a flipped classroom, students learn class material on their own time and use class time to practice applying that material.²³⁹ Flipping your classroom can involve having students read content before coming to class to discuss that content, but is more typically synonymous with students watching pre-recorded lectures on a topic before coming to class. The video lecture flipped classroom model is well suited to Zoomer law students, who prefer learning via video and turn to YouTube to supplement their education.

Flipped classrooms have many benefits. First, pre-recorded lectures are flexible and give typically over-worked and over-booked law students more control over their schedules because students can watch them anywhere and anytime. They can also watch a video as many times as necessary to understand the key concepts²⁴⁰ and have the option to watch videos on faster or slower speeds depending on their preferences.²⁴¹ Students appreciate this flexibility and enjoy having more control over their learning.

Flipped classrooms have been found to improve learning performance and student engagement when carefully designed.²⁴² Poor audio and video quality reduce the effectiveness of pre-recorded lectures,²⁴³ so instructors should take care to produce high-quality content. Students engage less with videos when they are too long; researchers recommend each video be no longer than twenty minutes.²⁴⁴ Embedding formative quiz questions throughout or at the end of a video can encourage students to actually watch – and pay attention to – the content. The nature of video lectures means that students with content-based questions are unable to immediately ask questions. To remedy this,

²³⁶ Cameron & Pagnattaro, *supra* note 16, at 318.

²³⁷ Nicholas Mancall-Bitel, *How Can a Distracted Generation Learn Anything?* BBC (Feb. 20, 2019), <https://www.bbc.com/worklife/article/20190220-how-can-a-distracted-generation-learn-anything/>.

²³⁸ See, e.g., Minarcin, *supra* note 3, at 49-50 (“Generation Z students will not learn as effectively from sitting at their desks reading or listening. [. . .] This new group of students also have a marked preference for learning visually through instructional videos and by acquiring hands-on experience.”); see also SELINGO, *supra* note 49, at 25 (“Some innovations in teaching, like the flipped classroom [. . .] suit the habits of incoming students.”).

²³⁹ JONATHAN BERGMANN & AARON SAMS, *FLIP YOUR CLASSROOM: REACH EVERY STUDENT IN EVERY CLASS EVERY DAY* (2012); see also Alyson Drake, *The Need for Experiential Legal Research Education*, 108 LAW LIBR. J. 511, 530-531 (2016) (“A flipped classroom is one where most or all of the lecture component of the course takes place prior to class. The information that the students would get in the lecture during a traditional research course is conveyed through some combination of their textbook, videos, and pre-class assignments. This format frees up the majority of class time for skills practice.”).

²⁴⁰ See Daniel Ferguson, *The Gamification of Legal Education: Why Games Transcend the Langdellian Model and How They Can Revolutionize Law School*, 19 CHAP. L. REV. 629, 648 (2016) (“If students fail to understand material the first time around, they can watch a lecture again without having to ask the professor to repeat the material in class and using other students’ time.”).

²⁴¹ Some students prefer to watch pre-recorded lectures at double or triple speed to remove temptations to multitask and force them to pay closer attention. KATZ, OGLIVE, SHAW & WOODHEAD, *supra* note 36, at 22.

²⁴² Gökçe Akçayır & Murat Akçayır, *The Flipped Classroom: A Review of Its Advantages and Challenges*, 126 COMPUTS. & EDUC. 334, 338 (2018).

²⁴³ *Id.* at 341.

²⁴⁴ *Id.*

professors can utilize discussion boards to provide feedback or at least to track student questions that can be answered during class time.²⁴⁵

Zoomers want their professors to be “facilitators,”²⁴⁶ not lecturers. Legal research and other skills classrooms are a great space for a more facilitative pedagogy. Gen Z prefer independent learning with time to digest information on their own before collaborating or discussing with their classmates; the flipped classroom model provides this opportunity. With less class time devoted to lecturing, professors can focus on demonstrating research strategies and assisting students with honing their research skills – which appeals to Gen Z’s “preferences for experiential learning as well as collaborate and intrapersonal learning.”²⁴⁷

3. Rethink group work.

Gen Z enjoy collaborative work but “on their own terms,” preferring time to learn independently before working with others.²⁴⁸ Adapting to the Millennial preference for collaboration, “many law professors put students in pairs or groups for class presentations, drafting exercises, peer editing, and a host of other teaching and learning strategies.”²⁴⁹ Despite the prevalence of Zoomers in law classrooms, professors, so accustomed to Millennials, have not yet changed their strategies. To be more effective educators, it is time to rethink group work in the legal research classroom.

This does not mean that we should abandon group work altogether; indeed, collaboration and communication in a team setting are important lawyering skills. Instead, professors should consider providing “adequate time to work on the task solo first”²⁵⁰ to allow Gen Z students to become comfortable with the material, and then have students meet in groups later. This method, commonly referred to as “pair and share,” can facilitate conversation and can “increase Gen Z students’ comfort level with working together.”²⁵¹

Long term group projects – especially those that will impact grades – make Gen Z anxious. They worry that their group members might not carry their weight in the team.²⁵² To remedy this anxiety, professors “could make each student responsible for a fraction of the project” to encourage accountability.²⁵³ Alternatively, group work could be ungraded to encourage students to focus on practicing their collaborative skills without the added pressure of an assessment.

4. Incorporate low stakes writing assignments to practice communicating research findings.

The ability to communicate research findings is an important yet often underdeveloped lawyering skill. A 2016 ethnographic study of junior associates found that in contrast to the first-year legal writing class, which teaches formal brief writing, junior associates more often more often

²⁴⁵ See generally *id.*

²⁴⁶ Minarcin, *supra* note 3, at 52.

²⁴⁷ *Id.* at 50.

²⁴⁸ SEEMILLER & GRACE, *supra* note 26, at 207.

²⁴⁹ Graham, *supra* note 9, at 85.

²⁵⁰ *Id.* at 86.

²⁵¹ *Id.*

²⁵² See Schlee, Eveland & Harich, *supra* note 168, at 145 (“Gen Z students are less likely than Millennials to trust others with matters important to them. [. . .] Gen Z is more likely to believe that “Group projects bring out the worse in people” than Millennials.”).

²⁵³ SELINGO, *supra* note 49, at 29.

summarized research findings in informal email communications to supervising attorneys.”²⁵⁴ This is a skill that can be practiced in legal research classes.

Students sometimes respond with confusion when asked to write in a research class; they see the skills as separate, divorced from one another. But legal research and legal analysis are intertwined,²⁵⁵ and students need to be able to succinctly communicate their research findings to their supervisors and colleagues.

Zoomers do not like to email, finding it burdensome and time-consuming.²⁵⁶ Professors and supervisors find their students’ email communications unprofessional.²⁵⁷ While not “writing” courses, legal research classes can nonetheless fill this gap by requiring students draft “emails” to supervisors or clients summarizing their research findings after completing a short research task. Students can learn strategies for formatting emails so that they are easy to digest and quick to read.²⁵⁸

5. Give regular individual feedback.

Gen Z both need and want regular feedback.²⁵⁹ Law professors and employers often grumble that their students react poorly when provided with constructive criticism. But Zoomers were not taught how to receive negative feedback and learned through unrelenting standardized testing that failure is catastrophic. They must be given the opportunity to respond to feedback in the classroom in order to become better at receiving constructive criticism. To prepare our students for gracefully accepting feedback in the workplace and to meet their need for regular feedback in the classroom, instructors should make high-quality, structured, individualized feedback a priority. And they should give this feedback as quickly as possible.²⁶⁰

Despite their digital propensities, Zoomers *prefer* face-to-face conversations where they can connect to the other speaker.²⁶¹ Formative assessment, which focuses on “student learning, primarily through feedback” and helps students learn how to improve their research skills,²⁶² is preferable for

²⁵⁴ Ann Sinsheimer & David J. Herring, *Lawyers at Work: A Study of the Reading, Writing, and Communication Practices of Legal Professionals*, 21 L. WRITING J. 63, 99 (2016).

²⁵⁵ See Alyson Drake, *Building on CREAC: Reimagining the Research Log as a Tool for Legal Analysis*, 52 UNIV. MEMPHIS L. REV (forthcoming 2022) (“There are a number of research tasks unique to the law that are inherently analytical.”).

²⁵⁶ KATZ, OGILIVE, SHAW & WOODHEAD, *supra* note 36, at 15; see also June, *supra* note 192 (“embers of Gen Z do seem to agree with their elders on one thing: Email. Ugh.”).

²⁵⁷ See, e.g., Brittney Cooper (@ProfessorCrunk), TWITTER (Jan. 12, 2021, 10:17 AM), <https://twitter.com/ProfessorCrunk/status/1349012729936412676?s=20&t=NYg1H30X1RQVdIT-MywZmg> (“Why don’t modern college kids know how to send a formal letter/email? I thought everyone knew to begin Dear Prof. X or Dear Dr. X. Instead these kids stay emailing me Hello There! Or Hello (no name): Why are they like this?”); See also James Goodnow, *Resistance Is Futile: Millennial Lawyers Are Invading and Are Ready to Eat Your Lunch - With a Latte*, 54 ARIZ. ATT’Y 14, 18 (2017) (“Millennials also typically communicate in a more casual manner than people from previous generations, which often gets misinterpreted as disrespectful or unprofessional.”).

²⁵⁸ For example, students can read articles about drafting effective emails or read sample emails and identify what is and is not effective about them. Readings to consider include: CHRISTINE COUGHLIN, JOAN MALMUD ROCKLIN & SANDY PATRICK, *A LAWYER WRITES: A PRACTICAL GUIDE TO LEGAL ANALYSIS* (2nd ed. 2013) 295-304, or Joe Regalia, *A Young Attorney’s Most Important Writing: Emails*, ABA STUDENT LAWYER (Sept. 14, 2017), <https://abaforlawstudents.com/2017/09/14/young-attorneys-important-writing-e-mails/>.

²⁵⁹ See GEN HQ, *supra* note 30, at 18 (“2/3 of Gen Z need feedback from their supervisor ever few weeks or more often to stay at a job.”).

²⁶⁰ SELINGO, *supra* note 49, at 27.

²⁶¹ SEEMILLER & GRACE, *supra* note 26, at 61.

²⁶² Shawn G. Nevers, *Assessment in Legal Research Education*, in THE BOULDER STATEMENTS ON LEGAL RESEARCH EDUCATION: THE INTERSECTION OF INTELLECTUAL AND PRACTICAL SKILLS 81, 82-83 (Susan Nevelow Mart ed., 2014).

Zoomers. The typical feedback law students receive in their doctrinal courses is summative.²⁶³ Importantly, The American Bar Association (ABA)'s Standards and Rules of Procedure for Approval of Law Schools requires *both* modes of feedback.²⁶⁴

One strategy for providing the kind of individualized, structured, immediate feedback that Gen Z craves is through “live critique,” wherein a professor gives feedback to their student’s work as they review it together.²⁶⁵ This face-to-face interaction makes for an “active and personal” learning experience where each student learns *why* something is or is not correct and how to improve in the future, not simply *if* the answer is right.²⁶⁶ This kind of live critique may function best without grades to reduce the stress associated with negative feedback.²⁶⁷

In the legal research classroom, live critique could look like an assignment wherein students meet with their professor on Zoom or some similar video conferencing platform, share their screen, and research while the professor observes and gives instant feedback.²⁶⁸ This kind of formative assessment has the added benefit of teaching Zoomers uncomfortable with criticism “how to interact with a superior in a professional setting.”²⁶⁹

6. Connect class to the causes Gen Z cares about by partnering with local legal organizations.

Gen Z is motivated by real-world events; nearly three in four Zoomers report that they are motivated by their passions.²⁷⁰ For Gen Z, spending money is an “extension of their activism;”²⁷¹ they want to see their tuition money connected to the causes they care about. Instructors should consider “incorporating a socially conscious curriculum” wherein they can provide context for assignments and exercises and also “appeal to students’ social justice values and interests.”²⁷² Tiffany D. Adkins put it best:

“Gen Z law students may find it difficult to engage in law school subjects that appear disconnected from their desire to help others. Why care about the Rule Against Perpetuities, when you want to end mass incarceration and the school-to-prison-pipeline and see law school as merely a means to that end? If, however, we design our courses to connect the Rule – and other general law subjects – to social issues, we may be able to produce Gen Z students eager to take on Blackacre. [. . .] Connecting traditional courses to social justice topics will help us connect with Gen Z students by allowing them the opportunity to experience those courses in action and in a meaningful way.”²⁷³

²⁶³ “Summative assessment methods are measurements at the culmination of a particular course or at the culmination of any part of a student’s legal education that measure the degree of student learning.” ABA STANDARDS & RULES OF PROC. FOR APPROVAL OF L. SCHS. STANDARD 314 (AM. BAR ASS’N 2021-2022).

²⁶⁴ *Id.*

²⁶⁵ See Amanda L. Sholtis, *Say What?: A How-to Guide on Providing Formative Assessment to Law Students through Live Critique*, 49 STETSON L. REV. 1 (2019) (outlining how live critique could work in a law school classroom).

²⁶⁶ *Id.* at 7.

²⁶⁷ SELINGO, *supra* note 49, at 39.

²⁶⁸ The Cardozo School of Law has utilized this formative assessment approach for the last year and has seen great success.

²⁶⁹ Sholtis, *supra* note 271, at 8.

²⁷⁰ SEEMILLER & GRACE, *supra* note 26, at 57.

²⁷¹ Atkins, *supra* note 16, at 124.

²⁷² SEEMILLER & GRACE, *supra* note 26, at 203.

²⁷³ Atkins, *supra* note 16, at 134.

Skills classes like legal research are the ideal space for this kind of experiential, immersive learning. To engage Gen Z's values and appeal to their pragmatic, how-will-this-help-me-in-my-career worldview, legal research professors should consider the public-interest partnership model of legal education.²⁷⁴ Public-interest partnerships allow law students to work directly with a nonprofit legal organization, completing legal research tasks that aid the organization's work.²⁷⁵ This kind of legal research course could satisfy an experiential learning requirement, of which the American Bar Association requires at least six credit hours per law student.²⁷⁶

Under this model, professors contact local nonprofit or public-interest organizations to create a partnership wherein their students will (for free) research legal authorities and analyze legal issues. The professor then creates a fact pattern based on a legal issue the organization needs answering and presents it to their students as an assignment. The students research and draft a written work product which is then presented to the organization.²⁷⁷ To add a Gen Z-friendly collaborate element, the class together could be responsible for putting together the written work product to be presented to the organization. This hybrid simulated-live-client exercise can help students “engage in the kind of work that drew them to law school in the first place”²⁷⁸ by giving Zoomers the opportunity to research law in a way that feels more impactful. Connecting legal research skills to the issues Gen Z cares most about will make students more invested in their coursework and “create powerful, effective advocates and future lawyers who are trained and ready to take on social justice issues upon graduating.”²⁷⁹

7. Embrace Google.

While instructors should never assume pre-existing foundational or background knowledge on a topic, they should also not discount the fact that their law students are adults who have gone through nearly two decades of formal education (and more than two decades of life, generally) and therefore enter the classroom with histories and backgrounds in various fields and skills. Therefore, professors should teach from an understanding of what law students – Gen Z or otherwise – already know.²⁸⁰ For Gen Z, that is Google.

Discounting Google is futile; professors who tell students not to trust internet resources are typically ignored (or worse, thought of as technologically inept). By disparaging our Gen Z students' internet and technology skills, we perpetuate a kind of “generational arrogance” that holds the old tools as the most important ones.²⁸¹ Zoomers *are going to use Google for legal research*, no matter how many times we tell them not to. Google is a habit, a familiar home for research. Instead of shouting into the

²⁷⁴ See, e.g., Nantiya Ruan, *Experiential Learning in the First-Year Curriculum: The Public-Interest Partnership*, 8 LEGAL COMM. & RHETORIC: JAWLD 191 (2011) (outlining a plan wherein 1Ls work with local nonprofits during their first-year writing class); see also Mary Nichol Bowman, *Engaging First-Year Students Through Pro Bono Collaborations in Legal Writing*, 62 J. LEGAL EDUC. 586 (2013) (describing a program wherein 1Ls work with a local legal services organization during their legal writing class); see also Alyson Drake & Brie Sherwin, *Service-Learning in the First Year Research and Writing Classroom*, in INTEGRATING DOCTRINE & DIVERSITY: INCLUSION AND EQUITY IN THE LAW SCHOOL CLASSROOM 287 (Nicole P. Dyszlewski, Raquel J. Gabriel, Suzanne Harrington-Steppen, Anna Russell, & Genevieve B. Tung, eds., 2021) (describing a partnership between social justice legal organizations and 1L legal research and writing courses).

²⁷⁵ Ruan, *supra* note 274, at 193.

²⁷⁶ ABA STANDARDS & RULES OF PROC. FOR APPROVAL OF L. SCHS. STANDARD 303 (AM. BAR ASS'N 2021-2022).

²⁷⁷ Ruan, *supra* note 274, at 204-08.

²⁷⁸ Atkins, *supra* note 16, at 166.

²⁷⁹ *Id.* at 157.

²⁸⁰ See generally Haseltine, *supra* note 11, at 8-9 (explaining the importance of recognizing Google's usefulness to Millennial law students).

²⁸¹ See, e.g., TOM KOULOPULOS & DAN KELDSEN, THE GEN Z EFFECT: THE SIX FORCES SHAPING THE FUTURE OF BUSINESS 56 (2016).

void about the problems with Google, we need to embrace this skill for what it is: a useful, free resource for legal research. After all, doesn't the instinct to Google evidence the kind of curiosity we want to foster in our students: "asking new questions, seeking new answers"?²⁸²

Part of encouraging Gen Z's existing skills is helping them to become better, more critical Googlers. Gen Z's education prepared them for memorization and standardized test-taking; skills like critical thinking and reading were not prioritized. Assuming that "digital natives" are technologically gifted based purely on their age obscures their need for support in developing important skills in information and digital literacy. Zoomers might be "experts at navigating an avalanche of information" but might "not know how the avalanche came to be."²⁸³ As a result, they often value finding the "quick answer [rather than the] correct one."²⁸⁴ With assistance from their professor, Zoomers can become better at analyzing and selecting sources of information online.

Professors can help their Gen Z students refine their existing research skills by pointing out both the usefulness and drawbacks to keyword scanning in a text. Gen Z tends to read in a non-linear manner and are excellent at keyword spotting, scanning, and browsing.²⁸⁵ When researching, they are likely to gather a long list of possible sources and skim those sources for an obvious answer.²⁸⁶ For example, you may have noticed that in recent years your students tend to open a ton of possible resources – be they cases, statutes, regulations, or secondary sources – in multiple tabs to review after exhausting a particular search. This power-browsing can lead to students missing a relevant piece of authority from their long list of potential sources.²⁸⁷

When faced with this behavior, research instructors may feel they are faced with two options: encourage or discourage the behavior. However, a third option exists: *educate* students about the behavior. There can certainly be benefits to keyword spotting and scanning when researching; students may be able to quickly identify a relevant statute, regulation, or case by skimming for keywords. But there can be drawbacks, too, particularly if a student is scanning for keywords that are not used in the law or the literature. Research instructors should discuss these two potential outcomes with their students and provide guidance on when the strategy will be beneficial.

Lastly, discussing Google and encouraging smart online searching may help students to recognize the importance of legal research as a skill. Upon entering law school, Zoomers might think that "the skills necessary to conduct a Google search are the same skills needed to conduct thorough and accurate legal research."²⁸⁸ They may see research instruction as a waste of time because they are confident in their existing research and technology skills. When professors embrace Google, Zoomers may reframe their view of the importance of the course. After all, a client can Google the law. It is the lawyer's specialized research knowledge and skill that makes them a professional (and pays their bills). By building on what our students already know and encouraging them to harness their existing skills, we can create better researchers.

²⁸² Mancall-Bitel, *supra* note 237.

²⁸³ Haseltine, *supra* note 11, at 8.

²⁸⁴ Ellie Margolis & Kristen Murray, *Information Literacy for the Next Generation*, 23 LEGAL WRITING: J. LEGAL WRITING INS. 11, 12 (2019).

²⁸⁵ Williams, *supra* note 16, at 198.

²⁸⁶ *Id.* at 199.

²⁸⁷ Dalton, *supra* note 11, at 182, *citing* Nicholas Carr, *Is Google Making Us Stupid? What the Internet is Doing to Our Brains*, *The Atlantic* (July-Aug. 2008), <http://www.theatlantic.com/magazine/archive/2008/07/is-google-making-us-stupid/306868/>; *see also* Williams, *supra* note 16, at 199 (describing the issues with power-browsing when conducting legal research).

²⁸⁸ Kaplan & Darvil, *supra* note 11, at 163-64.

8. Teach research process, not database mechanics.

The organization of legal information online can be confusing to a law student, especially those who have not been exposed to print research.²⁸⁹ Some scholars theorize this is because legal information is now accessed almost entirely online, meaning law students of the past few years and foreseeable future rarely, if ever, perform book-based legal research.²⁹⁰ Of course, understanding the organization of legal information is crucial to the task of legal research and can make researching more organized and efficient. A common response to this problem is to teach print-based research to ensure students understand the structure of the legal system.²⁹¹ But focusing on print sources that are so rarely used in real life by practicing attorneys²⁹² is unnecessary and, at worst, a waste of precious in-class instruction time. We can instead teach the format and layout of legal information *without* returning to book research by reframing the goal of instruction to create “technologically resilient” graduates – lawyers who can “use existing technology successfully” and “approach new technology thoughtfully and with an open mind.”²⁹³

Technologically resilient legal researchers need to know how to navigate legal research databases on their own. Because Gen Z law students have some familiarity with search engines and strategies, we can let them learn for themselves where to click in a database and focus class instruction on understanding legal authority and sources of legal information.²⁹⁴ Shifting our focus away from teaching the mechanics of the databases will result in technologically resilient graduates for a few reasons. First, the databases are arguably “designed to be self-taught.”²⁹⁵ Second, the functionality of legal research databases changes quite regularly,²⁹⁶ meaning that a law student taught the mechanics of Westlaw in 2022 may find themselves re-learning the mechanics of a new Westlaw in 2027. This is not to say that research demonstrations should fall by the wayside, but instead that demonstrations should be reserved for the more complicated aspects of online research.²⁹⁷

²⁸⁹ See Patrick Meyer, *The Google Effect, Multitasking, and Lost Linearity: What We Should Do*, 42 OHIO N. UNIV. L. REV. 705, 706 (2016) (“The online environment lacks the structure necessary for students to learn and understand the legal system, which impedes their ability to properly choose the legal sources they need to access for research purposes.”).

²⁹⁰ See generally *id.* (describing the challenges students face when learning about the structure of legal information using online sources).

²⁹¹ *Id.* at 710 (“In order to most effectively teach new students legal structure, there will be instances when we should teach print-based research.”).

²⁹² Less than 1% of attorneys reported *not* working primarily on computers in 2020. ABA, 2020 LEGAL TECHNOLOGY SURVEY REPORT, VOLUME III: LAW OFFICE Technology 12 (2020).

²⁹³ Iantha M. Haight, *Digital Natives, Techno-Transplants: Framing Minimum Technology Standards for Law School Graduates*, 44 J. LEGAL PROF. 175, 216 (2020).

²⁹⁴ See *Boulder Statement on Legal Research Education: Signature Pedagogy Statement*, in THE BOULDER STATEMENTS ON LEGAL RESEARCH EDUCATION: THE INTERSECTION OF INTELLECTUAL AND PRACTICAL SKILLS 255, 256 (Susan Nevelow Mart ed., 2014) (“We teach an intellectual process for the application of methods for legal research by: [...] (2) showing the relationship of legal structure to legal tools and evaluating the appropriate use of those tools.”)

²⁹⁵ Torea Randall, *Meet Me in the Cloud: A Legal Research Strategy That Transcends Media*, 19 LEGAL WRITING: J. LEGAL WRITING INST. 127, 134 (2014).

²⁹⁶ See Susan Nevelow Mart, *Teaching the Benefits and Limits of Human Classification and Machine Algorithms: Theory and Practice*, in THE BOULDER STATEMENTS ON LEGAL RESEARCH EDUCATION: THE INTERSECTION OF INTELLECTUAL AND PRACTICAL SKILLS 153 (Susan Nevelow Mart ed., 2014) (“In the realm of legal research resources, because they change so quickly, it is not sufficient to teach students how to use the interface or resources they see today. The interface will be different tomorrow. One legal publisher will be purchased by another. The format for accessing a particular resource will change. A tool available online in law school might only be available in print at the workplace.”).

²⁹⁷ For example, students mostly know how to use a search bar for natural language searches and do not need in-class instruction on this use of a database. They could instead be directed on how to use advanced search features, how to browse by content type, and how to use Boolean searching.

Research instruction should focus more on research *strategy* than database function. A common first step of an inexperienced legal researcher on the hunt for case law, for example, is to search for case law directly on Westlaw or Lexis using keywords and perhaps a jurisdictional filter. Seasoned researchers and librarians know that this kind of direct case law search is among the less productive ways a researcher can begin their work.

Consider, as an example, teaching students about statutory research. Before class, students watch a recorded lecture that explains the format of the United States Code, the process of deciding which statute is placed where in the Code, and the way different statutes codified in a chapter function together. In class, the professor briefly highlights the various strategies for locating statutes and performing statutory research. Equipped with this information, students begin an exercise, independently navigating the Code on Westlaw, Lexis, or whatever other research tool they want to use. After several minutes of working independently, students discuss with a partner their strategies for locating relevant statutes. At the end of class, students can demonstrate their research strategies and discuss the best ways to navigate the databases.

If our goal is technological resilience, we want our students to gain transferrable research skills: skills that they can adapt over time “so that they can refine and iterate the research process to completion.”²⁹⁸ This kind of adaptability is difficult²⁹⁹ but important to teach to help Gen Z students be more efficient and creative legal researchers and attorneys in the long-term.

9. Intentionally teach Critical Legal Research.

While it may be less important to teach the “mechanics” of legal research databases – meaning where to look for a tool or where to click for an annotation – it remains essential that we teach “critical perspectives about information.”³⁰⁰ In particular, professors should devote class time to Critical Legal Research theory (CLR).³⁰¹ CLR, law librarianship’s response to other forms of critical theory like Critical Race Theory and Critical Legal Studies, encourages the deconstruction and questioning of the arrangement and accessibility of legal information.³⁰² For Zoomers, who struggle with critical skills and information literacy because of their early education, class discussions about CLR will help students better evaluate sources and hone their analytic and metacognitive skills “in a practical and realistic context.”³⁰³

Critical Legal Studies argues that legal doctrine is indeterminate and incoherent, and that legal reasoning is a myth.³⁰⁴ In response, CLR’s purpose is to make visible the underlying decisions and

²⁹⁸ Mart, *supra* note 296, at 153-54.

²⁹⁹ See Haight, *supra* note 293, at 217 (“Adaptability is a difficult skill to teach, but legal educators can cultivate curiosity and help students gain confidence, both of which help develop adaptability.”).

³⁰⁰ Julie Krishnaswami, *Critical Information Theory: The New Foundation for Teaching Regulatory Research*, in THE BOULDER STATEMENTS ON LEGAL RESEARCH EDUCATION: THE INTERSECTION OF INTELLECTUAL AND PRACTICAL SKILLS 175, 178 (Susan Nevelow Mart ed., 2014).

³⁰¹ See generally Richard Delgado & Jean Stefancic, *Why Do We Ask the Same Questions? The Triple Helix Dilemma Revisited*, 99 *LAW LIBR. J.* 307 (2007) (analyzing the impact of computer-assisted legal research on law reform); see, e.g., Nicholas F. Stump, *Following New Lights: Critical Legal Research Strategies as a Spark for Law Reform in Appalachia*, 23 *AM. U. J. GEN. & SOC. POL’Y L.* 573, 600-21 (2015) (providing an overview of Critical Legal Research theory).

³⁰² See, e.g., Stump, *supra* note 302; see also Nicholas Mignaneli, *Critical Legal Research: Who Needs It?*, 112 *LAW LIBR. J.* 327 (2020).

³⁰³ Krishnaswami, *supra* note 300, at 178.

³⁰⁴ Steven M. Barkan, *Deconstructing Legal Research: A Law Librarian’s Commentary on Critical Legal Studies*, 79 *LAW LIBR. J.* 617, 618 (1987) (“Much of the [Critical legal Studies] enterprise has focused on three interrelated subjects: the incoherency and indeterminacy of legal doctrine, the myth of legal reasoning, and the nature and effects of categorizing legal problems.”).

biases that inform the structure of legal information and research tools. CLR encourages the researcher to question the amount of control our “research tools assert over research practice and legal thinking”³⁰⁵ and how these tools can serve to “stifle legal innovation and law reform.”³⁰⁶

Doctrinal law classes teach law *and* legal theory. There is no reason that skills classes like legal research cannot do the same. And there are practical reasons for teaching CLR. Researching within a CLR context will encourage Zoomers to not have “blind faith or an uncritical reliance on technology”³⁰⁷ and to continue to rely on their own self-learning (which can, in turn, create technologically resilient, adaptable lawyers). Professors should explain that Westlaw and Lexis’ algorithms, while proprietary, are different from the search algorithms they are already comfortable with (Google) and that search results may not appear in a logical order. With this insight, students will think more critically about the results they select in their searches.

CLR can help students “develop comfort with the unknown or unforeseeable” by forcing them to grapple with the idea that “history produces unforeseeable outcomes.”³⁰⁸ This kind of instruction involves stressing to students that the sources they find are “not equivalent to a whole universe of information or even a random subset, but rather to that particular universe found economically, politically, and/or personally expedient or essential to publishers, editors, and librarians.”³⁰⁹ Zoomers look for the quick, obvious answer in their research. Of course, legal research has no quick or obvious answer. This results in student frustrations when researching. With CLR insights, students can contextualize their search results and begin to understand why they might not find The Answer to a particular legal inquiry.

Some legal research instructors might already use a CLR or similar framework in their instruction. This article is advocating for *explicitly* teaching about CLR in the classroom – not just teaching the skills and theory without naming CLR. As previously mentioned, Zoomers are pragmatic; they want to know *what* they are learning and *how* it connects to their careers.

Following discussions about the control that tools like Westlaw and Lexis assert over legal research, students may be better able to understand why they get a particular set of search results and to question their research strategy along with the results themselves. They will be more aware of the impact of their online searching on legal innovation and will be encouraged to research offline or in non-legal spaces. With a base understanding of CLR, law students can be encouraged to, for lack of a better phrase, think outside the search box.

10. Make it clear that you care.

Zoomers arrive in our classrooms with certain expectations. They want a diverse, inclusive environment that is respectful of all.³¹⁰ They want to engage with the outside world and talk about their passions. They want their professors to encourage them to do their best work. They want flexibility and a recognition of their humanity. All of this can be summed up in one word: caring. Your Gen Z students want to see that you *care*.

³⁰⁵ *Id.* at 618.

³⁰⁶ Mignanelli, *supra* note 302, at 331.

³⁰⁷ Krishnaswami, *supra* note 300, at 182.

³⁰⁸ *Id.*

³⁰⁹ Jill Anne Farmer, *A Poststructuralist Analysis of the Legal Research Process*, 85 LAW LIBR. J. 391 (1993).

³¹⁰ See SELINGO, *supra* note 49, at 9 (“today’s students are attentive to inclusion across race, ethnicity, sexual orientation, and gender identity, and want colleges to live up to those ideals as well.”).

The idea of professors “caring” in academia is often considered “motherwork,” work that is often unpaid and relegated to women and minorities.³¹¹ But studies of Zoomers in higher education have found that “caring” does not necessarily mean unpaid labor, emotional or otherwise.³¹² In fact, Zoomers perceive their professors as “caring” largely based on their classroom teaching strategies, favoring those which are engaging, responsive, and empathetic.³¹³

Exciting classrooms are engaging classrooms; bell hooks herself wrote, “the classroom should be an exciting place, never boring.”³¹⁴ Subjects often perceived as boring – legal research included – can be engaging if the professor is excited about the material and the class. One way to show your excitement with the material is to be prepared for class: “those who seemed to be reading prepared lectures, not interacting with students, or not curious about student learning [are seen by their students] as not really putting forth effort and thus not caring if students [do] well or not.”³¹⁵ Additionally, Gen Z sees professors who adapt to their students’ needs and feedback as caring. Professors who seek feedback from their students about their understanding and then adjust their strategy in response are seen as caring, as are professors who use different teaching methods and monitor whether all students are learning.³¹⁶

Being responsive to student needs can be as simple as being flexible with your students. During the pandemic, many advocated for more flexible learning policies, eliminating grades and offering extensions on assignment deadlines.³¹⁷ Continuing this practice of flexibility will show students that your ultimate goal is that they learn, and that their ultimate goal should not be simply earning a good grade.³¹⁸

Lastly, students want an empathic classroom environment and perceive their empathetic professors as caring professors. Be sure that your students know their presence is valued and their experiences are valid.³¹⁹ This is especially important for students of color, who “report feeling out of place in law schools.”³²⁰ Tiffany Atkins recommends creating “identity safe” law schools wherein harmful stereotypes are “neutralized” with positive social cues to ensure all feelings feel like they belong.³²¹

Being empathetic in class requires acknowledging life outside the classroom. During the pandemic, teachers were encouraged not to go on as normal, pretending the world outside was not in the midst of chaos.³²² Acknowledging the complexities of life and providing space for students to talk about what they are feeling and experiencing shows students that you care about them as whole

³¹¹ See Sharon M. Varallo, *Motherwork in Academe: Intensive Caring for the Millennial Student*, 31 *Women’s Studies in Communication* 151 (2008) (describing the way academics “mother” their students).

³¹² See generally Miller & Mills, *supra* note 159 (finding that students look to their professor’s time spent teaching in class when determining whether they “care” or not).

³¹³ *Id.* at 82.

³¹⁴ BELL HOOKS, *TEACHING TO TRANSGRESS* 7 (1994).

³¹⁵ Miller & Mills, *supra* note 159 at 84.

³¹⁶ *Id.* at 84-85.

³¹⁷ See Nicole Else-Quest, Viji Sathy & Kelly A. Hogan, *How to Give Our Students the Grace We All Need*, *CHRON. HIGHER EDUC.* (Jan. 18, 2022), <https://www.chronicle.com/article/how-to-give-our-students-the-grace-we-all-need> (providing ideas for interacting with students with kindness and grace during the pandemic).

³¹⁸ SELINGO, *supra* note 52, at 29.

³¹⁹ hooks, *supra* note 314, at 8.

³²⁰ Atkins, *supra* note 16, at 141 (internal citations omitted).

³²¹ *Id.* at 142.

³²² See, e.g., The Learning Network, *48 Pieces of Advice From Educators on How to Survive This Challenging Time*, *N.Y. TIMES* (Dec. 14, 2021), <https://www.nytimes.com/2021/12/14/learning/48-pieces-of-advice-from-educators-on-how-to-survive-this-challenging-time.html> (providing advice to educators about teaching during the pandemic, including taking care of students).

people. You might consider checking in with your students using an anonymous system like a Google Form or Poll Everywhere.³²³

Overall, be sure that your students know that your “ultimate goal is to see them succeed in law school and have a successful career” – and *tell them* as much instead of assuming they already know.³²⁴

CONCLUSION

When Millennials matriculated, law schools jumped through hoops to make legal education more appealing to the digitally-connected, collaboration-obsessed generation. After five years of Gen Z law students roaming the halls, it is past time we do the same to better educate this new generation of attorneys. The ten suggestions above are intended as a starting point for engaging Gen Z in the legal research classroom and can be applied to non-research instruction within the law school.

Gen Z is complex. They prefer to learn on their own but enjoy working on creative projects with their peers. They feel lost without their cell phones but prefer face-to-face communication. They are confident technology users but struggle with legal and academic research. They are deeply pessimistic about the America they have inherited but dedicated to fixing the nation’s problems.

With every new generation comes new opportunity to adjust how we teach. And with each new generation comes an opportunity to approach our students, to be more positive and open to change rather than belittling and critical. We have the choice: treat Zoomers as we did Millennials by disparaging their skills, calling them lazy and entitled, and blaming them for educational missteps made when they were literal children, or learn about their peer personality to adjust our view and treat them with respect. We can play to their strengths instead of bemoaning their weaknesses.³²⁵

Gen Z believes they will change the world.³²⁶ They are resilient and “channeling their energies into holding themselves and others accountable.”³²⁷ They will come to law school looking to learn the skills needed to do just that. If we “evolve our pedagogy”³²⁸ to their preferences, we can help them learn how to change the world and perhaps even learn something from them in the process.³²⁹

³²³ Else-Quest, Sathy & Hogan, *supra* note 317.

³²⁴ Crichton, *supra* note 16, at 10.

³²⁵ Christopher, *supra* note 169, at 39.

³²⁶ Time Video, *supra* note 122.

³²⁷ DELOITTE, THE DELOITTE GLOBAL 2021 MILLENNIAL AND GEN Z SURVEY 2 (2021), <https://www2.deloitte.com/content/dam/Deloitte/global/Documents/2021-deloitte-global-millennial-survey-report.pdf>.

³²⁸ Christopher, *supra* note 169, at 39.

³²⁹ VOLPE, *supra* note 31, at 5 (“By listening carefully to what [Zoomers] are saying, we can appreciate the lessons they have to teach us: be real, know who you are, be responsible for your own well-being, support your friends, open up institutions to the talents of the many not the few, embrace diversity, make the world kinder, live by your values.”).