WARMUPS
HOW TO GET STUDENTS ON TASK BEFORE CLASS STARTS

Teresa ("Tess") M. Bruce
Visiting Assistant Professor of the Practice of Law, University of Denver College of Law
tbruce@law.du.edu ■ 303-831-3275 (home) ■ 303-437-1013 (cell)

Summary: You know the moment. It's when the clock strikes time-for-class and you're standing there in front of some twenty students trying to figure out how to gracefully squelch the chit-chat buzzing around you. Enter the "Warmup": it's a fun and stimulating way to have your students on task as soon as class begins.

Description: A Warmup is a five-minute exercise that students begin working on as soon as they arrive in the classroom. Then, when it's time for class to start, you, the professor, can dive into something substantive right away: you can call on someone (or ask for a volunteer) to do the Warmup. Well-designed Warmups reinforce concepts covered in the last class or preview concepts to be covered in the current class. Warmups consequently get students on task, both in terms of quieting them down and in terms of intellectually switching gears to the current subject, before the clock hits the start time—and you’re free to jump into a meaningful conversation from the moment your class begins. In other words, you don't lose valuable time to introductory, non-substantive commentary. And, because Warmups take only a few minutes to do, they don't unduly reduce your total class time.

Technology Needs: You will probably want to project Warmups on a PowerPoint slide ten to fifteen minutes before class is scheduled to start (however, you could also use other types of media for Warmups, e.g., writing them on the board or handing out hard copies). I have provided ten sample Warmups below.
Warmup to discuss the differences between material (outcome-determinative) and storytelling (contextual) facts.

Warm-up to show how the reporter indicates which court system decided the case.

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**Warm-Up**

*Which facts are material? Which are "storytelling" facts?*

- Carmen sued Coke for negligence. She testifies that, at 4:00 p.m., on a sunny day, she opened a sealed can of Coke and, as she poured out the soda, a roach came out of the can.

- Dave is charged with murder. He admits the killing, but claims self defense. He testifies that, on a Wednesday afternoon, a six-foot-tall man with a red cap and a mustache pointed a gun at him.

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**Warm-Up**

*The following citation is missing the information about the court. However, I know that it is a trial-level (not an appellate-level) case; how do I know that?*

Warmup to discuss syllogisms and logical reasoning (second slide would have animations showing possible scenarios).

**Warm-Up**

*Is the following syllogism logically valid? Why or why not?*

- Some children are geniuses
- Some geniuses wear glasses
- Therefore, some children wear glasses

**Warm-Up**

- Some children are geniuses
- Some geniuses wear glasses
- Therefore, some children wear glasses
Warmup to discuss word choice.

Good writers choose their words carefully. With that in mind, read the following sentence. What's your favorite word? Why?

And the words slide into the slots ordained by syntax, and glitter as with atmospheric dust with those impurities we call meaning.

Warmup to discuss passive voice.

Active or passive voice?

- His speech was protected by the First Amendment.
- First, the court must assess whether the allegedly infringing work is a parody.
- "Public" is defined as "affecting . . . persons in a place to which . . . a substantial group has access."
- The passersby who witnessed the incident were not placed in danger.
- He did not exhibit conduct that was violent or tumultuous.
- I am doing my homework.
Warmup to discuss ambiguities in transactional documents.

WARM UP

Re-write this clause to avoid the ambiguity caused by the second comma:
This agreement shall be effective from the date it is made and shall continue in force for a period of five (5) years from the date it is made, and thereafter for successive five (5) year terms, unless and until terminated by one year prior notice in writing by either party.

Warmup to discuss strategic considerations involved in moving for summary judgment.

Warm-Up

How would you advise our client regarding the possibility of moving for summary judgment? Be prepared to role play, presenting your advice out loud as if you were speaking to the client.
Warmup to discuss legal research.

Warm-Up

According to the trial court in the federal case, Lois Sportswear, what are the five things we must look at to determine whether a disclosure of privileged material was "inadvertent"?

(Hint: look for the phrase "The elements which go into that determination")

Warmup to discuss legal research.

Warm-Up

Is the following statement true or false?

"According to Federal Jury Instruction § 160.27, the plaintiff in a copyright-infringement action must, in order to prove access, show that whoever produced the defendant's work actually saw the plaintiff's work."
Warmup to discuss how statutes can be ambiguous.

**Warm-Up**

The Colorado state legislature enacted a statute giving a state tax credit to purchasers of electric vehicles. The credit will only be available for five years. Therefore, the statute has a sunset provision (quoted below). If Carlos buys an electric vehicle on September 1, 2019 at 5:00 p.m., will he qualify for the tax credit?

“This provision will expire automatically at 6:00 on September 1, 2019. The tax credit will not be available to people who purchase electric vehicles after that date and time.”