LAW

THE IRRELEVANT EMAIL THREAD

FACILITATION GUIDE

Overview

These caselets are narrative accounts designed to stimulate dialogue about the virtues that shape professional life. They differ importantly from the ethical case studies most faculty and students encounter in professional training. Rather than presenting a moral dilemma to be resolved, each caselet illustrates the presence—or absence—of a particular virtue as it operates in everyday practice. The goal is not to reach a verdict on what a character should have done, but to explore what a virtue looks like in action—and what may be at stake when it is absent.

Caselets are organized by virtue and professional context, but many will resonate beyond their primary category. A caselet about curiosity in a business setting may illuminate curiosity in medicine or law. Instructors are encouraged to use caselets flexibly and across disciplines.

General Facilitation Tips

- **Focus on virtue, not verdict.** Keep discussion centered on how the virtue appears (or is absent) in the caselet, not on whether the character made the right call. If the conversation drifts toward "what should they have done?", redirect gently.
- **Start with observation.** Open by asking what students noticed before asking what they think. Grounding early discussion in specific moments from the caselet prevents premature judgment.
- **Use questions as starting points, not a script.** Follow student energy. If a student raises a more generative question than the ones provided, pursue it.
- **Push back on easy agreement.** If the room converges too quickly, the caselet's complexity may not have been fully engaged. Invite students to complicate their own claims and consider opposing readings.
- **Invite connection to professional life.** The richest moments often come when students link the caselet to patterns they've observed or anticipated: "I've seen something like this when . . ."
- **Let silence work.** Resist the urge to fill every pause. Students often need a moment to arrive at their most substantive responses.
- **Close with reflection.** Reserve a few minutes to ask students what will stay with them — a question, an image, an unresolved tension. A sentence or two naming what they now understand about the virtue that they didn't before is a strong closing move.

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Discussion Questions

1. Curiosity can lead to important insights, but it can also lead to tangents and distractions. What is the appropriate role of being curious in the practice of law?
2. What distinguishes professional judgment from overreach in a role designed to be procedural?
3. David technically deviated from his partner's explicit instructions. He found something potentially relevant, but he just as easily could have found nothing. What does this suggest about the value or non-value of curiosity in various aspects of legal work?
4. To what extent is it appropriate for lawyers to rely on intuition or "something feels off" in highly structured work?
5. How do time pressure, billing structures, and narrowly defined tasks shape what junior attorneys notice—or choose not to notice—during a task like document review?

Facilitation of this Caselet

Start with the moment of hesitation. David is about to mark the thread non-responsive and move on, and then something stops him. That pause is the virtue in action, and it deserves close attention before the discussion moves anywhere else. Ask students what they think is happening in that moment: is it professional instinct, intellectual restlessness, or something harder to name? The caselet is careful not to romanticize it. David himself describes it as acting "against his better judgment." That ambivalence is worth sitting with.

Separate the discovery from the decision to pursue it. David finds something significant, but the case ends before he decides what to do with it. Keep students focused on the curiosity question rather than letting the discussion drift entirely into what David should do next. The ethical question of whether to escalate is real and worth raising, but it is a different question from whether David was right to look in the first place. These two questions can illuminate each other, but they should not collapse into one.

Use the third discussion question to complicate the outcome. David found something, but he just as easily could have found nothing, and the deviation from his instructions would have looked different in that case. Ask students to evaluate David's decision to dig deeper as if they did not know what he would find. This forces the discussion away from outcome-based reasoning and toward a more careful account of what professional curiosity requires and when it is justified independent of whether it pays off.

Let the structural question land at the end. The final discussion question about how billing structures, time pressure, and narrowly defined tasks shape what junior attorneys notice is the case's most systemic observation, and it is worth saving for last. Document review is not designed to reward the kind of attention David brings to it, and in most cases, nothing unusual turns up. Ask students what that environment does to curiosity over time and what it would require to keep that capacity alive in work that is structured to suppress it.

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