

Elevated

Teaching

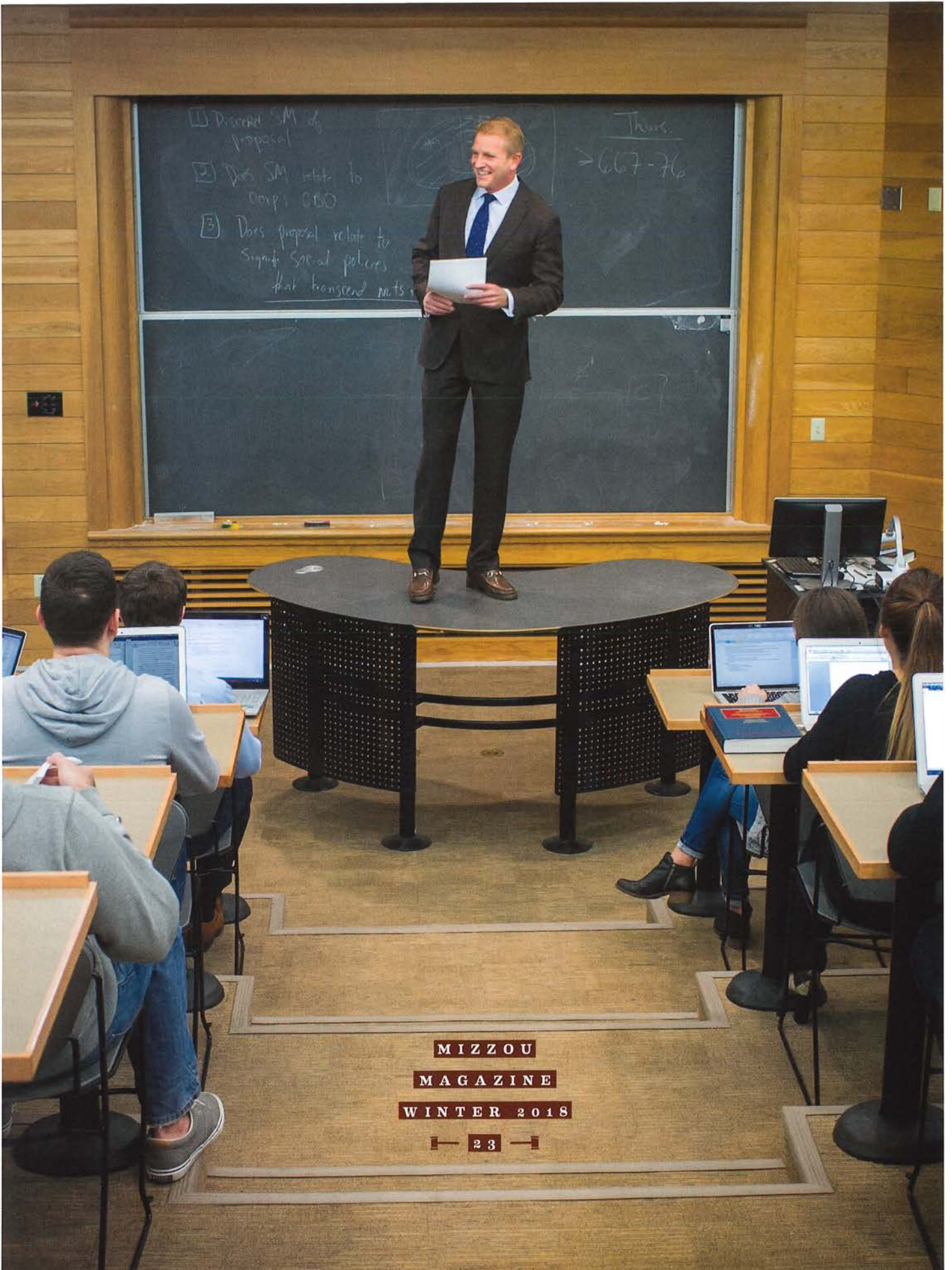
College and law school professors

changed Thom Lambert's life.

Now he's doing the same for others.

 Erik Potter

 Shane Epping



One day last spring, MU's Thom Lambert, professor of law, was delivering a lecture to his students and feeling uncharacteristically annoyed. He was explaining the finer points of corporate law, but was distracted by a rude commotion in the hallway. > > >



Suddenly, the door clanged opened and former Interim Chancellor Hank Foley walked in, followed by a retinue of people in suits and a photographer snapping pictures. The group filed down the stadium steps to the front of the class. Foley shook Lambert's hand and announced that he had just won the William T. Kemper Fellowship for Teaching Excellence, Mizzou's highest teaching award. Established in 1991 with a \$500,000 gift from the William T. Kemper Foundation, the award is given to five faculty members annually. Each receives a \$10,000 prize.

Lambert is no stranger to honors and accolades. His new book about government regulation, *How to Regulate: A Guide for Policymakers* (Cambridge University Press, 2017), has earned much critical praise. He is an elected member of the prestigious American Law Institute. The U.S. Ninth Circuit

† Former interim Chancellor Hank Foley, center, surprises Law Professor Thom Lambert in class by dropping in and announcing he'd won a 2017 William T. Kemper Fellowship for Teaching Excellence. Teresa Maledy of Commerce Bank applauds the moment.

Court of Appeals adopted his regulatory approach to bundle pricing (bundle pricing gives customers discounts when they buy a variety of products together — think cable, phone and internet).

Yet, winning a campus teaching award was the moment that topped them all. "It's the best honor I've ever gotten," says Lambert, Wall Chair in Corporate Law and Governance.

Despite his success as a legal scholar, Lambert's first love has always been teaching. It goes back to his childhood in eastern Tennessee and an admiration for communication he has had since almost before he can remember.

Reading Faces

Lambert grew up the son of a farm-equipment store owner and a stay-at-home mother-of-five. His was a storytelling family: epic tales from the Bible and small anecdotes from everyday life.

Lambert remembers his mom telling the best stories. He watched other grown-ups bore their friends with tales of supposedly exciting vacations. Yet his mother, in a lovely Alabama lilt, would wind riveting yarns out of a trip to the grocery store. Her secret wasn't the source material. It wasn't even the words she chose or the way she delivered them, though that helped. Her secret, Lambert learned, was observing her audience.

Lambert's mother was an expert at reading faces. If she spotted a look of confusion in her listener, she'd repeat what she'd just said. If she noticed impatience or boredom, she'd work in a joke. She consistently made herself heard, understood and remembered, and she made it look simple. It's a standard Lambert has aspired to ever since.

An Accepted Invitation

By the time Lambert started college, he knew he wanted to be a professor. Consequently, he was a careful observer of his own professors' behavior. While other students analyzed the faculty's sartorial choices, Lambert scrutinized their lecture habits to glean lessons for what made instructors effective.

He majored in philosophy at Wheaton College in Wheaton, Illinois, but it was an economics professor who became his mentor and didactic inspiration. P.J. Hill was an accomplished academic and teacher. "He could present ideas very clearly — a great thinker," Lambert says. Hill also liked to talk in class about his own research and the field's unanswered questions. It was his way of extending students an invitation "to be part of this intellectual search in which the professors are trying to figure things out and the students can walk alongside you," says Hill, who is retired from teaching and semi-retired from an economic think tank in Montana.

Lambert accepted the invitation enthusiastically.

Hill remembers Lambert being engaged in the classroom, asking pointed questions that struck at the heart of an issue. Hill chose two students every year to take to an economics conference in New Orleans, and one year he took Lambert. "He was a good guy to travel with," Hill remembers. He also remembers how Lambert attended every session of the conference, despite the lure of nearby Bourbon Street. "It was clear he was really

interested in the ideas."

Instead of just hearing about the research aspect of academia, he was seeing it, walking through it, breathing it in. "It was intoxicating," Lambert says. "It hooked me on economics."

After graduation and a failed search for a job teaching philosophy in prep school, Lambert accepted a position Hill recommended him for at an economic policy think tank at Washington University in St. Louis. While there, Lambert got into interesting arguments about regulatory policy with some of the school's law professors. He realized that the law was another way to approach the weighty economic issues that now fascinated him.

After a year in St. Louis, Lambert made his way to Chicago for law school.

The Lambert Point

At the University of Chicago Law School, Lambert studied under pre-eminent legal scholars, including Cass Sunstein, who later led the White House Office of Information and Regulatory Affairs under President Barack Obama (whom Lambert also had as a law professor).

Perhaps because of their divergent political opinions, Lambert developed a deep respect for Sunstein's fair-mindedness as a professor. "He would always give credit to strong arguments from the other side of an issue," Lambert says. "And he would always recognize the weaknesses in his own position in a way that is just very rare."

Sunstein also had a memorable way of praising students. For instance, if Lambert made a good point during class — or even just the nugget of a good point — Sunstein would call it out, summarize it neatly and thereafter refer to it as "the Lambert point." Lambert saw how naming the point made that student feel good and increased his or her classroom engagement. But — ever the observer — he also liked that it made the point more memorable to the other students and provided a useful shorthand during discussion. It made class better for everyone.

When Lambert finished his latest book, he asked Sunstein to write a blurb for the back cover. Lambert was out to dinner with students at a moot court competition when Sunstein's response arrived by email.

He told the students that Sunstein was the professor who taught him much more than coursework; he taught him how to think about the law. Excited, he said, "I know this isn't very humble, but I just really want to read this thing to you guys." In the blurb, Sunstein calls Lambert's book "brilliant, sharp, witty and even-handed," "a ma-

Lambert remembers his mom telling the best stories. He watched other grown-ups bore their friends with tales of supposedly exciting vacations. Yet his mother, in a lovely Alabama lilt, would wind riveting yarns out of a trip to the grocery store.

major contribution to [regulatory] theory and practice” and says it “may well be the best guide, ever, to the regulatory state.”

Building a Craft

After law school, Lambert practiced antitrust law in Chicago for three years at a large, competitive law firm with sweatshop hours. It was a kind of research project; he wanted to see how the law worked in practice so he could share those insights with his future students.

When he accepted a faculty position at Mizzou, he worked intensely to prepare his classes, putting in even more hours than at the firm. “It is weird that I’d never taken a class on how to teach,” Lambert says. “So, I thought back to my mentors. What did they do that I thought was good? And that’s what I tried to do.”

He thought of P.J. Hill’s clarity and teacher-scholar philosophy. He thought of Cass Sunstein’s fair-mindedness and “Lambert’s points.” And he thought of his mother’s stories.

“Teaching is part storytelling, especially law teaching,” Lambert says. “I teach contract law. I tell the students, ‘These cases we’re reading, this is the Shakespeare of Anglo-American law. It all comes from these stories.’”

Lambert structures his classes so that each period features a different case — a story of particular people who had a disagreement and how the law responded to them. Over the semester, he uses each class period to build a larger narrative of how the law takes shape gradually in reaction to individual events. “The law has a plot,” Lambert says. “There are twists, and there’s an objective to it.”

In this way, he teaches his students what the statutes say as well as what the law is trying to do, the problems it has evolved to solve. Also, he imparts an economist’s understanding of how people respond to incentives and a pragmatist’s belief that the law should achieve the most good for the most people — and that it should do so in practice, not merely theory.

Unlike practicing law, where verdicts intersperse months of toil, teaching law offers instant gratification. From his first semester, he knew he was making a difference. Students would come up after class to talk about the material. They would email him just to share an article that reminded them of a class discussion. “When you know you’re opening them up to new ideas, that is exciting,” Lambert says. “This happens I’m sure for every teacher, but not everybody craves that as much as I crave it.”

Why the Blackboard?

Now 14 years into his time at Mizzou, Lambert is famous in the law school for making dry and difficult subjects seem clear and accessible. Securities regulation and antitrust law require a lot of memorization and normally attract only devoted students. Yet Lambert’s classes always have waiting lists.

Watching Lambert conduct class is like watching a liturgy: His actions appear instinctive, but every move is a deliberate choice, rooted in experience and theory, and aimed at helping the students engage with the material.

For example, he starts each class by grabbing a piece of chalk and scratching an outline of the day’s agenda — cases and statutes — on the blackboard behind him. That one habit is a multilayered decision. Lambert writes the list to help students organize their notes. He also uses it as a visual aid throughout the period, pointing to the different items to draw connections between them. The outline goes on the blackboard, rather than into a PowerPoint presentation, because he doesn’t want his students staring at a screen above his head. He wants them looking at him, tuned in. Like his mother, he wants to read their faces.

The Lambert School of Economics

In February 2017, Lambert slid into a back-corner seat of a small auditorium in the Antonin Scalia Law School at George Mason University, home of the Global Antitrust Institute. He had been invited to assemble a team for the school’s annual antitrust moot-court competition.

Teams from across the country meet to argue hypothetical cases involving antitrust law — laws and regulations that govern market competition and prevent monopolies — in front of top antitrust lawyers serving as mock judges. With advice from their professors, the teams prepare a legal brief and oral arguments over winter break. Lambert’s students used his framework for analyzing a law’s purpose and the problem it seeks to solve.

Worried about how they’d perform at the com-

Watching Lambert conduct class is like watching a liturgy: His actions appear instinctive, but every move is a deliberate choice, rooted in experience and theory, aimed at helping the students engage with the material.



petition, the students asked Lambert to sit out their first-round argument against Vanderbilt University. “If we don’t know anything, I do not want Professor Lambert in there,” Brianna Hills, then a second-year student, remembers telling her teammates.

Despite their nerves, the team convincingly outdueled the Commodores.

For their second-round joust, they told Lambert he could sit in, but Hills wanted him far enough away that she couldn’t see his face. “If you look disappointed, it’s going to mess me up,” she told him.

So, from his perch near the back corner, he watched his students perform. He was anything but disappointed. “They just nailed it; they were so good,” Lambert says. “I heard afterward from judges — including a federal judge on the Wash-

ington, D.C., circuit — that they were really impressed with their arguments, that they were more sophisticated than other teams’ arguments. I was very proud.”

ington, D.C., circuit — that they were really impressed with their arguments, that they were more sophisticated than other teams’ arguments. I was very proud.”

Hills calls herself, alternately, “a disciple of the Church of Lambert” and “a student at the Lambert School of Economics.” She got hooked on his classes her first semester and has taken one every semester since. She also landed a spot as his research assistant for her third year. After graduation, she will intern at a boutique law firm in New York, then clerk for a federal judge in Tampa, Florida. She hopes then to return to the New York firm and practice — what else — antitrust law.

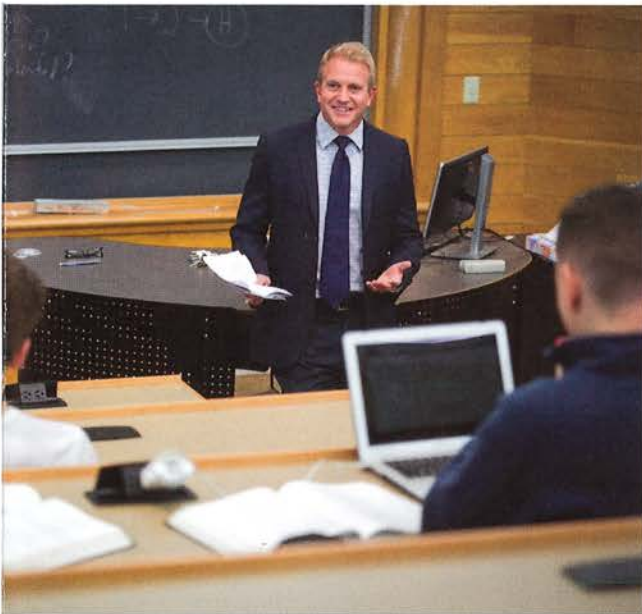
“I didn’t even know what antitrust was before I started law school,” Hills says. She took Lam-

The Next Generation

bert’s antitrust class purely because he was teaching it. “But he can take really complicated doctrines like antitrust and make them easy to understand even for people who know nothing about economics. That’s a skill that seems like every professor would have, but it’s really unique to him and the way he teaches.”

A couple months after returning from the moot court competition, Hills heard that Lambert had won the Kemper award. She thought back to the dinner where he praised Cass Sunstein for influencing how he thought about the law. She sat down and wrote him a note.

“I said, ‘That’s how I think about you. You are the professor who has changed the way I think about



† At left, Lambert shuns PowerPoint presentations in class; he wants students to keep their eyes on him so he can read their faces and communicate better. Above, Lambert goes out of his way getting to know his students and mentoring them. Students are, clockwise from center, Zach Hadler, Charlie Hutchinson, Alex Thrasher, Jessica Peterman and Brianna Hills.

the law,” Hills says.

And it’s not just Hills. “It’s true for my two moot court teammates who are now writing opinions for Missouri Supreme Court justices, for the students of his who go on to the General Assembly, to big law firms — these are the people who are shaping the next generation of how we think about the law and what kind of outcomes we should be getting when we craft law,” she says.

For Lambert, Hills’ note is proof that where he always wanted to be is exactly where he should be — at the front of a classroom. **M**