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from **Stuck in a Rut: The Role of Creative Thinking in Problem Solving and Legal Education**

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### III. TECHNIQUES FOR FACILITATING CREATIVE THINKING

There are a number of techniques that we can use to shift our focus and jump out of our rut in order to think more creatively about problems. Many of these techniques involve looking at the problem in a different context and/or redefining the problem.<sup>57</sup> They may be used by individuals, or in group settings.<sup>58</sup> Below we describe the techniques, and illustrate how we might use them in a professional context. The underlying theory of these techniques is that they serve to expand the neurological pathways our brains typically use and encourage the interweaving of both hemispheres of the brain, as explained in the previous part.

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<sup>57</sup> For a additional discussion of various techniques used to achieve creativity, see Thomas Michael McDonnell, *Playing Beyond the Rules: A Realist and Rhetoric-Based Approach to Researching the Law and Solving Legal Problems*, 67 U.M.K.C. L. REV. 285, 306-11 (1998) (discussing different ways to get at creativity – random stimulation, reverse thinking, brainstorming, etc.); see also Kimberly E. O’Leary, *Using “Difference Analysis” to Teach Problem-Solving*, 4 CLINICAL L. REV. 65 (1997) (discussing use of brainstorming as a technique to teach students to consider different perspectives on a problem, *id.* 84-85, or to develop fact theories and legal theories of a case after interviewing clients, *id.* at 94).

<sup>58</sup> When we consider how to think creatively, one thing that tends to come to mind is brainstorming. Brainstorming is actually not a creative thinking technique, but rather a group process that can be used with different techniques, such as those set forth in this part.