



Under Advisement, Ltd.
Career Planning For Lawyers.



THE LEGAL PROFESSION PREP CLASS™

The **P**actice **R**eadiness **P**roject
for
Chicago-Area **L**aw **S**chool **S**tudents

RESEARCH, RESPONSES, AND REPORT TO
CHICAGO-AREA LAW SCHOOLS

Kathy M. Morris

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Preface

The Legal Profession PREP Class project is wholly of my own creation. It does not debate theoretical issues such as the purpose of law schools. Nor does it address a myriad of possible matters, such as the cost and financing of legal education.¹ The focus of this Chicago pilot is but two-fold: law schools' preparation of their students to graduate with jobs and to perform them more effectively from the outset.

The ABA Task Force on the Future of Legal Education, which issued its Final Report in January 2014, heard from recent graduates "a conviction that they received insufficient development of core competencies that make one an effective lawyer, particularly those relating to representation and service to clients."² The PREP Class data reflects that same conviction, expressed by new lawyers and those across the spectrum who work with and supervise recent graduates.

My career has revolved around law student and lawyer career planning, with a dual focus

on legal job search and lawyer training in the workplace.³ I know that notwithstanding the harsh job market for new lawyers, there *are* jobs that law students and new graduates do not know how to get. I also know that when graduates start their new jobs, they trip up on the professional skills law schools do not teach or, according to the PREP Class survey responses, do not yet teach effectively enough.

There have been some recent, mainly long-term law school innovations.⁴ I decided to take quick and pointed action to address the near-term job search and practice readiness aspects of the challenges facing law schools and our junior-most colleagues in the profession. In the Spring and Summer of 2013, I conceived of and launched the *Legal Profession PREP CLASS*[™], an acronym for the practice readiness project for Chicago-area law school students (and recent graduates). The research, results and recommendations follow in this Winter 2014 Report.

I created an electronic survey⁵ to gain the views of local practicing lawyers⁶, and focused on three strategic outcomes:

- Compiling this Report for the six Chicago-area law schools on skills and abilities they could consider incorporating into their curricula to better prepare their students for the work world of the legal profession;
- Designing and offering to area upperclass law students and recent graduates several no-fee classes on skills prioritized in the survey results, to be taught by survey respondent volunteers, with a bonus class on finding your first job; and
- Reviewing, evaluating, revising, and expanding the PREP Class project within Chicago and to other locales, such as New York and Los Angeles.

Methods

The initial steps I took to create the Chicago pilot were:

- Reaching out to gauge interest and gain input by speaking to or corresponding with lawyers in law firms, bar associations, law schools, corporations, and the public sector in Chicago;
- Making a presentation to the Chicago law firm Professional Development Consortium to gain its members' advice⁷; and
- Designing the electronic survey.

The next steps to launch the pilot involved:

- Disseminating the survey, over six weeks in the second half of August and September, 2013, on my Under Advisement, Ltd. legal career advice website at www.underadvisement.com, with survey links distributed through the involvement of the Illinois State Bar Association, the *Chicago Daily Law Bulletin*, Chicago-based and national law firms with sizable offices in Chicago, the local chapter of the Association of Corporate Counsel (ACC Chicago), and the Illinois Attorney General's Office⁸, among others;
- Amassing and analyzing the data during October and November, 2013 from over three hundred survey respondents to draft this Report in December 2013 and January 2014 for its February distribution to (a) the Chicago-area law schools to engender dialogue, help strengthen their career services platforms, and hopefully, inform their curricula; (b) the law firm training consortium members and bar leaders to advise as to ongoing workplace attorney development efforts and additional, needed public programming; (c) survey respondents who requested the results when they submitted their completed survey; and
- Planning the first PREP Class programming⁹, to be held in Spring 2014, with its cooperation at the Chicago Bar Association building, at no charge to upperclass area law student and recent graduate attendees, on practice readiness topics and job search techniques.

Methods, continued

Future envisioned steps include:

- Meeting with law school faculty and administrators, as well as career services members of the Chicago Area Law School Consortium (CLASC), to discuss the Report and foster follow up;
- Writing articles and items for publication about the initiative, its outcomes, and impact for print journals and web-based magazines such as *The Law Teacher*, those of the ISBA, the CBA, Inns of Court, ACC Chicago, and the PDC-Legal.org newsletter, as well as speaking on those subjects at academic, law practice, and other professional conferences or workplaces;
- Assessing the effectiveness of the PREP Class pilot, introducing any needed enhancements, and expanding it within the state and to other locales nationally, potentially with the involvement of the ABA and other nationwide groups.

Survey Respondent Demographics

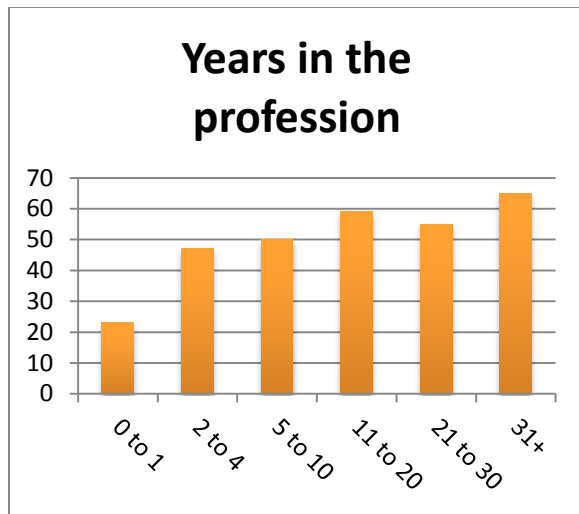
Over three hundred Chicago-area lawyers returned completed surveys during the six weeks results were gathered. The respondents were 52% women, 48% men.¹⁰

Over 50% of the survey respondents attended Chicago-area law schools.¹¹

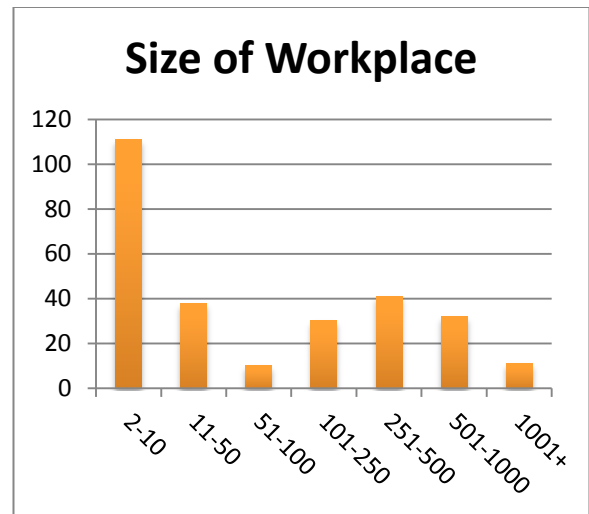
8% of completed surveys came from new lawyers, while lawyers with over thirty years of experience were the

highest represented group of respondents, followed by a strong mix of individuals ranging from five to thirty years of experience, as shown on Graph 1.

Respondents came from all sizes and sectors of workplace, with 41% in a two to ten person environment, balanced with 42% from larger organizations of 101 to 1000+ lawyers, as shown on Graph 2.



Graph 1

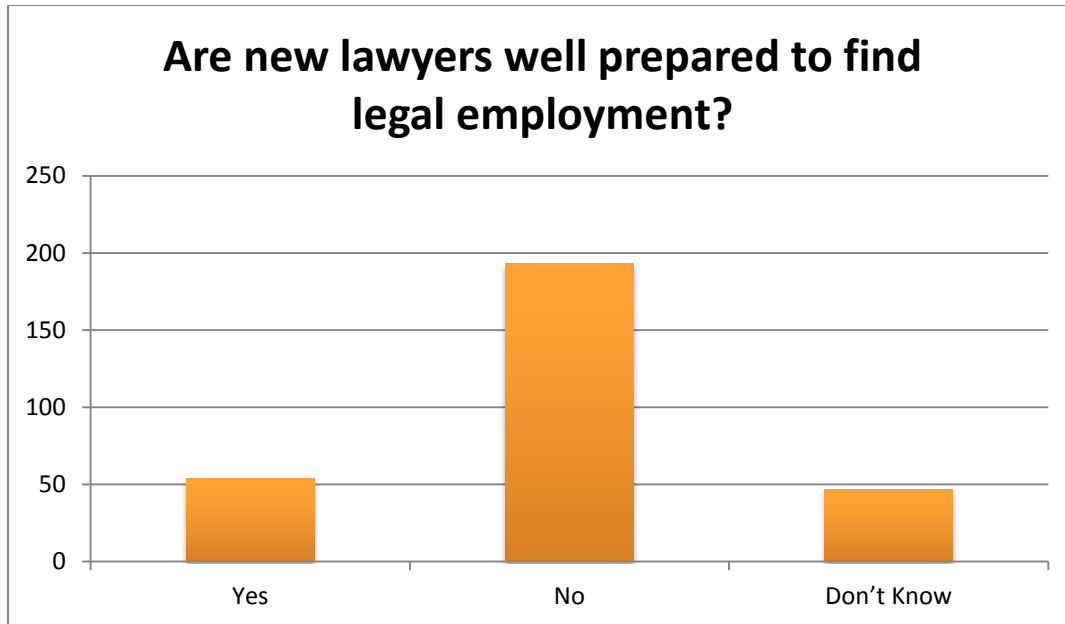


Graph 2

Quantitative Results

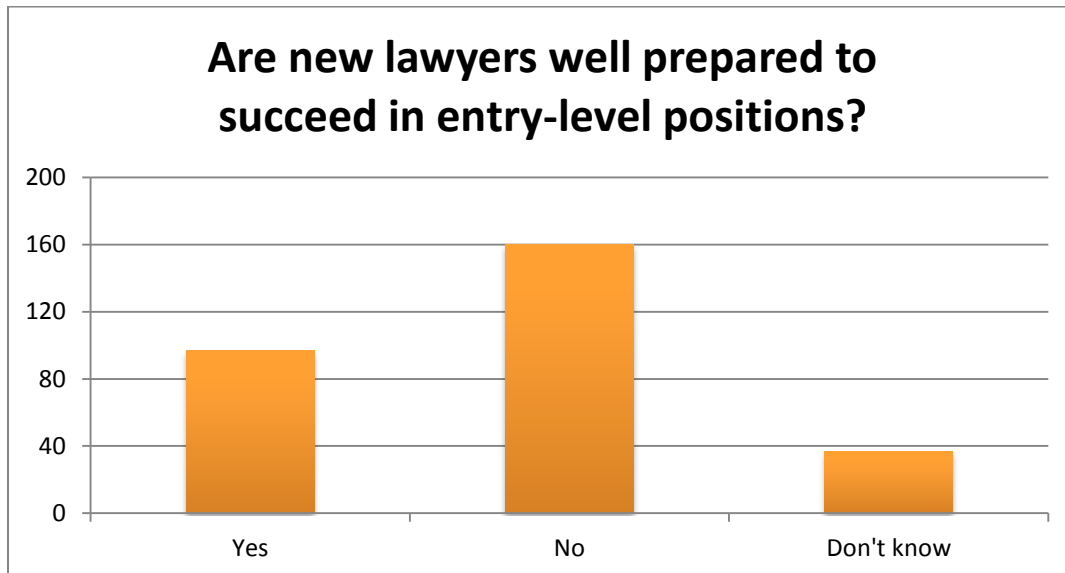
As to the "Yes" or "No" questions anchoring the survey, the results support the dual focus of the project on job search and practice readiness skills:

Are new lawyers well prepared to find legal employment?
Yes - 18% No - 66% Don't Know - 16%



Graph 3

Are new lawyers well prepared to succeed in entry-level positions?
Yes - 33% No - 54% Don't Know - 13%



Graph 4

Skills Ratings

Of the six overall skills categories rated, each included six specific skills, attributes, or abilities.¹²

The "Communication Skills" most often rated to be *in need of more emphasis by law schools* were Conveying Complex Information Clearly, (with 223 needs More Emphasis ratings); Listening Effectively (211 More Emphasis ratings); and Expressing Cogent Conclusions (206). The "Client Service Skill" of Managing Projects Efficiently followed closely (with 205 More Emphasis ratings). On its heels were the "Corporate Skill" of Understanding Financial Documents (204) and the "Problem Solving Skill" of Posing Practical Solutions (rated as requiring more emphasis 202 times).¹³

The specific skills most often rated *Not Teachable* were:

-
- Being Sociable and at Ease In Conversation (Communication--77 times)
 - Comporting with Poise and Confidence (Client Service--48)
 - Demonstrating Empathy and Adaptability (Interpersonal--45)
 - Recovering from Mistakes Resiliently (Problem Solving--35)
 - Establishing Presence and Credibility (Interpersonal--34)
 - Taking Initiative/Responsibility (Problem Solving--30)¹⁴
-

Finally, the two skills that were rated in double digits as *Not Important* were both Corporate Skills:

-
- Employing a Global Mindset--30 Not Important ratings
 - Exhibiting Cultural Inclusiveness--15 such ratings¹⁵
-

See Appendix V for a grid showing the Quantitative Data.

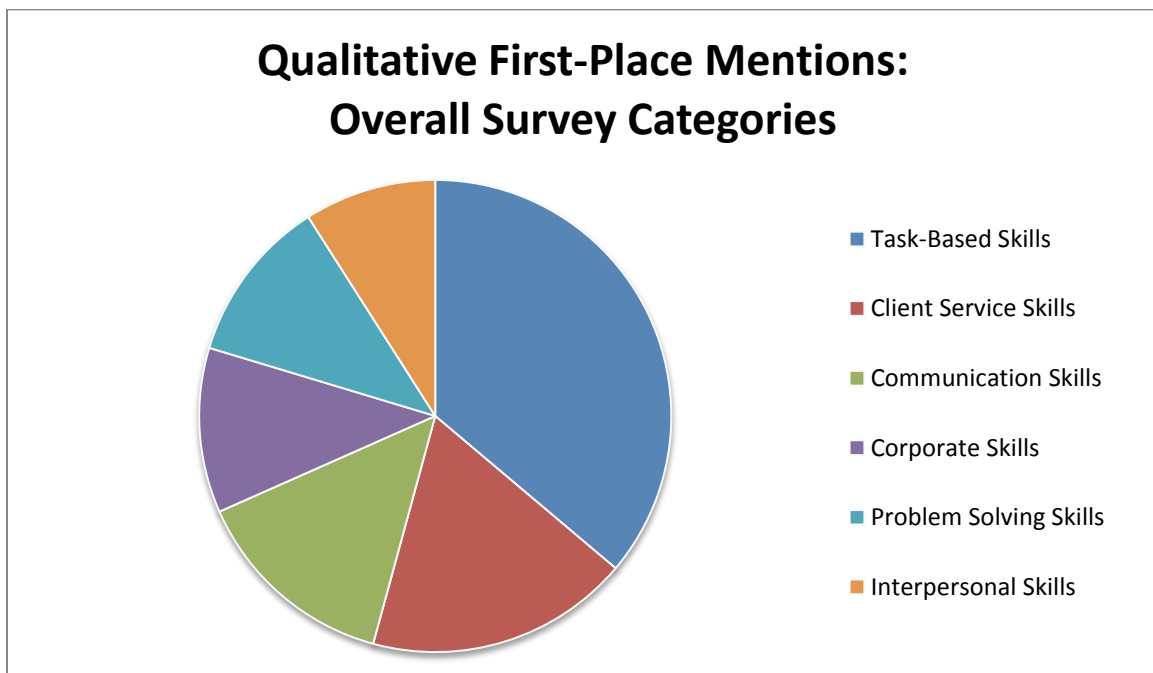
Qualitative Feedback

The write-in responses were of such number and nature to indicate the respondents approached the survey seriously and enthusiastically.¹⁶ The prose-based suggestions highlighted:

- Priority subjects for further pedagogical focus;
- Formats for possible law school courses; and (although unsolicited)
- Opinions on ways to restructure law school for greater practice readiness of graduates.

The next part of this Report focuses on the write-in comments provided in response to the inquiry as to which of the skills were the highest priority, and why.

The overall survey categories and specific skills most often identified as the #1 priority in need of more emphasis by law schools were:



Graph 5



Graph 6

Skills Rankings

The specific skills most often listed by respondents as #1 in need of more emphasis by law schools, as depicted in Graph 6 above and explained below in the words of the respondents, were:

Writing Artfully¹⁷; Developing Business; Handling Discovery Effectively; Managing Projects Efficiently; Conveying Complex Information Clearly; and Drafting Contracts Carefully.¹⁸

The explanations respondents provided for their rankings of the #1 skill law schools need to emphasize in preparing their students for graduation are heartfelt and telling, and they underscore in a variety of ways what one of the respondents succinctly stated: "new lawyers are ill prepared for the real practice of law."

Comments

Task-Based Skills were prioritized twice as many times (64) as the next closest category (Client Service Skills, which received 32 mentions as the #1 overall skill area in need of emphasis). General comments on task-based skills included:

All of the task-based skills are the most important for the new lawyer. If these skills are not in place then the attorney will not succeed at the entry-level positions. From these skills a young/new attorney may develop the other skills over time and with experience.

Task-based skills are the hands-on everyday skills a lawyer uses that are not adequately taught in the law school setting. Unless one has an internship that provides exposure to drafting real-world contracts, issuing discovery, etc. the law student understanding of these things exists in a vacuum. Most law students can certainly tell you what these skills are, and can complete them in a controlled classroom setting with confidence, but real world application is an entirely different ball game.

All of the task-based skills are of utmost importance. I think law students need to be taught to be more careful and diligent in their work, whatever that work may be. They need to be taught that being careful, and thus accurate, are hugely important to the practice of law.

Task-based skills are what a new lawyer will be doing day after day. Not having to teach a law grad some of the basics of this would be nice.

Qualitative comments¹⁹ on the survey's **specific task-based skills** ranked as the #1 priority for law schools to emphasize in their curricula, included:

Writing Artfully (26 first-place mentions)²⁰

Writing writing writing is the most important skill overall, regardless of practice area. More emphasis should be placed on clear, organized and concise writing. Too many young lawyers write in an overly-complex, passive style.

In my experience, recent graduates are HORRIBLE writers. Their work product lacks organization, they are unable to clearly present their arguments, and they lack basic grammar skills.

Lawyers need to be better writers! New lawyers need training in how to write letters and emails, not just legal briefs. Need training in how to write clearly and precisely, without legal jargon, and with the appropriate audience in mind. Careful editing with attention to every detail in a document should be emphasized, as well.

Young lawyers are woefully inefficient at research and writing. And, when they do get a task, they often misunderstand or misrepresent what a case says.

Writing skills are the single most important skill of an attorney at all levels. There can never be enough development of writing skills.

Writing artfully is essential in any type of legal job but is under taught and I think undervalued by students.

Handling Discovery Effectively (11 first-place mentions)

This is so much of our work in the first few years, this practical training would be very beneficial.

Discovery is a big part of my job. I feel like this wasn't a large focus in law school. We learned the tools, but not necessarily how to use them effectively. I took trial practice and moot court, but I haven't had a trial or an appellate argument. I have had about 5-6 depositions and multiple witness interviews. I felt like I had to learn how to do that from other attorneys in my office, because it wasn't really covered in law school.

As a litigator, handling discovery effectively is essential. It can make or break a case. This includes written and oral discovery. Law school does absolutely nothing to prepare students for this. There should be a third-year course that covers interrogatories, requests for disclosure, requests for production, requests for admission and, most importantly, depositions (including evidence depositions) of witnesses, physicians, parties and experts.

Drafting Contracts Carefully (8)

We're taught how to analyze contracts, but have no idea how to go about turning a blank piece of paper into a solid contract.

This is a universal skill regardless of practice area. No class for it in law school.

Not doing so leads to problems and the conclusion that the attorney isn't "up to the job."

Since most of the law work I do is not trial oriented, most of the things I learned in school were useless. Learning to draft good contracts, letters, and explanations is a necessary but untaught art.

Reviewing Documents with Detail (5)

Reviewing documents with detail is most important because the devil is in the details, and a case can be won or lost on a buried detail.

We too often see young attorneys who miss important details.

Many young lawyers are of the mindset of the day of instant gratification. They carry that over into the practice, which, coupled with lack of practical knowledge, causes important items to be missed. "Speed Kills" applies.

It is important that new/young attorneys review documents, drafts, and any work product with a critical eye so that they do not create more work for their superiors.

As noted, **Client Service Skills** was the second most prioritized overall survey category, with 32 first-place mentions. General comments included:

Client service skills are most important. If you are unable to handle clients, you won't have any.

In my opinion, [this is] the most important skill set [for] a lawyer. We are, after all, a service-based profession. However, I felt that got lost in law school, where the focus was on the educational side of preparing researchers, writers, and litigators. Of course that is the focus of a legal education, because those are the skills that a person must learn to be a lawyer. However there could be more emphasis on working with clients, whether difficult or not, and how to respond to them.

Many new lawyers do not have the confidence to talk with clients. Nor do they know how to effectively relate bad news. And they often talk in legalese. In all honesty, all of these separate skill sets should be separate courses. New lawyers do not need all of these theoretical classes when the time is there for practical learning. There are internships and residencies for doctors – that should at least be available for lawyers.

Current law school graduates...are completely clueless about client centered relationships. They treat clients in a manner that suggests clients are fortunate to have them as their lawyers. They suffer from an entitlement syndrome that mitigates their desire to work diligently on behalf of clients.

They certainly do not commit the hours and hard work that I put in as a new associate at a top ten law firm. They do not understand that they are working in a service oriented profession. They do not know how to develop relationships with clients and do not do so.

Comments on the survey's *specific client service skills* included:

Managing Projects Efficiently (9 first-place mentions)

Law students tend to be inefficient and learning efficiency and multi-tasking will enhance their career.²¹

Understanding Business and Industry Challenges (7)

Understanding a legal issue is one thing, understanding how to deal with it in the context of a client's needs (e.g., industry/company needs and priorities, financial needs and budget, publicity concerns) is entirely different. I don't think I heard the word "client" once in law school, but law is a service business and our work revolves entirely around the client and their needs.

[C]lients do not care at all about the holdings of case law. Clients are concerned only with their attorney being able to solve their problem, or keep them out of the problem in the first instance. Law schools do not do a good job of teaching students that lawyers are seen as an annoyance and an obstacle by business people. Law students think that their clients will care [most] about the legal work, when all the clients typically want is for the matter with the lawyer to be resolved as quickly as possible. The client is focused on their core business, and does not care about the legal minutiae regarding their problem.

Schools regularly use business/industry insiders to teach classes because they know the subject matter, but schools should utilize the experienced professional even more by asking them to deviate from the textbooks and explain the legal operation of the business/industry at an in-the-weeds level. This will familiarize the student with the lingo and "real-world" operation of the target business/industry so they can impress the hiring partner with their readiness to hit the ground running, if hired.

[Any graduates] who choose to open their own law firm will either succeed or fail within the first year depending on the decisions they make, [based on their] understanding of business and industry challenges.

Creating Rapport and Maintaining Client Relationships (6)

No class covered this in law school. Thankfully I learned this elsewhere. There should be a course on how to speak to people. My current boss frequently [upsets] clients with his attitude, and I have to apologize and rein the client back in when they want to fire us. It's a horrible situation to be in.

Without this, clients have no confidence in you and will suspect everything you do and say; eventually, they will fire you and find somebody they like better, not necessarily a better lawyer, just someone they can relate to. It would be useful to have tips on how to instill client confidence in you as a young attorney.

The next overall category most prioritized as the #1 skill set law schools need to give more emphasis to in their curricula was **Communication Skills**, with 25 first-place mentions. General comments included:

It does not matter if you're the most intelligent lawyer in the world if you can't effectively communicate your thoughts and conclusions.

I don't think communication skills are taught often enough or emphasized enough.

Representative comments on the **specific communication skills**:

Conveying Complex Information Clearly (9)

As a new attorney, this is one of the most difficult tasks for me. Translating legalese to clients and explaining legal concepts is definitely a weakness of mine that was NEVER discussed in law school.

Young lawyers simply do not know [how to] do this today.

Listening Effectively (6)

The best way to demonstrate what you do not know is by speaking, especially when you are in the presence of a client. Active listening gleans important information about the issues, attitudes and expectations of the client. Make a mistake in any of those three areas and getting paid and being respected for your work can easily become an issue.

[F]ew young lawyers know how to listen effectively. This comment is related not to understanding the law, but understanding what clients, opposing counsel and judges are really saying.

It all starts with listening, we found, from taking in one's first assignment to developing business opportunities later in one's career. One's eagerness to impress many times gets in the way of truly understanding the needs, concerns, or issues that the assigning lawyer is trying to convey and the working relationship as a result may [get off] on the wrong foot from the start.

Expressing cogent conclusions (3)

Most law clerks who are working in the office do not have the confidence or the skills to communicate their ideas/projects/research cogently and confidently.

Beginning attorneys tend to be good at research and writing, but often are afraid or unable to [convey] cogent conclusions [from] conflicting information which is usually the most significant desire of clients when engaging legal advice.

Many new attorneys are unable to provide articulate recommendations on strategy or courses of action in cases after conducting research or drafting memos on the legal issues.

Corporate Skills came in next in order of priority (20 first-place mentions), and its top sub-skill, **Developing Business**, had 12 of those 20 votes, making it the second-most qualitatively top-ranked specific skill, behind writing. Comments on business development included:

I don't think there is a law school out there that is teaching this. If you're going to succeed at all you need to know the basics of running a business, and what it means to have an entrepreneurial mindset.

Both of my jobs since graduation required me to develop business, but have not taught me how. My law school did not teach this at all.

I was a guest speaker at a 1L forum at [one of the Chicago-area law schools]. When I started talking about bringing in business the kids just zoned out. Law students have a reality check when they get out into the legal field and realize that bringing in business is the most important asset you can bring to a firm.

Understanding Financial Documents/Having Commercial Awareness (3/3)

Much of law is financial and requires adept reading of financial documents. It doesn't matter what area of law, they all require a basic understanding of financial documents.

In a smaller law firm particularly, new lawyers need to be productive and cognizant of the bottom line. It's not school, it's not a game, it's a money making business, and if they aren't aware of their time, their costs and collection issues, their salaries eventually cannot be paid.

Law school should include at least one required [course] and offer electives on business management.

Next, **Problem Solving Skills** also came in at 20 first-place mentions, with a high note for **Taking Initiative and Responsibility**,²² which had 7:

Law students and recent graduates who stand out naturally take initiative, but others seem almost complacent.

Young people seem to think things should be handed to them.

New lawyers need to learn that mistakes happen and they need to own it, report it, and offer a solution. Hiding problems or trying to resolve [them] without a partner finding out can end someone's employment.

Interpersonal Skills garnered the fewest top-priority mentions for an overall category, not far behind, however, with 16.

Lawyers often can argue anything but they don't always have a "feel" for the client or the client's concerns. More emphasis needs to be placed on the interpersonal side of lawyering.

Many new lawyers come out of law school with an idea that every case is a death match and if they compromise on an issue it is a sign of weakness. Many new lawyers are not taught the importance of civility and the need to recognize that a case is not their own personal quest.

Dealing with Difficult People (6)

Most legal matters involve a situation which is unpleasant for the client. Unfortunately, perhaps due in part to the massive amounts of negative media over the last few years, upset clients have a tendency to "lash out" at their lawyer. I have noticed that young lawyers do not expect this behavior and do not know how to continue to act professionally when their client is mean to them.

Instead of knowing how to [deal with difficult people], new lawyers seem to sink to that level.

Additional Write-in Comments

The survey also asked: "Are there any other practice readiness skills you recommend that law schools consider incorporating in their curriculum?"

Curricular Content

The greatest number of curricular suggestions (41) written-in by respondents in this section of the survey kept the focus on still-needed litigation skills education, from pre-trial and trial skills to specialized subjects such as experts or investigations or insurance law.²³

In law school, they did not teach us how to draft [or answer] a complaint. The first time I was asked to draft a complaint, I almost fainted in thinking I did not know how to do something so basic as how to formally start a law suit.

Courthouse 101, meaning how to find the clerk's office, file or record a case or deed, spindle a motion, and so forth. I have in mind not just the pure mechanics--anyone can pick that up pretty quickly-- but the subtler know-how that distinguishes skill from 'huh?'.²⁴

Motion and order practice...It is useless for most law students to write a Supreme Court brief but not know the usual day to day things we all do at one time or another. Since more than 90% of cases do not go to trial, why teach to the -10% and ignore the 90+%?

Discovery--what it is, how and when you do it. They gloss over this in law school, but it's essential to most legal work!

Schools should give students practical advice about how to file a document, look up public records, and deal with opposing counsel. Nobody in law school prepared me for opposing counsel failing to return 10 of my phones calls....

It seems silly that associates enter into their first year [of practice] and they have never even heard of the actual parts of the litigation that they will be the most involved with.

There is little preparation for how to conduct a deposition beyond a trial advocacy class. There needs to be focus on the day-to-day things a lawyer does.

A pleadings course to supplement civil procedure. It's great to understand rules, but worthless without knowledge in how to execute them.

Each new lawyer would be more useful in the workplace if s/he already knew how to draft pleadings, motions, discovery documents, prepare for and conduct a deposition, pre-trial conference and trial. It was astonishing to me how many of my peers, prior to graduating law school, did not ever draft a Complaint or Answer.

[S]top pounding the lofty "lawyering" attitude into students and prepare them for the actual, technical, practice of [litigation]...The actual practical use of evidence: laying foundation, introducing, and proper objections.

I took a trial practice class but I didn't learn enough. There needs to be more simulated courtroom experience, including conducting a hearing, presenting evidence, asking questions, etc.

In law school they tell you that you'll learn [litigation] skills "on the job," but good luck if you find a job where there's someone willing and able to mentor you. This essential "what I do on Monday morning" stuff is important to your survival as a new lawyer, and it has nothing to do with case law or the finer points and nuances of the law that you discuss in law school ad nauseum. You need a viable tool kit, and most of us seem to pick it up haphazardly. There is no excuse for this! No other type of professional education assumes as much about your basic understanding.

In addition to Litigation, write-in suggestions related to:

-
- A. Teaching new technology (e.g., e-discovery, the myriad of online resources);
 - B. Business development/financial skills (from business generation (through RFPs and networking) to the economics of a legal practice and the day-to-day tasks in running a business, such as billing);
 - C. Oral communication (e.g., public speaking, (again) listening, and client counseling);
 - D. Strategic problem solving, negotiation, ADR;
 - E. More emphasis on the everyday law that attorneys encounter - mortgages, landlord/tenant, consumer, divorce, etc.;
 - F. Probate practice in court. How to present an accounting, how to close an estate, etc.;
 - G. Basic law practice management and time management classes.
-

Ethics, professionalism, and civility was another area written in as in need of greater emphasis by law schools in readying their students for practice.²⁵ Only one comment was gender-based, recommending "assertiveness training for female students." However, a number of the comments seemed to be generational²⁶, such as:

Teach law students that television lawyering is not real world lawyering. Too many new lawyers seem to strive for the look, the bad attitude, the win at any cost approach, the unethical behavior rather than viewing this as a profession in which they are expected to act rather than just look like a professional.

Remember adversaries and clients are people too > ('it's only business, it's not personal, Sonny.')

Courtroom courtesy is a lost art. Collegiality barely exists in young lawyers.

New attorneys either let older lawyers push them around or are too aggressive. [T]here needs to be more of a balance.

The interpersonal side of the practice needs to be given more attention. Most young lawyers have no clue as to how lawyers interact with one another and the court, clients. This generally results in a contentious, rude and uncivil attitude taken in the mistaken belief that that is how lawyers act.

Handling adversarial positions with civility (and zeal), while being courteous to everyone. Courtroom decorum, effective ways to deal with opposing counsel (there doesn't seem to be a readiness skill for dealing with opposing counsel in general, whether a good or bad relationship exists), effective ways to interact with clients and potential clients. Learn how to swallow your pride while dealing with a capricious state court judge who is overwhelmed, and how to be effective with such a judge.

Course Methodology

In addition to these topic-specific suggestions for expanding the law school curriculum for greater practice readiness of graduates, respondents also wrote-in suggestions for readiness focused course methodology.²⁷

- A. I think a course designed to mimic the life of a case from beginning to end with students divided into Plaintiff and Defendant would be really interesting and beneficial to students. Each side would begin by drafting the retainer agreement, interview the client, file complaints/counter claims, issue discovery, engage in settlement talks, utilize motion practice, and perhaps ultimately go to trial. Something like this was certainly not offered at my law school, and no moot court went to such great length to mimic a more real world environment.
- B. I think a class on basic knowledge that every commercial lawyer should possess would be very helpful. Basics of corporate organizational structures and practices (and I mean the practical stuff, like how to form a limited partnership, rather than the academic and theoretical questions like 'should corporations exist'), basic tax considerations, basic financial and managerial accounting, basic types of contracts (mortgages, assignment agreements, product sale agreements, etc.), basics of capital markets and enterprise financing and so on. A first year associate should know how to draft authorizing resolutions and should know what a good standing certificate is. These topics are equally important for litigators because commercial litigators have to figure out (and fight about) what the transactional lawyers were trying to accomplish when the deal was put together.
- C. I think in law school there should be a transactional and a litigation track. In the transactional track, skills such as working in a law firm or corporate environment should be honed in on (business development meetings, getting and maintaining clients, the various workloads and ethics clients want to see, etc.). In the litigation track, courtroom skills should be developed (i.e., seeing a case from start to finish, handling judges and opposing counsel....).
- D. Why is it that our class never looked at a contract or learned how to draft them? My real estate course--we did a simulated closing, she showed us how to do a title search, how to network, had speakers from different areas of the industry come in and talk. THAT was my best experience in law school.

- E. Require some sort of negotiation, so people understand what is happening in a negotiation and the multiple styles one can take in trying to achieve the end result.
 - F. Provide some kind of client contact experience early on so that when students graduate they are ready to work.
-

Law School Structure

As well, respondents spontaneously offered their suggestions on experiential education and on the structure of law school:

- *If effectively done, clinical education (including possibly through internships) is likely to help develop many of the skills indicated above.*
- *Of the few things that law schools can do, the most important seems to me to be actively placing its students in opportunities to gain experience. Shadowing judges, spending time in law firms or in-house legal departments so that students can see what they will actually be doing upon graduation is the most important thing a law school can do. Telling law students that they need to be prepared to tell their clients bad news is not necessarily helpful. Watching an attorney handle her client by effectively managing expectations and then delivering bad news should there be bad news to deliver is helpful.*
- *I have always felt that law school should be more like apprenticeship. Few young attorneys leave law school ready to practice. Having an experienced attorney to guide you through the process of handling a case from start to finish would provide invaluable insight into the practicalities of the practice of law.*
- *If someone wants to litigate, there is no reason not to encourage alumni litigators to take a student to the courthouse or otherwise spend a day in the life of a litigator.*
- *They should consider giving [2nd and 3rd year students] credit for working for legal services corporations. This would save most young lawyers a lot of money for schooling and give the legal services industry the help they need without costing the public...they could be trained as lawyers were in Lincoln's time, apprenticeships.*
- *Compel every law student to work one semester in a law clinic or public agency to provide hands-on experience.²⁸*
- *Law school should be 2 years and should be followed by a one to two-year apprenticeship.*
- *Consider an "intern" type program as a mandatory component of law school.*

- *Need more practicum/managed internships.*
 - *Third year should be apprenticed with a law firm.*
 - *I think law schools generally should shift to a two year J.D. program, with additional programs available for those who want them.*
 - *The third year of law school should be like the fourth year of veterinary school - practicum or externships that provide real world experience for law students. All students should do a judicial externship, work in a law firm, volunteer for low-income clients during their third year.*
 - *Have the third year be a practice-based year, like the med students doing rotations in different practice areas...I'd like to have had real world practice on how to do a real estate closing, help incorporate a business, etc.*
 - *[Have m]ore practical placements earlier in the course of study. The best way to learn how to practice law is still to practice it. There should be a required practical element to all law degrees, [w]hether it is in a law firm, prosecutor/defense office, or other non-traditional setting. This would have the added benefit of letting students get the most exposure [to] different types of jobs prior to deciding what direction they want their career to start in.*
 - *After a year of medical school, a med student is able to set a broken bone; after a year of law school, a law student is unable to draft the most basic legal document. Law school needs to get away from the Socratic method, spoon-feed students the necessary practical skills of modern practice, and make sure no one graduates without mastering a set of practical skills. Let's cut the curriculum to two years' worth of coursework and add a one year apprenticeship. Better yet, make it a three-year apprenticeship and allow the alternative path of 'reading law,' as it used to be done. It all seems much more sensible after one's been out of school for 20 years.*
 - *It has been our experience that even really smart, articulate young attorneys lack basic skills. Illinois should require internships. Fresh[ly] minted attorneys can't draft a contract, write a complaint or a brief without lots of assistance. They may understand legal concepts. Some write very well. But none of our recent graduates has the faintest idea what actual pleadings look like. Fortunately most learn quickly. It frightens me that many of their classmates ended up in private practice on their own because they could not find employment.*
-

Job Search Instruction

This brings us to the other prong, in addition to skills-based readiness, of the Legal Profession PREP Class initiative: greater preparation by law schools of their students for the job search process itself.²⁹ One respondent said "It's not the training that is a problem. It is the lack of opportunities for new graduates to be lawyers."³⁰ But other write-in comments of respondents recommended that law schools focus on:

- A. More and better preparation for entering this very difficult job market.
- B. How to actually obtain employment starting with your 1st semester in law school and the need to go beyond externships and traditional networking outlets.
- C. Job searching/interviewing education.
- D. How to actually compete in the job market other than be told to just 'be in the top 10% and make law review.' Not everyone is going to fall in that category.
- E. If there really are other things for you to do with a JD, teach them. I feel like we're pigeonholed as to what we're to practice. We're all not going to get out and get that 150k/year job. I think the skill most needed for law students is realism.

Some respondents prioritized job search skills as the #1 area in need of more emphasis by law schools, suggesting that there needs to be more focus on:

- F. Taking initiative and responsibility. I am not long out of a fourth tier law school. Every friend I made there that made an effort to secure a clerkship, job, etc. during law school ended up with a lawyer job afterward. The people who ended up without jobs wait too long to try to gain experience, don't seek out clerkships or legal related jobs during law school, and after law school, they refuse to apply for jobs that seem to be a "reach" or perhaps a little out of the geographic area they want to work in, or they are not flexible about taking a job that is not their "dream field."
- G. Anything involving practical experience, how to be personable, interview for jobs, market yourself, etc. It is less important to know the law than how to be marketable in today's job market.
- H. Communication skills. Having gone to business school and obtained my MBA prior to law school, it is amazing how business schools stress communication and being able to communicate with clients and other businesses. This leads to social skills and being able to network. When

I went to law school, it was amazing just how timid many many lawyers are to network and schools do not stress this enough. With the way the job market is today for new lawyers, recent grads must be able to network in order to help land a job. Law school is no longer a way to get a guaranteed job – you have to socialize and network in order to find the right fit and make your path.

The final ABA Task Force Report focused on enhancing job search education in law schools, noting a "mismatch between curriculum and goals" in part because "certain goals have traditionally not been viewed as matters to be incorporated in the curriculum." One example given:

"As important as jobs and career success are to graduates, and, again, to the success of the law school, the curriculum is generally not used for preparing students to pursue and compete for jobs. Rather, that service is generally delegated to a non-academic unit of the law school."³¹

I began my counseling career on campus at Northwestern Law School, and have had many fine colleagues over the years who work in career services. Nonetheless, times have changed, and the market is particularly tight. To help maintain the value of a law degree and reverse the drop in law school applications, students need more education--both with navigating the market, and with knowing what to expect when they get a job. As one respondent reflected: "unless they've clerked or worked as a summer associate, they usually have absolutely no clue what their job entails, what newbies should be prepared to do...." But another respondent took a step back and acknowledged that "students are going to have to accept offers in areas of law they may not want to do or did not plan on doing for a profession." Thus, that lawyer counseled law schools to "Emphasize that when a student is in law school, (s)he does NOT know what area of law will become the focus of her/his practice. Therefore, all the law is important...(students need to know they should) be diligent in all the classes." Respondents encouraged schools to provide mentoring in both litigation and transactional skills because "recent graduates are less likely to get mentoring in their first job." They also suggested that schools explore instructing students in developing and sustaining mentoring, coaching, and supervisor relationships--because "for them to grow it takes two and a lot of practice to ensure they succeed."

Two final qualitative comments poignantly underscored how critical the job issues have become. A new lawyer urged schools to help students learn how to "go out in the world and actually make [the] living that we sacrificed so much to get." And a senior lawyer observed: "To be a young person in law school today must be a harrowing experience indeed."

2014 PREP Class Courses

Based on the survey results, the classes being designed to be held at the Chicago Bar Association during the Spring of 2014 are:

-
- **Kick-Off Workshop on Job Search Skills**
 - **Communicating Efficiently Orally and in Writing**
 - **Dealing Effectively with People and Projects**
 - **Developing Business and Understanding Client Needs**
-

Each session will be 90-minutes, free to Chicago-area upperclass law school students and new graduates in Chicago, made possible by the Chicago Bar Association and individual sponsors.³² Each class will begin with a fishbowl demonstration, followed by a strategic debrief comprised of participant/faculty questions-and-answers, concluding with breakout tables for interaction on specific subtopics.

I will organize and moderate all programs, enlisting the faculty from among the survey respondents who volunteered to teach a PREP Class course and local subject matter experts. After each program, feedback from the faculty and attendees will assist in informing future topics and formats for additional PREP Class courses, bar association programs, and on-the-job training.

Conclusions and Recommendations

As one survey respondent summarized: "Some law schools do a great job of preparing law students to be great law students." This project encourages the Chicago-area law schools to be leaders in preparing their students to be successful *lawyers*...by graduating law students who know how to better compete to get jobs and perform them more effectively from the start.

Some of the respondents' feedback was extremely stated: "The law schools are failing miserably at giving law students practical skills. Instead of spending so much time analyzing case law, focus on the practical!" Other comments were just as compelling yet less vituperative:

"Teach us how to BE a lawyer, not just THINK like one."

If even several of a number of possible outcomes emerge from the launch of the *Legal Profession PREP CLASS™*, the Chicago pilot will have served its purpose as a catalyst for conversation and innovation, and a springboard for other law schools and locales to take action, in part by adopting their own PREP Class initiative to help respond to the "perfect storm" facing the legal profession. The array of outcomes ranges from law schools fully reassessing their curricula to:

- Adding even a small number of experiential professional skills courses for upperclass students, focused on top priority PREP Class employment related or practice readiness subject matter, that require practical assignment-based advanced writing, speaking, simulated exercises, and/or actual client representation or job search steps;
- Revising traditional legal writing and drafting courses to include shorter day-to-day tasks new lawyers are more likely to encounter;
- Considering active inter-school learning opportunities, in person within Chicago or via technology, on business subjects such as finance and accounting or on pre-trial skills such as discovery and depositions;
- Folding planned and spontaneous experiential components into traditional classes;
- Expanding a practice focus across the curriculum, e.g., by inviting as guest speakers the adjunct professors practicing in related areas to lead class discussions in the substantive and procedural courses on both representative and atypical applications of the course content to first-year lawyering tasks;

- Holding a designated Practice Month, celebrating the alumni/ae working across a spectrum of practice areas and in alternative roles, who will share specific experiences and pointed advice for new graduates, again, in person and via technology;
- Hiring more professors, instructors, and administrators with not only academic experience but also the kind of practical background typically seen in adjunct professors;
- Creating Dean-level faculty roles focused on advanced job search and practice readiness challenges for students;
- Harnessing all facets of the school community to help students tackle the small or so-called "soft skill" moments that can make or break a new lawyer;
- Sponsoring a symposium drawing together students, employers, faculty, practicing alumni, and even clients--who need to see immediate value in the work of first-year lawyers--for further conversation leading to action steps.

The Dean of BU Law School recently noted, as reported in the *National Law Journal*: "Somewhere down the line, the students got lost."³³ Chicago law schools can refocus, collectively, confer about the challenges and opportunities identified in this Report and elsewhere, to find the path toward graduating people with even more promise, greater employability, and added momentum for hitting the ground running in the profession.

The ABA Task Force Report recognizes that in the legal education system today, there are opportunities for individuals, such as myself--who have achieved "credibility derived from experience"³⁴--to promote and influence improvements. Its report specifically encourages "pilots, experiments, and examples" of innovation that can promote progress and desired outcomes. It encourages small-scale tests, and the catalyst of "an agent that is willing to take a risk on a new or untried method."³⁵ NU Law's Dean Daniel Rodriguez, recently inaugurated as AALS President, called for bold choices, acute imagination, and transformative experiments.³⁶

This well describes the Legal PREP Class project pilot, an attempt to inform and influence in a positive, not critical, fashion. My goal is that this Report will serve, as the ABA phrased it, as a voice from outside the core that can influence parties at the center of legal education.³⁷ In that most of my career has focused on law schools and legal workplaces, and on law student and lawyer job search and professional development, I am not far from the core...and I fervently hope the innovation that is now the *Legal Profession PREP CLASS*[™] can and will make a contribution to law schools in today's important dialogue, and a difference in the career success of many.

About the Author and Creator of Legal Profession PREP Class

Kathy Morris received her BA with Honors in Sociology from the University of Michigan in 1971 and her JD in 1975 from the experiential education based Northeastern University School of Law in Boston, whose JD program spans calendar years, without summer breaks. During law school, she worked in four three-month "co-op" jobs--as part of the required curriculum--in a federal governmental agency in Washington, D.C.; a large firm in Boston; a small firm in Honolulu; and the Dorchester office of the Massachusetts public defender. Upon graduation, she returned to the firm in Hawaii, where she served as an associate before moving back to Chicago to work in the public sector, first as a State Appellate Defender and then as a Federal Defender.

Following her time as a criminal defense lawyer, Ms. Morris began teaching legal writing at Northwestern Law School, ran its Career Counseling and Placement Office, administrated the first-year moot court program, created and taught an upperclass course in Criminal Practice Ethics, and capped her work as an adjunct professor by team-teaching the Ethics component of the Trial Advocacy curriculum.

Based on observing at Northwestern Law that alumni/ae as well as students wanted career guidance and that many graduates lamented the lack of on-the-job training at their firms, Ms. Morris opened her private practice, Under Advisement, Ltd., to advise individuals about their job searches and career choices and created a role as Director of Lawyer Training at Katten Muchin.

During that time, she also launched the Chicago Law Firm Training Consortium, was a founding Board Member of the national Professional Development Consortium, and wrote career columns for the *Chicago Bar Record* and the *Chicago Daily Law Bulletin*.

The ABA needed a new Director of its Center for Continuing Legal Education, and recruited Ms. Morris to fill that role, in part, to expand its national and global educational offerings via technological modes. There, Ms. Morris also created and directed a new unit for the ABA, the Career Resource Center, offering in person, in print, and online guidance for law students and lawyers in finding jobs and succeeding in their work.

Following her first-ever lawyer training and development Chief Officer roles at Gardner Carton & Douglas (now Drinker Biddle) and most recently Sidley Austin LLP, Ms. Morris enjoyed a year-long sabbatical and now concentrates on running Under Advisement, through which she counsels individuals, handles engagements from law firms, conducts career programming for the ABA and the CBA, publishes and speaks publicly.

The **Legal Profession PREP Class** is an impact project wholly of her own creation, based on her steadfast professional focus on legal job search, lawyer development, and the education of law students for readiness to embark upon and enjoy the practice of law. She has a steady history of innovation in response to the needs of the profession, and considers PREP Class to be among the most important work of her career.

You may contact Ms. Morris via 312-321-9448 or Kathy@underadvisement.com, and can learn more about her work at www.underadvisement.com.

APPENDIX I



Under Advisement, Ltd.
Career Planning For Lawyers.



Practice Readiness Project Survey

DEMOGRAPHIC QUESTIONS

All background and identifying information will be kept confidential and will only be reported as part of the aggregated survey data.

This survey must be completed in one sitting; hopefully, it will take approximately 15 minutes, or less. If you start responding, but do not finish, you will have to begin anew.

Please select a designation. I am a:

Size of Workplace By Lawyers:

- ☐ 2-10
☐ 11-50
☐ 51-100
☐ 101-250
☐ 251-500
☐ 501-1000
☐ 1001+

In what state is your headquarter or largest office?

Years in the profession:

Gender:

Ethnic Background:

Are/were you a:

Your JD is from:

OVERVIEW QUESTIONS

Are new lawyers well prepared to find legal employment?

- ☐ Yes
 ☐ No
 ☐ Don't Know

Are new lawyers well prepared to succeed in entry-level positions?

- ☐ Yes
 ☐ No
 ☐ Don't Know

Are new lawyers well prepared to apply ethical judgment in their day-to-day work?

- ☐ Yes
 ☐ No
 ☐ Don't Know

<http://www.underadvisement.com/UAPrepSurvey/>

My company has begun to exclude (or won't pay for the services of) new law firm lawyers on our cases or matters.

☐ Yes

☐ No

☐ Don't know

QUESTIONS ON LAW SCHOOLS IMPARTING PRACTICE READINESS SKILLS

What degree of emphasis should law schools place on the following practice skills, attributes, and abilities in preparing their students for graduation:

CLIENT SERVICE SKILLS

| | More Emphasis | Less Emphasis | About the Same | Don't Know | Not Important | Not Teachable |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Comporting with Poise and Confidence | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Creating Rapport and Maintaining Client Relationships | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Delivering Bad News Effectively | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Managing Projects Efficiently | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Understanding Business and Industry Challenges | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

COMMUNICATION SKILLS

| | More Emphasis | Less Emphasis | About the Same | Don't Know | Not Important | Not Teachable |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Being Sociable and at Ease in Conversation | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Conveying Complex Information Clearly | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Expressing Cogent Conclusions | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Listening Effectively | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Presenting Ideas Confidently in Meetings | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

CORPORATE SKILLS

| | More Emphasis | Less Emphasis | About the Same | Don't Know | Not Important | Not Teachable |
|-----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Developing Business | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Employing a Global Mindset | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Exhibiting Cultural Inclusiveness | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Having Commercial Awareness | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Understanding Financial Documents | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

INTERPERSONAL SKILLS

| | More Emphasis | Less Emphasis | About the Same | Don't Know | Not Important | Not Teachable |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Dealing with Difficult People | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Demonstrating Empathy and Adaptability | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Embracing Collaboration and Teamwork | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Establishing Presence and Credibility | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Seeking and Accepting Constructive Feedback | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

PROBLEM SOLVING SKILLS

| | More Emphasis | Less Emphasis | About the Same | Don't Know | Not Important | Not Teachable |
|---------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Approaching Problems Creatively | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Handling Multiple Priorities | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

<http://www.underadvisement.com/UAPrepSurvey/>

| | | | | | | |
|--------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Posing Practical Solutions | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Recovering from Mistakes Resiliently | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Taking Initiative and Responsibility | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

TASK-BASED SKILLS

| | More Emphasis | Less Emphasis | About the Same | Don't Know | Not Important | Not Teachable |
|--------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Conducting Due Diligence Efficiently | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Drafting Contracts Carefully | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Handling Discovery Effectively | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Researching and Writing Artfully | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Reviewing Documents with Detail | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Which of the above three are of the highest priority, and why? List three and briefly explain.

1.

2


3

Are there any other practice readiness skills you recommend that law schools consider incorporating in their curriculum?

Would you consider co-teaching one PREP CLASS course?

If you answered "Yes" or "Maybe" to the above question, please provide your name, email address, and daytime phone number. You may also provide your information if you would like a summary of the survey results.

APPENDIX II

| | |
|--|---|
|  <p>Under Advisement, Ltd. Career Planning for Lawyers</p> <p>Kathy M. Morris Legal Careers Advisor</p> <p>Introducing...</p> <p>The Legal Profession PREP CLASS</p> <p>the PRACTICE READINESS PROJECT for CHICAGO LAW SCHOOL STUDENTS</p> | <p>PROBLEMS PROMPTING THE PREP CLASS PROJECT</p> <p>The value of a law degree is declining because debt loads are high while employment statistics are down, and students are not being adequately prepared for finding jobs or performing them well.</p> <ul style="list-style-type: none"> • Just over half of the JD Class of 2012 found jobs requiring a law degree within nine months of graduation; • Law schools applications have dropped in each of the last 3 years... and institutional constraints plus the slow pace of academic change keeps schools from finding solutions. <p>These problems affect the profession as a whole, your talent pool and hiring pipeline, and clients' willingness to pay for the services of lawyers new to the profession... in turn affecting the bottom line.</p> |
| <p>THE LEGAL PROFESSION PREP CLASS CONCEPT</p> <p>The Chicago legal community can step forward as the leader in lawyer practice readiness:</p> <ul style="list-style-type: none"> • To make concrete progress to inform practical innovation in law school curricula; • To provide guidance for new graduates to underscore our collective dedication to high performance client service; • To enhance the value of new lawyers' work and the value of a law degree; and • To help JDs gain greater job search and workplace skills to help them enter, enjoy, and excel in the profession. | <p>PRIMARY GOALS OF PREP CLASS</p> <ul style="list-style-type: none"> • To help distinguish Chicago as a top location in which to study and practice law; • To collect and share a spectrum of practitioners' observations with the Chicago area law schools about what makes a graduating student practice ready, to encourage and help inform curricular advances; • To design and present programs for Chicago area law school graduates to enhance their employment prospects and performance in the profession. |
| <p>METHODOLOGY FOR LAUNCHING PREP CLASS</p> <ul style="list-style-type: none"> • Design and distribute an electronic survey via the Chicago Bar Association to its 22,000 members and to the Consortium law firms to gather input on what law students need to learn to be more effective when they begin to practice; • Compile and analyze responses and prepare a report for the Chicago area law schools; • Based on the survey responses, design and present at no charge to recent graduates practice readiness programming at the ABA and the CBA, taught by partners, associates, and local ACC member alumni/ae of the Chicago area law schools; and • Offer a bonus class, sponsored by Chicago area legal search firms, to provide guidance on finding jobs, even in a challenging market. | <p>CONCLUSIONS AND PARTICIPATION IN PREP CLASS</p> <ul style="list-style-type: none"> • Before prospective law school applicants take the LSAT, many take an LSAT prep course; • Before law school graduates take the Bar Exam, most take a Bar Exam prep course; • Business school students and graduates are being given costly Wall Street Prep classes; the isolated law school incubator projects seek large contributions to start law firms run by academics. • But we can do better. Let's discuss what you and your firm can do to help launch and leverage this original project. <p><i>The Legal Profession PREP CLASS: Practical solutions to pressing problems.</i></p> <p>Kathy M. Morris ❖ 312-321-9448 ❖ kathy@underadvisement.com</p> |

APPENDIX III

Subject: ISBA Law Ed: Chicago Area Members – Survey on Practice Readiness to Assist Law Students/New Grads (Please Participate)



Practice Readiness Survey

Law students today are having a difficult time finding jobs, are facing an insurmountable load of debt, and aren't prepared to hit the ground running when they do land their first legal position. Because of this, much has been written about the declining value of today's law degree.

By taking this short survey, you can help inform our area law schools about the practical skills, abilities, and interpersonal attributes that new law school graduates need in order to be more valuable from the outset.

Kathy Morris, from Under Advisement, Ltd., has undertaken a special project and will compile a report based on survey results to outline law school curricular enhancement suggestions. **Programming will be designed and offered through this project at no charge to third-year law students and recent graduates** – giving them professional guidance for key job search and practice readiness skills.

The identity of all survey respondents will be kept strictly confidential.

Survey takes less than 15 minutes; submissions go directly to Kathy Morris.

Any questions should be sent to Kathy@underadvisement.com.

[Click here to access the survey.](#)

Surveys must be submitted no later than Friday, September 20.

Your survey feedback is vital to this groundbreaking initiative, which will also serve as a model for other professional communities. ***Thank you in advance for taking the time to help the future of our legal profession!***

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Training the next crop of lawyers

Legal counselor launches survey, creates class to prepare graduates for law

BY JENN BALLARD

Law Bulletin staff writer

Students take classes to prepare for the LSAT and then the bar exam, but when they start practicing law, they aren't always fully prepared for life at a law firm.

That's why Kathy M. Morris, the founder of Under Advisement Ltd., is creating a curriculum for her "Legal Profession Practice Readiness Project for Chicago-area Law School Students" — or Legal PREP CLASS.

"They enter the profession without fully or strategically preparing themselves," Morris said. "Not just the tasks they'll handle based on the substantive knowledge they've gained in law school, but the intangible attributes they'll need to make a good entrance into the profession and build a foundation for themselves."

To help gather information on what practicing lawyers expect from law school graduates they hire, Morris launched a survey this month at underadvisement.com/UAPrepSurvey.

The survey lets lawyers "help define the core competencies and help law schools gain from-the-trenches input on what students need to learn to be

practice ready," she said.

After she collects the results, Morris will present the information to Illinois law schools and develop the curriculum for the Legal PREP CLASS. The free sessions, taught by volunteer attorneys, will be offered to second- and third-year students and recent law school graduates, starting next year.

"The survey will inform law schools of what law firms think are the highest priorities," she said. "I wanted to provide lawyers from all walks the opportunity to present what they see are the most-needed skills."

Morris opened Under Advisement in 1988 after working as a professor and director of the career services office at Northwestern University School of Law.

"Most people chose their very first job out of law school because they thought they would get very good training but would come back as alumni upset that there wasn't any," she said. "I realized they needed more professional development and lawyer training in law firms."

At Under Advisement, she offers individual counseling for law students, lawyers and legal employers. She also posts weekly job search and career questions on underadvisement.com.



Kathy M. Morris

In 1996, the American Bar Association selected Morris to head its Continuing Legal Education Center and tasked her with developing CLE training for lawyers via Internet or telephone conferences.

In 2000, she also created and directed the Career Resource Center of the ABA, publishing three career manuals for lawyers. Morris also wrote a monthly Daily Law Bulletin career column for about 16 years.

From 1989 to 1996, she directed in-house lawyer training and career development at what was then known as Katten, Muchin & Zavis and then at Gardner, Carton & Douglas from 2004 to 2007.

When she handled lawyer training at Sidley, Austin LLP from 2007 to 2011, she put Under Advisement on hiatus. She reopened it last year, expanding the counseling service to also help law firms with attrition, retention and development issues.

By counseling attorneys and providing in-house training, she found that young attorneys often

struggle with figuring out how to build and maintain a client roster; convey confidence when providing conclusions or suggestions; and create professional relationships.

"I think my experience will help (the class) all come together because I understand their needs, can reach out for information and use the information to create a program that will persist into the future," she said.

The survey results will have the largest impact on the classes. In what she envisions as three to four sessions within the program, Morris hopes to have lawyers demonstrate certain skills and how they are applied in the workplace — followed by discussion about it.

"And depending on the size of the class, we can break down into small group discussions," she said. "That way they can get individual attention and maybe ask questions they might not be comfortable asking in a large group."

The classes will be held at The Chicago Bar Association. Elizabeth A. McMeen, the bar group's assistant executive director and Continuing Legal Education Department director, said she looks forward to the survey results.

"Anything aimed at preparing lawyers for practice is a good thing," she said. "We're anxious to see what her survey comes out with because we're always looking for programs that will help further develop young lawyers."

McMeen said Morris is also developing career readiness courses for the bar group's members.

"It's a difficult time for young lawyers job-searching," she said. "We hope to be able to focus in on more of those topics with Kathy's help."

From: **Paula Hudson Holderman** PHolderm@winston.com
Subject: Practice readiness survey
Date: September 12, 2013 at 3:51 PM
To: Attorney Associates CH AttorneyAssociatesCH@winston.com

Dear Colleagues,

As you may know, as president of the Illinois State Bar Association this year, I am focusing on the challenges facing new lawyers. Certainly one of the issues is practice-readiness coming out of law school and the ability of law schools to innovate their curriculums to provide the needed training and education. Likewise, we at law firms should always be evolving to provide relevant training to our incoming lawyers. To help identify the competencies needed for new lawyers, I'm asking you to take 10 minutes to fill out the attached survey. It was designed by and will go back to Kathy Morris, a well-respected professional development lawyer who will prepare a report on possible law school curriculum changes.

The brief survey is designed to gain input from you and other Chicago area lawyers on the state of practice readiness of our junior-most colleagues in the profession. The identity of survey respondents will be kept confidential. I will receive a copy of the final report and will use it to assess Winston's professional development offerings, as well as what the ISBA can do to help new lawyers. I know we all get a lot of surveys, but I'd appreciate it if you could fill this one out.

<http://underadvisement.com/UAPrepSurvey>

Thanks in advance. Best regards, Paula

Paula Hudson Holderman
President, Illinois State Bar Association

Chief Attorney Development Officer

Winston & Strawn LLP
35 W. Wacker Drive
Chicago, IL 60601-9703

D: +1 (312) 558-5136

F: +1 (312) 558-5700

[Bio](#) | [VCard](#) | [Email](#) | www.winston.com

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APPENDIX IV

Law School Communities “Saving Social Security”—
Imparting the Intangibles of Practice Readiness

By Kathy M. Morris

Law school famously teaches students how to think like lawyers...but what trips them up earliest at work is not knowing how to present their thoughts—and themselves—effectively in everyday professional situations. That skill is far less tangible and perhaps harder to teach than the traditional legal skills, but every bit as critical. The fact remains that law students too often graduate without having gained the interpersonal communication, poise, and social skills needed to build the foundation for careers they can count on and enjoy. The good news is, each law school community can help its students enhance their “social security.”

What skills do new lawyers, many of whom have spent innumerable hours alone in front of computers, lack?

- The ability to mingle comfortably in the company of clients or to make small talk over a business meal with more senior colleagues
- An instinct for artfully breaking into an active conversation to make a point in a meeting
- The presence of mind to deliver information effectively, on the spot
- The knack for asking for feedback on their work and the aplomb for taking constructive criticism gracefully

All these skills and others like them relate to communicating confidently, to conveying a professional persona....yes, to social security in the workplace.

One innovative course, a class on Negotiation and ADR, develops workplace communication skills such as networking or delivering bad news, in part, through “adventure learning.” The course is described in full in a 2012 *Washington University Journal of Law and Policy* article on problem-solving in the first-year curriculum, subtitled “It’s Time

to Get It Right,” by professors Bobbi McAdoo and Sharon Press.

Another departure from traditional coursework in the first year is suggested by lawyer and writer Michael Serota in the Colloquy 2010 issue of the *Northwestern University Law Review*. He recommends a first-year course on personal values, career decisions, and professional satisfaction.

Rather than place the entire burden on the professors for all-new courses, however, there are ways to involve additional constituencies in addressing the wide-ranging demands on students to present themselves positively in today’s fast-paced legal profession. Some possible focal points and approaches include:

Making a first impression

Law schools hold pre-interview season “Meet the Employers” gatherings to help students familiarize themselves with the local job market and to interest prospective employers in them. Or, they participate in public interest job fairs, bringing together organizations that wouldn’t otherwise recruit on-campus. Before these type of events, law schools could...

- Host a workshop, sponsored by a local law firm and the career services office, at which effective ways to introduce oneself are modeled. Students could then break into tables of 6 students and 1 to 2 lawyers from the hosting firm to take turns starting a conversation, learn from each other’s introductory small-talk, and gain feedback from the participating lawyer(s).
- Handouts could also be provided on Do’s and Don’ts for making a positive first impression—as well as for seeing and seizing opportunity—at job

fairs, Meet the Employers night, or employer-hosted cocktail parties. The ability to make a positive impression is a skill that will continue to serve students well following graduation, from day one forward.

Interacting effectively. Not all communication challenges take place on campus or in the workplace. Call-back interviewees, student clerks or summer associates, and new lawyers are called upon to chat and dine with other lawyers or clients, and those who are reticent are at a significant disadvantage. Before sending students out for their summer jobs, law schools could...

- Call upon alumni/ae and adjunct professors to invite a student to lunch, bringing along a colleague or client for the express purpose of sharing with the student the common missteps made early on by new professionals as they interact and converse in beyond-school environments. Humorous but instructive stories shared at these “Take a Student to Lunch” sessions could then be collected by the alumni office and made available, without attribution, to all classes and recent graduates as cautionary tales regarding faux pas in work-related social settings.
- The participating alums and adjuncts could then be invited to campus for a school-sponsored meal, where the fine art of conversing-while-consuming is in focus. Students who did not have an individual outing could also attend this group opportunity. Over dessert, a question and answer session could be held at each table, allowing the students to seek guidance on safe and savvy subjects for small talk with colleagues and clients, whether in a short encounter or during extended

— continued on page 22

Law School Communities “Saving Social Security”

— continued from page 21

interactions, such as on business trips. It's always good to mine experience, and there are never enough ways to be inclusive of adjuncts or involve the alumni in the ongoing enterprise of their alma mater.

Indicating enthusiasm. Business schools have said the number one reason interviewees fail to land jobs is a lack of projected enthusiasm. That same sense of neutrality—or worse, negativity—can also be fatal on the job. Saying “no” more than “yes,” passing up a stretch assignment, or remaining silent in meetings as students might in large lecture halls are missed opportunities and moments that could mistakenly be interpreted as reluctance to grow or a lack of enthusiasm for the job. Before graduating another class of students, law schools could...

- Examine their curricula with an eye toward folding in more interaction, even in small moments in large classes, for students to move away from passivity or timidity. Professors might, from time to time, consider discouraging the practice of raising one's hand to be recognized, so that students develop the sense of when and how to take the floor to interject a point or question.
- Students can be spontaneously tapped to lead a part of the class discussion, in order to reinforce that sound professional performance does not always permit advance planning or require perfection.
- Teaching with a thorny hypothetical in an announced brainstorming mode, where no ideas are pronounced wrong and all participation is welcomed, can help students find their voice before they venture into their first job, which for some may be their first encounter with a white collar workplace.

Communicating efficiently.

Time is at a premium in the workplace, in both billable and non-billable contexts. Students whose instinct or habit has been to stay behind their computers in class, whether diligently typing notes or multitasking on Twitter, may have a harder time assuming the roles required for a successful transition from classroom to conference room. Busy lawyers have limited time to devote to mentoring and training, so it is critical that students and new lawyers know how to get to the point quickly when summarizing their research, how to convey a conclusion decisively, and how to seek and accept practice pointers well. To address this practical reality, law schools could...

- Ask the librarian to draft and distribute short research questions and answers to the emeritus professors and students, for use at an event akin to speed mentoring where students “report” on the research findings, as if they had performed an assignment for a partner. The timed interchanges will help students work on conversing articulately and succinctly with senior authority figures.
- The Dean also could designate days when students sign up, in five minute intervals, to (re)introduce themselves, start up the conversation, and seek a top tip for enhancing professional communication.

The more each part of every law school provides opportunities for their students to speak as well as to write and to engage as well as to listen, the more secure and practice-ready their graduates will be.

Let's not blame the computer age or social media for the lack of “social security” skills among law school graduates. Many people who earn JDs are introverts; even the extroverts among

them have not had to learn how to put their extroversion to effective use in professional settings. It should not be a surprise, then, that students, and many alumni/ae, need help with the elusive but key intangibles that add to early and continued success in communicating in practice. Hopefully, law schools will embrace new possibilities for moving their students beyond professional pitfalls, thus contributing even more significantly to ensuring the value of a legal education and to realizing long-standing recommendations of the MacCrate and Carnegie Reports.

Kathy M. Morris is a lawyer who has practiced law, been on both the faculty and in the administration of Northwestern University School of Law, and headed lawyer training and professional development initiatives at Sidley Austin, LLP and other law firms. While directing the American Bar Association Centers for Continuing Legal Education and Career Resources, she served on the ALI-ABA Adult Learning Study advisory committee, whose work resulted in the 1999 publication Teaching for Better Learning, reprinted in 2004. Ms. Morris founded and runs Under Advisement, Ltd., a career counseling practice for lawyers, law students, and law firms, www.underadvisement.com. She earned a JD at Northeastern Law School in 1975 and a BA with Honors in 1971 from the University of Michigan.

APPENDIX V

| Client Service Skills (Count and %) | More Emphasis | Less Emphasis | About the same | Don't Know | Not Important | Not Teachable |
|---|------------------|------------------|-------------------|---------------|------------------|------------------|
| Comporting with Poise and Confidence | 122 42% | 5 2% | 102 35% | 14 5% | 2 1% | 48 16% |
| Creating Rapport and Maintaining Client Relationships | 188 64% | 2 1% | 63 21% | 19 6% | 1 0% | 21 7% |
| Delivering Bad News Effectively | 164 56% | 3 1% | 78 26% | 28 9% | 7 2% | 15 5% |
| Managing Projects Efficiently | 205 71% | 1 0% | 61 21% | 16 6% | 1 0% | 6 2% |
| Understanding Business and Industry Challenges | 190 66% | 5 2% | 68 24% | 18 6% | 2 1% | 6 2% |

| Communication Skills (Count and %) | More Emphasis | Less Emphasis | About the same | Don't Know | Not Important | Not Teachable |
|--|------------------|------------------|-------------------|---------------|------------------|------------------|
| Being Sociable and at Ease in Conversations | 105 36% | 2 1% | 98 34% | 7 2% | 3 1% | 77 26% |
| Conveying Complex Information Clearly | 223 77% | 3 1% | 55 19% | 4 1% | 1 0% | 4 1% |
| Expressing Cogent Conclusions | 206 71% | 2 1% | 73 25% | 8 3% | 0 0% | 2 1% |
| Listening Effectively | 211 72% | 3 1% | 62 21% | 4 1% | 0 0% | 13 4% |
| Presenting Ideas Confidently in Meetings | 145 50% | 1 0% | 101 35% | 18 6% | 4 1% | 23 8% |

| Corporate Skills (Count and %) | More Emphasis | Less Emphasis | About the same | Don't Know | Not Important | Not Teachable |
|--|------------------|------------------|-------------------|---------------|------------------|------------------|
| Developing Business | 169 58% | 9 3% | 49 17% | 49 17% | 5 2% | 11 4% |
| Employing Cultural Inclusiveness | 75 26% | 18 6% | 85 29% | 72 25% | 30 26% | 11 4% |
| Exhibiting Cultural Inclusiveness | 89 31% | 15 5% | 108 38% | 49 17% | 15 5% | 10 3% |
| Having Commercial Awareness | 150 52% | 5 2% | 69 24% | 55 19% | 5 2% | 5 2% |
| Understanding Financial Documents | 204 70% | 3 1% | 57 20% | 26 9% | 1 0% | 1 0% |

| Interpersonal Skills (Count and %) | More Emphasis | Less Emphasis | About the same | Don't Know | Not Important | Not Teachable |
|--|------------------|------------------|-------------------|---------------|------------------|------------------|
| Dealing with Difficult People | 105 63% | 3 1% | 67 23% | 12 4% | 2 1% | 24 8% |
| Demonstrating Empathy and Adaptability | 125 43% | 6 2% | 97 33% | 14 5% | 4 1% | 45 15% |
| Embracing Collaboration and Teamwork | 144 50% | 14 5% | 108 37% | 11 4% | 2 1% | 11 4% |
| Establishing Presence and Credibility | 151 52% | 5 2% | 92 32% | 7 2% | 3 1% | 34 12% |
| Seeking and Accepting Constructive Feedback | 168 58% | 5 2% | 90 31% | 11 4% | 3 1% | 12 4% |

| Problem Solving Skills (Count and %) | More Emphasis | Less Emphasis | About the same | Don't Know | Not Important | Not Teachable |
|--|------------------|------------------|-------------------|---------------|------------------|------------------|
| Approaching Problems Creatively | 174 59% | 4 1% | 90 31% | 8 3% | 3 1% | 15 5% |
| Handling Multiple Priorities | 168 57% | 5 2% | 100 34% | 8 3% | 1 0% | 11 4% |
| Posing Practical Solutions | 202 69% | 4 1% | 70 24% | 12 4% | 0 0% | 6 2% |
| Recovering from Mistakes Resiliently | 183 62% | 3 1% | 62 21% | 9 3% | 1 0% | 35 12% |
| Taking Initiative and Responsibility | 177 61% | 2 1% | 70 24% | 10 3% | 0 0% | 30 10% |

| Task-Based Skills (Count and %) | More Emphasis | Less Emphasis | About the same | Don't Know | Not Important | Not Teachable |
|---|------------------|------------------|-------------------|---------------|------------------|------------------|
| Conducting Due Diligence Efficiently | 177 61% | 2 1% | 84 29% | 28 10% | 0 0% | 0 0% |
| Drafting Contracts Carefully | 167 57% | 1 0% | 95 33% | 26 9% | 1 0% | 2 1% |
| Handling Discovery Effectively | 198 69% | 2 1% | 65 22% | 22 8% | 1 0% | 1 0% |
| Researching and Writing Artfully | 156 54% | 7 2% | 122 42% | 3 1% | 1 0% | 0 0% |
| Reviewing Documents with Detail | 183 63% | 2 1% | 94 33% | 5 2% | 2 1% | 3 1% |

Endnotes

¹ A perfect storm rages, with high tuition and debt loads, low employment rates, and three years of conceptual education without enough practical learning or preparation of law students for law practice. The governing Council of the ABA Section of Legal Education has approved posting for notice and comment two proposals; one would increase the experiential learning requirement in the Standards from one to six credit hours (September 2013); the other would require law schools to provide at least 15 credit hours of experiential learning (December 2013). The hearing on these and other proposals is set for February 5-6, 2014.

The situation has resulted in a precipitous drop in law school applications and a great deal of press and professional dialogue about the perceived decline in the value of a law degree. A Standard & Poor's report on declining law school enrollment noted that since the Fall of 2010, the number of first-year law school students has declined dramatically, now at levels not seen for decades when there were about 20 fewer law schools. The new ABA data revealed that law school enrollments nationwide are down 11 percent this year from last year and 24 percent from 2010. LSAC data and the Washington Post also reported the drop in applications for the third year in a row (6/3/13); some reports peg that drop at nearly 18% (e.g., an August 20 ABA *Journal* online reference to figures from Fortune). See also the *Wall Street Journal LawBlog* ("Law schools are suffering from a crisis of confidence and a lot of applicants are wondering if law school is a bad deal," quoted in the ABA *Journal* online (7/2/13)). And, it is acknowledged, the cycle has not yet reached bottom, with new applications projected to be down another 10 to 15 percent in the coming year. The ABA *Journal* online noted that LSAT test takers continue to decline, with a 45% drop from the all-time high in 2009, now hitting the lowest point since 1998. (11/10/13); that same article noted that the WSJ *LawBlog* sees these figures as "the latest sign that the law school bubble hasn't stopped deflating."

The Chicago press reported on the shrinking of law school applications and the struggle of new graduates to find legal jobs. See the *Chicago Tribune* Business section, page one, December 1, 2013, "Scale tips against students," continued on page 5 under the headline "Scales tip against law school grads." This aspect of the "perfect storm" also has been in the national press, e.g., *CNN Money*, "Law Schools: Still Hiding the Sad Truth from Students?" (3/20/13); *Bloomberg Law* (Eighteen year low for law graduate employment) (6/20/13). An article on *Inside Higher Education* noted, on the same day the ABA issued the Draft Report of the ABA Task Force on The Future of Legal Education (September 2013): "While some legal educators have questioned just how much of a crisis law schools face, the ABA report opens by making clear that it views the system as in need of a substantial overhaul." This project is meant as an assist, even in the near-term, to tackling two of the issues afoot.

² ABA Task Force Final Report on the Future of Legal Education, page 26, January 24, 2014.

³ Please see *About the Author* on page 29 of this Report.

⁴ There have been recent innovations in course offerings at various law schools (e.g., Pepperdine Law, Boalt, as cited in the article on "Helping New Grads Be Better Lawyers Faster" in the *ABA Law Practice Magazine*, Vol. 39, No. 3 (May/June 2013) and Santa Clara University School of Law, as discussed in the roundtable on "What Law Firms Expect from New Lawyers" reported on in *Law Practice Today*, (March 2013)). See also the *LPM* article on "Teaching for Success: The Business of Lawyering" on Hamline Law's new course of the same name taught by professors and practitioners as the students simulate activities of the Sample Law Firm, Vol. 40, No. 1 (January/February 2014)). Closer to home, after a year-long alumni/faculty planning effort and a \$5M gift, the University of Chicago Law School announced its new Doctoroff Business Leadership Program. The program will combine business courses (such as Entrepreneurial Finance, Accounting and Financial Management) with business mentoring and internships (October 2013). As alumnus Daniel Doctoroff noted, in the U of C's announcement of his eponymous program: "I am absolutely convinced that teaching core business and financial skills is critical to whatever career law students pursue." DePaul College of Law also has introduced a Litigation Lab, based on a proposal from an interested alumnus who is now a Circuit Court judge.

There also have been curricular changes at select other law schools (such as the Michigan State University College of Law's Reinvent Law program and at Washington & Lee Law School, where the entire 3L protocol has been redefined; Northwestern Law has its two-year Accelerated JD option; DePaul has introduced its 3rd Year in Practice program, with areas of concentration and an experiential learning focus). The ABA said on page 3 of its final Task Force Report that many law schools have expanded their practice-preparation opportunities for students; it also recognized that they "need do much more. The balance between doctrinal instruction and focused preparation for the delivery of legal services needs to shift still further toward developing the competencies and professionalism required of people who will deliver services to clients."

The for-profit law school and corporate sectors also have entered the practice readiness arena (e.g., Savannah Law School touts its collaborative learning team environment; Thomson Reuters announced its online resources for skills-based development, "Beyond the Bar," on 6/3/13, which it said was "designed to help lawyers in the initial career stage develop and improve skills to be more successful and provide greater value to clients and employers" in areas such as collaboration and dealing with difficult clients, side by side with foundational steps for starting every legal writing assignment; phase two of its initiative will be multi-session online courses from trial advocacy and contract drafting to business development and MBA concepts for lawyers). <http://beyondthebar.westlegaledcenter.com>.

⁵ See the survey in Appendix I.

⁶ Surveying practicing lawyers has been the subject of study, and of lengthy law review articles, such as Daicoff, "Expanding the Lawyer's Toolkit of Skills and Competencies," 52

Santa Clara L. Rev. 795 (9/5/12), citing additional surveys, page 821. The PREP Class project aims at more near-term, action-oriented outcomes.

⁷ See the slides used during the presentation to the Chicago Professional Development Consortium in Appendix II.

⁸ See Appendix III for the email sent to its Cook and collar county members by the Illinois State Bar Association, the article on the PREP Class project in the *Chicago Daily Law Bulletin*, and an email message that represents the kind of support given the project by law firms, as well as state and Chicago-based federal agencies.

⁹ Introductory PREP Class course titles appear on page 26.

¹⁰ Nine people did not indicate their gender.

¹¹ DePaul had 43 respondents; Kent--39; John Marshall--32; Loyola--27; Northwestern--12; U of C--9 for a total count of 162 / 303. All tiers of law schools were represented, from Harvard to Western New England, Yale to Quinnipiac, Columbia to New York Law School, and Stanford to Cal Western, to name but several examples.

¹² Again, please see survey, Appendix I.

¹³ These were the six skills rated as needing more emphasis by 2/3 (over 200) respondents. Just over half (17) of the remaining skills also were rated as in need of more emphasis by 150-198 respondents. See data, Appendix V.

¹⁴ But see my article on teaching important, intangible social skills in law schools in Appendix IV, published in *The Law Teacher* in its Spring, 2013 edition on pages 21-22.

¹⁵ Several of the specific 36 skills were *not* ranked as *anyone's* top priority, including Being Sociable/At Ease in Conversation; Presenting Ideas Confidently in Meetings; Employing a Global Mindset; Exhibiting Cultural Inclusiveness. Contrast, e.g., recent research by King's College London in partnership with *The Times* newspaper on what the top global law firms in London are looking for in graduates (including US firms with London offices such as Weil, Gotshal & Manges; Covington & Burling; and Sullivan & Cromwell). Eighteen out of eighteen responding firms appreciated a global mindset, cultural knowledge and sensitivity, as well as judgment, commercial awareness, confidence, and flexibility to meet business needs, along with traditional intellectual rigor and a strong academic background. IndiaEducationDiary.com. (5/23/13).

¹⁶ Only one person was skeptical about providing input, stating "What I believe are the highest priorities does not matter. I doubt you will see many law schools offer 'new' classes or enhance their current offerings to include the skills addressed above."

¹⁷ The skill identified here as the highest priority was actually called "Researching and Writing Artfully" in the survey -- but the written explanations made it clear that the priority practice readiness skill qualitatively judged to be most in need of attention is the *writing*.

The London study referenced above came to a similar conclusion: "Over and above poor attention to detail, the firms noted a general inability to write well, with candidates failing to use correct English, or structuring answers poorly or not being concise."

¹⁸ Note that the two skills also rated as highly in the quantitative results were Conveying Complex Information Clearly and Managing Projects Efficiently.

¹⁹ Qualitative comments on specific skills with five or more first-place rankings are included in this Report; if the skill had fewer than five qualitative mentions, but was highly rated quantitatively, an exception was made and comments were included.

²⁰ Although a number of law schools already offer several writing courses or practica, over half the respondents (156) rated this skill as one in need of more emphasis in law schools; 167 respondents also so rated drafting contracts carefully.

We know Chicago itself has a history of focusing on legal writing in our law schools and for the good of the profession. The Legal Writing Institute (LWI) counts Chicago professors Ralph Brill, Susan Brody, and Helene Shapo (for whom I worked at Northwestern Law in the early 80s) among its founding members. Kent Law has been known for its multi-year writing/drafting curriculum. And John Marshall is currently ranked by *US News and World Report* as having the #2 ranked legal writing program in the nation.

Many of the survey comments, however, recommended more instruction on writing in context, [e.g., from writing a simple court order to litigation writing for transactional lawyers to transactional drafting]; the respondents' focus thus was on more practical writing instruction. The John Marshall four semester legal writing program has one drafting elective in which students can work on general or specialized assignments comparable to practice projects.

Other innovations were discussed in a legal writing program during the recent AALS Conference at a session on the possibility of active inter-school collaborations through technology, through which students could learn by working (on writing and drafting) with and in opposition to each other. One of the featured speakers at this session was Loyola-Chicago Law School Dean David Yellen, who, along with U of C Law School Professor Brian Leitner, was named among the 25 most influential people in legal education by *National Jurist* magazine (January 2014).

²¹ A *positive* comment was made about the skill of managing projects efficiently: "It seems that all attorneys are incredibly busy. The ability to prioritize and work on things in an efficient and productive manner is important. Law school does a good job of teaching students about this due to the heavy workloads and that some things cannot be put off until the last minute." See also the compliment in the following subsection about beginning attorneys' tendency to "be good at research and writing" (although they are afraid or unable to draw or communicate cogent conclusions). Page 15.

²² Remember, however, that Taking Initiative and Responsibility and Recovering from Mistakes Resiliently were also rated Not Teachable by a good number of respondents. See page 6. Query, though, whether those skills aren't related to the qualitative comments about the need for more legal education in ethics and professionalism, page 20.

Again, see Appendix IV regarding possible ways for an entire law school community, not just the full-time faculty, to come together to assist in imparting these types of intangible abilities to its students.

²³ With exceptions such as JMLS' externship in Business Transactions, law school clinical courses, internships, externships, and other pro bono opportunities have long centered on pre-trial and trial skills and the on-your-feet Section 711 representation of clients. The array of write-in comments tells the tale, however, of a continuing need for more education in litigation skills.

²⁴ Note that Loyola Law School now has a non-graded skills course called "A Practical Introduction to Daley Center Courtrooms."

²⁵ Note, though that the yes/ no ratio was more favorable in response to the survey question that asked: "Are new lawyers well prepared to apply ethical judgment in their day-to-day work?" with 44% responding Yes, 37% No, and 18% Don't Know. Compare Graphs 3 and 4, page 5.

²⁶ Still, the need for more focus on ethics and professionalism in law schools is not new with this generation of students. Additional comments addressed:

"The art of losing and accepting loss gracefully. An occasional loss makes one better prepare for the next case. Successive wins with accompanying attitude makes one cocky and feel there is less need to prepare to represent the client well; rather the preparation and focus become to win, which is a personal agenda. The case belongs to the client, not to the lawyer, a fact that many times seems to be forgotten. Not every case can be won nor should that be one's attitude and mindset in using the law. Perhaps if winning is not the motivating factor, more lawyers can enjoy the practice of law and sleep well at the end of the day. Winning is not everything when it comes to the practice of law; getting a good resolve for the client is. And the attitude of winning at any cost has in large part caused a culture of corruption within the legal community."

"Given that corruption and various dishonorable practices continue among lawyers (including, notably, public officials who are or were lawyers), attempting to address professional responsibility and best practices seem desirable."

²⁷ Small steps in course methodology can also have a large impact. See e.g., "It's the Little Things that Count in Teaching" in *The Chronicle of Higher Education* on, as one example, surrendering control from time to time such as by asking the students to teach one another. (1/7/2014). The 2012 annual Law School Survey of Student Engagement (LSSSE), conducted by Indiana University's Center for Postsecondary Research, also found the

engagement of students in experiential learning, through greater peer interaction and connections with professors, increases relationship building and legal skills—including ethical development, analytic abilities, and research/writing skills.

²⁸ Note that beginning this year, Loyola Law School has a new model curriculum that requires at least two experiential learning opportunities, whether a live client clinical course and/or externship, another clinic, or a simulation based class. Dean Yellen called this an important baseline for students to gain real-life lawyering experiences to help prepare them for the practice of law, acknowledging that “legal education is moving towards the medical school model of rigorous hand-on training.”

²⁹ Note that Kent Law will be introducing in the Fall of 2014 an elective course called “1L Your Way,” providing a clinical rotation option based on the medical school model, including attorney shadowing opportunities. One objective of this “early specialization track” is said to be to enhance students’ marketability for summer employment.

³⁰ On an interesting note, consider the view that there aren’t fewer jobs because of a *permanent* change in the legal job market, but instead because more Baby Boomers are holding on longer to *their* legal jobs. *ABA Journal* online (8/5/13) (“The demographic factors suggest the real culprit in the law school graduates’ jobs dilemma of today may be the law school graduates of four decades ago,” according to Pepperdine Law Professor Robert Anderson).

³¹ Final ABA Task Force Report, page 14.

³² The job search class will be co-taught and sponsored by Chicago area legal search firm advisors in March 2014.

³³ Law Schools Gain Greater Autonomy,” *National Law Journal* (8/20/13).

³⁴ See page 21 of the Task Force Report.

³⁵ Section VI. F-I, pages 20-21 on coordinating with, enabling or empowering the leadership and innovation that may come from a pilot project of an individual with a high level of expertise.

³⁶ Deansblog.law.northwestern.edu; AALS Presidential Address, announcing Dean Rodriguez’s presidential year theme of “Legal Education at the Crossroads,” January 2014.

³⁷ One more time, please see the Task Force Report, pages 21-22.