

# ***Challenging Assumptions About Business as Usual in Legal Education***

*2007 AALS Workshop on Clinical Legal Education*

*New Orleans, LA*

*Concurrent Session: Friday, May 4, 2:00-3:30 p.m.*

*Margaret Moore Jackson, North Dakota; Peter Joy, Washington University in  
St. Louis; Mary Lynch, Albany; Antoinette Sedillo Lopez, New Mexico; Roy  
Stuckey, South Carolina*

# Introduction

- Shaping a Vision of What Legal Education Might Be
- Carnegie Report: *Educating Lawyers*
  - Law schools must do more to focus on the “formation of competent and committed professionals”
  - Need to integrate student learning of theoretical and practical knowledge and professional identity
- *Best Practices*
  - 3 assumptions

# Three Assumptions

- 1. Most new lawyers are not as prepared as they could be to discharge the responsibilities of law practice.*
- 2. Significant improvements to legal education are achievable, if the issues are examined from fresh perspectives and with open minds.*
- 3. The process for becoming a lawyer in the United States will not change significantly*

# 12 Key Recommendations

## Setting Goals (Chapter Two)

1. Law schools should demonstrate a commitment to preparing their students for bar examinations and for law practice. They should engage in a continuing dialogue with academics, practitioners, judges, licensing authorities, and the general public about how best to accomplish this goal.
2. Law schools should clearly articulate their educational goals and share them with their students.

## Setting Goals (cont.)

3. Law schools should shift from content-focused programs of instruction to outcomes-focused programs of instruction that are concerned with what students will be able to do and how they will do it, as well as what they will know on their first day in law practice.
4. The primary goal of legal education should be to develop competence, that is, the ability to resolve legal problems effectively and responsibly.
5. Law schools should help students acquire the attributes of effective, responsible lawyers including self-reflection and lifelong learning skills, intellectual and analytical skills, core knowledge and understanding of law, professional skills, and professionalism.

## Organizing the Program of Instruction (Chapter Three)

6. Law schools should organize their curriculums to develop knowledge, skills, and values progressively; integrate the teaching of theory, doctrine, and practice; and teach professionalism pervasively throughout all three years of law school.

## Delivering Instruction (Chapters Four, Five, and Six)

7. Law schools should use teaching methods that most effectively and efficiently achieve desired educational objectives, employ context-based instruction throughout the program of instruction, and employ best practices when using any instructional methodology.

## Delivering Instruction (cont.)

8. Law schools should create and maintain healthy teaching and learning environments.
9. Law schools should enhance the quality of their programs of instruction with technology and by making appropriate use of practicing lawyers and judges.
10. Law schools should have effective teacher development programs and establish learning centers.

# Assessing Student Learning (Chapter Seven)

11. Law schools should use best practices for assessing student learning, including criteria-referenced assessments, multiple formative and summative assessments, and various methods of assessment.

## Evaluating the Success of the Program of Instruction (Chapter Eight)

12. Law schools should regularly evaluate their effectiveness and use best practices for conducting such evaluations.