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Introduction

*The Four Foundational Professional Development and
Formation (PD&F) Goals and Their Benefits for Students,
Faculty, Staff, and Administrators*

Do you believe that “thinking like a lawyer” is an important professional skill, but by no means all that there is to being a lawyer? Do you think that being a professional calls for the development of a wide range of competencies? Do you seek to understand those competencies better? Do you think that being a professional should involve the exploration of the values, guiding principles, and well-being practices foundational to successful legal practice?¹ Are you interested in new and effective ways to build these competencies, values, and guiding principles into a law school’s curriculum? Would you like a framework for improving your own law school’s attention to these competencies, guiding principles, and values along with practical suggestions you can consider? Would you like to help better prepare students for gratifying careers that serve society well?

This book is written for law school faculty, staff, and administrators who would like to see their school more effectively help each student to understand, accept, and internalize the following:

1. Ownership of continuous professional development toward excellence at the major competencies that clients, employers, and the legal system need;
2. a deep responsibility and service orientation to others, especially the client;

¹ At its February 2022 meeting, the ABA House of Delegates approved revisions to Standard 303 that require each law school “to provide substantial opportunities to students for: . . . the development of a professional identity.” Newly adopted Interpretation 303–5 defines “professional identity” as an exploration of “what it means to be a lawyer and the special obligations lawyers have to their clients and society. The development of professional identity should involve an intentional exploration of the values, guiding principles, and well-being practices considered foundational to successful legal practice.” <https://www.americanbar.org/content/dam/aba/images/news/2022/02/midyear-hod-resolutions/300.pdf>.

3. a client-centered problem-solving approach and good judgment that ground each student's responsibility and service to the client; and
4. well-being practices.

These four goals taken together state what it means for an individual to think, act, and feel like a lawyer. They constitute a lawyer's professional identity. They also define the foundational learning outcomes² of the professional development and formation of law students movement in legal education in the United States.³ They figure centrally in all that follows in this book. We

² "Learning outcomes" are defined as "clear and concise statements of knowledge that the students are expected to acquire, skills students are expected to develop, and values that they are expected to understand and integrate into their professional lives. The outcomes should identify the desired knowledge, skills, and values that a school believes that its students should master." Managing Director's Guidance Memo, Standards 301, 302, 314, and 315 (June 2015) at page 4. www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/governancedocuments/2015_learning_outcomes_guidance.authcheckdam.pdf. Standards 314 and 315 require that a learning outcome must be measurable using formative, summative, and program assessment. *Id.* at 4–5.

³ The first three goals are the most common elements of the formation of a professional identity in all five of the Carnegie Foundation for the Advancement of Teaching's studies of education for the clergy (2007), lawyers (2007), engineers (2009), nurses (2010), and physicians (2010) based on many dozens of site visits at schools in each profession. See Neil Hamilton, *Fostering Professional Formation (Professionalism): Lessons from the Carnegie Foundation's Five Studies of Educating Professionals*, 45 CREIGHTON L. REV. 763, 765, 775 (2012). All five Carnegie studies emphasize that the most fundamental element of the formation of a professional identity is internalizing responsibility to the person being served (e.g., parishioner, client, patient). Four of the studies agree on two other foundational goals: (1) a commitment to growth toward excellence at all the competencies needed for the profession and (2) good judgment/moral reasoning in the context of the interpersonal relationship with the person served. *Id.* at 775–76. Hamilton's empirical study of lawyer professionalism award winners in Minnesota also found a common understanding among them that their professional formation and development included (1) a deep responsibility to others, especially deep care for the client that builds trust; (2) ongoing reflection and career-long learning; and (3) counseling the client with candid and honest counsel and independent judgment. See Neil Hamilton & Verna Monson, *Ethical Professional Transformation: Themes from Interviews About Professionalism with Exemplary Lawyers*, 52 SANTA CLARA L. REV. 921, 948–49, 957 (2012). The fourth goal reflects recent major concerns of law schools and the profession. The Carnegie study of legal education was published in 2007. See WILLIAM M. SULLIVAN, ET AL., EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW (2007) [hereinafter EDUCATING LAWYERS]. In the years since the publication of *Educating Lawyers*, and particularly in the past several years, there has been much greater awareness that the well-being of law students and lawyers is profoundly important to the legal profession and to the clients that lawyers serve. Illuminating sources on that development include Jerome M. Organ, David B. Jaffe & Katherine M. Bender, *Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Use and Mental Health Concerns*, 66 J. LEGAL EDUC. 116, 116–56 (Autumn 2016), (discussing the 2014 Survey of Law Student Well Being), and NAT'L TASK FORCE ON LAWYER WELL-BEING, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* (2017) [hereinafter *Path to Lawyer*

will speak of them as the four foundational professional development and formation goals – or, for convenience and brevity, the four “PD&F” goals.

If any of these goals are important to you, this book explains how to help your students achieve them. Importantly, this book also explains how you can influence others – the faculty, staff, and administrators at your school; your students; and the legal employers your graduates serve – to adopt these goals and take steps to achieve them. We look first at the benefits from a more effective curriculum on each of the four goals.

1.1 THE BENEFITS OF A MORE EFFECTIVE CURRICULUM TO FOSTER PD&F GOAL 1: EACH STUDENT’S OWNERSHIP OF CONTINUOUS PROFESSIONAL DEVELOPMENT TOWARD EXCELLENCE AT THE COMPETENCIES THAT CLIENTS, LEGAL EMPLOYERS, AND THE LEGAL SYSTEM NEED

Law students, faculty, staff, and administrators want to increase the probabilities of better academic performance, bar passage, and meaningful postgraduation employment for each student. Strong empirical data show that student growth toward later stages of ownership of continuous professional development (as reflected in self-directed/self-regulated learning) enhances student academic performance,⁴ and that stronger student academic performance in turn correlates with higher probabilities of bar passage.⁵ Diversity,

Well-Being], <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf>.

⁴ “Research has amassed overwhelming evidence that self-regulated learning enhances student performance and achievement in courses and course units.” LINDA NILSON, *CREATING SELF-REGULATED LEARNERS* 10–11 (2013). “It has been shown that self-regulated learning is one of the best predictors of academic performance” and “self-regulated learners are more effective learners.” Susanna Lucieer et al., *Self-regulated Learning and Academic Performance in Medical Education*, 38 *MED. TEACH.* 585, 586 (2016). Self-regulated activity “has consistently been found to be related to student achievement.” Renee Jansen et al., *Self-Regulated Learning Partially Mediates the Effect of Self-Regulated Learning Interventions on Achievement in Higher Education: A Meta-Analysis*, 28 *EDUC. RESEARCH REV.* 1, 2 (2019). “Students who were willing to reflect and make changes in their learning strategies and who selected active strategies that inherently involved regulating their learning were more likely to have academic success.” Jennifer Gundlach & Jessica Santangelo, *Teaching and Assessing Metacognition in Law School*, 69 *J. LEGAL EDUC.* 156, 180 (2019).

⁵ See LINDA F. WIGHTMAN, *LAW SCH. ADMISSION COUNSEL, LSAC NATIONAL LONGITUDINAL BAR PASSAGE STUDY* 37 (1998); Douglas Rush & Hisako Matsuo, *Does Law School Curriculum Affect Bar Examination Passage? An Empirical Analysis of Factors Related to Bar Examination Passage During the Years 2001 Through 2006 at a Midwestern Law School*, 57 *J. LEGAL EDUC.* 224, 232–33 (2007); Katherine A. Austin, Catherine Martin Christopher & Darby Dickerson, *Will I Pass the Bar Exam? Predicting Student Success Using LSAT Scores and Law School Performance*, 45 *HOFSTRA L. REV.* 253, 266–68 (2017).

equity, inclusion, and belonging initiatives aimed at helping disadvantaged students⁶ also benefit substantially from a more effective curriculum (particularly a continuous coaching model of the kind we will analyze in Chapter 4) that fosters belonging and provides institutional support to navigate the educational environment and the job market.⁷

To the extent that online learning may provide lower levels of support and guidance to students than in-person classroom education, self-directed/self-regulated learning skills characterized by student skill in planning, managing, and controlling their learning processes become even more important for student performance.⁸ Data also show that legal employers and clients greatly value initiative and ownership of continuous professional development;⁹ a student who can communicate evidence of later-stage development on self-directed/self-regulated learning will demonstrate strong value to potential employers.

1.2 THE BENEFITS OF A MORE EFFECTIVE CURRICULUM TO FOSTER PD&F GOAL 2: EACH STUDENT'S DEEP RESPONSIBILITY AND SERVICE ORIENTATION TO OTHERS, ESPECIALLY THE CLIENT

Many law faculty and staff would like to see each law graduate internalize a deep responsibility and service orientation to others, particularly the client. We also know that a substantial proportion of undergraduate students in the applicant pool are seeking a career with opportunities to be helpful to others and useful to society.¹⁰

⁶ Disadvantaged groups in law school are groups whose members are historically underrepresented in the legal profession due to their backgrounds. Dorainne Green et al., *Group-Based Inequalities in Relationship Quality are Associated with Disparities in Belonging, Satisfaction, and Achievement in Law School*, forthcoming at J. OF EDUC. PSYCH., at 12.

⁷ An increased sense of belonging is linked to increased academic motivation, engagement, intention to persist, and achievement. See Elizabeth Bodamer, *Do I Belong at This Law School: How Perceived Experiences of Bias, Stereotype Concerns, and Social Capital Influence Law Students' Sense of Belonging* (dissertation submitted to Indiana University Graduate School, Dec. 2020) at 3, 35–36 (<https://www.stthomas.edu/hollorancenter/>). The more that minoritized students experience social support and social capital in the law school, the greater their sense of belonging. *Id.* at 6, 8, 39–41, 148, 151.

⁸ Rene Kizilcec et al., *Self-Regulated Learning Strategies Predict Learner Behavior and Goal Attainment in Massive Open Online Courses*, 104 COMPUTERS & EDUC. 18–33 (Jan. 2017).

⁹ NEIL W. HAMILTON, ROADMAP: THE LAW STUDENT'S GUIDE TO MEANINGFUL EMPLOYMENT 18–34 (2d ed. 2018) [hereinafter ROADMAP].

¹⁰ See the discussion *infra* of what applicants to law school want in Chapter 5, Section 5.8.1.

Deep care for the client is the principal foundation for client trust in both the individual lawyer and the profession itself.¹¹ That deep care essentially entails a fiduciary disposition or fiduciary mindset, using “fiduciary” in the general meaning of founded on trustworthiness.¹² Each law student and new lawyer must learn to internalize a responsibility to put the client’s interests before the lawyer’s self-interest.¹³ As Professor Greg Sisk emphasizes in a recent treatise on legal ethics: “When the lawyer protects confidential information and exercises loyal and independent judgment uninfected by conflicting interests or the lawyer’s own self-interest, the lawyer’s responsibilities are distinctly fiduciary in nature. In these matters, the trust of the client is directly at stake.”¹⁴

The legal profession also holds out other fiduciary mindset values and guiding principles relating to trust in each lawyer. For example, the Preamble of the Model Rules of Professional Conduct states, “[a] lawyer should strive to attain the highest level of skill, to improve the law and the legal profession, and to exemplify the legal profession’s ideals of public service.”¹⁵ It declares, “a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of the service rendered by the legal profession” and emphasizes the following:

A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel.¹⁶

The Model Rules contemplate that a lawyer will possess very broad discretion when exercising professional judgment to fulfill responsibilities to clients, the legal system, and the quality of justice – and that the lawyer also has

¹¹ William M. Sullivan, *Foreword to TEACHING MEDICAL PROFESSIONALISM: SUPPORTING THE DEVELOPMENT OF A PROFESSIONAL IDENTITY* ix, xi, xv (Richard L. Cruess et al. eds., 2d ed. 2016).

¹² See *id.* at ix; William Sullivan, *Align Preparation with Practice*, 85 N.Y. ST. B. A. J. No. 7, 41–43 (Sept. 2013) (where Sullivan introduces the concept of fiduciary disposition).

¹³ Law school accreditation standards reflect this requirement. Standard 302(c) provides: “A law school shall establish learning outcomes that shall, at a minimum, include competency in the following: (c) Exercise of proper professional and ethical responsibilities to clients and the legal system.” *Standard 302(c)*, 2021–2022 *Standards and Rules of Procedure for Approval of Law Schools*, A.B.A. SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR.

¹⁴ GREG SISK ET AL. *LEGAL ETHICS, PROFESSIONAL RESPONSIBILITY, AND THE LEGAL PROFESSION* 295 (2018).

¹⁵ A.B.A. MODEL RULES OF PROF’L CONDUCT Preamble para. 7 (2020).

¹⁶ *Id.*, para. 6 (2020).

a personal interest in being an ethical person who makes a satisfactory living. The Preamble recognizes that “difficult ethical issues” can arise from these potentially conflicting responsibilities and interests. “Within the framework of these Rules,” the Preamble observes, “many difficult issues of professional discretion can arise. Such issues must be resolved through the exercise of *sensitive professional and moral judgment* guided by the basic principles underlying the Rules.”¹⁷ The Preamble further notes, “a lawyer is also guided by personal conscience and the approbation of professional peers.”¹⁸

The Model Rules recognize that clients also face many difficult ethical issues, and a lawyer should provide “*independent professional judgment* and render candid advice” to help the client think through decisions that affect others.¹⁹ As the comments to Rule 2.1 note, “[a]dvice couched in narrow legal terms may be of little value to a client, especially where practical considerations, such as cost or effects on other people, are predominant It is proper for a lawyer to refer to the relevant moral and ethical considerations in giving advice.”²⁰ The lawyer is not imposing the lawyer’s morality on the client; rather, the “relevant moral and ethical considerations” upon which the lawyer is to draw and offer counsel – and therefore needs to comprehend – include the client’s own tradition of responsibility to others.

The foregoing implicitly defines the elements of a law student’s and lawyer’s fiduciary mindset. They call on each law student and lawyer to

1. Comply with the *ethics of duty* – the minimum standards of competency and ethical conduct set forth in the Rules of Professional Conduct;
2. foster in oneself and other lawyers the *ethics of aspiration* – the core values and guiding principles of the profession, including putting the client’s interests first;
3. develop and be guided by personal conscience – including the exercise of “sensitive professional and moral judgment” and the conduct of an “ethical person” – when deciding all the “difficult issues of professional discretion” that arise in the practice of law;
4. develop independent professional judgment, including moral and ethical considerations, to help the client think through decisions that affect others; and
5. promote a justice system that provides equal access and eliminates bias, discrimination, and racism.

¹⁷ *Id.*, para. 9 (2020) (emphasis added).

¹⁸ *Id.*, para. 8 (2020).

¹⁹ *Id.*, R. 2.1 (2020) (emphasis added).

²⁰ *Id.*, R. 2.1 cmt. 2 (2020).

Fostering each student's development toward later stages of responsibility, service, and care for the client and the legal system has obvious benefits for students. As we discuss in Chapter 5, principle 8, research shows that students rank service to others as a significant personal objective that motivates them to pursue a career in law.²¹ Supporting students in this way also contributes to the missions of many law schools and the aspirations of many faculty and staff, advancing the ideals and core values of the profession including service to the disadvantaged. As we shall see in the next section, benefits flow to clients and legal employers as well. They value client-centered lawyering and creative problem solving in the lawyer's exercise of good independent professional judgment emphasized by the Model Rules.

1.3 THE BENEFITS OF A MORE EFFECTIVE CURRICULUM TO
 FOSTER PD&F GOAL 3: EACH STUDENT'S CLIENT-CENTERED
 PROBLEM-SOLVING APPROACH AND GOOD INDEPENDENT
 PROFESSIONAL JUDGMENT THAT GROUND EACH STUDENT'S
 RESPONSIBILITY AND SERVICE TO THE CLIENT

Legal employers and clients want law graduates who demonstrate deep responsibility and service orientation to others, ownership over continuous professional development toward excellence, a client-centered problem-solving approach, and good independent professional judgment. Law students (prospective new lawyers) who have evidence of later-stage development of these competencies can increase their probability of meaningful employment – a major benefit to the students and their law school as well.

A growing number of empirical studies are defining the capacities and skills that clients and legal employers need in their changing markets, reaching results that substantially converge in support of the central importance of the third PD&F goal. Among the major studies are the following:

1. The 2003 Shultz/Zedeck survey, including principally University of California–Berkeley alumni, identifying lawyer effectiveness factors;²²
2. Hamilton's 2012–14 and 2017 surveys of the competencies assessed by large firms, small firms, state attorneys general offices, county attorneys offices, and legal aid offices;²³

²¹ See the discussion *infra* at Chapter 5, Section 5.8.1.

²² Marjorie Shultz & Sheldon Zedeck, *Predicting Lawyer Effectiveness: Broadening the Basis for Law School Admissions Decisions*, 36 LAW & SOC. INQUIRY 620, 629 (2011).

²³ See ROADMAP, *supra* note 9, at 24–33.

3. The Institute for the Advancement of the American Legal System 2016 study of 24,137 lawyers' responses to the question of what competencies are "necessary in the short term" for law graduates;²⁴
4. Thomson Reuters' 2018–19 interviews and survey of law-firm professional development lawyers and hiring managers on what are the most important competencies for a successful twenty-first-century lawyer;²⁵
5. The Institute for the Advancement of the American Legal System 2019 study on the competencies that clients want, based on a random sample of 2,232 AVVO client reviews of lawyers in the period 2007–17;²⁶
6. The 2019 Association of Corporate Counsel survey of 1,639 respondents who self-identified as the highest-ranking lawyer in a company;²⁷
7. The 2019 BTI Consulting Group's Client Service A-Team Survey of Law Firm Client Service Performance, which includes data from 350 in-depth telephone interviews with senior in-house counsel at large organizations;²⁸
8. The 2020 National Conference of Bar Examiners survey of 3,153 newly licensed lawyers (up to three years of practice) and 11,693 not recently licensed lawyers asking how frequently newly licensed lawyers performed specifically listed tasks;²⁹
9. The 2020 Institute for the Advancement of the American Legal System's national study using fifty focus groups, asking respondents about the knowledge and skills that new lawyers used during the first year of practice;³⁰

²⁴ See ALLI GERKMAN & LOGAN CORNETT, FOUNDATIONS FOR PRACTICE: THE WHOLE LAWYER AND THE CHARACTER QUOTIENT (2016), https://iaals.du.edu/sites/default/files/documents/publications/foundations_for_practice_whole_lawyer_character_quotient.pdf.

²⁵ Natalie Runyon, *Delta Model Update: The Most Important Area of Lawyer Competency – Personal Effectiveness Skills*, THOMSON REUTERS (Mar. 21, 2019), <http://www.legalexecutiveinstitute.com/delta-model-personal-effectiveness-skills/>. Thomson Reuters followed up with a questionnaire survey of a broader group of practitioners on the client side. See NATALIE RUNYON & ALYSON CARREL, ADAPTING FOR 21ST CENTURY SUCCESS: THE DELTA LAWYER COMPETENCY MODEL (2019), <https://legal.thomsonreuters.com/content/dam/ewp-m/documents/legal/en/pdf/white-papers/delta-lawyer-competency.pdf>.

²⁶ LOGAN CORNETT, THINK LIKE A CLIENT (2019), https://iaals.du.edu/sites/default/files/documents/publications/think_like_a_client.pdf.

²⁷ ASS'N CORP. COUNS., 2019 ACC CHIEF LEGAL OFFICERS SURVEY (2019), <https://www.acc.com/sites/default/files/resources/upload/2019-ACC-Chief-Legal-Officers-Survey.pdf>.

²⁸ BTI CONSULTING GROUP, BTI CLIENT SERVICE A-TEAM 2019: SURVEY OF LAW FIRM CLIENT SERVICE PERFORMANCE (2019), <https://bticonsulting.com/themadclientist/bti-client-service-a-team-2019-survey-of-law-firm-client-service-performance>.

²⁹ NAT'L CONF. BAR EXAMINERS TESTING TASK FORCE, PHASE 2 REPORT: 2019 PRACTICE ANALYSIS (2020).

³⁰ DEBORAH JONES MERRITT & LOGAN CORNETT, BUILDING A BETTER BAR: THE TWELVE BUILDING BLOCKS OF MINIMUM COMPETENCE 14 (2020). The study had 200 total participants with 41 focus groups of junior lawyers who had been licensed between January 1, 2016, and January 31, 2019, and had worked at least 12 months in one or more positions that required a law

10. Lisa Rohrer and Mitt Regan's in-depth interviews with 278 law partners at larger US law firms to assess whether business concerns are eclipsing professional values in law firm practice, published in 2021;³¹ and
11. The National Association for Law Placement report on a 2020 Survey of Law Firm Competency Expectations for Associate Development published in 2021 based on survey results from fifty large-firm competency models.³²

The work of leading futurists looking at the legal services market reinforces the picture. They emphasize that the competencies needed for a successful twenty-first-century lawyer include a more proactive entrepreneurial mindset to meet changing market conditions for clients and lawyers alike.³³

All of the aforementioned studies essentially asked lawyers and clients to identify the most important competencies needed to practice law. While both attorneys and clients include client-service orientation and relationship skills among the important competencies needed to represent clients, the clients emphasize these skills more heavily (including communication, attentive listening, responsiveness, understanding of the client's context and business, and explanation of fee arrangements).³⁴

Synthesizing all these empirical studies into a useful model of the foundational competencies that clients and legal employers need can be a challenge. In a recent white paper, Thomson Reuters presents what it has titled the "Delta" model of lawyer competency. The model groups lawyer competencies into three categories, with each category represented by one of the three sides of a triangular figure. The base of the triangle represents the technical skills traditionally associated with lawyering. The upper two sides of the triangle represent "personal effectiveness factors" and "business and operations" competencies, respectively.³⁵ We find much to favor in the Delta model; its chosen visual form for depicting the differing

license. Also included were nine focus groups of experienced lawyers who had supervised at least one junior lawyer during the two years preceding the study.

³¹ MITT REGAN & LISA H. ROHRER, *BIG LAW: MONEY AND MEANING IN THE MODERN LAW FIRM 2* (2020).

³² NAT'L ASS'N L. PLACEMENT, *REPORT ON 2020 SURVEY OF LAW FIRM COMPETENCY EXPECTATIONS FOR ASSOCIATE DEVELOPMENT* (2021), https://www.nalp.org/uploads/NA_LP_Associate_Competencies_Report_May_2021.pdf.

³³ See, e.g., JORDAN FURLONG, *LAW IS A BUYER'S MARKET: BUILDING A CLIENT-FIRST LAW FIRM* 29, 73–81, 145–52 (2017); RICHARD SUSSKIND, *TOMORROW'S LAWYERS: AN INTRODUCTION TO YOUR FUTURE* 4–14 (2013); William Henderson, *Efficiency Engines: How Managed Services Are Building Systems for Corporate Legal Work*, ABA J. 38–45 (June 2017).

³⁴ RANDALL KISER, *SOFT SKILLS FOR THE EFFECTIVE LAWYER* 2–33 (2017).

³⁵ See DELTA LAWYER COMPETENCY MODEL, *supra* note 25, at 5.

yet interrelated competencies of effective lawyering strikes us as particularly effective. A model that serves the needs of legal educators does well to draw from the Delta model, but it needs important adaptations to reflect insights about professional education, the student's formation of professional identity, and methods of competency-based education – and also to incorporate the fuller range of competencies identified by the aforementioned studies.

Building on the Delta model approach, we offer here a Foundational Competencies Model (depicted in Figure 1) that law school faculty, staff, and administrators can consider and modify to best articulate the competencies that clients and legal employers served by their school's graduates need. Appendix A provides a summary of the empirical studies mentioned earlier that also can be useful to inform faculty and staff discussion. The model in Figure 1 reflects four principles that should inform any model developed for an individual law school:

1. The model should be based on the best available current data on the competencies that clients and legal employers need;
2. the model should be clear and understandable to a new law student and include a manageable number of competencies;
3. the model should be in the language that legal employers use, thereby helping students communicate their value to employers; and
4. the model's foundational competencies should be translatable directly into institutional learning outcomes established by the law school.

The empirical studies also support the conclusion that the following six traditional technical competencies that law schools emphasize are necessary but not sufficient to meet client and legal employer needs in changing markets:

1. Knowledge of doctrinal law in the basic subject areas;
2. legal analysis;
3. legal research;
4. written and oral communication in the legal context;
5. legal judgment; and
6. knowledge of the law-of-lawyering responsibilities to clients and the legal system.³⁶

³⁶ These are the competencies listed in the ABA's accreditation standards. See *Standards 302 (a)-(c), 2021-2022 Standards and Rules of Procedure for Approval of Law Schools*, A.B.A. SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR.