

# Assessment of Professional Formation Learning Outcomes

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# Brief Overview of What I Hope You Learn



- A little about Learning Outcomes associated with Professional Identity Formation and some resources
- A little about Holloran Competency Milestones as tools for assessing Professional Identity Formation Learning Outcomes
- A little about growth in professional development or professional identity formation courses
- An efficient mechanism for gathering evidence for assessing progress on learning outcomes associated with self-direction and relationship building

# Two Foundational Learning Outcomes



The Holloran Center posits that professional identity has two prongs each of which has a broader scope:

1. A deep responsibility and commitment to serving clients, the profession, and the rule of law;
2. A commitment to pro-active continuous professional development toward excellence at all the competencies needed to serve others well in the profession's work.

# Essential Competencies

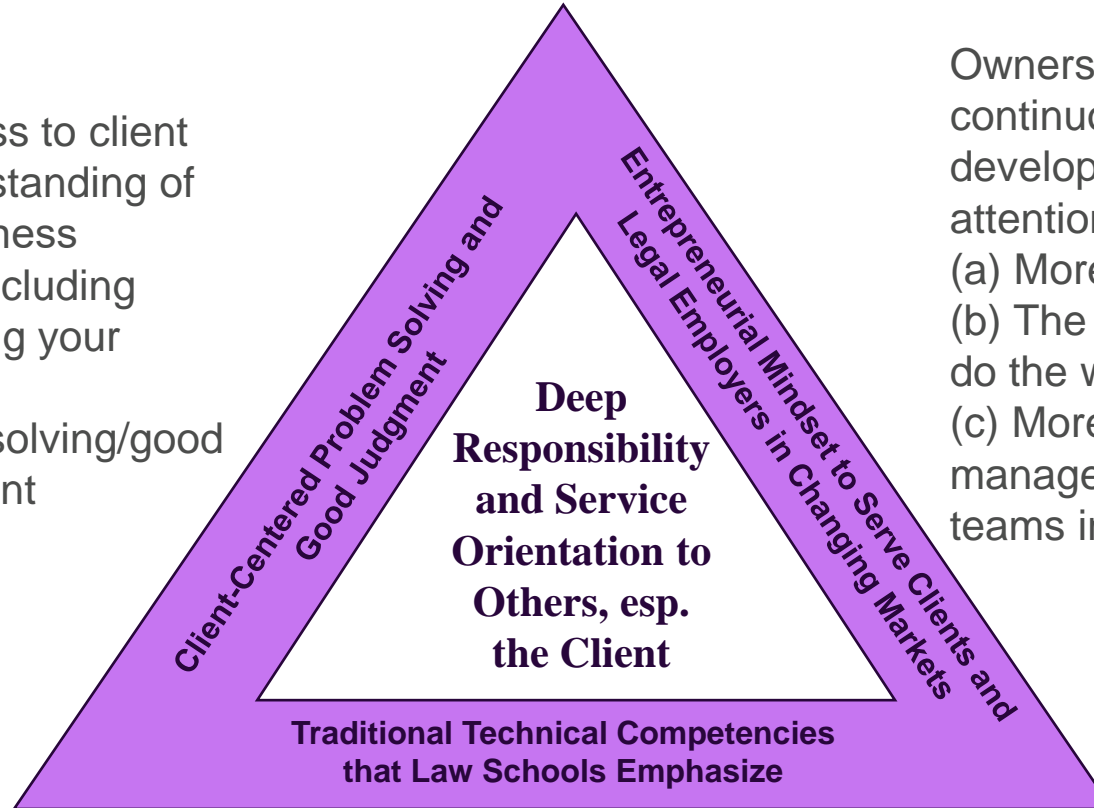


- Thinking like a lawyer – the “bread and butter” of a legal education – is a necessary competency for lawyers.
- Knowledge of the law, the ability to research, the ability to think critically – these comprise the “thinking” competency.
- But “thinking like a lawyer” is not sufficient.
  - “Thinking like a lawyer” will not build relationships of trust with clients.
  - “Thinking like a lawyer” will not enable the student/lawyer to tell a story in a manner persuasive to a jury.
  - “Thinking like a lawyer” will not give the student/lawyer the relationship skills and collaboration skills that will be essential to success as a lawyer.



# Foundational Competency Model Based on Empirical Studies of the Competencies Clients and Legal Employers Need

- Superior client focus/responsiveness to client
- Exceptional understanding of client's context/business
- Communication (including listening and knowing your audience)
- Creative problem-solving/good professional judgment synthesizing all the competencies



Ownership over pro-active continuous professional development including constant attention to:

- (a) More for less;
- (b) The capabilities of technology to do the work more efficiently; and
- (c) More use of project management and collaboration with teams including non-lawyers

- Knowledge of doctrinal law in basic subject areas
- Legal analysis
- Legal writing and research
- Legal judgment



# Next Gen Bar Skills

- **Legal Research.**
- **Legal Writing.**
- **Issue Spotting and Analysis.**
- **Investigation and Evaluation.**
- **Client Counseling and Advising.**
- **Negotiation and Dispute Resolution.**
- **Client Relationship and Management**

# What We Know about Law School Learning Outcomes



- The Holloran Center has been tracking law school learning outcomes since 2017.
- As of June 2022, we have law school learning outcomes from 185 law schools.
- <https://www.stthomas.edu/hollorancenter/resourcesforlegaleducators/learningoutcomesdatabase/>
- Slightly over 50 law schools have “basic” outcomes that simply or largely track language of Standard 302.

# Law School Learning Outcomes



- As of June 2022, some of the most common professional formation learning outcomes that go beyond the basic technical competencies required by the ABA include:

Learning Outcome	Number	Percentage (of 185)
Professionalism	72	39%
Teamwork	70	38%
Cultural Competence	70	38%
Pro Bono	67	36%
Self-Directedness	53	29%
Reflection	42	23%
Active Listening	35	19%
Integrity	28	15%





# The Process

Once the learning outcomes have been created, then law schools should implement the following steps:

1. Create a stage-development benchmark model or rubric for each competency;
2. Map the curriculum, educational program, and assessments currently in place to foster student's development toward the later stages of each competency needed for graduation;
3. Create additional curriculum and assessments to fill in the gaps; and
4. Evaluate the effectiveness of the educational program and curriculum to foster growth on each competency to the graduation standard.
5. “Close the Loop” by amending teaching approach to better accomplish the learning outcome.

# The Genesis of the Milestones Project



- Encouraged yet concerned.
- A number of law schools have fairly robust learning outcomes related to professional formation – very encouraging.
- No one really knows how to assess some of these robust professional formation learning outcomes – very concerning.
- What can the Holloran Center do to support robust professional formation learning outcomes?

# Working Groups “Milestones” Project



- Over the last six years, we have had nearly three dozen legal educators in different working groups focused on generating stage development models for several of these learning outcomes.
- The first set of working groups focused on five of these learning outcomes – **Self-Direction, Cultural Competence, Teamwork/Collaboration, Integrity, and Honoring Commitments.**
- The second set of four working groups focused on **Active Listening, Commitment to Pro Bono, Leadership and Professional Communication.**
- We also have added milestones for **Reflection, Grit/Resilience and Growth Mindset.**



# Holloran Competency Milestones

- We are calling these Holloran Competency Milestones.
- The Holloran Competency Milestones are designed to support multiple forms of assessment.
- The Milestones can be used as self-assessment tools and/or peer assessment tools.
- The Milestones also can be the basis for direct observation of performance regarding one or more of the sub-competencies.
- Finally, they can provide a framework for programmatic assessment.

# Do the Law School Stage Development Models Align with the Legal Employer Models?



## During Law School



## After Law School



# Holloran Competency Milestones

- Our goal is to have generated, for each of the Milestones, a set of resources:
  - A glossary or explanation of the structure of the Milestone
  - A bibliography or “reader” of articles related to the Milestone
  - A set of teaching resources for a variety of contexts
  - A set of assessment resources

# Professional Development Initiatives



- Over the last several years, a number of law schools have recognized the need for more emphasis on professional development.
- In 2017, we hosted a gathering of law schools with courses/programs focused on professional development.
- We had representatives from 20 such law schools participate with another 20 law schools in attendance.
- That summer, we were able to identify roughly 30 law schools with a required first-year course or program focused on professional development.

# Professional Development Initiatives



- By November 2019, we had identified over 60 law schools that had a required first-year course or program focused on professional development.
- By 2022 that had grown to over 70 law schools.
- Law schools have embraced a wide array of approaches.
- The vast majority of law schools have credit-bearing courses.
  - Roughly one-half are one-credit courses.
  - Roughly one-third are two- or three-credit courses.
  - The balance are integrated courses of four or more credits.
- A minority are zero-credit courses or a graduation requirement.
- With the adoption of Standard 303(b)(3) and 303(c) we anticipate having perhaps more than 100 law schools with first-year professional development courses.



# What Works? The Need for Assessment



- We don't have great information on the effectiveness of any of these particular curricular interventions.
- There has been no systematic assessment of the effectiveness of these different approaches to professional development in the first-year.
- At St. Thomas, we can speak to improved employment outcomes over the last several years partly as a result of efforts in the first-year to foster self-directedness and thoughtfulness in preparing for meaningful employment.

# Survey of Perspectives on Being a Lawyer



- 11 Participating Law Schools with different programs. First-years invited to participate as law school commenced in the fall 2020 (Aug/Sep) and again in April 2021. Roughly 1600 possible respondents
- Nearly 300 completed both fall and spring with some schools with much higher participation rates than others. More women (57%) than men (43%)
- Several different sets of questions focused **on roles, values, self-directedness**, motives, practice areas of interest, competencies, **growth mindset** and resilience, and word association (nouns/adjectives)

# Self-Directedness



	Fall	Spring	Women-F	Women-S	Men-F	Men-S
Development/Self-Direction (Overall)	3.2	3.0	3.2	3.1	3.1	3.0
Seek to Understand Competencies for Success	3.6	3.4	3.6	3.4	3.6	3.3
Regularly Seek Feedback on Competencies	3.2	2.9	3.2	2.9	3.2	2.8
Persist in Practicing Competencies	3.4	3.2	3.4	3.3	3.3	3.1
Committed to Prof. Dev.	3.7	3.6	3.7	3.7	3.7	3.5
Reflection	3.6	3.5	3.6	3.5	3.6	3.5
Strive for Excellence	3.7	3.5	3.7	3.5	3.6	3.5
Learn New Skills to Serve Clients Better	3.9	3.7	3.9	3.8	3.8	3.7

# Growth Mindset



- Respondents answered eight screening questions designed to assess where respondents are on the continuum between a fixed mindset and a growth mindset.
- Fall respondents had a mean score of 4.9, but those same respondents in the spring had a mean score of 4.7, a statistically significant change.
- Women went from a mean score of 5.0 in the fall to a mean score of 4.7 in the spring – a statistically significant change.
- Men went from a mean score of 4.8 in the fall to a mean score of 4.6 in the spring – this was not a statistically significant change.

# How Can/Should These Competencies be Assessed?



- The survey I shared involved “indirect” assessment – student self-assessment in response to survey questions.
- “Direct” assessment – objective assessment from third parties – is preferred.
- We are creating an assessment process involving direct assessment on self-directedness using “quick report” Qualtrics surveys.

# Quick Report Surveys on Self-Assessment and Relationships Building



- We have nine touch points involving one-on-one conversations with students that we are leveraging to support assessment of self-directedness and relationships building while offering students support on their journey from student to lawyer.
- First Year Fall – CPD
- First Year January – Roadmap
- Second Year – Mentor – Sep/Jan/April
- Third Year – Mentor – Sep/Jan/April
- Third Year April – CPD Exit Interview

# Quick Report Survey – Jan. First Year



- Identified goals for summer (Select two)

- Full-time legal work
- Part-time legal work
- Volunteer legal work
- Summer classes
- Other work to make money

Identified interests for registration for next year (Select one)

- YES or NO

- Quick Assessment of Self-Directedness (Select one)

- SEEMED REALLY ON TOP OF THINGS – Initiative – Focus – Beginnings of a Plan
- HAD SOME IDEAS – Some initiative but not much focus and not much of a plan
- LACKING DIRECTION – Little initiative – little focus – no plan

# Quick Report Survey – Sept. 2L Year



- Readiness for Engagement in Mentor and Relationships
  - i. Ready to invest in relationship building (Select one)
    - a. Absolutely
    - b. Mostly
    - c. Not much
  - ii. Particularly seems ready to invest in Mentor relationship (Select one)
    - a. Absolutely
    - b. Mostly
    - c. Not much
  - iii. Appears to have reflected on and learned from last year's Mentor experience in ways that likely will make this year's Mentor experience as good or better than last year (Select one)
    - YES or NO
- Quick Assessment of Self-Directedness (Select one)
  - SEEMED REALLY ON TOP OF THINGS – Initiative – Focus – Beginnings of a Plan
  - HAD SOME IDEAS – Some initiative but not much focus and not much of a plan
  - LACKING DIRECTION – Little initiative – little focus – no plan



# Quick Report Survey – April 2L Year



- Identified goals for summer (Select up to two)
  - a. Full-time legal work in practice area of interest
  - b. Part-time legal work in practice area of interest
  - c. Full/part-time legal work in area in which not interested
  - d. Volunteer legal work
  - e. Summer classes
  - f. Other work to make money
- Discussed relationship-building plans for the for summer (Select one)
  - a. Has a plan and is ready to go
  - b. Needs a plan and some focus
  - c. Not on radar screen
- Has plan/ideas for Mentor Externship next year? (Select one) -- Yes or No
- Quick Assessment of Self-Directedness (Select one)
  - SEEMED REALLY ON TOP OF THINGS – Initiative – Focus – Beginnings of a Plan
  - HAD SOME IDEAS – Some initiative but not much focus and not much of a plan
  - LACKING DIRECTION – Little initiative – little focus – no plan

# Questions

