

# **How We Teach: Developing Core Competencies on Both Sides of the Gap**

## **Santa Clara University School of Law Leadership Education Roundtable IV March, 24, 2012**

The following is a brief synopsis of topics presented at the morning session of the SCU Leadership Round Table on 3/24/2012, followed by leadership law student impressions of possible ways to address these challenges.

### **(Morning Session)**

#### **Topic 1: The Big Picture: The Case for Leadership Education in Firms and Law Schools**

Deborah L. Rhode, Ernest W. McFarland Professor of Law and Director, Center on the Legal Profession, Stanford Law School

Heather E. Bock, Chief Professional Development Officer, Hogan Lovells US LLP and Executive Director and Visiting Professor, Center for the Study of the Legal Profession, Georgetown University Law Center

Emmy Berning, Associate Director, Office of Career Services, Georgetown University Law Center

Moderator: Sandee Magliozzi, Director, Professional Development & Externships, Santa Clara Law

Leadership competencies, those “soft skills” like decision-making, influence and communication, are essential tools in an attorney’s arsenal. The difference between average and superstar lawyers is how well they have mastered skills such as communication, people and project management, and relationship building. With the correlation between leadership skills and peak performance becoming clearer, many law schools and law firms have come to the realization that they must teach these to law students and young attorneys. The first session of the Leadership Education Roundtable consisted of a representative from a law firm, and a law school, making the case for leadership education as a part of legal education.

#### Professional Development Training at Hogan Lovells US LLP

To begin the morning, Heather E. Bock discussed how some law firms are working to develop their own top performers in-house. Bock cited that the difference between how “standard” and “superstar” associates ascend inside law firms lies in the associate’s grasp of soft leadership skills. Hogan Lovells, where Bock is the Chief Professional Development Officer, employs a four-phase program to cultivate associates’ leadership skills: as first-years; as third years; as mid-levels, at the fifth or sixth year mark, and as senior associates in preparation for

partnership. Hogan targets associates at these stages because, at each point, different leadership skills are being tested, and are crucial to progressing to the next level.

- **First Year Associates:** At firm orientation, new associates are given an introduction to the self-management and leadership skills that will best serve them as first through third years at the firm – a time when associates are mostly taking instruction in a ‘follower’ role, and working as the most junior member of a deal or case team. Here, Hogan puts the focus on teaching young attorneys to be self-aware and establishing a professional identity.
- **Third Year Associates:** As third years, associates begin to direct other people, but are still taking orders and working alongside their peers. At this juncture, young lawyers are instructed more deeply on management skills as they apply to projects, people, performance and career.
- **Mid-Level Associates:** Mid-level associates, in their fifth or sixth year, find themselves in the position of having the responsibility of leading/teaching junior associates, developing rapport with clients, and still managing people and projects. Here, client relationship skills are highlighted, as is communication – both of which are “soft skills” that will make all the difference as mid-level associates continue the climb to partner.
- **Senior Associates:** As senior associates, attorneys are faced with the prospect of making partner, a point at which business development skills, people management and project management skills are essential. At this stage, core leadership skills are honed, such as strategic thinking, decision-making, as well as business development and client relations skills.

Hogan’s method of targeting certain leadership competencies per temporal career point is effective to the extent that at those different points in the law firm hierarchy, attorneys face different expectations and responsibilities. In addition to the four-phased program, Hogan cultivates a mentorship program and encourages attorneys to annually create a written plan to identify professional development goals for the coming year.

### Leadership Education at Georgetown University Law Center

While law firms, like Hogan Lovells, are crafting plans to teach leadership skills in-house, the question arises as to how much leadership education should be included in legal education. Emmy Berning, the Associate Director of Georgetown University Law Center’s Office of Career Services, gave an overview of how Georgetown has integrated leadership education into its law school curriculum. Georgetown Law is attacking leadership education on four fronts: offering externships for school credit; offering no-credit seminars; for-credit leadership theory classes; and management courses as part of executive education for lawyers.

- **Externship Opportunities:** Georgetown, like most law schools, offers students credit for externships, taken in conjunction with a class component. The externship class has a strong self-reflective element, allowing students to explore their professional goals and identity. As students engage in self-awareness exercises in the classroom, the externship provides the opportunity to gain practical experience, integrate substantive knowledge with practice, and be exposed to real life as a lawyer. For-credit externships allow students to explore

the day-to-day practice of law, and provide an outlet to reflect on that experience; it is experiential learning, and learning through self-reflection. The goal is that after an externship experience, students will be more aware of themselves, their performance, and what will be expected of them as attorneys.

- **No-Credit Seminars:** Georgetown offers a unique no-credit seminar called *Lawyers in Balance*. The seminar focuses on teaching soft skills not addressed in the classroom, and mind-body balance, generally. The course guides students through “mind-body” exercises, such as journal writing, meditation, guided imagery, and autogenic training, in order to foster a self-awareness and acknowledgment that mental and emotional health are a necessary part of a successful career. Seminars like *Lawyers in Balance* explicitly highlight the importance of “soft skills” as essential elements of the superstar lawyer’s arsenal. The seminar is based off of a course that Georgetown Medical Center requires of students, and drives home the point that the best lawyers must possess a “bedside manner.”
- **For-Credit Leadership Classes:** Georgetown also offers for-credit courses in leadership theory and skills. Citing the fact that leadership and team skills are not part of a traditional legal curriculum, the course seeks to provide students with an understanding of the principles of leadership, effective teamwork, and project and people management. The goal is to enhance students’ career success by giving them a base knowledge of organizational behavior, interpersonal, management, leadership and client relationship skills.
- **Executive Education for Lawyers:** Georgetown is only the second law school in the United States, after Harvard, to offer an executive education program for lawyers<sup>1</sup>. Courses in management target attorneys far enough along in their careers to be in a leadership/management position, but who are lacking a foundation in the skills necessary to be effective managers and leaders (although possessed of a vast body of substantive legal knowledge). With the state of the legal market in flux, and established law firms dissolving in our midst, it is essential that lawyers possess critical leadership and business management skills. The program will offer three courses, initially, on each of collaboration between in-house and outside counsel, law firm compensation policy, and leadership strategy<sup>2</sup>.

Georgetown, in its quest to integrate leadership skills into the legal curriculum, has employed a four pronged approach that offers students and attorneys an array of opportunities to gain access to leadership skills instruction – whether it be in the form of experiential learning, or a mind-body wellness seminar. Additionally, through its executive education program, Georgetown seeks to address a gap in practicing lawyers’ knowledge base by offering

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<sup>1</sup> Catherine Ho, “*Georgetown Law to Offer Business Courses,*” Washington Post (April 22, 2012)

<sup>2</sup> *Id.*

management classes to those attorneys who find themselves in a management/leadership role, but with no formal training in how to succeed in that role.

## **Student Perspectives**

“In the past, workers with average skills, doing an average job, could earn an average lifestyle. But today, average is officially over. Being average just won’t earn you what it used to. It can’t when so many employers have so much more access to so much more above average...cheap genius. Therefore, everyone needs to find their extra – their unique value contribution that makes them stand out in whatever is their field of employment. Average is over.”

- Thomas Friedman, “*Average is Over*,” New York Times (January 24, 2012)

In the legal profession, average is indeed over. Fancy credentials and book smarts are no longer enough to get ahead and stay ahead in law firm atmospheres that are still largely Darwinistic in nature. The extra, or plus, that Friedman cites is leadership competency. Leadership skills distinguish commodity associates from superstar associates. Hogan Lovells knows this (Bock explicitly noted that the difference between average and top ascenders at the firm is the possession of leadership skills), and has crafted an entire in-house training program around teaching these skills to its attorneys; likewise, Georgetown Law Center to its law students.

The impetus ought to be on both law schools, and law firms, to instill what leadership education they can on students and attorneys. It should be noted, however, that without a sold and willing audience in students and attorneys, the teaching of “soft skills” would be for naught. Law schools should follow Georgetown’s lead in crafting leadership education programs insofar as Georgetown’s multi-faceted approach tries to reach as many students as possible through different types of course and seminar offerings. Hogan Lovells’ program, which targets associates at different career progression stages, effectively focuses on a few relevant leadership competencies at every rung on the law firm ladder. Because law firm cultures and operating philosophies are so divergent, law firms are best served by training their new lawyers in the firm’s way of management and client relations, i.e. law firms should be breeding their own future leaders.

Therefore, while law schools ought to do the best that they can graduating students with the most substantive knowledge possible, they owe it to the legal profession (a profession whose core structures are currently in flux, and in need of leadership) to produce graduates with a basis in core leadership competencies. Once in practice, however, firms must take on the responsibility to nurture young attorneys and develop them into the next generation of the firm’s partnership.

## **Topic 2: Leadership Education: Informing Our Teaching and Professional Development**

Robert Cullen, author, *The Leading Lawyer*, Adjunct Professor, Santa Clara Law, and Vice President and General Counsel, JSI Logistics

Molly Peckman, Director of Professional Development, Dechert LLP

Moderator: Marina Hsieh, Senior Fellow, Santa Clara Law

Leadership education is an important element of law school curriculum and professional training. However, while leadership education is commonplace in business schools, it is generally absent from, or a very small portion of law school curriculum. This portion of the Leadership Education Roundtable focused on the ways law schools teach the skills and competencies of leadership within their classrooms, and the ways employers teach the skills and competencies of leadership within the workplace.

### Leadership Education in Law Schools

#### *Santa Clara University School of Law:*

Bob Cullen and Dean Donald Polden informed the roundtable of the different ways leadership education has been incorporated into the curriculum at SCU Law. SCU Law worked with Barry Posner, Dean of the Leavey School of Business at SCU in understanding the importance of leadership education, and in developing the current leadership curriculum at SCU Law. SCU Law now offers a “Leadership for Lawyers,” course and a “Leadership for Leading Law Students” course, which inspire and challenge law students to become leaders.

Through these optional courses, SCU Law provides leadership education that focuses not only leadership scholarship and theory, but that also that challenges students to actually practice leadership. SCU Law prides itself on preparing successful lawyers who will make meaningful contributions to society, and SCU Law strives to accomplish this by providing its students with leadership education, and by motivating its students to become lawyers who lead. SCU Law has taken a more “business school model approach,” to incorporating leadership curriculum into general law coursework. SCU Law teaches its law students how to be leaders in their professions through various methods, including leadership models, leadership assessments, and leadership case-studies.

#### *University of Maryland:*

In spring 2008, the University of Maryland Law School created a Leadership, Ethics and Democracy program ("LEAD") initiative, due in large part, to a three-year \$1.6 million funding commitment to the School of Law by the Fetzer Institute. Through the LEAD initiative, the School of Law seeks to help its students realize their leadership potential, develop good ethical and moral judgment and develop the cross-cultural competence they will need to practice law in today's global arena.

In the Lawyers as Leaders component, the School of Law is collaborating with James McGregor Burns Academy of Leadership at the University of Maryland College Park (the "Academy of Leadership") to create a new leadership development program that examines the roles of lawyers as legal, community and civic leaders. The Law School has developed new leadership courses, including "Foundations of Leadership Seminar: Theory and Praxis," "Law and Public Leadership for Social Change Seminar," and "Law and Moral Reasoning." The Law School also holds student leadership retreats where students participate in leadership workshops and team-building exercises.

*Elon University:*

Of all of the Law Schools that participated in the Leadership Education Roundtable, Elon University demonstrated the highest commitment to teaching leadership to its law students. Elon University has integrated leadership into all of its law courses. During the first year of law school, Elon University requires students to enroll in and pass a mandatory leadership course titled "Lawyering, Leadership, and Professionalism," which consists of three components: lawyering exercises and simulations emphasizing collaborative problem solving, explorations in the role of the citizen lawyer, and interviews and discussions with leading lawyers in the region, focused on issues in leadership in the law.

During the second year of law school, Elon University requires students to enroll in and pass a leadership course titled "Public Law & Leadership Experience." The goal of the course is to give students a hands-on opportunity to exercise leadership in the public arena with actual clients. Students work in teams, and tackle mock public law problems faced by nonprofit organizations and governmental entities. Under the supervision of pro-bono attorneys and law professors, students employ client interviewing, research, written and oral communication skills to deliver memoranda and presentations to their team clients. In this structured interaction, students provide substantive assistance to organizations in the community while gaining an appreciation of the importance of public service in the legal profession.

Elon University offers a voluntary "Capstone Leadership Course" to third year law students. The Capstone allows third year students to apply legal knowledge and leaderships skills toward initiatives of their choice that benefit the profession, the community, or society more broadly. Each Capstone project includes the following elements: a written project plan describing the nature of the project, an explanation of the goal to be achieved, a description of methodology to achieve the goal, an assessment of the potential impact of the completed project for the organization or group for whom it is done, an assessment of how undertaking the project will engage specific leadership skills, and identification of benchmarks to assure progress on the project is made over time.

Lastly, Elon University has a program called "Leadership Scholars," which is composed of eight to ten hand selected incoming first year law students. These Leadership Scholars receive scholarships and are required to enroll in all three leadership courses.

### *University of Denver:*

The University of Denver has just recently begun incorporating leadership education into its law curriculum. It offers a leadership course to students that are concurrently participating in an externship. The leadership course is primarily based on student experiences that are drawn from their externships. The leadership course has three components: people in leadership, strategic thinking, and operational leadership. At the end of the course, students must complete a leadership project, which includes the development of a mission statement and business plan.

### *Berkeley Law:*

Berkeley Law does not have any curriculum devoted entirely to leadership for lawyers. However, Berkeley Law offers isolated courses in Leadership & Business, Cultural & Emotional Intelligence, Persuasion, Entrepreneurial Leadership and a Skills/Clinic course.

### *Hastings College of Law:*

Hastings is one of many law schools around the world that participates in the Law Without Walls Program. Law students must apply and be admitted to the program. Law Without Walls brings together students, faculty, practitioners, business professionals, and entrepreneurs from around the country and the world to innovate legal education and practice by assigning teams of students to identify and solve a problem in legal education or practice. Over the semester, each team develops a Project of Worth that creatively solves its identified problem. In addition to students, each team includes an Academic Mentor, a Practitioner Mentor, a Subject Expert Advisor, an Entrepreneur Advisor, and an Alumni Advisor, all of whom virtually guide the students and ensure that the Projects of Worth are creative, feasible, and valuable to an identified target audience.

## **Student Perspectives**

SCU Law has been one of the leaders in implementing leadership education and the actual practice of leadership in its law curriculum (Leadership for Lawyers, the Alexander Community Law Clinic, Negotiation, Mediation, Interviewing and Counseling courses, etc.)

Like Elon University, SCU Law should require its law students to complete various mandatory courses that focus exclusively on leadership in the law school and in professional legal settings.

SCU Law should allow law students to enroll in leadership courses offered at the Leavey School of Business.

## **Leadership and Professional Development Programs in Law Firms**

This portion of the leadership roundtable focused on leadership education in the law firm

setting. Molly Peckman, Esq., Director of Professional Development at Dechert, LLP, presented on the leadership programs she developed for lawyers at Dechert, LLP.

#### *The Curriculum:*

Dechert offers a comprehensive core competency training and development program that helps lawyers become leaders in their chosen fields of practice. The program identified leadership as a critical skill, in addition to communication, management, and client relations, and created frameworks to guide young associates in assessing their development from young associates through partner, and in setting goals to achieve success at Dechert.

Each critical skill framework is made up of four “performance factors.” For example, the leadership framework includes the following performance factors: strategic thinking, decision making, integrity, and collegiality. Strategic thinking encourages lawyers to evolve from demonstrating good judgment, to leading change and creating a vision. Decision making encourages lawyers to evolve from knowing when and what to ask, to making independent and effective decisions. Integrity encourages lawyers to evolve from earning trust, to becoming a trusted advisor. And collegiality encourages lawyers to evolve from being good team members to leading teams both inside and outside of the law firm.

Additionally, each performance factor has four levels of skills, and each subsequent skill level signifies increasing mastery of each performance factor.

#### *Teaching Leadership Curriculum:*

Dechert’s Professional Development Program provides leadership education to its young lawyers through a variety of methods and forms. Training methods include interactive simulated experiences, presentations by the “pros,” and personal coaching workshops. Dechert’s leadership education curriculum includes:

- Harvard Business School case studies
- Mock client meetings
- Time and information management education
- Team building and team leadership workshops
- Effective problem solving and crisis management skills
- Working and succeeding in international offices
- Professionalism, including speech patterns and email protocols; basic etiquette; how to introduce conversation, etc.
- Managing relations – cultural competency
- Creating business development opportunities
- Managing client expectations
- Learning your client’s business
- Strengths assessment workshops
- How I got here and the lessons I learned along the way (Candid seminars by successful partners)

- Vision, strategy, and tactics
- Building a practice

Dechert, LLP is dedicated to developing leaders. Dechert encourages associates to attend partner panels for leadership and partner development programs. Dechert encourages its partners to take on young associates as mentors, and compensates those partners for taking the extra time to explain why a decision was made, or why edits to a brief were made. Dechert also provides speaking opportunities to young associates, individual development plans, leadership opportunities, and individualized coaching.

### **Student Perspectives**

Dechert's Professional Development Program is impressive. The law firm is clearly devoted to developing successful lawyers, and lawyers who lead. However, not all law firms have the resources to provide young associates with similar professional development programs. Therefore, it may be beneficial for law schools to take on this responsibility, and better prepare young lawyers by teaching the "critical skills" identified by Dechert's professional development program.