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The ABA's Excellent and Inevitable Journey to Incorporating Professionalism in Law School Accreditation Standards

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“Law schools shape the minds and hearts of their graduates in enduring ways.”
Carnegie Foundation’s *Educating Lawyers*¹

I. The ABA’s Opportunity to Formalize the Essential Role of Law Schools in Inculcating Professionalism

The American Bar Association’s Accreditation Standards Review Committee² is half-way into a three-year review of the *ABA Standards for Approval of Law Schools*³ intending to ensure that the standards “reflect the best current judgment about the minimum program of legal education that should be required for the J.D. degree.”⁴ In both the communications of ABA representatives, and in the proverbial writing on the wall, the apparent message is that “professionalism inculcation”—efforts by law schools to provide a comprehensive and continual exposure to, teaching about, and submersion in concepts of professionalism that will help law students develop their own professional identities—may be added to those standards and subsequently required of law schools.

In the lead article of the ABA’s own Section of Legal Education and Admissions to the Bar’s publication, *Syllabus*, the current Chair of the Standards Review Committee says the following about what all accredited law schools ought to be doing:

[A]ll accredited law schools share a common overarching mission that accreditation reviews attempt to . . . advance and promote.

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In American legal education, a commonly embraced and overarching mission would be stated something like this: To educate men and women for entry into and *ethical* participation in the legal profession.⁵

Meeting an objective of “ethical” participation in the legal profession may, thankfully, require significantly more of law schools in the area of student professional development than the current standards require. The ABA’s current objective pertaining to the program of legal education is stated this way: “A law school shall maintain an educational program that prepares its students for admission to the bar, and effective and responsible participation in the legal profession.”⁶ Replacing “effective and responsible” with “ethical” in regard to participation in the legal profession indicates a real shift toward requiring broader education in ethics and professionalism than that required by the current standards.⁷

The Chair hints at what may come when he gives a nod to what he calls a “somewhat more elegant” attempt at an overarching mission statement, proffered by one member of his committee, that echoes the concept of “professional identity,” a phrase repeatedly employed and polished by the authors of the recent *Carnegie Report on Educating Lawyers*⁸ (hereinafter “*Carnegie Report*” or “*Carnegie*”), and says, “An approved law school must have a program of instruction which will develop the cognitive, performance, and professional identity competencies that the profession and the public expect of a lawyer and member of the legal profession.”⁹

While the ABA has long required law schools to offer training in legal ethics through instruction in matters such as the Model Rules of Professional Conduct,

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the attempts to define an overarching mission statement for legal education quoted above suggest that law schools should be held accountable for teaching something beyond legal ethics, specifically an apprenticeship of professional identity, or professionalism inculcation, as articulated in the *Carnegie Report*:

An apprenticeship of professional identity involves two areas that legal education currently tends to treat under separate rubrics. It involves both the area of professional ethics, the rules of conduct for lawyers, . . . and the wider matters of morality and character. The area of ethics, in the sense of professional responsibility, is the subject of a course mandated by the American Bar Association and of a substantive field that is tested on the bar exam. The wider issues, many of which would be understood as moral or ethical matters in everyday understanding or in philosophical discourse, are usually discussed in law schools under the heading of 'professionalism.'¹⁰

This article articulates the reasons why the ABA should adopt a standard for programs of legal education that requires inculcation in and development of "professionalism" or "professional identity"¹¹ or "ethical participation in the legal profession," and suggests criteria and standards for accomplishing that and for assessing student learning using outcome measures.

A. The Essential Role of Law Schools in Inculcating Professionalism

In establishing the Standards for Imposing Lawyer Sanctions, the ABA has declared that lawyers owe a duty to the legal profession to maintain the integrity of the profession, a duty distinct from duties owed to the client, the general public, and the legal system.¹² The basis for the obligation to maintain the integrity of the profession is found in Model Rules of Professional Conduct 8.1 and 8.3.¹³ We begin this discussion with some background on how lawyers determine whether law school graduates have the requisite character and fitness to become members of their profession. By beginning with an examination of what the legal profession expects law schools to achieve in the quality of their graduates, we can then best discuss how law schools should go about meeting that expectation.

A juris doctor degree issued by any of the state- or ABA-accredited law schools and a passing score on the bar exam will not, of course, guarantee admission to practice law in any state in the nation or the District of Columbia: every applicant must also pass a character and fitness review. "Those involved in the character certification process have almost universally identified its central justification as protecting the public."¹⁴ Within that realm, two objectives are delineated: shielding clients from potential abuse and safeguarding the administration of justice.¹⁵

But bars look for more from their members than just an absence of conduct indicating disrespect for justice or for clients:

they look to preserve the profession—to maintain a professional image and community.¹⁶ And certainly, the image of lawyers continues to suffer, being ranked in 2008 by the public for professional honesty and ethics in the lowest cohort.¹⁷ In her article "Moral Character as Professional Credential,"¹⁸ Professor Deborah L. Rhode notes that a common identity causes lawyers to expect certain conduct from each other, as they may all be individually measured against their profession's members. "In both its instrumental and symbolic dimensions, the certification process provides an opportunity for affirming shared values. . . . Excluding certain candidates on character grounds serves to designate deviance, thus establishing the boundaries of a moral community."¹⁹

Since one goal of a legal education is that its graduates be admitted to practice law through a bar examination process, and since the bar will examine applicants' character, in part to preserve the profession and its reputation (composed of its members' reputations), then it behooves law schools to provide a continual and comprehensive approach toward inculcating professionalism in their students so that the students can become persons of character and uphold the standards *and reputation* of the profession.

Some might say that a state bar's character and fitness review concerns past conduct and professional identity development in law school cannot change past behavior. But it can change

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the student's perspective on that past behavior. State bar character and fitness authorities are as, if not more, interested in an applicant's current character than they are in past bad acts. Law schools can play a significant role in helping the law student develop the necessary character to fully admit past mistakes and acknowledge past character deficiencies, while taking full responsibility for them, engaging in service to the public to make amends for them, and adopting a personal code of ethics that might help them avoid such acts in the future.²⁰ Helping a student shape and develop a professional identity is crucial to the life of the law student who has some character defects. If that student does not learn how to atone for past bad conduct and if he is not gifted with the concepts of rehabilitation and redemption, he will never contribute to the profession in the positive way that one who has redeemed himself can.

It is a moral imperative that schools help their students realize good character or they will be unleashing lawyers not equipped

to become and remain members of the very profession they studied, paid, and toiled to be a part of. To claim that law schools cannot impact individuals' character is incorrect, passé, and harmful: "Happily, the importance of connecting ethical theory with active learning in context is receiving more attention in legal education—a trend that should be reinforced by the results of studies of how students develop moral judgment in other professional contexts."²¹ The whole of the *Carnegie Report on Educating Lawyers* made this message clear above all others—it is the law school's responsibility to educate law students in ethics and inculcate them in professionalism so that they may develop their professional identities. "Overall, then, the research makes quite clear that higher education can promote the development of more mature moral thinking, that specially designed courses in professional responsibility and legal ethics do support that development, but that unless they make an explicit effort to do so, law schools do not contribute to greater sophistication in the moral judgment of most students."²²

And if there are those who do not accept the moral imperative, then let's look at the financial imperative. First, there is the exploding cost of attending law school. The president-elect of the ABA, Stephen N. Zack, has indicated that he will focus on the high cost of legal education as an issue that threatens to alter the composition of the law school applicant pool by pricing out those who cannot afford it. If law school is not economically attainable for those from all income levels in America, Zack says, "[w]e will become an elitist profession at a time when we must look like the people we represent. We have an overriding obligation to make sure that a new generation can service the needs of all Americans."²³ With law students owing the equivalent of a home mortgage when they graduate from law school, law schools must provide the highest quality education, giving every law student the opportunity to develop into a true professional with the knowledge, skills, and ethics to properly represent clients, to contribute to the good reputation of the profession, and to find satisfaction, meaning, and value in what they have chosen to do for a living.

Secondarily, there is the cost associated with lawyer discipline. During this time when lawyers are being let go by the thousands because of the economic recession,²⁴ we ought to pay attention to the costs and fees involved simply in being licensed to practice law. Annual bar dues and fees are assessed, in large part, to maintain the lawyer discipline system. The total discipline board or comparable administrative/adjudicative budget in 2007 for lawyer discipline reached over \$8 million in California, over \$4 million in Colorado, over \$3 million in Massachusetts, over \$1 million in Louisiana and New Jersey, and almost \$1 million in Michigan, North Carolina, and Ohio, all paid for by lawyers.²⁵

So the question becomes, when attorneys engage in unprofessional conduct, would professionalism training in law school have made a difference? Many believe the answer is yes, or that law schools must at least try, including the American Bar Association, which has changed its accreditation standards in the past in response to social moral crises. Professor Kathleen Clark wrote of the impact of Watergate on law school accreditation

standards, noting that in the aftermath of that scandal the ABA adopted an accreditation requirement that law schools ensure that each graduate receive instruction in legal ethics.²⁶

Professor Clark extracts some imperatives from that change in accreditation standards, including integrating ethics into the entire law school curriculum and helping students develop the skills they will need to "deal with the moral issues . . . they will face as professionals working on behalf of clients and within organizations."²⁷

In developing such skills, a student needs to engage not just her intellect, as she might in puzzling out the intricacies of federal jurisdiction, but must also engage her heart, to determine how she will feel in a professional situation she may face. . . . Lawyers can do a great deal of harm in the world, and it is important that law schools not unleash on the world lawyers who are armed with legal knowledge, but lack the judgment to keep their skills and conduct in perspective. A legal ethics curriculum that is integrated into the substantive courses and that takes a skills-oriented approach, engaging not only students' minds but their ambitions and values, might make a difference.²⁸

Placing the responsibility for lawyer professionalism squarely at the feet of the law schools, with help from the bars, the American Association of Law Schools' then-President John Sexton wrote in his President's Message from 1997:

More and more, lawyers have become business technicians with no sense of the special civic role for lawyers. . . . Law schools and legal educators will not reverse these trends by themselves; but we must take cognizance of them. . . . If attorneys (and, more and more, society in general) have lost the sense of the special role of lawyers, we in legal education must discover why that has happened and what can be done about it. . . . [T]he resource demands of the legal academy must command the attention of the practicing bar. *The essence of the law and the legal profession is implicated in what we do.*²⁹

Continuing and growing lawyer discipline problems suggest that law schools can and should address professionalism and character through screening, education, and punishment, as bars address lawyer misconduct through screening, education, and punishment. As a matter of notice and of common sense, law practice cannot be the first time that a lawyer takes to heart the duty toward maintaining the integrity of the profession. Law students must reflect upon their moral and ethical obligations throughout their law school enrollment.

Of course it is important to make absolutely clear from an education standpoint the expectations of a professional identity: that identity includes both adherence to the Rules of Professional Conduct—subjecting lawyers to possible sanction—and, just as importantly, the ethical and moral expectations placed upon lawyers in their dealings with human beings. Sure as it snows in Michigan in the winter, lawyers who are not aware of the values

expected of a professional beyond just enforceable rules will face some stormy days in their careers. Even if they do not violate the foundational sanctionable rules, the consequences of decisions made without regard to their moral implications will follow them and all they deal with based upon the full content of who they are as a person.

The two rubrics identified by Carnegie concerning teaching legal ethics and helping law students consider how to become ethical people³⁰ have resulted in a dichotomy that has allowed law schools to focus solely on training in legal ethics without giving consideration to inculcating students in professionalism. It is time to do away with that essentially misleading dichotomy. How many of us have given or heard speeches that assert the ethics rules are the foundational rules all lawyers must live by,

Unprofessional conduct will also harm the judicial system in wasted time and resources.

at risk of losing their licenses to practice law, and yet minimized and marginalized professional identity expectations by labeling them aspirational goals that are not required? It is as if we will reach them only when we hear the beautiful harmony of angels singing in unison and the flapping of angels' wings. That cannot be the answer.

Our professional identities are composed of our character and our values and they determine and impact who we are. Minor deviations from those values can, cumulatively, destroy our lives or careers. Therefore, it is imperative that we discuss professional identity in every class in law school—every professor must be engaged—and that we hold students accountable. When lawyers practice law they will be held accountable for unethical conduct, and while in law school, consequences of unethical decisions must be as sure to flow. If lawyers do not make every decision from a basis of honesty and ethics, other lawyers and judges may lose confidence and no longer trust them. Clients will go to other lawyers and the mistrusted lawyer will lose referrals. Stress will take its toll. Hopefully and necessarily confrontation will occur. So even without “sanctions,” lawyers who are not trusted will feel the impact of a change in how their clients and others in the profession deal with them. And worse, unprofessional conduct, even that which is not sanctionable, will also harm the judicial system in wasted time and resources that must be devoted to dealing with such behavior.

The lawyer's professional identity is not to be just an analytical mind filled with much information that can be logically regurgitated to render a victory for a client.³¹ The character the person has formed ultimately determines how the information and skills are used. They will be used either for good, as defined by the expectations of society and the profession, or for harm.³²

Therefore, law students' professional identities, including ethics, character, and values, should not be a side issue for a class or the subject of just a day or two for observance. These matters should be enveloped in an overlapping, integrated pursuit, starting in law school and continuing into practice. This must occur in spite of the disbelievers, as the *Carnegie Report* emphasized that law school education *can* have a real impact on law students' morals and ethics:

Although some people believe that law school cannot affect students' values or ethical perspectives, in our view law school cannot *help* but affect them. For better or worse, the law school years constitute a powerful moral apprenticeship, whether or not this is intentional. Law schools play an important role in shaping their students' values, habits of mind, perceptions, and interpretations of the legal world, as well as their understanding of their roles and responsibilities as lawyers and the criteria by which they define and evaluate professional success.³³

Preliminary research of law schools in Florida confirms what most already would suspect; there are wide variations in approaches to dealing with student misconduct.³⁴ Does cheating lead to expulsion, suspension, or something far less? Does fear of a lawsuit cause less than aggressive action in regards to clearly found character flaws? Law schools are not the end-all to establishing the morals and values of their students but it is strongly posited in this paper that to simply take the defeatist argument that character is fully formed before this stage of life goes against research.

Even traditional legal education folks who disagree with the impact law schools can have on students love to say that we teach students to “think like a lawyer.”³⁵ Well, if you change how a person thinks, you change, in many ways, the person. And if you go about changing how a person thinks, but in the process do damage to the formation of an appropriate moral compass, you have unleashed nothing more than a dangerous instrumentality upon the public. Likewise, the authors believe that if law schools are encouraged or required to attempt to positively impact a student's character, the impact will be felt.

B. The Demands of the ABA and the Practicing Bar For Improvement in Lawyer Professionalism, Starting in the Law Schools

The ABA has taken the lead in demanding professionalism in the legal profession. As the body that adopts model rules of conduct and proposes standards for sanctioning lawyer conduct and for accrediting law schools, the ABA is in the best position to understand and embrace the need for professionalism inculcation in law school, and is the organization best positioned to urge that such inculcation be required when and where it must start—in law schools.

The ABA Center for Professional Responsibility,³⁶ the ABA Standing Committee on Professionalism,³⁷ the ABA Standing Committee on Pro Bono and Public Service,³⁸ the ABA Center for Pro Bono,³⁹ the ABA Standing Committee

on Ethics and Professional Responsibility,⁴⁰ and the ABA Section of Legal Education and Admissions to the Bar⁴¹ have all recognized professionalism as a key characteristic of good lawyering, with law schools as an important avenue for providing professionalism inculcation. Indeed, law schools are relevant partners with, and their faculty members of, these organizations. And it was the ABA that commissioned the “MacCrate Report,” which declared the necessity of teaching skills and ethics, along with knowledge, in 1992.⁴²

Over the years, the ABA has commissioned public opinion polls to determine the public perception of lawyers. A 1993 poll showed that the more a person knew about the legal profession or had direct contact with lawyers, the lower their opinion of them.⁴³ Lawyers ranked as one of only three professions “that tested with less than majority favorable feelings”⁴⁴ One of four reasons given by the public for their dislike of lawyers was their perception that lawyers lack ethical standards enforcement.⁴⁵

An April 2002 study on the public’s perception of lawyers commissioned by the ABA Litigation Section concluded that it is the duty of bar associations, along with lawyers and law firms, to improve lawyers’ reputations, in part, through professionalism efforts, such as public service.⁴⁶ The study didn’t mention a role for law schools, since it focused only on those in practice. But imagine the ease with which bar associations could undertake this effort if law schools had already done it. If law students graduate with public service already a habit, with a professional identity already developed, with an appreciation for personal as well as professional ethics, and having already written their personal codes of ethical conduct, bar associations would not have to spend time or energy on educating about professionalism or on disciplining for its absence.

Even 20 years ago, the ABA House of Delegates was instructed by the Commission on Professionalism that professionalism training is best undertaken by law schools. “We begin our recommendations with law schools, not because they represent the profession’s greatest problem but because they constitute our greatest opportunities.”⁴⁷ The recommendation went far beyond ABA Standard 302(a), which requires that students “receive substantial instruction in the substantive law generally regarded as necessary to effective and responsible participation in the legal profession”.⁴⁸ It said:

Law schools should give continuing attention to the form and content of their courses in ethics and professionalism. They should weave ethical and professional issues into courses in both substantive and procedural fields. They should give serious consideration to supplementing courses in ethics and professionalism . . . , along the lines discussed later in this report.⁴⁹

The Report of the Commission on Professionalism to the Board of Governors and the House of Delegates acknowledged that what law schools teach, lawyers will carry with them through their entire legal careers: “What our law schools do today, then,

to affect the way students see their profession will have an impact on the nature of the legal profession well into the 21st century.”⁵⁰ And the report acknowledged the absolute connection between what is taught in law school and what results in the profession:

Unquestionably, an important mission of law schools must be the teaching of professionalism and the setting of proper role models for law students. If there is a lack of adequate role models in law schools, lawyers may begin practice with little sense of the responsibilities to a client and to society inherent in a professional relationship. . . . We believe that it is not acceptable for law schools to distance themselves from all responsibility for the moral character of potential members of the Bar.⁵¹

Likewise, practicing members of the bench and bar have always looked to law schools as the starting point for the profession to address developing one’s professional identity. As an example, results of a comprehensive survey undertaken by the Seventh Federal Judicial Circuit Committee on Civility that was distributed to “circuit, district, bankruptcy and magistrate judges; to more than 1,500 lawyer-members of The Seventh Circuit Bar Association practicing in Illinois, Indiana, and Wisconsin; and to members of other bar associations within the Circuit,”⁵² recommended law school civility training.⁵³ And in its final report, the Committee expressed its hope that its report would “be a catalyst for the judiciary, the bar, and our law schools to work together to stem the erosion of civility.”⁵⁴ Civility as a characteristic of professionalism was explained by former ABA President Jerome J. Shestack:

Civility should be viewed in terms of what it means to have a ‘civilized society’—indeed, what we mean when we say ‘civilized.’ In this vein, civility is grounded in respect for individual dignity and worth. . . . [T]he broader reach of the civilizing aspects of professionalism imposes obligations on our profession such as teaching young lawyers that . . . zeal does not require rudeness, that attempts to settle disputes rather than litigate them may rise to a higher ethical level, that disregard for the quality of life of colleagues denigrates the civility of life.”⁵⁵

The teaching President Shestack proposed can be taken up in law school, and according to the Seventh Circuit, should be. The profession’s obligation to see that it happens can be realized through the ABA Accreditation Standards Review Committee incorporating professionalism into the accreditation standards.

Like most human beings, most lawyers do not revel in being despised and distrusted. Obviously their livelihood depends on being utilized by those very people who may despise them. And they are looking to the ABA to help improve the reputation of lawyers. In a 1992 ABA survey of lawyers, one of the highest priorities listed that lawyers want the ABA to address is improving the public perception of lawyers.⁵⁶ With its reach into and control over law schools, it is clear that

the ABA can encourage and require training and education of law students that can help produce the kind of lawyer the public may appreciate.⁵⁷

The Conference of Chief Justices of state supreme courts was eminently clear in its directives to law schools regarding their role in professionalism inculcation. In their National Action Plan on Lawyer Conduct and Professionalism, written in response to concerns about a perceived decline in lawyer professionalism and funded in part by the ABA Center for Professional Responsibility, the Chief Justices detailed “the institutional and individual responsibilities of the bench, the bar, and the law schools in promoting lawyer ethics and professionalism.”⁵⁸ In Section A of the report entitled, “Professionalism, Leadership, and Coordination,” each state’s appellate court of highest jurisdiction was called upon to be a leader in coordinating the bar, bench, and law schools in addressing the needs of the legal community regarding lawyer professionalism. Section C is dedicated entirely to law school education and bar admission. That section recommends two specific areas for attention by law schools:

1. Law School Curriculum: In preparing law students for legal practice, law schools should provide students with the fundamental principles of professionalism and basic skills for legal practice.

3. Character and Fitness Evaluation: Law schools should assist bar admissions agencies by providing complete and accurate information about the character and fitness of law students who apply for bar admission.⁵⁹

The role for law schools in developing students’ professionalism is recognized by all sectors of the legal community and has been for over a century. And since a century ago, the demand for law school professionalism inculcation has been funneled to the ABA. It is no coincidence that the paper “The Causes of Popular Dissatisfaction with the Administration of Justice,” delivered in 1906 to the ABA, was written and delivered by Roscoe Pound, often quoted for his views on professionalism; perhaps finding his place where he could most influence professionalism, he later became a law school dean at Harvard Law School.⁶⁰

C. The Good Beginning of the Accreditation Standards Review Committee: Will It Adhere to Its Principles?

We find ourselves at a point in time where the ABA can and is taking the lead role in instructing law schools on how they might achieve the goal of producing graduates who have well-formed professional identities. The Accreditation Standards Review Committee is considering significant modifications to the *Standards and Rules of Procedure for Approval of Law Schools*. Many of the discussions of that committee have included references to the three apprenticeships mentioned in the *Carnegie Report*, those of knowledge, skills, and values.⁶¹

At the start of the committee’s work, an articulation of the “Statement of Principles of Accreditation and Fundamental Goals of a Sound Program of Legal Education” was crafted.⁶² Six goals were listed, along with the committee’s stated “Principles of Accreditation Review.” The principles reflected a movement toward more emphasis on the formation of a professional identity of a lawyer, as described in

We need much more emphasis upon the formation of an ethical identity.

the *Carnegie Report*; the goals didn’t quite accomplish the same. The question now is whether the Review Committee, and ultimately the Council of the Section of Legal Education and Admissions to the Bar, will incorporate into proposed accreditation standards the quintessential principle concerning the development of professional identity.

The Review Committee’s work with regard to the “Fundamental Goals of a Sound Program of Legal Education,” sets out two (of six) goals that appear to pertain to professional identity development:

- (1) “Articulate the essential skills and abilities that graduates need to possess to be competent professionals following graduation and to [*sic*] periodically measure the program’s ability to impart those skills and abilities;

- (2) “Instill in students an appreciation for the roles and responsibilities played by lawyers and the legal profession in our society and for the importance of ethical behavior in their work.”⁶³

This is a good start, but we need to go further in legal education by putting much more emphasis upon the formation of an ethical identity rather than just asking that students expertly “learn” those criteria. *Appreciating the importance of ethical behavior in their work* and actually *being ethical in their work* can be two very different states of mind.

The Review Committee’s stated goals tend to emphasize the standard way of simply teaching legal ethics and helping students appreciate the importance of ethical behavior, but they don’t yet encompass helping students become ethical people. However, that sentiment *is* captured in the *Principles of Accreditation Review*, specifically stated, “An approved law school must have a program of instruction which will develop the cognitive, performance and professional identity competencies that the profession and public expect of a lawyer and member of the legal profession.”⁶⁴ If the Review Committee recognizes this dichotomy between its goals and principles, and focuses its work on its *principle* of developing professional identities in law students, it will have

succeeded in setting the foundation for the education of law students envisioned by the *Carnegie Report*.

Breaking away from the old established dichotomy will require the commitment of law faculty. Recognizing that law faculty are essential to the development of professional identity in law students, the *Carnegie Report* notes that many law professors feel that delving into areas of human behavior that is not easily definable at times, or that is even subject to serious disagreement, is off limits and possibly inappropriate.

[W]e came away from our campus visits with the strong impression that in most law schools, the apprenticeship of professionalism and purpose is subordinated to the cognitive, academic apprenticeship. In fact, in the minds of many faculty, ethical and social values are subjective and indeterminate and, for that reason, can potentially even conflict with the all important values of the academy—values that underlie the cognitive apprenticeship: rigor, skepticism, intellectual distance, and objectivity.⁶⁵

The subordination of the professionalism apprenticeship to the academic apprenticeship has led Larry Krieger⁶⁶ and *Carnegie* to find that, in way too many instances, the “heart” and the “soul” of students so important to their success in service to others and for success in their lives is stripped away from them.

The journey toward finding the appropriate knowledge, skills, and values that constitute a professional identity is just as important as the destination. It is during the journey that law students begin to set in place the filtering mechanism they will use to make vital decisions based on values and character. It is the search for our own moral compass and the comparison to the profession’s and society’s that gives meaning to all we do in the law in solving conflict between people in a civil and just way. Law faculty must serve as guides on that journey.

Many law faculty members express a disturbing sentiment, noted by the *Carnegie Report* authors, saying, in effect, “It’s not my job as a law professor to teach ethical or social values.” The students are, after all, adults. But professors may not realize that, along with being teachers, they are also role models; even when professors disavow being role models, they are, nevertheless. As stated by Dr. Arthur Schwartz, a leading expert on morals in higher education, “The significant presence of principled people and shared standards have the power to reshape a person’s character.”⁶⁷ But instead of sending the positive message they are capable of, law faculty may inadvertently send a message of indifference and unimportance regarding the most important aspect of being a lawyer—being human.

Better people do make better lawyers in the long run. Maybe for those who have never practiced law, such a head-in-the-sand, not-my-job attitude is natural, but it must be made unacceptable. Law is by its very nature tied to people. The very purpose of law in many instances is to reduce pain or to make up in some way for it. It is or should be a caring profession, whether that caring is exercised through empathy to individual clients or through setting an example for society on how to handle disputes the best way possible between seemingly unsympathetic massive

corporations. The accreditation process must, by the establishment of goals and in the implementation of assessment requirements, make a strong statement that the new day called for in the *Carnegie Report* must be implemented from this day forward.

Thus, the language in the Principles of Accreditation Review that says schools must develop the cognitive, performance, and ethical competencies⁶⁸ is so dead right. As the accreditation process moves forward it is important to emphasize that accomplishment of such important competencies will take more than a new class on professionalism, as important as that could be. It will take more than an inspiring orientation, as good a start as that could be. It will take a change in culture from beginning to end. Professional identity must be the thread of gold that ties all that is done together. Our hope is that the Standards Review Committee will focus on this stated principle and require law schools to provide a continual and comprehensive approach toward inculcating professionalism in law students.

II. How Law Schools Can Provide a Continual and Comprehensive Approach to Inculcating Professionalism

Many law schools began expanding their professionalism efforts years ago, probably in response to the decline in professionalism witnessed in both the schools and the profession. They have come up with innovative programs and ideas, as can be seen by the number of law schools that have been awarded the E. Smythe Gambrell Professionalism Award by the ABA Standing Committee on Professionalism.⁶⁹ But before a school can design a professionalism program, it must first meet its most basic requirement in the area of professionalism: just as states screen applicants to the legal profession, enforce the Rules of Professional Conduct, and report violations, law schools must review applicants to law school for conduct that reflects negatively on character and fitness to practice law; they must have and enforce an Honor Code; and they must report unethical and criminal conduct by students to the bars to which those students apply.

A. The Human Components: Screening Law School Applicants and Hiring Faculty Who Have Practical Legal Experience

If you don’t like the product, take a look at what goes into it. Certainly, some attorneys are disciplined for conduct that may be based in a despicable character, a substance abuse problem, or inherent laziness: there are people who will become attorneys for whom no amount of inculcation in professionalism will prevent violations of the rules of professional conduct. But then there are the rest—the future lawyers wandering through law school becoming soulless automatons as they master the case method and learn to be passionate about the perspective of the party who hired them, losing themselves in the process. These are the students whose souls might be released and liberated to carry their values along with them into practice. Rather than leave their souls behind, they can learn when, where, and how to incorporate their personal beliefs, morals, and ethics into the practice of law, thereby ensuring a career that they can live with and be proud of.

Can law students learn morality? The *Carnegie Report*

declares that they can: “[I]f law schools would take the ethical-social apprenticeship seriously, they could have a significant and lasting impact on many aspects of their students’ professionalism.”⁷⁰ So the suggestion is not that law schools admit only those applicants who can demonstrate that they already have a well-defined professional identity. Rather, the suggestion is that law schools look for the potential for professional identity when selecting applicants, and that begins with a good screening process.

The profession recognizes that basic character is important.⁷¹ All state bars require applicants to pass a character and fitness review. Good character is deemed essential for lawyers because the public must be protected, but also because lawyers are entrusted with clients’ lives, liberty, and property, because they are officers of the court and must uphold its rules, because they pledge to serve the public, because they are a self-policing profession, and because they are essential to the establishment and maintenance of the rule of law in civilized nations. Those roles cannot be accomplished if a lawyer lacks good character. And most law schools require applicants to report certain character indicators such as criminal history, discipline or discharge by employers, including the military, and school discipline. But not all law schools screen applicants for indicators of potential for character development.

Development of professional identity starts with the process of applying to law school. The potential for developing a professional identity should be the most important aspect of selecting students and of determining whether they should be admitted.⁷² It lies with the law schools to institute appropriate screening. Law schools should be challenged to review their applicants for potential for developing professional identity; at a minimum, law schools should ask about the applicant’s criminal history,⁷³ and ABA Standards criteria should require this type of applicant screening.

At the other end of the spectrum are the people responsible for teaching and modeling—the faculty. The current faculty accreditation standard requires the following: “The faculty shall possess a high degree of competence, as demonstrated by its education, experience in teaching or practice, teaching effectiveness, and scholarly research and writing.”⁷⁴ To effect real change in law schools that will allow for students’ development of their professional identities, the qualifications should include far more than this list of competencies. Above all the faculty should meet the Schwartz test—principled people with shared standards⁷⁵—and they must have, in most circumstances, experience not only in practicing law but in dealing with the challenges to values the student will soon be facing. By making no mention of that, the existing standard does exactly what the *Carnegie Report* warns against—it places all the emphasis on the mind and ignores the heart and soul.

Some law faculty say that the “coin of the realm” for a law school is legal research. Looking at the standards for qualification of faculty, one might presently surmise that. The real “coin of the realm” should be the development of a lawyer who will have all three attributes required of good lawyers: knowledge, skills, and values. Though a law school only has a part in that process, it has

a huge part both in formation and in evaluation of professional identity, and the human beings who will be the students and the teachers of professionalism must bring to the table a background that suggests they are up to the task. ABA standards criteria should include screening law school applicants for conduct reflecting negatively on character and fitness to practice law, and should include hiring faculty who have practical legal experience dealing with ethical dilemmas, to lay the human foundation for developing the ethics/values component of professional identity in law students.

B. Law School Conduct Codes and Reporting

With academic cheating on a constant rise,⁷⁶ law schools cannot turn a blind eye to unethical conduct that occurs in law school. They must have and enforce honor codes and other conduct codes.⁷⁷ First, schools must investigate suspected cheating and, if it is established, they must punish cheaters to make clear that the honor code means something and so that the costs involved in cheating outweigh any perceived benefit. Cheating breeds cheating and, if it is not checked, it will proliferate. Second, schools must also punish cheaters because cheating interferes with and distorts the results of the law school’s primary job of teaching and assessing students’ skills, values, and knowledge. But third, schools must investigate and punish unethical conduct because cheating has a far more destructive impact on the cheater, herself, and also on those who become aware that the cheating occurs, if it goes unpunished. When an honest law student realizes that her law school will not investigate or sanction unethical conduct, she may become cynical, distraught, morally devastated, and convinced that she must either cheat in order to succeed, or, if she cannot stomach that, leave the profession altogether.

“Insofar as law schools chose not to place ethical-social values within the inner circle of their highest esteem and most central preoccupation, and insofar as they fail to make systematic efforts to educate toward a central moral tradition of lawyering, legal education may inadvertently contribute to the demoralization of the legal profession and its loss of a moral compass, as many observers have charged.”⁷⁸

Having and enforcing an honor code is the clearest message a law school can send about the minimum conduct expected of its students.

Enforcing an honor code not only sends the appropriate message that students must do their own work or face expulsion, it also declares that integrity matters in the legal profession. And it prepares the student to live by a code of conduct, which the lawyer must do for the entirety of his career.⁷⁹ “First, academia can be viewed as a profession. Any of those voluntarily entering the arena of academia, whether student, professor, or administrator, should be held to a professional level of conduct.”⁸⁰ Further, the wave of unethical conduct overtaking the business world and causing employers to scrutinize job applicants for character, supports the need for professional development in school.⁸¹

Those who have studied the legal profession attest to the lasting impact of honor codes on the students, who take with them into practice an understanding of and appreciation for rules imposed upon their conduct, if not a commitment to personal integrity. “Habits acquired when professional character is forming are lasting in their effects.”⁸² Quoting the “MacCrate Report” to the ABA Section of Legal Education and Admissions to the Bar, author Sarah Bassler writes:

[T]raining in professional responsibility should involve more than just the specifics of the *Code of Professional Responsibility* and the *Model Rules of Professional Conduct*; it should encompass “the values of the profession” including “the obligations and accountability of a professional dealing with the lives and affairs of clients.” . . . It is not enough for students simply to sit passively in a classroom and learn the *Model Rules of Professional Conduct*. It is important to give students the opportunity to be challenged to live under a specific code while they are in school learning the law. Professional self-development demands that lawyers critically assess their ‘own performance so as to evaluate . . . [t]he extent to which ethical issues were properly identified and resolved.’ [] If lawyers are expected to learn professional self-development, law schools cannot send them into the world unprepared—they must give students the tools in law school to learn to evaluate themselves and their competence as a professional.⁸³

Having and enforcing an honor code will impact the ethics culture of the institution in a positive way. Less cheating may occur because of the existence of the code. Polls of students who confess they cheat indicate the preventative impact of an honor code on cheaters: “Given this rise in cheating, it is more important than ever for faculty and administrators to understand the potential of honor codes to reduce it. The research results are clear. The level of self-reported cheating by students on honor code campuses, even those with unproctored exams, is significantly lower than that on campuses without codes, where exams are often carefully monitored.”⁸⁴

When the honor code is in place and violations occur, those violations must be reported to state bar authorities. They are extraordinarily relevant to the task of the character and fitness committees of determining whether an applicant has the requisite character and fitness to practice law. And yet, incredibly, some law schools do not report them. This is not a recent phenomenon. In her article of twenty years ago “Do Honor Codes Work?” author Barbara Kate Repa reported that, “most law schools do not voluntarily report honor code violations to bar authorities, even though such transgressions would clearly affect students’ abilities to pass character and fitness certification before being licensed.”⁸⁵ Perhaps schools don’t report because they know the applicant is required to self-report. But if an applicant fails to report, and if a law school fails to place any documentation about the violation in the student’s file, the violation will not be known to state bar character and fitness officials. Past honor code violations, while not as determinative as current character, are extremely relevant

to character and fitness reviews: a law student who violates his school’s honor code may be the same person who will, as a lawyer, violate the rules of professional conduct, particularly if his past experience indicates that no sanction will result. ABA standards criteria should include having and enforcing an Honor Code as a primary means of developing professional identity and inculcating ethics in law students.

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C. Law School Professionalism Courses and Programs

The *Carnegie Report* discusses the “continuum of teaching and learning” that is necessary to developing “a coherent and integrated initiation into the law”⁸⁶ and offers pertinent examples of the kinds of classes that are effective training tools to help students acquire their professional identities.⁸⁷ The findings are based on the need for students to be actively engaged in their work and not just reading.

At one end of the continuum would be courses in legal ethics, in particular those directly oriented to the “law of lawyering” that students must master in order to pass the bar examination. A bit further along would fall other academic courses, including those of the first year, into which issues concerning the substantive ends of law, the identity and role of lawyers, and questions of equity and purpose are combined with the more formal, technical issues of legal reasoning. Approaches of this sort are often called the pervasive method of teaching ethics. Further along the continuum we encounter courses that directly explore the identity and roles of lawyers, the difficulties of adhering to larger purposes amid the press of practice, and the way professional ideals become manifest in legal careers. Further still fall the lawyering courses that bring into play questions of both competence and responsibility to the client and to the legal system. Finally, at the continuum’s other end, we find externships and clinical courses in which direct experience of practice with clients becomes the focus.⁸⁸

Carnegie is instructive about the types of curricular criteria the ABA can adopt to guide law schools in their comprehensive and continuous development of law students’ professional identities. A basic criterion for professionalism inculcation would certainly include the incorporation of ethics considerations into the required and elective and skills courses, that is, all courses offered in law school. All courses involve ethical considerations. Pulling them to the forefront is the professor’s duty. It may be

as simple as asking the student reciting the case to, rather than simply state the facts, issue, rule, and holding, instead explain to his client why he lost the case and why he pursued it through trial and appeal to begin with.⁸⁹ Schools can also create a number of ethics-specific electives such as Alternative Dispute Resolution Ethics, Law and Biomedical Ethics, Ethics & Corporate Practice, Professional Responsibility in Multinational Practice,⁹⁰ and Ethics in Advanced Appellate Technique, Facilitative Mediation, Cultural Competency in the Legal Profession, and Advanced Professional Ethics.⁹¹ And schools should offer the elective courses like Law Office Management that will help attorneys avoid the problems they cause clients that often result in their being grieved, especially early in their career when there are so many opportunities to make mistakes.

At the “Moving Education Forward: *Perspectives and Innovations in Education Law and Policy*” symposium sponsored by the Duke Forum for Law and Social Change, held in February 2009, many of the speakers spoke of the added roles law school clinics can play. Not only are they a great tool for education and preparation, but they also provide an opportunity to put a spotlight on what a student’s true character is under pressure. Clinical faculty can observe professionalism traits, or their absence, when the student is under fire. Law

Students sense whether an institution
is serious about professionalism.

students benefit most when they are involved with people who are experiencing injustice or hardship, and when they see, in action, role models with whom they can identify.⁹² Thus, clinics are recognized by *Carnegie* and others in the field as excellent opportunities for students to develop their professional identities.⁹³

But equally important for both reasons is the pro bono experience. The fact that the student gains nothing tangible from the experience—not even academic credit—may heighten the student’s appreciation of her own work, empathy with the client, and commitment to justice that results from pro bono work. “[A] good pro bono experience can strongly influence a student’s future involvement in public service and even become a highlight of the law school experience.”⁹⁴ Therefore, clinical experiences, both in-house and in externships, along with pro bono programs, are essential cornerstones of a program of legal education that would help inculcate professionalism in law students.

Featured in the *Carnegie Report* is the suggestion that law schools engage students in the creation of a portfolio throughout their enrollment that will cause them to reflect on their own values and ethics and the development of their professional identities. But even more relevant to the discussion of

professional identity development, the portfolio is a key way to develop, document, and assess the development of, a law student’s professional identity, and should be included in the criteria for ABA standards related to professionalism:

If their performance is to improve, they need practice accompanied by informative feedback and reflection on their own performance. And their learning will be strengthened further if they develop a habit of on-going self-assessment.⁹⁵

A fuller student portfolio that encompasses students’ entire formal program would provide detailed information on student competencies in the form of research papers, briefs, clinical setting reports, clinical supervisory evaluations, various assessments of client counseling and negotiation, and perhaps even videotapes of actual student performance in a variety of lawyering skills.⁹⁶

Portfolios are developed throughout a law student’s enrollment in law school. They require the student to undertake certain tasks and then reflect on the impact those tasks had on the student’s values. Tasks are assigned that will cause the student to become more aware of her own ethics and values and to reflect on how lawyering is impacted by her ethics and values.⁹⁷ The reflective pieces cause the student to discover her own ethics or lack thereof, and simultaneously provide the student and the school with the assessment tool to evaluate the amorphous concept of professional identity. If the student understands that a goal is to embrace the concept that lawyering isn’t something you do, it is something you are, the student will begin to connect her conduct, thoughts, and choices to her own value system, thereby beginning the development of her professional identity. Further, the students’ portfolios constitute exactly the type of “output measure” the Standards Review Committee is seeking.⁹⁸

Along with having and enforcing an Honor Code, reporting unethical conduct to state bar authorities, offering clinical and pro bono experiences, covering more ethics issues in the curriculum, and employing a professionalism portfolio, schools can undertake simple steps, most of which involve no additional cost to the school, that will help create a culture of professionalism in the school and thereby bring the importance of professionalism to the forefront of the students’ minds.

Students sense whether an institution is serious about professionalism. There is much that a law school can do to create a culture of professionalism, including such simple things as holding students to deadlines, not making exceptions as a regular practice, demanding appropriate communications for school/business issues (yes, send back those informal emails that are unsigned, misspelled, abbreviated, and demanding), having staff and faculty model professional demeanor, addressing rude conduct, and enforcing rules.

More substantively, law schools can publicly recognize or award ethical and professional behavior, offer workshops on character, wellness, and fitness, require the taking of an ethical

oath like a lawyer's oath, offer pro bono and public service opportunities, encourage students, faculty, and staff to take advantage of those opportunities, offer mentoring opportunities, both of the student and by the student, encourage students to research and publish in the area of ethics and professionalism, and include in scholarship qualifying criteria the applicants' ethics and service to the public. Certainly, students should be given an opportunity to reflect on and write about their professional identity and to write a personal code of ethical conduct. Law schools can assist student groups in establishing student-run mediation and conflict resolution boards to resolve personal disputes, bring speakers to campus to discuss ethics and professional development, and make specific efforts to enhance diversity and teach cultural competency. The law school community can agree to model and live by agreed-upon professionalism principles.

These suggestions are offered to show the variety of creative and inexpensive ways schools may create a culture of professionalism that will help promote the professional identities of their students and employees. The Standards Review Committee particularly noted its concern that law schools not be required to undertake costly changes, and these suggestions can be implemented without great expense.⁹⁹

III. How the Accreditation Standards Can Help Law Schools Achieve Professionalism Inculcation and Assessment

So now that the goal is set, how does a prospective student, a parent, an accrediting authority, or even society decide when a law school is meeting the goal? First a reminder: keep the eye on the target of forming professional identity and evaluating how far along the continuum the law student is. In its survey of law schools the ABA Standing Committee on Professionalism made a striking and important finding. Although great things were being done to help law schools reach these lofty goals—there was a great clinic here, a great class there; in one school a faculty member won over both the minds and hearts of the students—the glaring weakness was the lack of a comprehensive and continual approach. Recent attempts at many law schools offer examples of that comprehensive and continual approach, that also stress practical legal education through clinical training, showing much more significant and far-reaching efforts are possible.¹⁰⁰

Assessing the impact of professionalism programs on law students' formation of professional identities is obviously difficult, and assessment will inevitably be part objective and part subjective. In part it likely will use input measures (what kinds of courses are taught, what institutional programs exist to help inculcate professionalism, how does the school screen for, punish, remediate, and report unethical conduct, for example) and outcome measures such as portfolios or other reflective pieces written by law students about what they are learning and how they are developing and changing, surveys of students, graduates, and hiring firms, or even follow up research on the impact law schools have on students. The goal, however, must be set and criteria must be listed now, as part of the accreditation review. If law schools fail to adequately meet such goals, they should meet with the same result of failing to meet other important provisions

of the standards.

It has been said that, "We have redoubled our efforts, but lost sight of our goal."¹⁰¹ Thus, the goal should be set out specifically and with a way of measuring success. Just as having an employee goal of "continuing to do a marvelous job in my work" will not hack it, so, too, saying that a school has a goal of inculcating professionalism is not enough. Constituencies, including accreditation, need to see how that school is doing and how it is doing in comparison to others. To that end the following is proposed:

Each law school should develop a specific plan with measurable goals for inculcating professional identity in all of its students. Such a plan must identify the output and input measurements to be used to evaluate the success in realizing the goals. Such an emphasis should be included in any revisions to Standard 202, Self Study, and Standard 203, Strategic Planning and Assessment.

The criteria to meet that goal should be set out and all constituencies including prospective students, parents, the profession, and very importantly the school itself, should help determine the effectiveness and level of commitment of the school.

Representatives of academia and the practicing bar have already begun in earnest to promote some of these criteria. The National Organization of Bar Counsel, the ABA Standing Committee on Professionalism, and the Consortium on Professionalism Initiatives have set forth some possibilities. In its most current work, the National Organization of Bar Counsel has filled in some of the specifics as follows:

Classroom Criteria—Professionalism Course, Law Office Management Course, Skills Training and Courses, Leadership Training, Pervasive Teaching, Professionalism Certificate, Clinical Training, and Diversity.

Accountability—Honor Code, Discipline Numbers by Law School, Remediation Programs, Provision of Character and Fitness Information to Student Upon Law School Application and to Bar Examiners Upon Application to Bar, Faculty Credentials, Portfolio, Resources Devoted to Dean of Student Affairs, and Requirement of a Professionalism Plan.

External Contacts and Influence—Mentoring, Externships, Bar Association Connections to Faculty, Pro Bono, Surveys of Alumni and Employers, Use of Adjuncts, Use of Outside Speakers, and Faculty Community Service.

These criteria highlight the three apprenticeships of *Carnegie* in that they involve knowledge, skills, and inculcation and tracking of values. The organizations promoting them are at the developmental stage. Those organizations all agree that a plan is needed with measurable criteria—so the above lists need to be further refined with definitions and measurable outcomes that accomplish inculcation of professionalism. These ideas are meant to be the beginning point for continued discussion and are not all-inclusive or meant to be all-required. Evaluation and assessment of schools,

however, should encompass a review of the extent to which the schools are involved in these areas and others to be developed.

Many of the examples listed above are already occurring in law schools around the country, indicating positive strides are already being made, and indicating that it is indeed possible to assist law students in their development of their own professional identities. But more can and should be undertaken until all law schools have done their best to create a culture of professionalism in their schools and a professional identity in their students. Law schools should not take their foot off the pedal; rather they must push down much harder to reach a destination that is ever increasingly expected and demanded. The adoption by the ABA of the suggested criteria would provide the impetus for that acceleration.

Hopeful signs exist on many fronts with the accreditation process. As this article is being written, several suggestions are open for debate that carry great promise. Discussions point to the possibility of requiring more emphasis on not just the rules of professional conduct, but upon training and practical experience surrounding professionalism issues and professional identity issues students will be facing in the practice of law.

Among the discussions currently going on is a proposal that ABA Standard 302 on Curriculum¹⁰² be revised to include consideration of the development of professional identity. One proposal would ask law schools to assess whether each graduate has appropriate professional identity, including integrity and professionalism. Now there is a wonderful step forward. Such a proposal does not talk about passing a test on what is right. It might be argued Ted Bundy¹⁰³ could have passed such a test, so this type of standard requires more of a school—to be involved with the *lives* of its students. This seems reasonable considering the amount of money each student must pay for a law degree.¹⁰⁴

Another alternative would require schools to use output measures—measurements of what results in a student's character and abilities, as opposed to listing what is taught. Law schools would more specifically be required to articulate *ways to measure* whether law students actually have the knowledge, skills, and values spoken of in *Carnegie*. This alternative, again, goes not just to the right transfer of information, but to setting into place ways of assessing professional identity formation. As an example, the accountability criteria mentioned above will allow a school to utilize three years of time with a law student as an opportunity to accomplish this goal.

In regard to the “accountability” category of criteria listed above, it may be that we need an accreditation standard dedicated to this goal, separate from those standards dedicated to formation of professional identity. Thus, another proposal being circulated would require each law school to forward to appropriate character and fitness officials all information causing reasonable doubt of appropriate character. This sounds like a given, but research done in Florida indicates wide disparity in what is reported and the philosophy of what should be reported. Law schools must have institutional integrity. Fifteen years ago, we might have agreed that the only gatekeepers to the profession were the bar examiners and the attorney discipline authority. Today, a better approach is that all segments of the profession

have a role, and the birthing place for attorneys must carry some of that load—we must look to the law schools to be gatekeepers for the bar.

And that role goes beyond just being agents to help bar examiners make decisions. It starts with pride in institutional integrity. Accreditation standards that incorporate accountability will shine a bright spotlight on schools that do the minimum, and on those schools that truly take pride in both the academics of their students and their integrity. In some ways it is easier for a school to spot a troubled student than for bar examiners to spot a possibly troubled attorney. Law schools are, after all, present in most days of a student's life, in one form or another. Taking an active role in dealing with students means more than being a roadblock to membership in the bar; it means being involved in the formation and betterment of students' character.

It is easier for a school to spot a troubled student than for bar examiners to spot a possibly troubled attorney.

At a recent meeting of the Accreditation Standards Review Committee, it was posed to the committee that its most important first consideration is to look at the goals of legal education and then determine if the goals are being met.¹⁰⁵ If *Carnegie* is right and the goals should encompass knowledge, skills, and also ethics and values, then the current structure of accreditation dealing primarily with knowledge, and to a lesser extent skills, must give more than lip service to impacting law students' values.

The legal profession, including the ABA, has long been asking for a greater emphasis on professional and ethical character development in law schools. The ABA is beginning to take tentative steps in that direction. All that is required now is the confidence to take bold steps—steps that are predicted to have a significant impact on the professionalism of lawyers. We find ourselves at that moment where we can make this happen. The time has arrived.

E. Norman Veasey, former Delaware Chief Justice and Chair of the ABA Ethics 2000 Commission, once said in regard to the role of state supreme courts in addressing professionalism, that “This is a battle for the *soul* of the legal profession.”¹⁰⁶ Where does that battle take us? As stated at the beginning of this article, “Law schools shape the minds and hearts of their graduates in enduring ways.”¹⁰⁷ Because law schools have a significant opportunity for impacting the professional identity of lawyers, the schools must be accredited in a way that their commitment to professional identity development is encouraged, required, and measurable. It is only in that way that we can meet the expectation of our profession and society that not only do professional identity and character count, they are also foremost in the requirements to be an attorney. 

Endnotes

1. WILLIAM M. SULLIVAN, ANNE COLBY, JUDITH WELCH WEGNER, LLOYD BOND, AND LEE S. SHULMAN, *EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW 129* (The Carnegie Foundation for the Advancement of Teaching 2007).
2. A committee of the ABA Council of the Section of Legal Education and Admissions to the Bar.
3. The Committee is also reviewing the associated Rules of Procedure for Approval of Law Schools.
4. Charlotte Stretch, Assistant Consultant, *Section Council begins Comprehensive Review of the ABA Standards for the Approval of Law Schools*, 40 SYLLABUS (ABA SEC. OF LEGAL EDUC.) 2 (Spring 2009).
5. Donald J. Polden, *Statement of Principles of Accreditation and Fundamental Goals of a Sound Program of Legal Education*, 40 SYLLABUS (ABA SEC. OF LEGAL EDUC.) 12 (Winter 2009) (emphasis added).
6. ABA Standard 301(a). Objectives, *Standards for Approval of Law Schools 2008-2009*, p.19.
7. ABA Standard 302(a)(1), (sets out requirements for substantive law school curricula, requires only that students “receive substantial instruction in the substantive law generally regarded as necessary to effective and responsible participation in the legal profession”. *Id.* at 21. Interpretation 302-9 clarifies the focus on professionalism education typically covered in a course on Professional Responsibility: “The substantial instruction in the history, structure, values, rules, and responsibilities of the legal profession and its members . . . includes instruction in matters such as . . . the Model Rules of Professional Conduct of the American Bar Association.” *Id.* at 23.).
8. SULLIVAN ET AL., *supra* note 1.
9. Polden, *supra* note 5.
10. SULLIVAN ET AL., *supra* note 1 at 129.
11. SULLIVAN ET AL., *supra* note 1. “Professional identity is in essence, the individual’s answer to questions such as, Who am I as a member of this profession? What am I like, and what do I want to be like in my professional role? and What place do ethical-social values have in my core sense of professional identity?” SULLIVAN ET AL., *supra* note 1, at 135.
12. See Standards for Imposing Lawyer Sanctions, http://www.abanet.org/cpr/regulation/standards_sanctions.pdf (last visited, Oct. 20, 2009).
13. *Id.* at 10. (Rule 8.1 pertains to Bar Admission and Disciplinary Matters and Rule 8.3 pertains to Reporting Professional Misconduct.)
14. Deborah L. Rhode, *Moral Character as a Professional Credential*, 94 YALE L. J. 496, 507 (1984-85).
15. *Id.* at 508-509.
16. *Id.* at 509.
17. Lydia Saad, *Nurses Shine, Bankers Slump in Ethics Ratings*, USA TODAY November 7-9, 2008 <http://www.gallup.com/poll/112264/Nurses-Shine-While-Bankers-Slump-Ethics-Ratings.aspx#>. (reporting on the results of a November 7-9 USA Today/Gallup poll.)
18. Rhode, *supra* note 14, at 509.
19. *Id.*
20. Co-author Amy Timmer has served for years as a hearing panelist for both the State Bar of Michigan Character and Fitness Committee and the State of Michigan Attorney Discipline Board where current conduct

- of the respondent is relevant when reviewing past bad acts. Indeed, Standard 9.32 (factors which may be considered in mitigation) of the ABA Standards for Imposing Lawyer Sanctions, includes “timely good faith effort to make restitution or to rectify consequences of misconduct, . . . full and free disclosure to disciplinary board or cooperative attitude towards proceedings, . . . remorse, and . . . character or reputation.” See Standards for Imposing Lawyer Sanctions, http://www.abanet.org/cpr/regulation/standards_sanctions. (last visited Oct. 20, 2009).
21. SULLIVAN ET AL., *supra* note 1, at 134.
 22. *Id.* at 134 “[W]e do know that for students to incorporate the profession’s ethical-social values into their own, they need to encounter appealing representations of professional ideals, connect in a powerful way with engaging models of ethical commitment within the profession, and reflect on their emerging professional identity in relation to those ideals and models.” *Id.*, p. 135.
 23. See ABA Press Release at http://www.abanet.org/abanet/media/release/news_release.cfm?releaseid=740 (last visited Oct. 20, 2009).
 24. See, e.g., Jeff Jeffrey/Legal Times, *Firms Fire Hundreds and More May Follow*, NAT’L L.J. ONLINE, February 16, 2009, www.nlj.com.
 25. American Bar Association, *2007 Survey on Lawyer Discipline Systems*, American Bar Association Standing Committee on Professional Discipline (2007), <http://www.abanet.org/cpr/discipline/sold/>. (total figures were not available for Alaska, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Maine, Minnesota, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Dakota, Rhode Island, South Carolina, South Dakota, Utah, Virginia, Wisconsin, or Wyoming).
 26. Kathleen Clark, *The Legacy of Watergate for Legal Ethics Instruction*, 51 HASTINGS L.J. 673 (1999-2000).
 27. *Id.* at 675-676.
 28. *Id.* at 676-677.
 29. John Sexton, *Restoring the Notion that Lawyers are Society’s Conscience*, AALS Newsletter, April 1997, www.aals.org/presidents-messages/restoring.html (emphasis added).
 30. SULLIVAN ET AL., *supra* note 1, at 3.
 31. SULLIVAN ET AL., *supra* note 1. “[T]he curricular emphasis on analysis and technical competence at the expense of human connection, social context, and social consequences is reinforced by the broader culture in most law schools.” *Id.* at 139.
 32. In some ways professional identity is akin to the computer of a rocket ship. The cargo is loaded with much scientific data. The skillfully crafted rocket, together with the data it carries, has great potential for success and benefit to humankind. The most important factor, however, is the computer on board that determines the destination. An incomplete or improper guidance system means this instrument for good, at best, has turned into an unpredictable dangerous and destructive force or, at worst, is aimed directly at innocent people unknowingly put in its path.
 33. SULLIVAN ET AL., *supra* note 1 (emphasis in original).
 34. The Florida Supreme Court Professionalism Commission recently visited 10 Florida law schools to review and compare their dealings with student misconduct, among other things.
 35. The fictional Professor Kingsfield said, “You come in here with a skull full of mush and you leave thinking like a lawyer.” THE PAPER CHASE (Thompson Films 1973).
 36. See ABA Center for Professional Responsibility, <http://www.abanet.org/cpr/about/home.html> (last visited Oct. 20, 2009). “The independence

of the legal profession and the professional excellence of its members are the cornerstones of the American Bar Association Center for Professional Responsibility. Since 1978, the Center has provided national leadership and vision in developing and interpreting standards and scholarly resources in legal ethics, professional regulation, competence, professionalism and client protection mechanisms. The Center's devotion to assuring the highest standards of conduct by lawyers and judges and to enhancing the profession's role in serving and protecting the public interest is underscored by its vigilance to meet the challenges of an evolving society." *Id.*

37. See ABA Standing Committee on Professionalism, <http://www.abanet.org/cpr/professionalism/scop.html> (last visited Oct. 20, 2009). "The Standing Committee on Professionalism was created in August 1992 as the successor entity to the Special Coordinating Committee on Professionalism and the ABA Commission on Professionalism. Originally charged to circulate and implement the recommendations contained in the 1986 Commission Report, 'In the Spirit of Public Service: A Blueprint for the Rekindling of Professionalism,' the Committee's mandate was expanded in 1989 and further expanded in 2004, so that it is now charged to encourage, recommend and provide assistance to ABA entities in the development and coordination of professionalism initiatives; encourage and provide assistance to state and local bar associations, the judiciary, the law schools, and the legal community in their efforts to improve lawyer professionalism and competence; educate members of the legal profession, the judiciary, the law school community and the public about professionalism, competence and advertising issues; and evaluate and report on trends and developments impacting lawyer professionalism, competence and advertising and recommend initiatives and policies to address them." *Id.*

38. See ABA Standing Committee on Pro Bono and Public Service, <http://www.abanet.org/legalservices/probono/committeefinfo.html#cteinfo> (last visited Oct. 20, 2009). "The Standing Committee on Pro Bono and Public Service is the ABA's center of activity for the development and promotion of pro bono policies and initiatives. The mission of the Committee includes fostering the development of pro bono programs and activities by law firms, bar associations, corporate legal departments, law schools, government attorney offices and others; analyzing the scope and function of pro bono programs; and proposing and reviewing legislation that affects lawyers' ability to provide pro bono legal services." *Id.*

39. See *Id.* "The Center for Pro Bono is a major project of the Committee and its implementation arm. The Center provides technical assistance and planning advice to a wide range of constituents in the field, including bar associations, pro bono programs, legal services offices, bar leaders, law schools, corporate counsel, judges and government attorneys." *Id.*

40. See ABA Standing Committee on Ethics and Professional Responsibility, <http://www.abanet.org/cpr/committees/scepr.html>. (last visited Oct. 20, 2009). "Since 1908 the Association's Ethics Committee has focused its efforts on the development of model national ethics standards and the drafting of definitive ethics opinions interpreting and applying those standards. . . . The Committee also provides consultation to other American Bar Association entities, state and local bars, law school communities, the legal news media and the public on matters of emerging interest in the area of legal and judicial ethics." *Id.*

41. Polden, *supra* note 5.

42. ABA Section of Legal Education and Admissions to the Bar, *Legal Education and Professional Development: An Educational Continuum*, (1992) [referred to as the MacCrate Report].

43. Gary Hengtsler, *The Public Perception of Lawyers*, 79 ABA J. 60, 61 (Sept. 1993).

44. *Id.* at 62.

45. *Id.* The other three reasons were that lawyers lack caring and compassion; lawyers are greedy; distaste for lawyer advertising. *Id.*

46. Leo J. Shapiro & Associates, *Public Perceptions of Lawyers Consumer Research Findings*, ABA Section of Litigation 37-38, (April 2002).

47. "In The Spirit of Public Service": A Blueprint for the Rekindling of Lawyer Professionalism (Report of the Commission on Professionalism to the Board of Governors and the House of Delegates of the American Bar Association), 112 F.R.D. 243, 266 (1986) [hereinafter REPORT OF THE COMMISSION ON PROFESSIONALISM].

48. ABA Accreditation Standard 302(a)(1).

49. REPORT OF THE COMMISSION ON PROFESSIONALISM, *supra* note 47, at 266.

50. *Id.*

51. *Id.* at 268, 270.

52. INTERIM REPORT OF THE COMMITTEE ON CIVILITY OF THE SEVENTH FEDERAL JUDICIAL CIRCUIT, 143 F.R.D. 371, 374 (1991).

53. *Id.* at 411-412.

54. FINAL REPORT OF THE COMMITTEE ON CIVILITY OF THE SEVENTH FEDERAL JUDICIAL CIRCUIT, 143 F.R.D. 441, 443 (1992).

55. Jerome J. Shestack, *Taking Professionalism Seriously*, 84 ABA J. 70, 73 (1998).

56. Hengtsler, *supra* note 43, at 60.

57. Shestack, *supra* note 55. During his year as President of the ABA, Jerome J. Shestack stressed six elements of professionalism: "ethics and integrity, competence combined with independence, meaningful continuing learning, civility, obligations to the justice system, and pro bono service." Shestack, *id.*, p. 70. About ethics and integrity he said, "Ethical standards should . . . be embraced as welcome moral principles guiding a growing, vibrant profession. They should lead a lawyer to adhere to standards of practice that are more high-minded and exacting than the rules require. Moreover, relevant moral concepts such as enlargement of individual autonomy, good faith in dealings, truth seeking, full disclosure, reasonable limits on adversarial conduct, and adherence to public interest are not static concepts but are part of an evolutionary process that measures the profession's moral growth." *Id.* at 72. Abilities and values like these do not simply spring up in a new lawyer's make-up. They must be taught and practiced, from as early a point in a future lawyer's education as can be accomplished. *Id.*

58. A National Action Plan on Lawyer Conduct and Professionalism: A Report of the Working Group on Lawyer Conduct and Professionalism, <http://ccj.ncsc.dni.us/natlplan/NatlActionPlan.html> (last visited Oct. 20, 2009) (adopted by the Conference of Chief Justices January 21, 1999).

59. *Id.*

60. Roscoe Pound, http://en.wikipedia.org/w/index.php?title=Roscoe_Pound&oldid=299510344 (last visited October 20, 2009).

61. Co-author John Berry has attended most of the meetings of the Accreditation Standards Review Committee and writes from personal observation.

62. Standards Review Committee, *Statement of Principles of Accreditation and Fundamental Goals of a Sound Program of Legal Education*, ABA SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR,

March 10, 2009, <http://www.abanet.org/legaled/committees/Standards%20Review%20documents/Principles%20and%20Goals%20Accreditation%205%206%2009.doc> [hereinafter *Statement of Principles of Accreditation*].

63. *Id.* at 4.

64. *Id.* at 3.

65. SULLIVAN ET AL., *supra* note 1, at 133.

66. Lawrence S. Krieger, Clinical Professor and Director of Clinical Externship Programs, Florida State University College of Law. Professor Krieger researches and publishes in the area of law student and lawyer health and satisfaction. He has served as Vice-chair of the Florida Bar Committee on Quality of Life and Career since 1996. See The Florida State University Faculty and Administration Profiles, <http://www.law.fsu.edu/faculty/lkrieger.html> (last visited Oct. 20, 2009).

67. Arthur J. Schwartz, *It's Not Too Late to Teach College Students Values*, Vol XLVI, No. 40 CHRON. OF HIGHER EDUC. 68 (2000). "Dr. Arthur Schwartz has been a Senior Program Officer and a Vice President of the John Templeton Foundation for ten years. . . . Dr. Schwartz designed and launched *Spirituality in Higher Education*, a landmark national study that examines the search for meaning and purpose among college students, directed by the Higher Education Research Institute at U.C.L.A. He has also directed the Foundation's recent funding initiatives within the fields of gifted education and character development. . . . Previous to joining the Foundation, Dr. Schwartz taught at Harvard Graduate School of Education. Since 1992, Dr. Schwartz has concentrated his research on adolescent moral and spiritual development." See Arthur J. Schwartz, Ed.D., http://www.templeton.org/pdfs/leadership_team/schwartz_2006.pdf (last visited Oct. 20, 2009).

68. *Statement of Principles of Accreditation*, *supra* note 62.

69. See ABA Center for Professional Responsibility: Gambrell Professionalism Award Winners, <http://www.abanet.org/cpr/awards/prevwinners.html> (last visited Oct. 20, 2009).

70. SULLIVAN ET AL., *supra* note 1, at 133.

71. Rhode, *supra* note 14, at 496. "Within the American bar, moral character requirements have been a fixed star in an otherwise unsettled regulatory universe. Educational standards came and went, but, at least after the colonial period, virtue remained a constant prerequisite, in form if not in fact." *Id.*

72. It should also be the most important aspect of dealing with students' conduct, of determining whether they should be allowed to graduate, and finally of deciding whether they get their license to practice law. All segments of our profession are involved in this quest and the work must begin in the law schools. The profession urges at every level that its members be of good character.

73. Such screening may help the school determine whether applicants have developed a respect or disdain for the law. It must be said that all reasonable people bring to law school a number of formative years of who they are as a person. For purposes of this article, a long analysis of social science findings on the change of individuals early in adulthood will not be examined. However, it is posited that such research does exist and common sense likewise is not to be ignored. The Florida Lawyer Assistance Programs have been in existence for many years. Many lawyers whose lives and, yes, even character were impaired by drugs and alcohol changed who they were. As those dealing in recovery universally state, it takes more than just physical withdrawal from a drug to change your life—it takes a new approach to life. And lives are changed. If the concepts of

learned lessons and changed behavior, i.e., rehabilitation, are disregarded, likely all defense counsel in America would lose their main support for lenience or release. Many have seen the transforming difference in people's lives by the change occasioned by a search for and finding of deeper faith, whether in God or a life philosophy. Scoundrels do turn into decent folks. It is also true that many do not change their colors. Although they cannot predict the direction a law student may take in law school, in regard to respecting or defying the law, law schools must nevertheless screen applicants and ask them to explain past criminal conduct. They may find in the applicants' explanation some indication of current character that could be helpful in the admission decision. The culture of a "formative law school" is particularly important for the majority of students who are neither saints nor devils but who are looking for cues as to what the practice means and will mean in their lives and what is acceptable or not. It is the purpose of present traditional teaching to dramatically change how one analyzes not only the law but, by necessity, life itself.

74. ABA Accreditation Standard 401.

75. Schwartz, *supra* note 67.

76. Regan McMahon, *Everybody Does It. Academic Cheating Is At An All-Time High. Can Anything be Done to Stop It?*, SAN FRANCISCO CHRONICLE, September 9, 2007. <http://www.sfgate.com/cgi-bin/article.cgi?file=/c/a/2007/09/09/CM59RIBI7.DTL>.

77. Honor codes generally address unethical behavior including lying, cheating, stealing, plagiarism, and toleration of unethical conduct. Other conduct codes, like disciplinary procedures, apply to criminal and disruptive conduct inside and outside of law school.

78. SULLIVAN ET AL., *supra* note 1, at 140.

79. Kimberly C. Carlos, *The Future of Law School Honor Codes: Guidelines for Creating and Implementing Effective Honor Codes*, 65 U. MO. KAN. CITY L. REV. 937, 941 (1996-1997).

80. Larry A DiMatteo, *Academic Honor Codes: A Legal and Ethical Analysis*, 19 S. ILL. U. L.J. 49, 61 (1994-1995).

81. Steven K. Berenson, *What Should Law School Student Conduct Codes Do?* 38 AKRON L. REV. 803 (2005). "With the highly publicized and financially devastating collapses of Enron, WorldCom, Global Crossing, and other large corporate entities, which were at least in part the result of malfeasance on the part of their corporate executives, and the professionals who served the corporations, the topic of professional ethics has once again come to the forefront of public consciousness. Recent months have seen calls for increased instruction in ethics in undergraduate, business, and other professional schools . . ." *Id.*

82. Sarah Ann Bassler, *Public Access to Law School Honor Code Proceedings*, 14 NOTRE DAME J.L. ETHICS & PUB. POL'Y 207, 221 (2001) citing Deborah L. Rhode & David Luban, *ABA Report of the Committee on the Code of Professional Ethics*, 600-04, LEGAL ETHICS 112, 113 (1995).

83. Bassler, *supra* note 82, at 222-223 (quoting *Legal Education and Professional Development: An Educational Continuum*, ABA SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR, 117-118 (1992) [referred to as the MacCrate Report] quoting McKay, *What Law Schools Can and Should Do (and Sometimes Do)*, 30 NYL SCH. L. REV. 491, 509-10 (1985) (underlining added).

84. Donald McCabe and Linda Klebe, *Honesty and Honor Codes*, 88 ACADEME 1, 37 (2002).

85. Barbara Kate Repa, *Do Honor Codes Work?*, 16 STUDENT LAWYER 21 (1987-88) (quoting Assistant Dean at the University of

Alabama School of Law Steve Emmons, May 1988).

86. SULLIVAN ET AL, *supra* note 1, at 147.

87. SULLIVAN ET AL, *supra* note 1. “Professional identity is in essence, the individual’s answer to questions such as Who am I as a member of this profession? What am I like, and what do I want to be like in my professional role? And What place do ethical-social values have in my core sense of professional identity?” *Id.* at 135.

88. *Id.*, p. 147.

89. Associate Dean Nelson Miller, a faculty member at Cooley Law School, uses this technique in his classes.

90. See Fordham Law, <http://law.fordham.edu/registrar/2750.htm> (last visited Oct. 20, 2009) (course descriptions for these courses).

91. See Thomas M. Cooley Law School, Academics, <http://www.cooley.edu/academics> (last visited Oct. 20, 2009) (course descriptions for these courses).

92. SULLIVAN ET AL, *supra* note 1, at 146.

93. *Id.*

94. *Id.* at 138-39.

95. *Id.*, at 145-46.

96. *Id.*, at 174.

97. Co-author Amy Timmer oversees the professionalism portfolio program at Thomas M. Cooley Law School, the nation’s largest law school in enrollment. See generally Thomas M. Cooley Law School, Center for Ethics, Service, and Professionalism, <http://www.cooley.edu/ethics> (last visited Oct. 20, 2009).

98. *Statement of Principles of Accreditation*, *supra* note 62. “In the past, most accreditation measurements have been on ‘input’ factors and very little attention has been given to ‘output’ factors. Accreditation review in law, like other disciplines, must move law schools toward articulation and assessment of student learning goals and achievement levels.” *Id.* at 4.

99. *Statement of Principles of Accreditation*, *supra* note 62. “Accreditation review should not unduly burden law schools by imposing costly and extraneous procedures and standards that hamper innovation in legal education or serve to increase the cost of attending law school. Accreditation standards should be measured by, among other things, the costs they are likely to impose on the schools that seek accreditation review and approval.” *Id.* at 4.

100. See Thomas M. Cooley Law School, Professionalism Programs, http://www.cooley.edu/ethics/programs_professionalism.html#portfolio (last visited Oct. 20, 2009) (discussing the professionalism portfolio spanning two years); Washington and Lee University School of Law, <http://law.wlu.edu/admissions/page.asp?pageid=311> (last visited Oct. 20, 2009) (discussing the third year practicum); Franklin Pierce Law Center, Daniel Webster Scholars Honors Program, <http://www.piercelaw.edu/websterscholar/> (last visited Oct. 20, 2009).

101. Tony Boggs, former Director of the Legal Division of the Florida Bar.

102. ABA Accreditation Standard 302 currently reads:

(a) A law school shall require that each student receive substantial instruction in:

- (1) the substantive law generally regarded as necessary to effective and responsible participation in the legal profession;
- (2) legal analysis and reasoning, legal research, problem solving, and oral communication;
- (3) writing in a legal context, including at least one rigorous writing experience in the first year and at least one additional rigorous writing experience after the first year;
- (4) other professional skills generally regarded as necessary for effective and responsible participation in the legal profession; and
- (5) the history, goals, structure, values, rules and responsibilities of the legal profession and its members.

(b) A law school shall offer substantial opportunities for:

- (1) live-client or other real-life practice experiences, appropriately supervised and designed to encourage reflection by students on their experiences and on the values and responsibilities of the legal profession, and the development of one’s ability to assess his or her performance and level of competence;
- (2) student participation in pro bono activities; and
- (3) small group work through seminars, directed research, small classes, or collaborative work.

103. “Theodore Robert ‘Ted’ Bundy, born Theodore Robert Cowell (November 24, 1946 – January 24, 1989), was an American serial killer active between 1974 and 1978. He twice escaped from county jails before his final apprehension in February 1978. After more than a decade of vigorous denials, he eventually confessed to over 30 murders, although the actual total of victims remains unknown. Estimates range from 26 to over 100, the general estimate being 35. Typically, Bundy would bludgeon his victims, then strangle them to death. He also engaged in rape and necrophilia. Bundy was executed for his last murder by the state of Florida in 1989.” Ted Bundy, http://en.wikipedia.org/wiki/Ted_Bundy (last visited Oct. 20, 2009).

104. As a very important aside, economic models need to be developed to reduce the cost of legal education while meeting these new goals.

105. The authors repeat their suggestion that the Review Committee look back at its stated principles, first, to assure that its goals are in line.

106. E. Norman Veasey, *The Role of State Supreme Courts in Addressing Professionalism of Lawyers and Judges*, Keynote Address at ABA Conference: Regulatory Authority Over the Legal Profession and the Judiciary: The Responsibility of State Supreme Courts (March 14-15, 1997).

107. SULLIVAN ET AL, *supra* note 1.

UPCOMING CONFERENCES

April 9-10, 2010

NMR&S Center on Professionalism at the University of South Carolina School of Law — “Mentoring 2: Towards Best Practices: What Works and What Doesn’t” — Columbia, SC
See <http://professionalism.law.sc.edu/index.shtml>

April 14-16, 2010

Spring 2010 ABA National Legal Malpractice Conference — Washington, DC
See <https://www.abanet.org/legalservices/lpl/conference.htm>

July 15-17, 2010

Stanford University International Legal Ethics Conference IV — Palo Alto, CA
See <http://www.law.stanford.edu/program/centers/clp/#events>