Where do we see faculty learning goals (outcomes) overlap legal employer/client goals in the professional-identity/professional-formation space?

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The professional formation-learning outcomes that faculty hope students will achieve overlap with the competencies that employers want.

The empirical research listed below is the best data we have on what competencies employers want. We will see more of these studies of what competencies legal employers want, but so far, there is fairly strong convergence among the studies available which tends to increase our confidence in the data.

1. Competencies emphasized by Educating Tomorrow’s Lawyer survey (24,000 lawyers in 2015) as “necessary in the short term.” The numbers indicate how the respondents ranked that competency in terms of what is “necessary in the short term.” I grouped the various necessary competencies into umbrella categories of Trustworthiness, Respect for Others and Relationship Skills, Strong Work Ethic/Conscientiousness, and Common Sense/Good Judgment.

   a. Trustworthiness
      1. Keep confidentiality
      3. Honor commitments
      4. Trustworthiness/Integrity
      15. Take individual responsibility
      18. Strong moral compass

   b. Respect for Others and Relationship Skills
      2. Arrive on time
      5. Treat others with respect
      6. Listen attentively and with respect
      7. Respond promptly
      17. Emotional regulation and self-control
      20. Exhibit tact and diplomacy

   c. Strong Work Ethic/Conscientiousness
      8. Strong work ethic
      9. Diligence
10. Attention to detail

11. Conscientiousness

d. Common Sense/Good Judgment (this was 12\textsuperscript{th}).

Note that Research the Law was 13\textsuperscript{th}, Intelligence was 14\textsuperscript{th}, Speak Professionally was 16\textsuperscript{th}, and Write Professionally was 19\textsuperscript{th}.

2. Competencies emphasized by National Conference of Bar Examiners’s New Lawyer Survey (2013) and Hamilton’s surveys of MN lawyers (2013-14)

a. Trustworthiness/Integrity/Honesty

b. Strong Work and Team Relationship Skills

c. Dedication to Client/Responsiveness to Client

d. Good Judgment/Common Sense

e. Habit of Seeking Feedback

f. Initiative/Strong Work Ethic

3. Note that there are very few empirical studies of what competencies clients want. The Shultz/Zedeck study discussed below is the best of these studies but note that the survey population consists of lawyers imagining they were clients and then indicating what competencies they would most want.

In 2003, Professors Marjorie M. Shultz and Sheldon Zedeck at the University of California at Berkeley identified 26 factors important for lawyer effectiveness by interviewing people from five stakeholder groups associated with Berkeley Law: alumni, students, faculty, clients, and judges. They asked questions such as “If you were looking for a lawyer for an important matter for yourself, who would you identify, and why?” and “What qualities and behavior would cause you to choose that attorney?” The 26 factors important to lawyer effectiveness that emerged from the interviews are shown in Table 3.

The Shultz-Zedeck study did not list the 26 lawyer effectiveness factors in order of importance so for comparative purposes, The table below lists the 26 lawyer effectiveness factors using the same umbrella categories as the table above on the Educating Tomorrow’s Lawyers’ competencies “necessary in the short term.”

Table 3 - Shultz-Zedeck List of 26 Lawyer Effectiveness Factors

<table>
<thead>
<tr>
<th>Trustworthiness</th>
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<tr>
<td>- Integrity/honesty</td>
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<td>- Self-development</td>
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<table>
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<tr>
<th>Relationship Skills</th>
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<tr>
<td>- Building relationships with clients and providing advice and counsel</td>
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<tr>
<td>- Developing relationships within the legal profession</td>
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</table>
- Networking and business development
- Listening
- Able to see the world through the eyes of others
- Community involvement and service
- Organizing and managing others
- Evaluation, development and mentoring of others

**Strong Work Ethic/Diligence**
- Passion/engagement
- Diligence
- Stress management

**Common Sense/Good Judgment**
- Problem solving
- Practical judgment
- Creativity and innovation

**Technical Competencies**
- Analysis and reasoning
- Researching the law
- Fact finding
- Questioning and interviewing
- Influencing and advocating
- Writing
- Speaking
- Strategic planning
- Organizing and managing one’s own work
- Negotiation

We see convergence that legal employers want these ethical-professional-identity competencies:
1. trustworthiness¹;
2. respect for others and relationship skills including client relationship skills and teamwork;
3. strong work ethic/initiative/conscientiousness;
4. commitment to self-development including the habit of self-evaluation; and
5. good judgment.

¹ David Maister defines a trustworthiness quotient with a numerator of Credibility + Reliability + EQ over a denominator of Self-Orientation. In other words, the greater a student’s or lawyer’s self-orientation, the smaller the person’s trustworthiness.