

Santa Clara Law Review

Volume 52 Number 3 Article 1

9-21-2012

Symposium on Leadership Education for Lawyers and Law Students

Donald J. Polden

Follow this and additional works at: http://digitalcommons.law.scu.edu/lawreview

Recommended Citation

 $Donald J. \ Polden, Other, \textit{Symposium on Leadership Education for Lawyers and Law Students}, 52 \ Santa \ Clara L. \ Rev. 685 (2012).$ $Available \ at: \ http://digitalcommons.law.scu.edu/lawreview/vol52/iss3/1$

This Other is brought to you for free and open access by the Journals at Santa Clara Law Digital Commons. It has been accepted for inclusion in Santa Clara Law Review by an authorized administrator of Santa Clara Law Digital Commons. For more information, please contact sculawlibrarian@gmail.com.

SYMPOSIUM ON LEADERSHIP EDUCATION FOR LAWYERS AND LAW STUDENTS

Donald J. Polden*

This symposium addresses the issue of leadership education and training for American law students and lawyers. It follows a successful leadership "roundtable" at Santa Clara University in March 2011—the third such national conference for law schools, law firms, and professional educators developing methods and programs to provide not only more, but improved leadership education for law students and lawyers.

The two principal themes or topics for the 2011 Leadership Roundtable—and the principal themes of this symposium—are the importance and utility of leadership education to educate law students for roles in the profession, and leadership as an essential or core competency for ethical engagement and success in the work of lawyers.

This leadership symposium collects and publishes papers by several presenters at the Leadership Roundtables and the paper topics explicate the key themes of the Roundtable: leadership education as a method of advancing professionalism education within the law school curriculum and leadership as a core skill for lawyers.

Deborah L. Rhode's opening article introduces the critical issues addressed by each of the symposium articles, sets the table for the thoughtful analysis of the importance of leadership education for lawyers and law students, and describes the core competencies and traits of lawyers who lead.¹ After describing the challenges that lawyers face in public and professional life and surveying current thinking

^{*} Dean and Professor of Law, Santa Clara University School of Law.

^{1.} See Developing Leadership, 52 SANTA CLARA L. REV. 689 (2012). Deborah Rhode is the Ernest W. McFarland Professor of Law and Director of the Center on the Legal Profession, Stanford University.

686

about several leadership styles, Professor Rhode describes two types of leadership strategies that lawyers need: first, to develop self-reflective skills so they can identify their own weakness and address them and, secondly, to be able to develop leadership objectives and find ways of promoting or achieving them. These key strategic leadership abilities are explained in the context of several nationally known lawyers and judges who possessed and demonstrated those abilities. Professor Rhode closes with a frequent refrain found throughout this symposium issue: "... law schools are where vast numbers of American leaders get their professional education. They deserve more effective preparation."²

Other symposium articles advance the idea of leadership as a core lawyering skill or competency and link these findings to the need for more and better leadership education. Leary Davis provides a comprehensive look at proper construction of competence by lawyers in performing their work as lawyers.³ Professor Davis argues that the proper definition of professional competence is "situationally appropriate conduct" and he identifies two models of professional competence—one legal and one based on leadership—to more fully understand how we construct concepts of lawyers' competence. $_{\mathrm{He}}$ argues "[c]ompetence as situationally appropriate conduct is a applies to lawyering, that concept leadership, and professionalism."4

Susan Daicoff provides an expansive and powerful article that considers the central importance of "soft skills" training in law school.⁵ She describes a number of challenges of contemporary legal education, including the needs of the current generation of law students and the pressures induced by the current economic climate. Professor Daicoff contends that,

² Id. at 724

^{3.} Competence as Situationally Appropriate Conduct: An Overarching Concept for Lawyering, Leadership, and Professionalism, 52 SANTA CLARA L. REV. 725 (2012). Leary Davis is Founding Dean and Professor of Law Emeritus at Elon University School of Law.

^{4.} Id. at 790.

^{5.} Expanding the Lawyer's Toolkit of Skills and Competencies: Synthesizing Leadership, Professionalism, Emotional Intelligence, Conflict Resolution, and Comprehensive Law, 52 SANTA CLARA L. REV. 795 (2012). Susan Daicoff is Professor of Law at Florida Coastal School of Law.

687

[m]arket forces may propel lawyers to expand their skills and services to attract and retain clients, lawyer well-being may encourage lawyers to develop certain values and competencies, law schools are expanding the range of skills they teach, and changes in forms of law practice may require more interdisciplinary and broad-ranging competencies among lawyers.⁶

This presents a challenge to legal education and to the legal profession.

Heather Bock and Lori Berman provide a thoughtful look at competency development in law firms. Their empirical analysis examines the demonstration of eight individual competencies by law firm associates and assists the authors in developing a model of attorney success in firm practice settings. They identify three particularly pertinent competencies—drive for excellence, leadership, and case management and written advocacy—as particularly helpful in understanding success in these firms. A balance of lawyering competencies and helpful behaviors (such as those related to dedicated work on assignments and positive approaches to professional relationships) are most likely to result in strong workplace performance.

Lastly, my contribution argues that leadership is a critical competency for lawyers and that law schools should follow some leading law firms that are developing the leadership abilities of their young lawyers.⁸

The symposium also includes articles that explore how lawyers demonstrate leadership—in the practice of law and in public service—that stems from their engagement in a professional enterprise and calling. Neil Hamilton and Verna Monson provide an interesting and highly relevant empirical analysis of the process of professional and moral transformation of exceptional lawyers.⁹ The analysis

^{6.} Id. at 817-18.

^{7.} Developing Attorneys for the Future: What Can We Learn from the Fast Trackers?, 52 Santa Clara L. Rev. 875 (2012). Heather E. Bock is Visiting Professor of Law and Executive Director of the Center for the Study of Legal Profession, Georgetown University School of Law and Lori M. Berman is Adjunct Professor of Law, Georgetown University School of Law.

^{8.} Donald J. Polden, *Leadership Matters: Lawyers' Leadership Skills and Competencies*, 52 SANTA CLARA L. REV. 899 (2012). Donald Polden is Dean and Professor of Law at Santa Clara University School of Law.

^{9.} Ethical Professional (Trans) formation: Themes from Interviews About Professionalism with Exemplary Lawyers, 52 SANTA CLARA L. REV. 921 (2012).

[Vol. 52]

688

describes how exceptional lawyers—identified through peer evaluation and professional acclaim—develop an ethical professional identity. Developed through interviews with these exceptional lawyers, the authors describe how they have transitioned across stages of professional engagement and development throughout their careers. This analysis has important and useful implications for legal education.

Finally, Faith Rivers James provides a highly interesting article looking at leadership through the lens (and practice) of public interest lawyering. She develops three case studies that articulate an important pedagogical approach to teaching leadership skills in law schools and argue that lawyers who are also leaders can make a great difference in achieving social change. Professor James concludes that "[r]egardless of the area of practice interest or professional pursuits, social justice lawyering provides an important lesson of leadership that is transferable to any area of practice."

This symposium—the first collection of articles on leadership education for lawyers in an American law review—will hopefully provide an important "jump start" to more thinking within legal education about leadership education and will lead to more curricular development and scholarship about leadership education for lawyers and law students. The case for leadership education as presented in these articles is undeniable, important, and holds great promise for developing better, more ethical lawyers.

Neil W. Hamilton is Professor of Law and Director of the Holloran Center for Ethical Leadership, St. Thomas University School of Law and Verna E. Monson is Research Fellow in the Holloran Center for Ethical Leadership at St. Thomas University School of Law.

_

^{10.} Leadership and Social Justice Lawyering, 52 SANTA CLARA L. REV. 971 (2012). Faith Rivers James is Associate Professor of Law at Elon University School of Law.

^{11.} Id. at 1000.