INTRODUCTION

Since opening in 2001, the University of St. Thomas School of Law has had a distinctive mission – “as a Catholic law school … dedicated to integrating faith and reason in a search for truth through a focus on morality and social justice.” This mission focuses on formation of each student. We have endeavored to create a curriculum and a culture in which each student can develop the knowledge and skills essential to becoming an excellent lawyer while also forming an ethical professional identity integrated with the student’s faith and moral compass.

The Carnegie Foundation’s 2007 study of legal education, *Educating Lawyers*, emphasizes that an ethical professional identity (referred to as the third apprenticeship of professionalism) gives necessary purpose and direction to what Carnegie refers to as the first apprenticeship of cognitive analytical skill and the second apprenticeship of the other practical skills of lawyering. Hamilton and Monson find significant empirical evidence supporting the hypothesis that a strong ethical professional identity correlates with effectiveness in the practice of law. Formation of an ethical professional identity with a moral core of service to and responsibility for others thus represents a foundational educational objective for the University of St. Thomas School of Law and its distinctive mission.

This presentation will begin by discussing the extent to which legal education generally fails to emphasize formation of an ethical professional identity and how many law professors are even skeptical of whether legal education has any role in fostering an ethical professional identity among law students. The presentation then will focus on what is known about pedagogies that have been found to be particularly helpful in fostering formation of ethical professional identities. Finally, the presentation will discuss the ways in which the University of St. Thomas School of Law’s curriculum and culture work together to create an educational environment designed to facilitate each student’s effort to foster an ethical professional identity.

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1 William M. Sullivan, et al., *Educating Lawyers: Preparation for the Practice of Law*, at 14, 23, 31 (Jossey-Bass 2007) (“*Educating Lawyers*”). In addition, *Educating Lawyers* notes that an internalized professionalism by definition means that the law student is seeking excellence at the skills of the first and second apprenticeships. *Id* at 27.

THE ABSENCE OF CONSISTENT EFFORTS TO FOSTER ETHICAL PROFESSIONAL IDENTITY IN LEGAL EDUCATION

Based on over fifty site visits to study how professional schools educate lawyers, physicians, clergy, engineers, and nurses, President Lee Shulman of the Carnegie Foundation for the Advancement of Teaching found the formation of an ethical professional identity with a moral core of service and responsibility to others to be the most overlooked aspect of professional preparation.3 This was especially true with respect to legal education, where the authors of Educating Lawyers stated: “Overall, however, we 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.”4

One reason that legal education places so little emphasis on professional formation – the fostering of ethical professional identity with a moral core of service and responsibility to others -- is because many law faculty believe legal education is neither capable of nor responsible for the moral development of law students.5

Empirical research on adult moral development over the last thirty years, however, strongly contradicts the prevailing view that students’ character is already set before law school and that law school can have little impact on character.6 Harvard psychologist Robert Kegan has developed a life span development model that reflects stages of development. In his 2009 book, Immunity to Change, Kegan notes that earlier understandings of moral development in which adults were assumed to reach a plateau by age 20 have been superseded by a more refined understanding of moral development which recognizes both a range of moral development within any given age cohort as well as a growth toward higher stages of an internalized moral compass that is less egocentric and more responsible regarding human relationships.7 The modern view demonstrates that it is possible for higher education generally and legal education specifically to foster each student’s moral formation into an ethical professional identity, and indeed, suggests that higher education and legal education should understand themselves to have a responsibility to foster each student’s moral formation.

This data is further validated by research on military personnel and on lawyers and law students. Forsythe, Snook, Lewis and Bartone studied stages of professional identity formation of United States Military Academy cadets.8 Students at a stage 2 level of professional identity are focused

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4 Educating Lawyers, at 132-33.
5 Educating Lawyers found that law school faculty members often agree that by the time students enter law school, it is too late to affect their ethical commitment and professional responsibility .... Skeptics argue that moral character is the only thing that really matters in determining ethical conduct, and that character is established earlier in life in the context of the family .... Many students share the belief that it is too late to develop morally by the time people enter law school. Id. at 123. See Neil W. Hamilton and Verna Monson, Answering the Skeptics on Fostering Ethical Professional Formation (Professionalism), 20 The Professional Lawyer, (forthcoming 2011).
7 IMMUNITY TO CHANGE at 13-14.
8 George Forsythe et al., Identity Development in Professional Education, Academic Medicine, Oct. 2005, Invited
on their own self-interest and conformity with externally imposed rules toward; at stage 3, students have moved beyond self-interest and define professionalism as meeting the expectations of “gold standard” professionals whom the students have identified as models; at stage 4, a student (or a professional) has fully internalized a personal moral compass informed by the ethics of the profession.9 Figure 1.1 below indicates that the West Point education is making a difference in moving students who enter West Point principally at a stage 2 professional identity toward stage 3 by graduation and then toward stage 4 as they advance in their careers.

![Figure 1.1](image)

Figure 1.2 below shows similar life span moral development in law students, early career lawyers and exemplary lawyers, based on research by Hamilton and Monson.10

![Figure 1.2](image)

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Another reason that law schools underemphasize professional formation is because they have no discernible mission or because professional formation is not referenced significantly among those with missions. The University of St. Thomas School of Law is unique in its institutional focus on fostering each student’s personal conscience, including the faith tradition in which personal conscience is rooted, and the integration of personal conscience with the ethics of duty and the ethics of aspiration.

EFFECTIVE PEDAGOGIES FOR FOSTERING AN ETHICAL PROFESSIONAL IDENTITY

Hamilton and Monson have analyzed empirical studies in education psychology, medical, dental, legal, management, and engineering education to determine which pedagogies most effectively foster each student’s internalized moral core of service and responsibility to others. Different studies conducted by different researchers using different methods all point toward some common themes set forth below.

1. Stage-appropriate Educational Engagements

Effective pedagogies must take into account that students are at different developmental stages of growth toward an internalized moral core. In the context of Rest’s Four Component Model of moral psychology (moral sensitivity, moral reasoning, moral motivation and identity, and moral implementation), each student is at different stages of development in each of the four components. The pedagogy used must engage the student at his or her current developmental stage.

2. Cognitive Disequilibrium and Optimal Conflict

Central to pedagogies of professional formation is the idea that in order to grow, each person needs to experience cognitive disequilibrium or optimal conflict on issues relating to the person’s moral core within a context of psychological safety. Introducing the student to disorienting dilemmas involving the student’s moral core is another phrase used in this literature. Each law school’s curriculum should offer repeated opportunities for each student to engage with stage-

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11 Jerome M. Organ, Further Reflections on Institutional Pluralism (or the Absence of Institutional Pluralism) -- Part I-- Missing Missions: Challenges to Outcome Measures in Legal Education, 60 J. Legal Educ. 157 (2010)(finding that 57 law schools had no discernable mission posted on their websites). In addition, among the law schools with identifiable missions, professionalism and professional values were referenced explicitly in fewer than half of the law schools. (Research on file with the author.) Most law schools simply teach the ethics of duty in the required curriculum, the minimum required under the accreditation standards for law schools. A few law schools have a required course or two focused on the ethics of aspiration and a larger number of schools have electives focused on the ethics of aspiration. But there is little in the way of institutional intentionality regarding professional formation.


14 Foster Professional Formation, supra note 12 at ____.
appropriate questions that create optimal conflict while also providing a context in which each student feels safe.\textsuperscript{15}

\textbf{3. The Habit of Feedback, Dialogue, and Reflection (FDR)}
Studies of effective pedagogies emphasize the importance of helping each student internalize the habits of engaging her moral core regarding difficult decisions by actively seeking feedback from others, dialoguing with others about the tough calls, and reflecting on how a given situation and feedback received enlighten the student’s understanding of her moral core and what it means to be of service to and responsible to others. We have called this the habit of FDR.\textsuperscript{16}

\textbf{4. Structuring Repeated Opportunities for Practicing the Habit of FDR, Especially Through Formative Assessment, Throughout the Curriculum}
The Carnegie studies along with research on professional education of dentists conducted by Dr. Muriel Bebeau all recommend giving broad attention to professional formation throughout the curriculum by integrating modules on professional formation and formative assessment into a number of courses, including reflective self-assessment.\textsuperscript{17} The curriculum should help students become reflective and self-directed over an extended period of time in the context of the overall program. Essentially, empirical research is suggesting that structured opportunities for practicing and rehearsing the habit of FDR should occur throughout the curriculum in teacher-facilitated discussions of ethics, clinical education and practical experiences, coaching, modeling, reflective writing, storytelling and narrative, service learning, and small group discussion. The habit of FDR will help a student and practicing professional improve both in technical skill and in professional formation.\textsuperscript{18}

\textbf{BEING INTENTIONAL – SHAPING CURRICULUM AND CULTURE TO REINFORCE FORMATION OF AN ETHICAL PROFESSIONAL IDENTITY}
At the University of St. Thomas School of Law, our goal is to prepare our graduates to be excellent professionals and ethical leaders within the profession and within their communities. We want each graduate to have the ability 1) to apply his or her knowledge of the law and skills of lawyering to provide excellent service in helping clients solve problems, 2) to form an integrative understanding of professional identity in which (a) who the student is becoming as a lawyer is integrated with (b) who the student is as a person, particularly who the student is as a person of faith, and 3) to make sure each graduate appreciates that one of the responsibilities of every lawyer is to promote social justice, not only through pro bono service, but also through the skillful counseling of clients about law compliance, preventive law, risk management, and engagement with the client to think through the client’s ethics applied to the situation, including considerations of social justice beyond the law.

\textsuperscript{15} Id.
\textsuperscript{16} Id.
\textsuperscript{17} Id. See Muriel J. Bebeau, \textit{Promoting Ethical Development and Professionalism: Insights from Educational Research in the Professions}, 5 U. ST. THOMAS L.J. 366, 369–79 (2008); Muriel J. Bebeau, \textit{The Defining Issues Test and the Four Component Model: Contributions to Professional Education}, 31 J. MORAL EDUC. 271, 283–88 (2002). There is no empirical evidence that a single ethics course focused on doctrinal knowledge and critical analysis of ethics without some reflective exploration of the student’s own internalized moral core makes any difference on any of the Four Component Model capacities.
\textsuperscript{18} Foster Professional Formation, supra note 12 at _____.
This formation environment at UST is shaped both through a required and elective curriculum that embraces the three apprenticeships described in *Educating Lawyers* – the cognitive/analytical, the practical/skills, and the professional identity apprenticeships. The culture also reinforces what students are learning in the classroom, the externships and the clinics about what it means to be a person of faith and a member of the legal profession. The most distinctive features of the UST Law educational experience have to do with the third apprenticeship – formation of an ethical professional identity. The School of Law is working to create “a holistic approach to the educational experience that can grasp its formative effects as a whole.”

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This presentation of UST Law’s curriculum and culture will highlight the components of the curriculum and culture that embrace the pedagogies described above that have been found most useful in fostering an ethical professional identity among students.

1. The Apprenticeship of Professional Identity Formation in the Curriculum

   A. Required Curriculum

There are required class components throughout all three years that are focused on professional identity formation, with the two most distinctive being Foundations of Justice and the Mentor Externship. The first-year experience, indeed, the entire UST School of Law experience, is “framed” by Foundations of Justice. The Mentor Externship Program also begins in the first year and continues in the second-year and third-year (with the addition of a classroom component in the second-year and third-year). Lawyering Skills and a second-year required Professional Responsibility course, enrich this core emphasis on professional identity formation in a variety of ways.

   i. Foundations of Justice

Foundations of Justice bridges the two semesters of the first year, with a five-day introductory component during First Week (the week prior to the start of the other fall classes), one class meeting during September focused on cultural competence, and a once a week seminar in the spring semester. During First Week we focus on the concept of human dignity and the law and introduce students to the moral implications of being a lawyer and the professional identity of a lawyer in the context of a student’s personal moral compass and sense of vocation. We also discuss ways in which legal education tends to diminish attention to values and ways in which the work of the lawyer can erode attention to ethics. We have students participate in two counseling exercises in which they experience being an attorney and being a client and reflect on the power imbalance and the ease with which an attorney can usurp client autonomy. This intense first-week immersion, during which only the first-year students are on campus, also creates a strong culture and sense of community within the entering class that carries forward throughout the year.

During the second semester, Foundations of Justice provides students a greater vocabulary for

19 *Educating Lawyers* at 31.
discussing issues of justice, provides opportunities to model civil discourse about difficult issues, creates a common “reader” that our professors can refer back to throughout our students three years at UST to facilitate our efforts to integrate the mission more pervasively across the curriculum, and fosters further opportunities to reflect on the role of the lawyer and the moral implications of being a lawyer. Students write one reflection paper each semester, connecting something discussed in Foundations of Justice with something discussed in another course or something experienced through the Mentor Externship. Students also work together on a paper and presentation that involves either applying the justice themes we discussed to a recently proposed bill or enacted statute or interviewing an attorney or judge (many choose their mentors) about the role of morality in their professional experience, their selection of and relationship with their clients and their commitment to pro bono activities.

ii. Mentor Externship

The Mentor Externship is an innovative program that incorporates the mission of the school as well as many of the best practices outlined in Educating Lawyers by uniquely blending the introduction and development of key professional skills (including relationship skills often used in the profession but seldom addressed in the traditional legal curriculum) with a focus on the lawyer’s ethical and moral duties (both the floor and the aspirations of our profession) in the use of the skills. The externship was required from the beginning in 2001 but has gone through major revisions to respond to lessons learned about what is most effective in engaging students on these topics.

The Mentor Externship is a three-year program which includes every student at UST Law in each year of law study. Each year, all students are assigned to and work with an attorney or judge as mentor. The mentors are recruited from the breadth of the Twin Cities legal community and trained in the structure and goals of the program. Grading is pass/fail; a passing grade means all classroom and fieldwork requirements were completed at a professional level, including meeting deadlines.

The requirements of the program for first-year students include:

- an orientation and training in the first week of law school classes;
- assignment to an attorney or judge as the student’s individual mentor;
- the creation of a personal and professional development plan, including an individualized goal-setting worksheet to be completed with the mentor;
- the completion of at least four mentor externship experiences during the year, for a total of at least 12 hours of experience (which experiences should relate to the goals set forth in the personal and professional development plan);
- the preparation of at least two 250-word debriefing summaries based on a conversation or experience with the mentor.

All of these activities must be properly recorded and logged in the mentor externship system and reviewed with the mentor and the Director. There are no classroom requirements in the first-year.

In the second and third years, law students complete a fieldwork component similar to that in the first year, with the additional requirements that:
• a minimum of two experiences must be completed and logged by the end of the first semester;
• students must complete a minimum of five experiences by the end of the year, plus a minimum of two debriefings or conversations with their mentors, for a minimum of 24 (twenty-four) hours of total fieldwork.

Second- and third-year students also participate in the Mentor Externship Seminar. Each semester, the seminar involves a large group presentation, a small group discussion and individual meetings with the faculty member working with the small group to discuss educational goals for the year, in the Mentor Externship and inside and outside the classroom. The structure is designed to reinforce the importance of relationship skills essential to successful lawyering within a context focusing on self-directed learning. Students will write reflection journals not only on their mentor experiences and the relationship skills emphasized in the group meetings and discussions, but also on how they are progressing on their goals for the year to foster habits of reflection toward greater self-awareness and self-understanding.

Each student participates in the fieldwork portion of Mentor Externship concurrently with the classroom component. Mentors are given all of the seminar topics at the beginning of the year and are contacted by Mentor Externship adjuncts during the year to encourage them to discuss and, where possible, expose their students to the classroom topics in the field.

The program is committed to a one-to-one ratio of mentors to students and presently has over 500 mentors from the Twin Cities legal community supporting the professional formation of our students. One reason for the success of the Mentor Externship program is the support the faculty has universally provided to the program. This support comes in multiple forms. As a matter of academic support, all faculty have agreed to allow each student one absence from any given class to allow the student to participate in a mentor experience (given that many of the mentor experiences will take place during the business day and may conflict with a scheduled class). In addition, faculty “talk-up” the Mentor Externship in informal conversations with students – emphasizing for students why the Mentor Externship is an important experience for them and discussing with them what they are learning from their experiences. This sense of being “on message” – rather than counter to message – plays an important role in reinforcing the culture of formation at the School of Law.

iii. Lawyering Skills

The Lawyering Skills program has played a critical role, particularly in promoting excellence in professional preparation and in assisting students in their efforts to integrate ethics and faith into their professional identities.

The first-year includes two semesters of Lawyering Skills. These courses represent the first-year students’ primary introduction to some of the foundational skills of lawyering reflected in Carnegie’s second apprenticeship while also providing a lens for thinking about the third apprenticeship – professional identity. This series continues into the second-year when students must take a third semester of Lawyering Skills. These courses involve a significant amount of one-to-one formative assessment as students receive feedback on drafts of multiple writing
assignments and on an oral argument. The small sections provide opportunities for relationships with professors who model integration of all three apprenticeships. These courses represent one context in which all three apprenticeships are integrated, as the courses not only emphasize critical thinking and analytical skills, but also research and writing skills and professionalism.

iv. Professional Responsibility Instruction

The required Professional Responsibility course covers “the history, goals, structure, duties, values and responsibilities of the legal profession and its members” The faculty has tried to emphasize the centrality of professional responsibility to legal education at UST by requiring Professional Responsibility during the second year. The course is taught through a variety of methods, including cases, problems, and small group discussions. Roughly half of the discussion analyzes and clarifies the application of the Model Rules of Professional Conduct to typical problem situations; the other half of the discussion focuses on the core principles and ideals of the profession and personal conscience of the individual lawyer. Students discuss how to counsel clients on ethical issues and how to improve peer review and peer culture in the profession. Some professors emphasize reflective journals when teaching professional responsibility, again fostering the habit of reflection, self-awareness and self-understanding.

v. Other Required Doctrinal Courses

UST’s general curriculum also includes traditional required, first-year doctrinal offerings – Civil Procedure, Contracts and Torts in the fall semester and Constitutional Law, Criminal Law and Property in the second semester – and two upper-level required doctrinal courses – Business Associations and Evidence. In these courses, students not only get instruction in the core knowledge and cognitive, analytical skills that represent Carnegie’s first apprenticeship, they also have opportunities to reflect on lawyering, morality and justice as our professors find ways to integrate the mission in these doctrinal classes and model for their students integration of faith and professional identity.

B. Elective Curriculum Emphasizing Professional Identity Formation

i. Experiential Learning

We also offer an array of experiential learning opportunities that promote integration of all three apprenticeships, most notably through our clinical courses – Community Justice Project, Elder Law Clinic and Immigration Law Clinic – that are part of the Interprofessional Center for Counseling and Legal Services (Center) – and the Bankruptcy Law Clinic and Federal Commutation Clinic. The Center was established by the Schools of Law, Social Work, and Professional Psychology (1) to offer hands-on experiential and interdisciplinary learning opportunities to students in all three schools; and (2) to serve the underserved within the community. The different disciplines within the Center work both independently and collaboratively to educate students and serve clients. Students receive excellent professional preparation together with opportunities to integrate faith and reason in experiential learning about ethics, social justice, and public policy, while serving the disadvantaged and underserved. The Clinic integrates all three apprenticeships as law students combine legal analysis of specific
areas of the law with the development of practical skills and professional identity, all through the
direct representation of clients and under the supervision of clinical faculty.

This interdisciplinary approach reminds students that many legal problems have non-legal
components and that other professionals can play an important role in helping clients work
through challenging situations. These clinical courses provide students with opportunities to
apply their knowledge and critical thinking skills, to practice their lawyering skills (whether
interviewing, counseling, oral or written communication, negotiation, problem-solving, fact
investigation, planning or advocacy), and to reflect on what it means to be a lawyer working on
behalf of a client. This is done in a context of significant formative feedback from our clinical
faculty who closely supervise the students’ efforts.

In addition to the clinical courses, we have three externships (in addition to the Mentor
Externship discussed above) – the Judicial Externship, the Business Law Externship, and the
Public Interest Externship – each of which provides students hands-on experiences of being a
lawyer. These courses have a weekly classroom component in which students get to discuss and
reflect upon the professional identity issues presented by their work environments. Students also
have to write weekly journal entries describing what they are learning about the profession and
about themselves as professionals.

ii. Other Skills Offerings

In addition, students have a host of elective skills or simulation courses available to them,
including Client Interviewing and Counseling, Negotiation, Mediation, Alternative Dispute
Resolution, Transactional Drafting, Pre-Trial Civil Litigation, Trial Advocacy, and Advanced
Trial Advocacy. These courses give students opportunities to practice specific sets of skills and
to receive significant amounts of formative feedback while also providing students opportunities
to reflect on “being” a lawyer, whether in a counseling setting, as a negotiator, as an advocate in
mediation or in a litigation setting.

iii. Ethical Leadership Courses

Starting in the fall of 2003, the School of Law added a course entitled Ethical Leadership in
Corporate Practice. This course helps students explore their role as counselors and servant
leaders in a corporate practice setting. Using a case study methodology common in business
schools, students discuss cases and real-world problems with a focus on counseling and problem
solving. After reflecting on their own values, students examine the concept of leadership within
the profession and hear from numerous guest lecturers who are leaders in Minnesota’s legal and
corporate communities. A second similar course was added in 2007-08, entitled Ethical
Leadership in Litigation. It uses a similar case study method to focus on the lawyer’s role as
counselor and servant leader in the litigation context, welcoming numerous guest lecturers who
are leaders in Minnesota’s civil and criminal litigation communities. Both courses require
journals and team written assignments and presentations that foster self-assessment and
reflection. A third iteration, Ethical Leadership in Social Justice also has been offered
intermittently.
iv. Elective Doctrinal Course Offerings

Students also have opportunities in other doctrinal electives to integrate the cognitive/analytical, practical skills and professional identity formation, as these classes frequently offer opportunities to experience or reflect upon fact investigation, client counseling role plays, negotiation or mediation, drafting exercises, and questions of professional responsibility.

vi. Practicums

Most recently, we have added to our curriculum upper-level “practicum” courses – courses that really seek to accomplish the integration of the three apprenticeships discussed by the Carnegie Report – the cognitive, the skills and the professional identity formation. These courses will feature doctrinal coverage of one or more topics, with opportunities for learning by doing and reflecting on the professionalism issues and professional values likely to arise in the context of working on issues within that field.

C. Formative Feedback and Integration of Skills and Values

Notably, in all first-year first-semester courses and in most first-year second-semester courses, professors provide both formative assessment and summative assessment. In some of the required upper-level courses and in many of the elective courses, professors – both full-time and adjunct professors -- also provide both formative assessment and summative assessment. We have embraced a culture in which formative assessment in the form of a mid-term exam is required in first-year first-semester courses and is strongly encouraged in first-year second-semester courses. We also have encouraged full-time and adjunct faculty teaching upper-level courses to integrate formative assessment. While this obviously happens consistently in clinical courses and in skills/simulation courses, it also happens with great frequency in doctrinal and elective courses – whether through short quizzes, a mid-term exam, short writing-exercises or reflective papers.

In a number of doctrinal courses, professors also provide students with opportunities to learn about and practice fundamental lawyering skills. This can take the form of brief client interviews in a Property class, or a zoning board presentation in Land Use, or a drafting exercise in Mergers and Acquisitions. Across our curriculum, full-time and adjunct professors search for and find ways to integrate some exposure to skill instruction in doctrinal classes. In addition, in Lawyering Skills courses and in a variety of doctrinal courses professors discuss professional responsibility issues where relevant to the topics under consideration.

The integration of faith and ethics pervasively throughout the curriculum builds both the personal conscience emphasized in the Preamble to the Model Rules and internalization of the profession’s core principles and ideals. The ongoing integration of skills and ethics issues in courses throughout the curriculum provides students continual reinforcement of the ethical principles they are taught in Professional Responsibility and an ongoing opportunity to remain connected with and nurture the moral compasses that guide their personal and professional lives.

D. Non-Course Requirements – The Public Service Requirement
In addition to all of the curricular emphasis on formation of professional identity, the UST School of Law, since its inception, has imposed a 50-hour public service requirement for all graduates, one of the first law schools to emphasize service as a requirement for graduation. This requirement assures that students participate in service programs designed to address the needs and improve the conditions of the disadvantaged and underserved so that they integrate their commitments to serve society into their personal and professional lives. As part of this commitment, other members of the Law School community (faculty and staff) are encouraged to devote at least 50 hours every three years to some form of public or community service. In addition, there are Public Service Days once each semester in which the entire community gathers in pursuing service projects in various locales throughout the Twin Cities. This modeling reinforces for our students the importance of public service as students and as future members of the legal profession.

We require public service for two reasons. First, the obligation to serve others does not end on enrollment in law school and begin again on graduation; law students remain members of the broader community, with all of the accompanying responsibilities. Second, one of the indicators of whether a lawyer will do pro bono work in the future is whether that lawyer has done pro bono work in the past. Law students who have served the community before graduation – even under the compulsion of a public service requirement – are far more likely to integrate an ethic of service into their professional identity and choose to serve the community after graduation.

The requirement of public service may be satisfied by a wide range of activities, consistent with our vision that students draw on their own faith and values in serving the public, and it need not be in the form of legal advice or research. For those students interested in doing legal pro bono, the School of Law works in partnership with the Minnesota Justice Foundation (MJF), which has a staff attorney in an office at the School of Law, to promote legal pro bono opportunities. The MJF office and the office of the student-run Public Service Board are both located on the hallway on the second-floor (the skyway level) to provide significant visibility to these efforts.

2. The Apprenticeship of Ethical Identity Formation in the Culture

The School of Law is highly intentional about creating a culture that reinforces emphasis on professional identity formation by hiring and recruiting to mission, setting aside time for “worship,” fostering other opportunities for spiritual growth, recognizing exemplars within our community through our Mission Awards Ceremony, providing a host of extra-curricular opportunities for our students, providing a distinct approach to student services and career and professional development, offering an intellectually vibrant environment by bringing to campus a wide range of speakers/events, instilling an ethos of institutional reflection, and emphasizing teaching/learning through the lens of our mission as we confront challenges.

A. Hiring and Recruiting to Mission

i. Recruiting and Hiring Faculty and Staff

Because the School of Law is a mission-driven institution, it has been attentive from its inception
to the need to hire faculty and staff who feel called to its distinctive mission, aware that the vitality of such a mission is largely a function of maintaining a critical mass of people truly committed to the mission. When recruiting and hiring faculty and staff, the School of Law informs prospective faculty members of the mission and asks them to reflect upon and speak to ways in which they believe they can contribute to the mission. We have been very successful to date in hiring faculty who are accomplished scholars and teachers, but who also are people of faith able and willing to model and to engage students in their integration of faith and reason in a search for truth through a focus on morality and social justice. We also have recruited and hired staff with a similar emphasis on mission.

As part of our review process for faculty, the Dean regularly asks faculty to reflect upon and share how they have integrated the mission in the classroom. The responses are compiled and circulated to reinforce for all faculty the continuing importance of integrating the mission in the classroom and to foster creative reflection on ways to integrate the mission in the classroom as we see the various distinctive ways in which our colleague integrate the mission in the classroom.

We also have frequent faculty retreats or faculty and staff retreats in which we discuss the mission and the ways in which the mission can be lived out more fully in the way we do things at the School of Law.

ii. Recruiting Students to Mission

In addition, we have been very explicit about this distinctive mission in our efforts to recruit students, both in terms of our web presence and our viewbook and other materials we distribute to prospective students. We want to recruit students who find this mission attractive and will help work with the faculty and staff to sustain the vitality of the mission. Our efforts include a mission marketing campaign focused on building relationships with undergraduate institutions that share our mission in some way and on building relationships with campus ministry offices and with volunteer organizations such as the Jesuit Volunteer Corps. Once again, we have been fairly successful in this endeavor as nearly three-quarters of our first-year students regularly report that the mission played a significant role in their decision to come to the University of St. Thomas School of Law. Having this percentage of students attracted by the mission assures us that with each passing year, as we say good-bye to our graduating students and welcome our new first-year students, there will be a critical mass of students interested in and capable of embracing the distinctive, supportive, formative culture we are trying to sustain and nurture.

Notably, the admissions staff sets the tone for the students experience of the law school culture by providing a very personalized admissions process. In this process, the admissions staff recognizes that the University of St. Thomas School of Law is not necessarily the most appropriate law school for every applicant. By emphasizing with applicants that law school is a calling or vocation and that applicants really need to reflect on whether the University of St. Thomas School of Law is where they feel called to study law the admissions staff sets the foundation for the formation culture the School of Law is aspiring to create and sustain.

The First Week program discussed above (in the context of Foundations of Justice) also
reinforces the importance of our mission and helps acclimate students to take responsibility for contributing to the distinctive learning community we have formed that is grounded in our mission.

B.  **Worship Time and Spiritual Enrichment**

To help our students remain connected to who they are as people of faith while they are learning to become lawyers, the School of Law has set aside one half-hour each weekday, from 12:00-12:30, for spiritual nourishment and enrichment – what we call “worship” time. During this block we preclude faculty from hosting classes or meetings and we preclude student organizations from having meetings. Lunch hour events run from 12:30-1:25 to avoid conflicts with “worship” time. During worship time, the students, staff and faculty have access to daily mass in the St. Thomas More Chapel; several times per week, there are also opportunities for yoga, for non-denominational prayer services, and for faith sharing and other forms of spiritual enrichment. In addition, there is a St. Thomas More Chapel Choir (comprised of students, staff, faculty and friends of the law school), that rehearses once a week and sings at Mass approximately once a month.

For the last several years, the School of Law also has offered a weekend “vocation” retreat at the start of each semester. The retreats, which are attended by 10-20 students (and an occasional alum) are co-facilitated by Professors Jerry Organ and Susan Stabile (the latter being a trained spiritual director). These retreats offer students an opportunity to reflect upon their gifts and how God might be calling them to use their gifts while they live out their vocation as law student, spouse, sibling, child, volunteer, and friend with and among those with whom they are in relationship. During the school year, Professor Stabile also hosts a variety of opportunities for spiritual reflection, including Advent and Lenten retreats in daily living and also an evening retreat for students and mentors.

The fact that our full-time faculty all are people of faith (with several different religious traditions reflected on the faculty) who have chosen to be at St. Thomas because it fosters an environment in which students are encouraged to integrate faith and professional identity means that students also have opportunities to discuss with faculty both inside and outside the classroom issues of faith relevant to the law and to lawyering.

C.  **Mission Awards Ceremony**

Since its inception, the School of Law has had an annual Mission Awards Ceremony each spring to recognize student, staff, faculty, adjunct faculty and mentors who have contributed significantly to the mission of the School of Law. The Mission Awards Ceremony recognizes people who have contributed to one of the three areas emphasized in the School of Law’s Vision Statement – excellence in professional preparation, in scholarly engagement and societal reform and in service and community. In addition, we recognize one member of the first-year, second-year and third-year classes, and one alumae/us with a “Living the Mission” award for exemplary efforts in being true to the School of Law mission. The recognition of mission-related contributions, rather than just academic success, signals to students the value we place on the mission and the importance of integrating faith and service into one’s professional identity.
D. **Student Organizations, Student Competitions, and Student Services**

The School of Law has a host of student organizations that embrace the mission and seek to foster formation of an integrated professional identity. Student Government feels responsible for fostering an environment in which the mission is alive and vital. The Law Journal, for example, has sponsored symposia grounded in some way in the mission. The Board of Advocates similarly organizes student competitions, and sponsors student teams representing UST in ABA and other competitions, giving students multiple opportunities to be in the role of a lawyer while reflecting on the demands of high professionalism. Other student organizations sponsor public service opportunities for faculty, staff and students or welcome speakers who address topics that include ethical leadership and integration of one’s moral compass into one’s professional identity.

The Student Services office also takes a very individualized approach to dealing with students. When students come in facing academic challenges or challenges in their life, whether individual challenges with depression or alcohol or physical illness, or family challenges that intrude upon a student’s opportunity to be a full participant in the law school experience, the School of Law engages these students as individuals, wherever they are in their life, and tries to develop a plan with them that will allow them to learn from their experience and to find ways to foster greater personal responsibility and academic success.

E. **Office of Career and Professional Development**

The name of the office is some indication of the formation emphasis of the School of Law. The Office of Career and Professional Development is not Career Services or the Placement Office, it is the Career and Professional Development office. The office supports a great deal of vocational discernment and approaches its interactions with students from a formation emphasis – not just trying to help students find a job, but helping students better understand who they are, what their unique gifts are, and what work environments would be most likely to allow them to thrive. The office provides extensive programming to help students learn about a wide array of practice areas and practice contexts and really fosters an individually-oriented approach to looking at professional development options. While much of what the office does is comparable to what similar offices do at other schools, there is a difference in the manner with which the office engages students and graduates – providing a more personalized and reflective approach that encourages students to reflect upon and deepen their self-understanding as they consider the various career paths they can pursue as a lawyer.

F. **Murphy Institute and Holloran Center Speakers and Programs**

Over the course of each academic year, we feature a number of speakers and programs sponsored by the Terrence J. Murphy Institute for Catholic Thought, Law, and Public Policy, by the Holloran Center for Ethical Leadership in the Professions, and/or by student organizations that provide opportunities to discuss and reflect upon issues associated with the School of Law’s mission. The Murphy Institute is a joint effort of the School of Law and the Center for Catholic Studies. Its purpose is to "explore the various
interactions between law and Catholic thought on topics ranging from workers’ rights to criminal law to marriage and family.” Many of the speakers and programs it sponsors reinforce the School of Law mission given that these programs promote the “intellectual integration of faith into the study of law, professional ethics, public policy, and social justice.” During the 2011-12 academic year, it sponsored the Hot Topics, Cool Talks series covering a variety of issues of concern in society with speakers addressing the topics from a variety of faith perspectives.

The Holloran Center for Ethical Leadership in the Professions has a mission to provide innovative interdisciplinary research, curriculum development, and programs focusing holistically on the formation of both students and practicing professionals into ethical leaders in their communities. In February 2008, the Holloran Center organized and hosted the first national, interdisciplinary conference on “The Formation of an Ethical Professional Identity” with scholars from the sciences, the health professions, the clergy, engineering, the professorate, and law. The University of St. Thomas Law Journal published the seven scholarly papers. One portion of the conference featured a conversation about needed research on professionalism, which will be an area of increased emphasis for the Holloran Center. In 2010, the Holloran Center hosted a conference on empirical research regarding professionalism, something it will be doing again in 2012.

Second, the Holloran Center has annually hosted Medtronic Business and Law Roundtables on ethical leadership topics, including corporate governance, the mortgage meltdown, values-based leadership, and a retrospective on Watergate, with emphasis on the ethics of the lawyers. In addition, it has sponsored a series of presentations related to “learning from mistakes” – featuring professionals convicted of white collar crime who saw their lives ruined by unethical decisions.

Third, the Holloran Center annually sponsors several Trusted Adviser lunches in which the Dean hosts lunch with ten students and a distinguished ethical leader in our community to foster the students’ growth as leaders. The Center also teams several times a year with student organizations (particularly the Business and Corporate Law Society) to bring in ethical leaders for lunch programs with the students.

G. Alumni Relations Office

The Alumni Office has developed over the last few years with an engagement model of alumni relations – designed to sustain relationships with our graduates and help them continue to feel a part of the UST law community. This engagement model is reflected in efforts to invite alumni to participate in the formation experience of the law school as mentors, as guest lecturers or coaches in courses such as Negotiations, as coaches for our student competition teams, as participants in our Career and Professional Development office programming, as participants in our student organization programming, and as volunteers working with students in pro bono activities and in other service opportunities. The Alumni Office fosters ongoing professional development as well through a variety of programming opportunities for graduates.
The engagement of our alumni, who lead the country in terms of percentage giving to the law school annual campaign, suggests that our efforts to be intentional regarding our mission are perceived by our graduates as having added value to their legal education.

**H. An Ethos of Institutional Reflection**

One of the great strengths of the School of Law is the ethos of institutional reflection that guides much of what is done at the School of Law (and models for students the importance of reflection and self-directed learning in the profession). The School of Law has been engaged in an ongoing series of reflective conversations about how we do what we do and how we can do it better. This is reflected in a variety of changes to components of our educational program and to our culture.

For example, we made changes to our Lawyering Skills program to accommodate the scholarly expectations that we have placed on our tenure-track lawyering skills faculty. Similarly, we have made two sets of changes to the Mentor Externship, initially in response to the desire of students to earn credit for the investment of time they were making in the Mentor Externship (which resulted in the addition of the seminar in the second and third years and the revision of the course content of the seminar in response to feedback from students and faculty during and after the first year it was taught as a required course) and more recently the revisions more explicitly emphasizing relationships and self-directed learning. We also launched the Foundations of Justice course in an effort to foster greater integration of our mission and then redesigned the Foundations of Justice course based on survey responses from students, focus group conversations between students and faculty, and a reconceptualization of what we hope to accomplish with the course. The implementation of the worship hour also resulted from our reflection on the lived experiences of faculty, staff and students trying to cram too many activities into a one hour break between classes.

This ethos of institutional reflection is something we manifest explicitly so that students see it and are aware of it. This complements what happens in many classes in which students are being asked to develop the habit of reflection by writing reflection journals (classes such as Foundations, Mentor Externship, the Clinics and Ethical Leadership, to name just the most prominent examples).

**I. Emphasis on Viewing Challenges through the Lens of the Mission -- as Opportunities for Teaching and Learning through Civil Discourse**

We also have developed a cultural response to challenging situations that emphasizes looking at the challenge through the lens of the mission and looking at the challenge as an opportunity for teaching and learning with an emphasis on civil discourse. Virtually everything that goes on in a law school touches upon some aspect of what it means to be an ethical lawyer, leader, and professional. When challenging situations present themselves, we have generally embraced a model of dialogue geared toward feedback, reflection and dialogue. We listen and try to understand the problem. We reflect on how the problem connects with our mission. And we engage in dialogue about the problem with an eye toward what we can learn and what our students can learn from the experience. This has been the case with both larger issues that have confronted our community as well as with smaller issues that may affect only a small number
within our community. This willingness to listen and to dialogue in the context of the mission and with an eye toward learning from the experience has provided teachable moments for our students and for us as faculty, as administrators and as an institution.

3. Efforts at Assessment and Suggestions for Improvement Going Forward

We have some evidence that our efforts have borne fruit in terms of helping students develop an ethical professional identity and in instilling in students a commitment to social justice and public service.

We have had full-time and adjunct faculty complete a Learning Objectives Survey that helped us confirm that across the curriculum we are trying to emphasize consistently a variety of skills and values that are foundational to a professional identity likely to lead to success as a lawyer.

Data from the Law School Survey of Student Engagement from 2008 show that students at the University of St. Thomas School of Law reported markedly higher ethical, moral and spiritual development than peers from other law schools that participated in the survey. Moreover, data from the LSSSE survey also indicates that volunteer/pro bono work enriches the UST students’ educational experience to a statistically significant degree when compared with peers at other schools. The survey data also showed that UST students demonstrated a greater desire to contribute to the welfare of their communities than their peers at other schools.

This emphasis on public service also is reflected in the choices our graduates make regarding employment. Over the last several years, UST graduates have shown an unusually strong commitment to public interest work following graduation (with roughly 8-12% of our graduates on average entering public interest positions, over two to three times the national average of 3-4%). Most recently, the National Jurist magazine ranked UST seventh in the country in its commitment to public interest.

While these data are encouraging, much more work needs to be done on the assessment front. As we think about areas of additional assessment, we are likely to complement our efforts to inventory what we think we are teaching by assessing what it is our students are learning. This will help us better understand the extent to which we have a hidden curriculum that may complement or contradict some of the formational goals that are the emphasis of our mission.

Finally, we will need to develop survey instruments and assessment tools that will allow us both to assess generally whether we are helping our students advance in their internalization of an ethical professional identity and to assess which discreet components of the curriculum contribute the most to our students’ moral development and to the development of an integrated ethical professional identity. We also will need to develop survey instruments and information gathering processes that will allow us to track our graduates on a longitudinal basis.