Report on 2012-13 Academic Year

The Center’s Seventh Year

Executive Summary
Mission Statement

The Holloran Center’s mission is 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.
EXECUTIVE SUMMARY

“The Holloran Center is leading the way.”

In its seventh year, the Holloran Center continued to focus on its mission to help the next generation form professional identities with a moral core of service to and responsibility for others. This report covers the Center’s interdisciplinary research, its curriculum development, and its programs during the last year.

In 2012-13 the Center reached a new level of national recognition from outstanding scholars in both legal education and education for the professions generally, and practitioners in law. Below are just a few of the comments we received last year:

“I have become a great fan of your recent scholarship in the professionalism and leadership area, especially given the empirical analysis that supports your opinions.”
Donald J. Polden, Dean, School of Law, Santa Clara University

“I admire the work of the Holloran Center and always read with interest the annual report and reprints that you send me.”
Patricia A. O’Hara, Professor and Former Dean, Notre Dame Law School

“The Holloran Center remains the leading professionalism center ...”
Russell G. Pearce, Edward & Marilyn Bellet Professor of Legal Ethics, Morality and Religion at Fordham University

“St. Thomas is one of the leaders in the drive for real professional education.”
Todd Peterson, Professor, George Washington School of Law
“I genuinely value your work, perspectives, vision, and commitment to bring more focus to the empirical side of professionalism and ethics – it is fabulous and needed, and a great opportunity to share ideas with like-minded others.”

Larry Krieger, Professor, Florida State University School of Law

“The work coming out of Minnesota has been cutting edge on helping to set the goals and now in finding ways to get there.”

John Berry, former chair of the American Bar Association’s (ABA) Professionalism Committee and past-winner of the ABA’s highest award, the Michael Franck Award for Professionalism

“Your legal and educational contributions have made our profession stronger and our community a better place.”

John M. Koneck, Attorney, Fredrikson & Byron, P.A.

SCHOLARSHIP

The Holloran Center, through its research, seeks to change the existing paradigm and culture both of higher education in the professions and business and among practicing professionals to put greater emphasis on ethical professional formation. In 2012-13, the Center’s Director and Fellows published 33 articles or manuscripts on topics in ethical leadership, ethical professional identity, professionalism, and governance or ethics. The Center is providing particularly strong national leadership on empirical research to identify the most effective pedagogies to help students grow as ethical leaders with an internalized moral core directed at serving others.

The Center’s research contributes substantially to a growing body of scholarship and empirical studies on the formation of an ethical professional identity in the professions and business. This research shows that an ethical professional identity based less on short-term self-interest and more on awareness of and responsibility for the consequences of one’s decisions for
others and for society is not simply a matter of personality, innate traits, or virtues learned in childhood. Ethical professional formation can occur over a life span; higher education can and should foster each student’s growth.

CENTER PUBLICATIONS IN 2012-13

Neil Hamilton, Director, Professor of Law

Published:

Co-authors: Neil W. Hamilton, Verna Monson, & Jerry Organ

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Forthcoming:


Under review:

*Leadership Models in Healthcare - A Case for Servant Leadership*
Co-authors: Victor F. Trastek, M.D., Professor of Surgery, Department of Cardiovascular and Thoracic Surgery, Mayo Clinic, Neil W. Hamilton, & Emily Niles (3L student, University of St. Thomas School of Law)

**Shorter articles:**

“The 1940 Statement of the Principles of Academic Freedom and Tenure” in a publication by the Association of College Trustees and Alumni titled FREEDOM TO LEARN AND FREEDOM TO TEACH (2013) [sent to 10,000 trustees and regents]

“Too Few Examples, Too Much Law” in ACADEMIC QUESTIONS (2013)

“Legal Ethics and Business Ethics” in ENCyclopedia OF MANAGEMENT (3d ed. 2012)

“Empirical Research on Fostering Each Student's Professional Formation” in AALS PROFESSIONAL RESPONSIBILITY NEWSLETTER (June 2012) (with Verna Monson)

“Professionalism’s Foundation is an Internalized Responsibility for Others” in MINN. LAWYER (August 14, 2012)

“Law Firms Can Foster Professionalism and Relationship Skills” in MINN. LAWYER (June 10, 2012) (with Brady Janzen)

Jerry Organ, Associate Director, Professor of Law

**Published:**


Co-authors: Neil W. Hamilton, Verna Monson, & Jerry Organ


Lyman Johnson, Fellow, Laurence and Jean LeJeune Distinguished Chair in Law

Published:


Gender in the Supreme Court: Securities Law, Rutgers Women's Rights Law Reporter 1 (2012)


Forthcoming:

Unsettled and Unsettling Issues in Corporate Law, Delaware Journal of Corporate Law (2013)

Pluralism in Corporate Form: Corporate Law and Benefit Corps, Regent Law Review (2013)


Susan Stabile, Fellow, Robert and Marion Short Distinguished Chair in Law and Professor

Published:

FEMINISM, LAW AND RELIGION (Ashgate Press 2013)
Co-edited with Lisa Schiltz & Marie Failinger

GROWING IN LOVE AND WISDOM (Oxford 2013)

Blame it on Catholic Bishop: The Question of NLRB Jurisdiction over Religious Colleges and Universities, 39 PEPPERDINE LAW REVIEW (2013)

Langbein, Pratt and Stabile, Pensions and Employee Benefits, 2013 Supplement to Fifth Edition (Foundation Press)

Christopher Michaelson, Ph.D., Fellow, Holloran Center, & Associate Professor, Ethics and Business Law Department, Opus College of Business

Published:

Co-authors: Glac, K., & Michaelson, C.


Forthcoming:

Co-authors: Michaelson, C., Pratt, M.G., Grant, A.M., & Dunn, C.P.
Verna Monson, Ph.D., Research Fellow

Published:

Co-authors: Neil W. Hamilton, Verna Monson, & Jerry Organ

Co-authors: Neil W. Hamilton, Verna Monson, & Jerry Organ

Forthcoming:

Co-authors: Muriel J. Bebeau, Ph.D., Professor, Department of Primary Care, School of Dentistry, University of Minnesota, & Verna E. Monson, Ph.D., Research Fellow, Holloran Center

Cooperation-competition and Constructive Controversy in Developing Professional Ethics in Law School Classes, UNIVERSITY OF ST. THOMAS LAW SCHOOL JOURNAL
Co-authors: With David W. Johnson, Ed.D., Professor Emeritus, Department of Educational Psychology, University of Minnesota; Roger T. Johnson, Ph.D., Professor, Department of Curriculum and Instruction, University of Minnesota; & Verna E. Monson, Ph.D., Research Fellow, Holloran Center

Under review:

The Organizational Dividend of Professionalism
Co-authors: Michael D. Brennan, M.D., Professor of Medicine, and Director, Program in Professionalism and Ethics, the Mayo Clinic, Rochester; & Verna E. Monson, Ph.D., Research Fellow, Holloran Center
EVENTS & LECTURES

National and Regional Speaking Engagements

In 2012-13, Center staff spoke at 39 events to approximately 3,000 people at regional, national, and international conferences on topics related to the Center’s mission. Director Neil Hamilton gave 21 speeches to approximately 1,300 people. He spoke at six national law schools on the topic of "Legal Education's Ethical Challenge: Empirical Research on How Most Effectively to Foster Each Student's Professional Formation (Professionalism),” including Mercer University (Georgia), Santa Clara (California), Pepperdine (California), New Mexico, and Hofstra and Fordham (New York).

In addition to Hamilton's presentations at law schools, he was an invited keynote presenter at Educating Tomorrow's Lawyers (ETL), a consortium of 28 law schools nationally, the National Legal Mentoring Consortium, and the Supreme Court of Ohio’s Student to Lawyer Symposium.

Jerry Organ, Associate Director, spoke on current topics in legal education to approximately 750 people. National presentations include the January meeting of the Association of American Law Schools (AALS), an American Bar Association (ABA) Task Force meeting, and Pre-Law Advisors National Council (PLANC) meeting in June, 2012, and the 8th International Symposium on Catholic Social Thought and Management Education in Dayton, Ohio.

Hank Shea, Senior Fellow, spoke on ethics or made joint ethics presentations to more than 1,900 people at events around the nation and locally, including at UST (law and MBA students and undergrad business majors), Harvard Law, Santa Clara Law (Markkula Center for Applied Ethics), Minnesota Boys State, Minnesota Business Venture, and Youth Frontiers Ethical Leadership.

A partial list of conferences where Center staff and fellows presented included:

Educating Tomorrow's Lawyers (ETL), The Development of Professional Identity in Legal Education: Rethinking Learning and Assessment, September 27-29, 2012 (Hamilton, Organ, Monson)
8th International Symposium on Catholic Social Thought and Management Education: Renewing Mission and Identity in Catholic Business Education, University of Dayton, June 2012 (Johnson & Organ)

National Legal Mentoring Consortium, Minneapolis, October 2012 (Hamilton & Monson)

Association of American Law Schools (AALS) Annual Meeting, Hot Topics Panel on Transparency (New Orleans, LA., January 2013) (Organ)

University of Michigan Employee Benefits Conference, March 11, 2013 (Stabile)

International Society for Business, Economics, and Ethics (Warsaw, Poland, 2012) (Michaelson)


MEDTRONIC BUSINESS AND LAW ROUNDTABLES

The Center hosted five Medtronic Business and Law Roundtables with attendance averaging approximately 120 per roundtable.

EMPIRICAL PROFESSIONAL ETHICS: ETHICAL DEVELOPMENT IN THE LEARNING AND PRACTICE OF LAW
September 22, 2012

Speakers:
Heather Bock, Lori Berman, & Juliet Aiken (Georgetown School of Law);
Daisy Floyd (Mercer University School of Law);
Susan Fortney (Hofstra University School of Law)
Neil Hamilton, Verna Monson, & Jerry Organ (University of St. Thomas School of Law);
David W. Johnson (University of Minnesota);
Michael Krauss (George Mason Law School) & Jeremy Kidd (Mercer University School of Law);
Milton Regan & Lisa Rohrer (Georgetown School of Law);
Bob Rosen (University of Miami School of Law); and
Carole Silver, Heather Ann Haeger, Louis Rocconi, & Lindsay Watkins (Indiana University).
Co-sponsor: UST Law Journal

THE NATIONAL LEGAL MENTORING CONSORTIUM: MANAGING MENTORING PROGRAMS IN A TIME OF CHANGE
October 4-6, 2012

Keynote: Ida Abbott, Esq., (Ida Abbott Consulting, on the topic "Mentoring as a Way to Improve Gender Equity in the Legal Profession")

Presenters: Neil Hamilton & Verna Monson (University of St. Thomas School of Law);
Lori Keating (The Supreme Court of Ohio) & Judie Rush (University of St. Thomas School of Law);
Mark Korf (Thomson Reuters);
John Montgomery (Nelson Mullins Riley & Scarborough Center on Professionalism, University of South Carolina School of Law);
Chief Justice Terrence O'Donnell (The Supreme Court of Ohio); &
Tammy Patterson (President and CEO, NALP Foundation).
Co-sponsored by the University of St. Thomas School of Law, the National Legal Mentoring Consortium and the Nelson Mullins Riley & Scarborough Center on Professionalism

LESSONS IN LEADERSHIP
February 11, 2013

Speakers: David Koschik (Managing Partner, White and Case);
Rebecca Love Kourlis (Institute for the Advancement of the American Legal System, and former Justice of the Colorado Supreme Court); and

Tom Holloran (Namesake of the Holloran Center)
Moderator: Jerry Organ (University of St. Thomas School of Law).
LAW AND THE HISTORY OF CORPORATE SOCIAL RESPONSIBILITY
April 26, 2013

Speakers:
Erika George (S.J. Quinney College of Law, University of Utah);
Kenneth Goodpaster (Ethics and Business Law Department, University of St. Thomas Opus College of Business);
Kent Greenfield (Boston College Law School);
Neil Hamilton (Holloran Center for Ethical Leadership in the Professions, University of St. Thomas School of Law);
Ron James (Center for Ethical Business Cultures, University of St. Thomas Opus College of Business);
Lyman P. Johnson (University of St. Thomas School of Law);
Kenneth J. Lipartito (Florida International University and co-author of Corporate Responsibility: The American Experience);
Faith Stevelman (University of Washington School of Law);
Anne M. Tucker, Georgia State University College of Law; and
David G. Yosifon (Santa Clara University School of Law).
Co-sponsored with the Center for Ethical Business Cultures (CEBC), the University of St. Thomas School of Law, the Law Journal Symposium, and Opus College of Business.

THE FREDRICKSON LAW FIRM LECTURE
(also a Medtronic Business and Law Roundtable)

The Fredrikson & Byron Distinguished Lecture is given annually in memory of John Byron, a founding member of Fredrikson & Byron where he practiced from 1955 until 1996. We are now in our seventh year in the series. This year’s lecture featured an interdisciplinary panel discussion on the healthcare crisis.

BUILDING TRUST TO TRANSFORM HEALTHCARE: A DIALOGUE ACROSS THE PROFESSIONS OF LAW, MEDICINE, AND BUSINESS
March 20, 2013

Speakers:
Dr. Michael Brennan, M.D. (Mayo Clinic’s Program in Professionalism and Ethics and Professor of Medicine);
Bill George (Harvard Business School, Former Medtronic CEO, and trustee for the Mayo Clinic and director for ExxonMobil and Goldman Sachs);
Neil Hamilton (Holloran Center for Ethical Leadership in the Professions, University of St. Thomas School of Law);
Dannette Smith (Deputy General Counsel and Secretary to the Board of Directors, United Healthcare); and
Barbara Tretheway (Senior Vice President and General Counsel, HealthPartners).
Co-sponsored with the Center for Ethical Business Cultures (CEBC), the University of St. Thomas School of Law, Opus College of Business, the Veritas Institute, and the Center for Health and Medical Affairs.

TRUSTED ADVISOR LUNCHEONS

Distinguished servant leaders in business and law spoke with approximately 150 law faculty, staff, and law and business students.

Phil Wilson, UST Law alum and tax lawyer in Phoenix, spoke to 70 students in Professional Responsibility on September 13;

Rev. Dr. John Lewis, executive director of The Workshop and former managing partner of a large San Antonio law firm, spoke to a lunch of the Business and Corporate Law Society on Oct. 1;

Mark Sheffert, CEO of Manchester Companies, spoke to a lunch group in the dean's conference room on Oct. 22;

Bill Sullivan, Director, Educating Tomorrow’s Lawyers (ETL) and lead author of the Carnegie Foundation’s 2007 report Educating Lawyers spoke to the faculty and senior staff on Oct. 4;

Kristi Carlson, General Counsel of a North Dakota electric cooperative, spoke to the Ethical Leadership for Student Organizations class on Oct. 12; and

Tim Becker, partner of Lighthouse Management, a consulting firm on bankruptcy, spoke to a lunch group in the dean's conference room on April 8.
RETREATS

Fellow Susan Stabile organized and led a variety of retreats and other programs with the purpose of encouraging spiritual formation and the practice of reflection. Approximately 550 students, faculty, staff, and alumni took part. Programs included:

**Orientation Week Retreat Program** – presented program for incoming 1Ls to introduce them to spiritual growth opportunities at the law school;

**Vocation Retreat Weekends** – co-facilitated student retreat weekend designed to help students uncover their vocation as students and in the legal profession in August 2012 and January 2013;

**Mid-Day Reflections/Dialogues on Faiths** – presented five mid-day programs of prayer and reflection on themes of: Heaven, Hell and Purgatory (with Chato Hazelbaker and Mark Osler), Vatican II (with Father Dan Griffith), Being a Place Where God Happens, Ritual (with Mark Osler and Chato Hazelbaker), Jesus’ Post-Resurrection Appearances;

**Fall Prayer Series** – gave five-week retreat program for students, faculty and staff on the theme of Forgiveness;

**Advent Retreat in Daily Living** – gave four-week retreat in daily living on Advent themes;

**Lenten Retreat in Daily Living** – gave an eight-week retreat in daily living on theme of Walking with Jesus; and

**Weekend Ignatian Retreat** for UST Undergraduates.

**Overall Attendance of Programs, Events & Retreats**

The total attendance of all of the Center’s programs in 2012-13 was approximately 4,550.
PARTNERSHIPS & COLLABORATION

The Holloran Center continues to develop a strong collaborative partnership with the Fredrikson and Byron law firm. The 2013 Fredrikson Lecture, *Building Trust to Transform Healthcare: A Dialogue Across the Professions of Law, Medicine, and Business*, featured Bill George, Professor of Management Practice, Harvard Business School, Former Medtronic CEO, and trustee for the Mayo Clinic and director for ExxonMobil and Goldman Sachs; and Dr. Michael D. Brennan, Professor of Medicine, and Director, Program in Professionalism and Ethics, the Mayo Clinic, Rochester. The event drew an audience of over 200 lawyers, healthcare and business professionals, and students.

Consortium on Educating Tomorrow’s Lawyers

We are now entering our second year of partnership with Educating Tomorrow’s Lawyers (ETL), a consortium of 28 law schools dedicated to "encourage and facilitate innovation in legal education in order to train new lawyers to the highest standards of competence and professionalism." In September 2012, Neil Hamilton, Holloran Center Director and Professor of Law, along with Jerry Organ, Associate Director and Professor of Law, and Verna Monson, Research Fellow, presented an overview of the UST School of Law curriculum and results of the first longitudinal study of law school outcomes at the ETL-sponsored conference "The Development of Professional Identity in Legal Education: Rethinking Learning and Assessment." Hamilton, Organ, and Monson reported evidence that a curriculum and school culture can foster professional identity development.

This summer the Holloran Center and ETL will sponsor a three-day intensive workshop for 28 faculty from around the nation on the topic of *Helping Each Student Internalize the Core Values and Ideals of the Profession.* ETL Director William Sullivan, formerly of the Carnegie Foundation, will facilitate discussions with faculty. Guest presenters include Fred Hafferty, Ph.D., Professor of Medical Education and Associate Director, Program in Professionalism and Ethics, Mayo Clinic, Rochester, Minnesota.
National Institute for Teaching Ethics and Professionalism (NIFTEP)

The Holloran Center continues to be an active member school of the NIFTEP consortium of schools. NIFTEP is a consortium of nationally-recognized centers on ethics and professionalism including Stanford, Fordham, South Carolina, Mercer, Georgia State, Indiana, and the University of St. Thomas. Professor Jerry Organ is the Holloran Center’s designate for the NIFTEP Advisory Board.

SCHOLARLY IMPACT & COMMUNITY SERVICE

Awards

Director of the Holloran Center Neil Hamilton was honored to be selected to write the introductory chapter to the new ABA-sponsored book on professionalism “Essential Qualities of the Professional Lawyer,” Haskins (Ed.) (2013). This book will be available in July for use in law schools nationwide.

The National Jurist announced the finalists for their top 25 list of the most influential people in legal education. Professor Jerry Organ (associate director of the Holloran Center) is on the list (Number 20). The magazine asked law schools to nominate candidates. The nominees were reviewed, and the list narrowed down from 85 to 50. The magazine then asked law schools for feedback on the extent each nominee had influenced them in the past year. The full article, from the January 2013 edition, can be found on the National Jurist Magazine website, at http://www.nationaljurist.com/content/back-issues.
CURRICULUM DEVELOPMENT

Ethical Leadership Courses

Professors Tom Holloran and Neil Hamilton taught Ethical Leadership in Corporate Practice in Fall 2012 where students heard from 15 exemplary business and law leaders and discussed case studies.

In addition, Professors Tom Holloran and Neil Hamilton taught a new leadership course in Fall 2012, Ethical Leadership for Organizations, with a specific focus on leaders of student organizations.

SERVICE

Fellows Tom Holloran and Hank Shea continue to give their time pro bono to the Center. Professor Jerry Organ, Associate Director, continues to serve on the Data Policy and Collection Committee of the Section of Legal Education and Admissions to the Bar, which is working on issues of transparency in legal education, particularly as it relates to making more useful consumer information available to prospective law students. In February, 2013, Professor Organ was invited to submit comments at the Dallas meeting of the ABA Task Force on the Future of Legal Education.
WITH GRATITUDE

The Holloran Center would like to acknowledge the generous contributions of our organizational and individual donors. Without their support, our scholarship and programming would not be possible.

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FOR MORE INFORMATION, CONTACT

Neil Hamilton, Professor of Law, and Director
Holloran Center for Ethical Leadership in the Professions
University of St. Thomas School of Law
Mail MSL 400
1000 LaSalle Ave.
Minneapolis, MN  55403-2015

holloranctr@stthomas.edu
651-962-4826
Website:  http://www.stthomas.edu/hollorancenter/