Report on 2014-2015 Academic Year

The Center’s Ninth 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.
Report on 2014-2015 Academic Year:
The Center’s Ninth Year

EXECUTIVE SUMMARY

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

One of the most notable accomplishments affirming of the Center’s work is the American Bar Association’s Gambrell Professionalism Award given to recognize the Center’s new curriculum published by ABA Books earlier this summer, ROADMAP: THE LAW STUDENT’S GUIDE TO PREPARING AND IMPLEMENTING A SUCCESSFUL PLAN FOR MEANINGFUL EMPLOYMENT. The Gambrell Award honors excellence and innovation in professionalism programs by law schools, bar associations, professionalism commissions, and other law-related organizations. Below is an excerpt from the Gambrell Award Committee:

“The Gambrell Award Judges and the Committee found that ROADMAP Curriculum represents an extraordinary advancement in law school curricular programming designed to enable students to pro-actively take responsibility for their own professional development and attain core competencies needed to serve clients, the profession and the public. The design is founded on ground-breaking research on professional formation and the qualities of lawyers most valued in the legal marketplace, with a focus on service. We note that the ROADMAP is the latest manifestation of the University of St. Thomas School of Law’s long-established record of national leadership in the scholarly examination and advancement of the critical role of professional formation education and professional identity development. The ABA Standing Committee on Professionalism commends St. Thomas for its exemplary innovations in this area and its critical contributions to the field of legal education. We are pleased to recognize the ROADMAP Curriculum with the 2015 E. Smythe Gambrell Professionalism Award. “

-Gambrell Award Committee, June 5, 2015
We are now working on a ROADMAP curriculum focused on helping undergraduate students pro-actively to take ownership over their own development to use their time in higher education most effectively to grow toward meaningful employment to serve others well.

CENTER PUBLICATIONS IN 2014-15

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 2014-15, the Center’s Director, Associate Director and Fellows published 1 book, 31 articles (in print or in the publication process), and 12 blog postings (plus Prof. Stabile’s almost daily spiritual blog) on topics in ethical leadership, professional formation, ethical professional identity, professionalism, and corporate governance or ethics.

The Center’s research in particular contributes substantially to a growing body of scholarship and empirical studies on the formation of each student’s 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.

Neil Hamilton, Director, Professor of Law

Book Publication:

“ROADMAP: THE LAW STUDENT’S GUIDE TO PREPARING AND IMPLEMENTING A SUCCESSFUL PLAN FOR MEANINGFUL EMPLOYMENT” (ABA Books, 2015)

Articles Published:


“A Professional Formation/Professionalism Challenge: Many Students Need Help With Self-Directed Learning Concerning Their Professional Development Toward Excellence,” 27 REGENT L.REV. 225-253 (2015). This paper was part of a law journal symposium on “How Developing a Professional Identity Can Help a Lawyer Break the Negative Lawyer Stereotype.”


“Helping Skeptical Students ‘Buy In’ to the Importance of the Professional Responsibility Course Including Professionalism,” in AALS Prof. Resp. Section Newsletter for spring, 2014.

Article in Publication Process:

“Professional Formation/Professionalism’s Foundation: Engaging Each Student’s and Lawyer’s Tradition on the Question ‘What Are My Responsibilities to Others?’”, forthcoming in 12 UNIV. ST. THOMAS L.J. (2015). Coauthored with Madeleine Coulter and Marie Coulter. This paper was part of a law journal symposium on “Global Legal Ethics.”

Jerry Organ, Associate Director, Professor of Law

Blog Postings


The Variable Affordability of Law School – How Geography and LSAT Profile Impact Tuition Costs, http://lawprofessors.typepad.com/legalwhiteboard/2015/01/the-variable-
affordability-of-law-school-how-geography-and-LSAT-profile-impact-tuition-costs.html, January 6, 2015 (worked closely with graduating student Kate Jirik in preparing excel spreadsheets that supported this analysis). This presentation also is posted on SSRN.


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

Articles Published:


Articles in Publication Process:


“The Reconfiguring of Revlon” (invited book chapter, forthcoming 2016) in RESEARCH HANDBOOK ON MUTUAL FUNDS.

“Protecting Mutual Fund Investors” (invited book chapter, forthcoming 2016) in RESEARCH HANDBOOK ON MUTUAL FUNDS.
Susan Stabile, Fellow, Robert and Marion Short Distinguished Chair in Law and Professor

Articles in Publication Process:


Blog Postings:

Professor Stabile posts almost daily spiritual reflections and periodic podcasts on her own blog, Creo en Dios! (http://susanjoan.wordpress.com) Four to five hundred people receive the blog daily via e-mail, in addition to those who see it on the blog, or via Twitter, LinkedIn or Facebook. (Prof. Stabile’s posts are often “shared” via one of those sites.) Among other things, this allows people from far-flung places to participate remotely in retreats Prof. Stabile offers at the law school and elsewhere.

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

Articles Published:


Articles in Publication Process:


“Exploring capitalist fiction” (book review on Edward C. Younkins’ Exploring Capitalist Fiction), BUSINESS ETHICS QUARTERLY.

“Institutional constraints and enablers: An introduction to the special topic forum on extreme operating environments” (Editorial commentary co-authored with V. Gerde.), BUSINESS AND SOCIETY.

Blog Postings:


NATIONAL SPEAKING ENGAGEMENTS

In 2014-2015, Center staff spoke at 48 events to over 4,750 people at regional, national, and international conferences on topics related to the Center’s mission.

Director Neil Hamilton gave 16 speeches to approximately 1000 people. He spoke at 6 law schools on the topic of professional formation competencies that legal employers and clients want including Arkansas Little Rock, Missouri Kansas City, Pepperdine, Regent, Southwestern, and St. Mary’s Texas,

Jerry Organ, Associate Director, continued his presentations nationally and internationally on current topics in legal education to 620 students, professors, and lawyers. Some of these presentations include the Annual Conference of the American Association of Law Schools, the Northeastern Association of Pre-Law Advisors, and the Southeastern Assembly of Law Schools.

Hank Shea, Fellow, spoke on ethics or made joint ethics presentations to more than 2,500 people at events around the nation and locally, including Harvard Law, Boston College, Santa Clara Law, a National Ethics and Leadership Summit in Jackson Hole, WY, and to Best Buy and US Bank in Minneapolis.

Lyman Johnson, Fellow, presented on corporate law topics to over 180 people at programs hosted by the Virginia state Bar Association, the University of Pennsylvania Warton School, and an online symposium hosted by the Conglomerate Blog.

Christopher Michaelson, Fellow, gave 9 presentations to over 450 people on the topics of meaningful work and business ethics.

MEDTRONIC ROUNDTABLES

The Medtronic Foundation funds Center programs focusing holistically on the formation of students into ethical leaders in their communities. The Medtronic grant funded the programs listed below.

Workshops on “Helping Each Student Internalize the Core Values and Ideals of the Profession”

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<td>July 7-10, 2013</td>
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Overall Goal of the Workshops

The overall goal of the Center’s summer workshops is to foster the growth of a critical mass of at least four full-time faculty/senior staff committed to increasing their school’s emphasis in the curriculum, pedagogy and culture on each student’s professional formation at twenty or more law schools. We have hosted five workshops through the summer of 2015 and plan on hosting two more in the summer of 2016. More than 30 law schools will have sent teams by the end of next summer. This will help create both a field of scholarship and teaching focused on professional formation and a spearhead for much broader change toward professional formation in legal education. Success at creating a field and spearhead in legal education will serve as a model for similar efforts in M.B.A. education.

Workshop Objectives for Each Participant and Each Law School Team

1. Understand the empirical data, including the competency models that legal employers are using to hire and evaluate new lawyers, on the importance of each student’s professional formation in law school. A student who has internalized the competencies of professional formation will have higher probabilities of success in finding meaningful employment.
2. Understand the role of culture and “the hidden curriculum” within law school with respect to each student’s professional formation.
3. Learn about curriculum, culture and pedagogies that are empirically shown to be most effective across higher education for the professions in fostering professional formation.
4. Identify specific factors at each school that may positively or negatively affect each student’s professional formation.
5. Prepare an individual action plan to enhance professional formation in courses each participant teaches.
6. Prepare a law school action plan to foster positive change in the law school curriculum and culture toward the professional formation of each student.
7. Develop methods of assessing progress in fostering each student’s professional formation.
8. Discuss the elements of a strategic plan to change the paradigm of legal education generally toward professional formation including what empirical research, conferences, conference panels or other steps would be the most useful.
Law Schools That Have Sent Teams to the Summer Workshops in 2013, 2014, 2015:

Twenty-three law schools listed below have sent teams to the workshops. Thirteen of those law schools have sent a second team to a workshop.

Cincinnati
Denver
Drexel
Elon
Georgetown
Georgia State
Hofstra
Indiana
Jindal, India
Loyola New Orleans
Mercer
New Hampshire
North Dakota
New Mexico
Notre Dame
Oklahoma
Penn State Dickenson
Pepperdine
Regent
Syracuse
South Carolina
Washington and Lee
University of St. Thomas

Below are some of the comments by participants.

“The setting, the people, the structure, the integration of the readings, the conversations, the sessions of working with different individuals in varying groups, were one of the most important experiences I have had in any workshop setting. It was inspiring, it was practical, it was just great. I hope that you continue to bring deans, faculty and administrators together to move forward. What an important way to give meaning to those who attend and to try to advance the depth of the experience for students and for members of the profession.”

Hannah R. Arterian, Dean of Syracuse University School of Law (2002-15)

“The scholarship and workshops initiated by the Holloran Center over the past three years have been the leading spark that is igniting a national professional formation movement to reform legal education in America.”

Danny DeWalt, Associate Dean, Administration & Leadership Development and Director, Parris Institute for Professional Formation, Pepperdine University School of Law

"The Holloran Center Workshops are walking down Main Street in terms of the profession’s interest in helping each student and practicing lawyer develop a deep ethic of service to others."

Paul Haskins, Senior Counsel, Center for Professional Responsibility and Editor of the PROFESSIONAL LAWYER, American Bar Association.
"This workshop was absolutely outstanding! I plan to encourage all of my colleagues at my law school to participate in future workshops."

Julie Ernst, Assistant Professor of Law, University of North Dakota School of Law

“This workshop was a terrific opportunity to collaborate with faculty and staff from around the country who care deeply about helping students with the formation of their professional identities, career planning and professional development skills. The opportunity to learn about what other schools are doing in an environment facilitated by experts like Neil and Jerry was invaluable."

Eric Bono, Assistant Dean for Career Opportunities, University of Denver, Sturm College of Law

“This workshop prompted deep reflection on modern legal education in a setting of profound candor, trust, and community. It impressed upon me both the urgency and the possibility of seriously engaging students about the formation of their professional identity."

Mitt Regan, Co-Director, Center for the Study of the Legal Profession, McDevitt Professor of Jurisprudence, Georgetown Law

The Future for In-House Counsel – Note that this was also the Fredrikson and Byron Law Firm Lecture in honor of John Byron.
September 23, 2014

Presenter: Prof. Richard Susskind
Panel Discussion with:
Laura Witte, General Counsel, Cargill
Jon Oviatt, General Counsel, Mayo Clinic
Norm Linnell, Holloran Center Fellow and former Vice President, Secretary, and General Counsel, Donaldson Company

Richard Susskind is one of the most insightful and influential experts on the future of the legal services market. He holds a doctorate in law and computers from Oxford, and has worked on legal technology and how it is changing the market for over thirty years. He has been invited to speak in over 40 countries and has addressed audiences numbering more than 250,000. He is the author of six books, including The End of Lawyers?: Rethinking the Nature of Legal Services (Oxford, 2008) and Tomorrow’s Lawyers (Oxford, 2013).
Terrorism in America: What Are the Current Threats, and Is the U.S. Government Doing Enough to Defend Us?  
October 28, 2014

Presenter: Michael Hurley, former CIA officer

Former CIA officer Michael Hurley was in the 18th year of his 25-year career with the agency when terrorists attacked the United States on September 11, 2001. He spent the next seven years of his CIA career on “the hunt” searching for Osama Bin Laden during three tours of duty in Afghanistan, as director of counterterrorism policy for the 9/11 commission and co-author of The 9/11 Commission Report, and later through his work for the State department.

Hurley began his career as a trial attorney in Minneapolis. He has served as a leader on the ground in U.S. Interventions in the conflicts in Haiti, Bosnia, and Kosovo, and has twice served on the National Security Council staff at the White house, where he was Director for the Balkan and a senior adviser to President Clinton. He was counterterrorism adviser to Senator Sam Nunn and Ted Turner at their Nuclear Threat Initiative. Today, he is president of the consulting firm Team 3i and lectures on national security and counterterrorism strategy around the world.

Big Data and Privacy: Navigating Benefits, Risks, and Ethical Boundaries  
October 29, 2014  
(Co-sponsored with the Center for Ethical Business Cultures)

The rapid emergence of “big data” has created many benefits and risks for businesses today. As data is collected, stored, analyzed, and deployed for various business purposes, it is particularly important to develop responsible data management policies that respect privacy concerns – as well as attending to the benefits that can flow from the smart use of data. Shifting understandings of what privacy means to different individuals and groups complicate what will be a persistent challenge. While data security is a pervasive challenge, headlined all too frequently, other key questions include: what information is collected, how and why is it collected, how is it used, when and how is it shared with other parties, and how long is it retained?

This CEBC program explored trends, emerging developments, and important benefits, as well as risks in “big data” – particularly focusing on privacy concerns and best practices for responsible data management. Is there such a thing as privacy in this new data-driven era, and how can we understand and preserve it? Panelists shared their insights about developments and implications for business, heath care, and law.
Other Programs

2015 Deans’ forum on Advancing Professional Formation
March 1-2, 2015 (Co-sponsored with Pepperdine University’s Parris Institute for Professional Formation)

This two day forum took place at Pepperdine University School of Law in Malibu, California and featured keynote speaker, William M. Sullivan, the co-director for the Carnegie Foundation’s Preparation for the Professions Program and the lead author of Educating Lawyers: Preparation for the Profession of Law (2007). The forum served to bring together deans and lead educators to discuss ways to expand the development of professional formation in legal education.

Leveraging Student Motivation Toward Engagement and Formation
June 5, 2015

Presenter: Dr. William M. Sullivan, former co-director of the Carnegie Foundation for the Advancement of Teaching’s five studies on higher education for the professions including EDUCATING LAWYERS (2007).

William Sullivan spoke and led a discussion on the new St. Thomas Law Learning Outcome #1

Learning Outcome 1: Professional Formation and Ethical Responsibilities

Graduates will demonstrate an understanding of their professional and ethical responsibilities in serving clients, the profession, and society. Whether working in law, business, government, or the non-profit sector, each graduate will be able to describe his or her evolving profession identity, which is grounded in a moral core, includes a commitment to self-directed professional learning, and reflects a concern for the disadvantaged and those who lack access to justice.

Sullivan recently completed a major study of all the Lilly Foundation projects on how most effectively to engage students to develop a clear purpose and vocation. He found that faculty and staff as co-educators at the faith-based schools have some great advantages to help students with this type of learning outcome.
OTHER CENTER PROGRAMS

RETREATS

Fellow Susan Stabile organized and led a variety of programs with the purpose of encouraging spiritual formation and the practice of reflection. Approximately 150 students, faculty, staff, and alumni took part. Programs included:

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

Vocation Retreat Weekends - co-facilitated with Professors Jerry Organ and Jennifer Wright, a student retreat weekend designed to help students uncover their vocation as students and in the legal profession in August 2014 and January 2015.

Mid-Day Reflections/Dialogues on Faiths - four mid-day programs of prayer and reflection for students, faculty and staff.

Discernment Series – “Discerning My Place in the World” was a program series designed to address various topics relating to vocational discernment. There were eight sessions over the academic year.

Advent Retreat in Daily Living - three-session reflection series on Advent themes

Lenten Retreat in Daily Living - four-session reflection series on Lenten themes.

Overall Attendance of Programs and Retreats

The total attendance at all of the Center’s programs in 2014-15 was approximately 900.

PARTNERSHIPS & COLLABORATION

Fredrikson & Byron Law Firm Lecture in Honor of John Byron

The Holloran Center continues to develop a strong collaborative partnership with the Fredrikson & Byron law firm. The 2014 Fredrikson and Byron Law Firm Lecture was “The Future for In-House Counsel” with Prof. Richard Susskind described above. The 2015 Fredrikson and Byron Lecture, “How Much Ethical Behavior Can We Expect From Government and Business Leaders?” is scheduled for September 17, 2015, from 4:30-6:00 p.m. and will feature a presentation by Kirk O. Hanson, followed by a panel discussion with Mr. Hanson, Joan Humes, Vice President and Chief Deputy General Counsel, Medtronic, and Prof. Neil Hamilton.
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.

AWARDS

E. Smythe Gambrell Professionalism Award

The University of St. Thomas ROADMAP Curriculum, developed by Neil Hamilton, was the recipient of the 2015 E. Smythe Gambrell Professionalism Award. The Award is given annually to honor excellence and innovation in professionalism programs in law schools, bar associations, professionalism commissions and other law related organizations. St. Thomas is one of only two academic institutions to receive the award more than once.

CURRICULUM DEVELOPMENT

Ethical Leadership Courses

Professors Tom Holloran and Neil Hamilton taught Ethical Leadership in Corporate Practice Fall 2014 where students heard from 15 exemplary business and law leaders and discussed case studies.

This was the final year Tom Holloran will teach in the classroom. He will still serve as a mentor to students.

Roadmap: the Law Student’s Guide to Preparing and Implementing a Successful Plan for Meaningful Employment

In the summer of 2013, Professor Hamilton and 8 research assistants created a guide to help each student take charge of his or her professional development and use the years in law school most effectively to develop towards meaningful employment to serve others well. Two years later, a summer of substantial improvements from 5 new research assistants, and more than 250 students participating in the ROADMAP engagement, the ROADMAP was published by ABA Books.

Assessment data demonstrating the effectiveness of the ROADMAP curriculum are in Professor Hamilton’s latest article, “Professional Formation with Emerging Adult Law Students in the 21-29 Age Group: Engaging Students to Take Ownership Over Their Own Professional
Development Toward Both excellence and Meaningful Employment.”

Daisy Floyd, Mercer University Law School Dean, and Prof. Tim Floyd, Timothy Malone Chair in Trial Advocacy and Director of Experiential Learning commented that

“The ROADMAP helps each student on the critically important step of taking ownership over her own personal development toward excellence at the competencies needed to serve others well in the areas of practice that most interest the student. It is a whole-building, whole-student approach to this challenge.”

Executive Perspectives in Ethics & Compliance

In the spring semester, 2015, Ron James, CEO of the Center for Ethical Business Cultures, and Prof. Neil Hamilton taught the first capstone course for the M.S.L. in Organizational Ethics & Compliance program titled: Executive Perspectives in Ethics & Compliance. The course seeks to provide students with an opportunity to learn about compliance from the perspectives of executives and leaders in the industry. Practicing compliance executives discussed goals, strategies, activities, and challenges associated with their business, and students had the opportunity to engage speakers in candid and in-depth conversations to enhance the students’ understanding of today’s complex business environment.

Investigations

Fellow Hank Shea created and co-taught the first ever Investigations course at St. Thomas School of Law and the University of Arizona College of Law. Shea saw that conducting and supervising investigations has become a growing responsibility for many types of attorneys, and saw the need to create a course which prepares law students to manage investigations. The purpose of the course is to engage in a practical focus on the development of knowledge-based skills and practices that will benefit future lawyers in the acquisition and analysis of relevant facts to address and solve legal issues and problems. This experiential course provides an opportunity for students to learn about criminal, civil, and internal investigations from a practical, hands-on perspective. Through individual and group exercises, each student plays multiple roles of government lawyer, criminal defense attorney, outside counsel, and in-house counsel.

Advanced Externships

New Holloran Center Fellow, Norm Linnell, taught the first Advanced Externships course. The purpose of the Advanced Externships Course is to allow students to expand past their earlier internship and to continue to develop both the necessary skills and substantive knowledge for professional success. The overall learning outcome is for each student to further develop professional and legal skills and leadership qualities in their particular advanced externship experience.
SERVICE

Fellows Tom Holloran and Hank Shea continue to give their time pro bono to the Center. This past year we also welcomed Norm Linnell as a pro bono fellow.
WITH GRATITUDE

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

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  in Professionalism and Ethics
The Medtronic Foundation
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