

Lawyering, Leadership, and Professionalism

Problem Solving, Professional Identity, and Professional Development

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PROFESSOR FAITH RIVERS JAMES

Phone: 279-9332
E-mail: friversjames@elon.edu
Office: 214
Office Hours: TWEN Schedule

Faculty Assistants

Offices: Faculty Annex

Ms. Katie Fennell

Phone: 279-9336
E-mail: kfennell@elon.edu

Ms. Meghan Moffett

Phone: 279-9289
E-mail: mmoffett2@elon.edu

COURSE DELIVERY TEAM

Problem Solving: Dean Andy Haile, ahaile@elon.edu
Prof. David Levine, dlevine3@elon.edu
Prof. Robert Parrish, rparrish3@elon.edu

Leadership: Prof. John Alexander, jalexander8@elon.edu
Prof. Roland Smith, rsmith44@elon.edu

Professional Development: Dean Chris Smith – Center for Professional Development
Jack Zaccara & Erin Lee – A Workplace of Difference

Faculty Coaches: Judge Emanuel Edwards
Prof. Ronnie Grabon
Dean George Johnson
Prof. Chris Leupold
Dean Alexis Martinez-Fedrizzi
Prof. Bonnie McAlister
Dean Chris Smith
NC Bar Association Leadership Academy Graduates

COURSE MATERIALS

Reading: **LEADERSHIP: LAW, POLICY, AND MANAGEMENT**, Deborah L. Rhode & Amanda K. Packel, Wolters Kluwer Law & Business (2011) (Assignments in Chapters 1, 2, 3, 4, 8, 13.)

PROBLEM SOLVING WORKSHOP CASE STUDIES, Harvard Law School (Handouts distributed via TWEN and in boxes.)

SUPPLEMENTARY MATERIALS posted on TWEN website under “Course Materials” Tab.

Website: **All students must subscribe to the course website on TWEN.** All students should subscribe to the e-mail distribution list and check the TWEN site regularly. Communications, reading assignment lists, and supplementary materials will be distributed via the website, or in class.

COURSE DESCRIPTION

Elon Law School's Leadership Program is designed to expose students to key concepts that enhance their ability to define and achieve success in their chosen profession, and to have a positive impact as lawyers, thereby increasing the probability that they will make a difference in the law firms where they practice and the communities in which they work and live. The program engages Elon University's foundational pedagogical strengths in leadership and experiential learning, and utilizes innovative program content and delivery strategies. Selected as the only law school recipient of the American Bar Association's 2013 Gambrell Smythe Award, the Leadership Program has been touted as a national model of law and leadership education.

Leadership is a precious and essential commodity within the bar and society in these challenging times, and Elon is to be commended for [its](#) innovative, impressive, and committed approach to cultivating and encouraging leadership qualities among its students. The Elon model's focus on challenging student's abilities, with an emphasis on emotional intelligence and development of lawyering skills, is highly commendable. In honoring your program with the leading national award recognizing excellence in legal professionalism programming, the Committee has found the Elon Leadership Program to be worthy of emulation by law schools across the nation.

*Fred Usury,
Chair, American Bar Association
Standing Committee on Professionalism*

Delivered by a team of professors and coaches, the course “**Lawyering, Leadership, and Professionalism**” considers three aspects in the development of competent, leading lawyers: exercising problem-solving lawyering skills, developing a professional identity that guides students' selected career paths, and exhibiting professionalism as an active member of the bar and officer of the court. Together, these three components coalesce to provide a sound foundation for the acquisition and refinement of legal skills and to support development of a competitive legal career.

Part I - Lawyering: Problem Solving Workshop

Lawyering skills provide an analytical framework, and legal training hones the lawyer's ability to resolve conflicts in a professional and insightful manner. Leading lawyers are societal resources as clients, communities, and governments call upon lawyers to develop creative solutions to complex challenges. Problem solving requires lawyers to consider legal and extra-legal issues, and often involves working with a client to facilitate solutions that strengthen relationships between parties.¹

¹ See Robert Cullen, *THE LEADING LAWYER: A GUIDE TO PRACTICING LAW AND LEADERSHIP*, 21 West (2009).

For each matter, a lawyer must consider six essential questions:

1. Who is the client?
2. What are the client's goals?
3. What are the facts?
4. What are the legal constraints and opportunities?
5. What are the legally and ethically available options?
6. How should we proceed?²

The Problem Solving Workshop component of the course exposes students to these opening considerations for development of a case strategy that precede case precedent. These case studies engage students in a new aspect of traditional doctrinal course subject matter. The case study method is designed to provide *hands on experience* that creates an opportunity for students to *practice* problem solving and teamwork skills.³

Part II - Leadership: Leadership Essentials for Law Students

Built upon principles of engaged learning and the Center for Creative Leadership's "assessment-challenge-support" model of leadership development,⁴ Elon Law School's Leadership Program provides insights on student preferences (such as preferences expressed on the Myers-Briggs Type Indicator (MBTI)), creates challenging opportunities for students to understand their preferences in the context of lawyering exercises, and offers support for honing new strengths and skills through peer feedback and executive coaching. These experiences provide the foundation for development of an Individual Development Plan (IDP), which is an important career development tool increasingly used in in business organizations and law firms. The goal is to equip students to better understand their own strengths and developmental needs so they can more confidently navigate today's challenging professional and business environment and ultimately fulfill their highest personal and career ambitions.

Part III - Professionalism: Professionalism & Professional Development

Students explore the role of the lawyer in the pursuit of justice in society, and as problem-solver for clients and organizations. Students will consider career options and hear the lessons of experience from attorneys who have successfully charted their course in the legal profession. From these experiences, students will develop a professional portfolio that facilitates their future employment searches. Students will consider leadership challenges that arise in professional workplaces, and develop strategies to navigate these complexities.

² See Joseph W. Singer, "Problem Solving for Lawyers," Harvard Law School Case Studies, (2010).

³ John Palfrey and Lisa Brem, "How to Approach a Case Study in a Problem Solving Workshop," Harvard Law School Case Studies, 2 (2012).

⁴ See, Three Keys to Development: Defining and Meeting Your Leadership Challenges, Center for Creative Leadership (1999).

COURSE ASSIGNMENTS AND DELIVERABLES:

PROBLEM SOLVING WORKSHOP

- Student firms will undertake collaborative lawyering exercises to confront client problems. Collaborative student assignments assess client situations, consider potential client strategies, and develop lawyer work product, including writing client memoranda and drafting documents.

PROFESSIONAL IDENTITY

- **Center for Creative Leadership**

The Center for Creative Leadership has developed a leadership development training program for Elon Law students. This program evolved from CCL's work with major Am Law 100 law firms and has served as a model for the development of similar training for young lawyers who are new to the practice. Students participate in full day programming at CCL's Greensboro campus. In the course of the work, students will explore personal values that are important to articulation of a career vision and a plan for personal growth.

- **Individual Development Plan (IDP)**

Students consider personal and professional values, examine leadership skills and challenges, and develop strategies for professional growth through an Individual Development Planning process. Programming at CCL will provide the basic foundation for creation of the IDP. Students meet with faculty coaches to review and revise the plan during Winter Term. During the Spring Semester, students will receive feedback from their preceptors on the external goals and strategies included in their IDPs.

PROFESSIONALISM

- **Professionalism**

As a self-governing profession, lawyers regulate themselves and establish aspirational goals for service to the Bar and the community. Legal professionals encounter and resolve leadership challenges with clients, colleagues, and within their communities. Through interaction with distinguished jurists and Bar leaders, students will consider how the traditional "Citizen Lawyer" provides a model of law and leadership that inspires lawyers to take leadership roles in community organizations and leadership positions. The course will also explore the role of the lawyer as a problem-solving "counselor" who helps clients identify, avoid, or resolve issues.

- **Professional Development**

Students consider career options and hear lessons of experience from attorneys who have successfully charted their course in the legal profession. Students also create a professional portfolio. As a supplement to the IDPs, students will create a cover letter and resume aligned with their articulated career path.

GRADING POLICY

Lawyering, Leadership, and Professionalism is graded on a pass-fail basis. The following components must be completed in order to achieve a passing grade for this required course.

- Class participation and completion of individual and firm assignments are important components of the course. In addition, your regular and informed attendance is necessary. Students are expected to arrive on time for and attend all scheduled sessions. Attendance will be monitored by sign-in sheets, in accordance with the Law School's regulations. This is a full time course; concurrent course enrollment and external work assignments are not recommended during this winter term course.
- Laptops, iPads, and smartphones may only be used for the purpose of taking notes, and should not be used during plenary sessions unless otherwise instructed. No other electronic devices may be used in class without the express permission of the teaching professor. Cell phones must be turned-off during all sessions.
- Please be aware that student firms will rely on the informed participation and contribution of all members. As a matter of professional courtesy, firm members should be advised about any impact of absences on the firm's product during the term.
- Elon University makes determinations about school openings in the event of inclement weather. Course schedules will be adjusted as permitted. Please monitor local news outlets for weather alerts and notifications about closures.
- Course faculty will confer to select a Book Award recipient for outstanding performance in this required course. As a required course, Elon University School of Law's academic regulations and Honor Code, including sanctions for violations, govern class requirements and submissions.