Ethics and Professionalism: A Guide to Success in the Profession

Barbara A. Blanco  
Clinical Professor of Law and Faculty Externship Director  
Loyola Law School, Los Angeles

Sande L. Buhai  
Clinical Professor and Director, Public Interest Law Dept.  
Loyola Law School, Los Angeles

Anahid Gharakhanian  
Director of the Externship Program and Professor of Legal Analysis, Writing & Skills  
Southwestern law School

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Structure of our session

1. What we’ve heard from GLACE externship directors and supervisors from 2006 to present

2. What we’ve heard from the externship community at large

3. What we should keep in mind about the profile of our students

4. Our thoughts about preparing the externs

5. Your thoughts and questions
1. What we’ve heard from GLACE externship directors and supervisors from 2006 to present
2. What we’ve heard from the externship community at large
3. What we should keep in mind about the profile of our students

Our Gen Y or Millennial students
born app. 1980+
Why should we be talking about the generational profile of our students?

- So we can **better prepare and train** them for the externships
  - that will help their **acclimation** into the legal profession
    - and ultimately **better serve the legal profession**

- Who benefits? **Students; our schools; the legal profession**
Hands-on experience is key to transition/acclimation into the profession

- “After the JD” Study, the first national, longitudinal study of lawyers’ careers in the U.S.

- Tracking prof’l lives of 5,000+ lawyers nationwide during first 10 years after law school

- First phase tracked attorneys who became lawyers in 2000, couple of years into their practice

- On a scale of 1 (not at all helpful) to 7 (extremely helpful), this is how the respondents rated their law school experiences in helping them transition to practice:

<table>
<thead>
<tr>
<th>Experience</th>
<th>Mean</th>
<th>Median</th>
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</thead>
<tbody>
<tr>
<td>Legal employment during summers</td>
<td>5.48</td>
<td>6</td>
</tr>
<tr>
<td>Legal employment during school year</td>
<td>5.04</td>
<td>6</td>
</tr>
<tr>
<td>Clinical courses</td>
<td>4.81</td>
<td>5</td>
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<tr>
<td>Legal writing</td>
<td>4.75</td>
<td>5</td>
</tr>
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<td>Internships</td>
<td>4.48</td>
<td>5</td>
</tr>
<tr>
<td>Upper-year lecture</td>
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<td>4</td>
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<tr>
<td>Course concentrations</td>
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<td>4</td>
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<tr>
<td>First-year curriculum</td>
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<tr>
<td>Legal ethics</td>
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<td>3</td>
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<tr>
<td>Pro bono</td>
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Externships play such a big role in training so many of our future legal professionals!

For example, the annual number of externs from GLACE schools (fall 2010 to summer 2011):

1700!
Getting to know our students

- **Special** ("older generations have inculcated in Millennials the sense that they are, collectively, vital to the nation and to their parents’ sense of purpose")
  - Entitled
- **Achieving + Pressured** to achieve
  - "widening torrent of grades, stars, trophies, buttons, ribbons"
  - Want frequent praise
- **CONFIDENT**
  - Boundless opportunities for the "Sunshine Generation"
  - Optimism remains high despite the economic recession (even though the percentage of unemployed Millennials has increased since 2006, "their optimism has not waned.")
  - Want fulfilling work; fun at work; and respect/praise for their work
  - Want meaningful work because since young age pressured/challenged
  - Not intimidated
Getting to know our students

• **Team-oriented**
  ✧ Like teamwork and being involved with org and helping/working with team

• **Conventional** (comfortable with parents’ values; see value in rules)
  ✧ Seek norms and structure
  ✧ Thrive in structured and supportive work environment. Open to authority figures (but want frequent, positive, affirming communications)

• **Sheltered** (child-safety rules; youth-protection movement; “helicopter parents”)
  ✧ Naïve about real world
  ✧ Uncomfortable with gray areas
  ✧ Strong work ethic but want flexibility; priority for work-life balance
  ✧ Young/first job – need “teaching/orientation with training wheels (and helmets)”
Getting to know our students

- **Self-expressive** (social networking; videos and blogs; tattoos)
  - Express feelings openly (Millennials have been encouraged to share their feelings, and tend to expect “to have the way smoothed for them once those worries are expressed”)

- **Tech savvy** (“steeped in digital technology and social media, they treat their multi-tasking hand-held gadgets almost like a body part”)
  - Always connected
  - Incorporate technology as a sixth sense
  - Info. available 24/7/365 – “search and retrieve” but w/o in-depth focus on accuracy and validity + quick answer v. synthesis/analysis

- Brought up to question authority and to express themselves
- Comfortable with creating content
- Able to “access information and resources creatively and easily” and “to think and function in a world that, to them, has always been without boundaries”
Getting to know our students

• General common sense disconnect with older generations – e.g.,
  – Dress code
  – Unable to sink or swim
  – Unable to read between the lines

✧ “Holes” in knowledge, but respond well to specific, clear and detailed instructions and explanations – e.g.,
  – Specific dress code (not just “professional”)
  – Can’t sink or swim because raised with lots of structure, explanations, clarity, answers to questions, etc., and continue to look for same
  – The “uninteresting” work needs to be done because (1) it’s necessary, and (2) teaches skills and prepares you for the “interesting” work
Getting to know our students – what now?

• Lots of anecdotes and theory, but empirical research on Millennials is limited (and sometimes contradictory).

• We have 4 generations in the workforce! The number of Millennials is significant. We have to be deliberate in preparing them for the legal profession (and preparing the legal profession for them).

• “Growing body of research indicating that the beliefs about whichever younger generation is entering the workforce has remained remarkably stable over the past 40 years.”
4. Our thoughts about preparing the externs
Examples from Loyola Law School and Southwestern Law School

For our students:

• Externship orientation focus on professionalism
• Supervisor memo to new extern
• Memo re assignment clarification
• Professional responsibility rules
• Guided Reflections’ focus on professionalism

For our supervisors:

• Supervisor training sessions
• Supervisor evaluation form emphasizes professionalism
• Professionalism emphasized during our site visits
For our students
Orientation covers (with examples) . . .

**Credible and reliable**
- Be on time
- Finish your work and ask for more
- Show your enthusiasm

**Prepare**
- Research refresher
- Legal writing refresher
- Familiar with placement and attorneys/judges

**Sensitive to Demands on Supervisor’s Time**
- Has caseload, clients
- Teacher + Prof’l role

**Office rules/etiquette**
- Who can you ask for help? (Don’t assume)
Orientation covers (with examples) . . .

**Common Sense**
- Do not dose off
- At meeting, court, etc., do not talk, eat, drink, etc.
- In new office, court, etc. introduce yourself and explain why you are there
- The externship is not the place for casual conversation/relationships
- If problem/conflict, address professionally

**Dress**
- **NO** jeans, shorts, flashy clothes and accessories, flip flops, etc.
- Suit in court, formal meeting, etc.

**Social Media; Phone**
- **NO** Facebook, Twitter, personal emails, calls
- **NO** photography
Other tools and training for students

• Supervisor memo to new externs

• Assignment clarification memo

• Professional responsibility rules
Guided Reflection topics – e.g.,

• Identifying critical traits of effective legal professional as well as obstacles to great lawyering

• Identifying the stressors/challenges of difficult decisions, having to deal with gray areas

• Asking specific instruction from supervisor about confidentiality

• Identifying potential ethical issues/asking supervisor
For our supervisors
Supervisor training

• Educate the supervisors about the generational profile of our students

• Positive approach: Emphasize importance of effective training to serve the profession (it’s not about catering to the students)
Supervisor training – cont.

- Provide specific tips - e.g.,
  - Managing expectations re extent and nature of communication with supervisor
  - Importance of clear and specific guidance – e.g., re: workplace conduct; assignments; time management; proper research and attribution; confidentiality and other rules
  - Importance of clear and constructive feedback
Use supervisor evaluation form that emphasizes professionalism

• For example, the GLACE supervisor evaluation contains categories such as:
  – Judgment
  – Initiative
  – Ethics
  – Office and staff relationships
  – Dependability
  – Attitude toward supervision and criticism
  – Productivity and time management
Use site visits to educate supervisors

Great opportunity to:

• Educate supervisors about the generational profile of our students; and
• Educate supervisors about effective approaches to train and prepare the next generation of legal professionals
Key Sources:

Key Sources:

- Jennifer J. Deal et al., *Millennials at Work: What We Know and What We Need to Do (If Anything)*, Journal of Business and Psychology (2010)
5. Your thoughts and questions