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# Viewpoint: Coming Together, Crafting Solutions

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## Viewpoint: Coming Together, Crafting Solutions

Rachel Van Cleave

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The challenges posed by the current federal government shutdown bring to mind the observation by America's original innovator, Henry Ford, "Coming together is a beginning; keeping together is progress; working together is success."

I have previously called for greater collaboration among a broad variety of lawyers to address the critical issues facing legal education and the legal profession. Private lawyers, government attorneys, public interest lawyers, legal educators, and even law school regulators must come together at the table for the betterment of the profession. Last week, two conferences made some initial and very positive strides in this direction. The NALP Foundation and West LegalEdcenter held a one-day forum, *Tomorrow's Law Practice: A Forum on the Market, Demand and Opportunities for Lawyers*; and the Educating Tomorrow's Lawyers Initiative held its annual conference entitled, *Connecting the Academy & the Profession*.

The candid conversations at these conferences constitute a significant shift away from the finger-pointing that has dominated discussions among and between these constituencies. Unlike some, embroiled in today's political stalemate in the federal government, we must choose to take on our challenges and accomplish productive change. While the pointed and rigorous debates of differences and misunderstandings are very important, it is our common interests and goals that provide an important framework for continuing to advance the legal profession by preparing today's law students for a new practice.

It is clear that lawyers from all sectors of the profession share a critical and fundamental point of view: we want a positive future for the legal profession, justice and democratic values, and we care deeply about the success of our students. It follows that this future also lies with the success of current and prospective law students. Focusing on a framework that is based on cultivating our future colleagues can help us ensure that the legal profession flourishes and fulfills its essential goals of serving justice and our democratic society.

The NALP West LegalEdcenter forum's attendees were law school deans, partners at large law firms and general counsel across industries. This group explored the transformations in the legal profession that are being driven by technology and efforts to control costs while ensuring that clients receive high quality legal representation. Hiring partners and general counsel described the qualities they look for when they hire lawyers. Interestingly, a number of firms are using personality tests and other instruments to gauge maturity as well as qualities such as empathy, resilience and the ability to collaborate. Law school deans described how nearly all law schools are working to address the concerns facing legal education. Participants also discussed efforts of law schools to cultivate in students the values and qualities employers seek — through coaching, increased opportunities for reflection and integration of professional development and professionalism.

Similar to the forum in Washington, D.C., the ETL conference included attorneys and legal educators, with a broader representation of both the legal academy and the legal profession. From law schools, there were deans, leaders in experiential learning in law schools, traditional doctrinal law professors, clinical law professors and professors of legal research and writing. The lawyers included judges, lawyers from large law firms, small firms, general counsel as well as those who prepare lawyers to engage in *pro bono* representation. Among the lawyers and judges were also those who have led task forces examining legal education and have served on the Council on Legal Education in the ABA. At this conference, professionals from across the legal community also called for teaching a wider range of skills and providing law students with professional development.

At each conference, participants engaged in direct discussions aimed at forging important relationships and partnerships to effect significant changes in legal education. Enhancing understanding of and beginning to integrate the training and service of legal education and the legal profession is a crucial first step to addressing current challenges.

Conference participants discussed the importance of skills that law schools have not traditionally focused on — empathy, engendering trust, collaboration, cultural competency and resilience. These were critical points of consensus. Malcom Gladwell's recent book, *David and Goliath: Underdogs, Misfits, and the Art of Battling Giants*, describes how certain individuals have overcome tremendous odds and disadvantages to become amazing doctors, lawyers and basketball coaches. Gladwell observes that these people have been able to achieve by developing critical skills like those mentioned at the conferences I attended. Rather than leave our students on their own to learn resilience, self-awareness and judgment, law schools and lawyers can work together to cultivate these characteristics in each of our students. Experiential learning and other key changes in legal education provide the opportunity. Current law students are well aware of the challenges facing the profession and they are looking to their law schools, and the profession, for guidance on how to take ownership of their education and career paths.

Indeed, GGU Law, like many law schools, is engaged in deep and sincere cultivation of our future colleagues through mentoring and coaching programs, led by our faculty and accompanied by clearly articulated, deeply practical curricula. Often when we in the legal education community speak of practical education, or experiential education, we focus on training students so they have the technical facility needed to achieve in the profession. We also enumerate the experiential learning opportunities we offer like clinics, "live client" offerings, simulation courses, and strong externship programs. Based on law leaders' requests at the recent gatherings I attended, it may be time to enlarge the definition of "practical training" to encompass both skills and habits of heart and mind necessary for what Gladwell terms "battling giants." Perhaps courses like our essential mindfulness for lawyers, or reflective work in which students engage before, during and after such experience-rich opportunities may support a professional community of richly competent and ethically sound lawyers. Lawyers with the ability to come together, keep together, and work together to ensure our justice system and democracy may flourish. Our future colleagues are amazing and we do well to work together to ensure a bright future for them and in turn for our profession and our society.

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The Recorder welcomes submissions to Viewpoint. Contact Vitaly Gashpar at [vgashpar@alm.com](mailto:vgashpar@alm.com).



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