



## **Critical Issues Summit**

*Equipping Our Lawyers:  
Law School Education, Continuing Legal Education,  
and Legal Practice in the 21st Century*

# **STRATEGIC PLAN FOR IMPLEMENTATION 2010**

## **Introduction**

In 2007 ALI-ABA Continuing Professional Education (“ALI-ABA”) and the Association for Continuing Legal Education (“ACLEA”) began planning a cross-disciplinary summit to examine the current state of lawyer education and professional development. The goal of the Summit was to develop recommendations on how current practices across the “continuum” of a lawyer’s learning life (to borrow a concept from the highly influential 1992 MacCrate Report) could be improved for 21<sup>st</sup> century practice. For such an effort to be successful, technology in all its forms—and in all its paradigm-changing manifestations—would have to be dealt with. In addition, all the key constituencies in lawyer professional development—law schools, CLE providers, MCLE regulators, law firm professional development, the bench and the organized bar—would have to be part of the discussion.

Thus was born the Critical Issues Summit, “Equipping Our Lawyers: Law School Education, Continuing Legal Education, and Legal Practice in the 21<sup>st</sup> Century,” held on October 15-17, 2009. To result in meaningful recommendations, the Summit was designed to be highly participatory. Its opening plenary featured two expert panels, one on the future of the legal profession and the other on the use of technology in lawyer education and development.<sup>1</sup> These panels were intended to inform the subsequent Summit discussions. After the plenary, conferees met concurrently in six assigned working groups organized by subject area. These six working group discussions, each with its own leader and reporter, formed the heart of the Summit. In them, conferees representing a range of constituencies reviewed assigned discussion questions and made recommendations for best practices or actions in the areas under review. From these many recommendations, each working group selected three key recommendations, which were subsequently debated in plenary session, where they were distilled into the Summit’s Final Recommendations.

---

<sup>1</sup> Both panels were recorded and may be viewed at the official site of the Summit: [www.equippingourlawyers.org](http://www.equippingourlawyers.org).

Details about the Summit and its Recommendations can be found at [www.equippingourlawyers.org](http://www.equippingourlawyers.org). In addition, the Recommendations themselves are reproduced in the Appendix to this document.

ALI-ABA and ACLEA were committed from the outset to continuing the work begun at the Summit. As part of that effort, both organizations created a Summit Joint Steering Committee<sup>2</sup> at the executive level to pursue implementation of the Recommendations, as well as an advisory Summit Initiatives Committee<sup>3</sup>.

The Summit Joint Steering Committee convened a strategic planning session on July 24, 2010, to develop goals and action items for implementing the Summit Recommendations.<sup>4</sup> In advance of the strategic planning session, seven working groups of volunteers, drawn largely but not exclusively from the Summit Initiatives Committee, were formed to contribute their ideas for implementing the Recommendations. The reports of their deliberations focused on:

1. The key entities or individuals that should be brought into the process of implementation;
2. Information about existing or planned initiatives, from any source, that complement or expand upon the Recommendations; and
3. Specific suggestions for implementation based on the working group members' own experience.

This strategic plan is based on those reports as well as on the planners' own contributions. The plan has been approved by the Summit Joint Steering Committee representing the leadership of ALI-ABA and ACLEA.

For further information about Summit implementation efforts and achievements, visit [www.equippingourlawyers.org](http://www.equippingourlawyers.org) or contact either of the executive directors of ALI-ABA or ACLEA.

Julene Franki  
Executive Director  
ALI-ABA Continuing  
Professional Education  
[www.ali-aba.org](http://www.ali-aba.org)  
[jfranki@ali-aba.org](mailto:jfranki@ali-aba.org)

Donna Passons  
Executive Director  
Association for Continuing  
Legal Education  
[www.aclea.org](http://www.aclea.org)  
[donna@clesolutions.com](mailto:donna@clesolutions.com)

---

<sup>2</sup> Composed of the executive directors of ALI-ABA and ACLEA, the president and president-elect of ACLEA, and two ALI-ABA staff members.

<sup>3</sup> The members of the advisory Summit Initiatives Committee are: Carole Wagan; Julene Franki; Sari Fried-Fiori; Cheri Harris; Holly Hitchcock; Kent Hopper; Jim Leipold; Myles Lynk; Rick Matasar; Erica Moeser; Donna Passons; Maury Poscover; Lalla Shishkevish; Chuck Turner; Scott Westfahl; Paul Wood. Ex Officio: Leslie Belasco; Chuck Bingaman; Mark Carroll; Lisa Deane; JoAnne Epps; Tom Hayward; Pat Nester; Vince O'Brien

<sup>4</sup> The session was facilitated by Summit Reporter Chuck Bingaman and attended by: Leslie Belasco, Mark Carroll, Lisa Deane, Julene Franki, Elise Geltzer, Kent Hopper, Sydnie Kuhre, Jan Majewski, Pat Nester, Vince O'Brien, Angela Parks, Donna Passons, and Carole Wagan.

**LAW SCHOOLS**  
**(Covering Summit Recommendations 1-4)<sup>5</sup>**

- 1. Examine teaching methods and curricula.**
- 2. Examine curricula to insure it covers the career-long development of lawyer competencies described in Model Rules, MacCrate Report, etc.**
- 3. Refine core practice competencies based on stage of education and practice areas.**
- 4. Transitional training programs beginning in law school and continuing into first few years of practice.**

<b>Goals</b>	<b>Timeline</b>	<b>Action Items</b>
Formally submit Recommendations to the Accreditation Standards Review Committee of the ABA Section of Legal Education and Admission to the Bar.  <a href="https://www.abanet.org/legaled/committees/comstandards.html">https://www.abanet.org/legaled/committees/comstandards.html</a>	October 2010— December 2010	<ul style="list-style-type: none"> <li>• Summit group to review both Recommendations and draft revised ABA standards to see where they dovetail and to comment upon their similarities; urge adoption</li> <li>• Appear personally before the committee?</li> </ul>
Have updates on progress of Recommendations placed on conference agendas of AALS and ABA Section of Legal Education and Admission to the Bar.	October 2010- November 2010 and every six months thereafter	<ul style="list-style-type: none"> <li>• Organize collaborative sessions at both organizations to demonstrate how Recommendations fit in with the ABA Standards</li> <li>• Law review article on the Recommendations</li> <li>• Reach out to state judges—get the Recommendations on their organization’s agenda</li> <li>• Include SALT and Association of Law Deans as recipients of updates</li> </ul>
Communicate personally with selected law school deans and key faculty members about the value of the Recommendations.	November 2010— February 2011 and as needed thereafter	<ul style="list-style-type: none"> <li>• Create list of deans and faculty members who are focused on curriculum changes</li> <li>• Call/contact deans and faculty on the above list</li> </ul>
Create more mechanisms for cooperation between the academy and the bar.	January 2011— December 2011 and as possible thereafter	<ul style="list-style-type: none"> <li>• Investigate local law school/bar organizations, where much work similar to Recommendations may already be underway</li> <li>• ALI-ABA and ACLEA may sponsor meetings in various parts of the country, inviting firms, large corporations, and bench to discuss how to collaborate in training new lawyers</li> <li>• Find and publicize implementation models, such as UNH.</li> </ul>

<sup>5</sup> See the Appendix for the full text of the Recommendations.

**BAR ASSOCIATIONS/LICENSURE  
(Summit Recommendation 5)**

**5. Restructure one-time bar examinations into phased examinations over time.**

<b>Goals</b>	<b>Timeline</b>	<b>Action Items</b>
Encourage mandatory mentoring programs. [Given the technical nature of this topic, the planners felt that the most that could be accomplished by the Steering Committee was this goal, which in some ways could be seen as expanding the requirements for licensure.]	February 2011-January 2013	<ul style="list-style-type: none"> <li>• Research Georgia, Utah, University of New Hampshire, and other models of mandatory mentoring.</li> <li>• Support mandatory mentoring before NABE, Conference of Chief Justices.</li> <li>• Develop a “how to create a mentoring program” resource.</li> </ul>

## MCLE REGULATORS AND CLE PROVIDERS (Summit Recommendations 6-10)

6. **Develop communications frameworks for understanding MCLE rules.**
7. **Develop appropriate accreditation standards for all varieties of distance learning.**
8. **Accredit training in content or skills necessary for law practice even if not directly related to substantive law.**
9. **MCLE regulators and CLE providers work together to implement means of measuring effectiveness of CLE offerings.**
10. **Provide law firms with same opportunities to gain accreditation as CLE providers.**

Goals	Timelines	Action Items
Assist in establishing communications frameworks in a dozen more MCLE jurisdictions. Such frameworks will include regular meetings of parties involved in CLE/MCLE to discuss issues, new developments, rules changes, and accreditation of specific types of content.	November 2010-September 2012	<ul style="list-style-type: none"> <li>• Survey all MCLE jurisdictions to determine where such activity is already taking place.</li> <li>• Select a dozen jurisdictions where it is not, and offer to assist in organizing such meetings.</li> </ul>
Establish a national communications framework of parties involved in CLE/MCLE to review issues, new developments, rules changes, and accreditation of specific types of content, including but not limited to (1) the development of a model rule for use in accrediting distance learning; (2) the development of model terms and definitions for distance learning formats; (3) dealing with perceived differences in the accreditation of law firm in-house training; and (4) the development of model terms [or a model rule?] for accrediting training in content or skills necessary for law practice even if not directly related to substantive law	October 2010—March 2011	<ul style="list-style-type: none"> <li>• Schedule a meeting by Fall 2010 of ACLEA, CLEreg, and ALI-ABA leadership to discuss what a national framework would look like and how it would operate.</li> </ul>

## COMPETENCIES (Summit Recommendations 11-12)

11. All parties to determine next steps toward competency models.
12. All parties: develop model competencies.

Goals	Timelines	Action Items
Create a competencies resource.	November 2010— March 2011 and ongoing through website	<ul style="list-style-type: none"> <li>• Gather all competency information/models available, review to determine how they might be synthesized, and publish them and the synthesis in an online forum</li> <li>• Identify the areas of confusion (e.g.: define benchmarks v. competencies)</li> </ul>
Multidisciplinary project to develop model competencies, including what training needed for attorneys to achieve them.	January 2011— December 2013	<ul style="list-style-type: none"> <li>• ALI-ABA and ACLEA bring together heads of ACLEA, PDC, NABE, NOBC, ALDA, CLEReg, bar associations to plan this project, as articulated in Rec. 11. (Will also deal with related parts of Rec. 12)</li> </ul>
Encourage law firms to share their competency models with law schools.	December 2010— September 2012	Find law firms willing to volunteer their models

## LAW FIRMS

### (Summit Recommendations 13-14)

13. **Improve effectiveness of in-house training through client input, adult learning theory, partnering with other constituencies.**
14. **Provide support and training for a range of professional paths for lawyers.**

Goals	Timelines	Action Items
Focus on law firms that don't have established PD functions and determine (1) what resources they need and (2) how to meet those needs.	November 2011-December 2013	<ul style="list-style-type: none"> <li>• Collect information on developing and improving in-house PD</li> <li>• Create a resource center for law firms/law schools with information and tools needed for establishing and expanding PD</li> <li>• Consider breaking down information by firm size, locale, and type of practice</li> </ul>
Review and update adult learning models, particularly with regard to technology, to make them relevant to law schools and law firm PD.	November 2011-August 2013	<ul style="list-style-type: none"> <li>• Research existing models</li> <li>• Begin updating ALI-ABA's Teaching for Better Learning, with extension to law schools</li> </ul>
Develop career counseling resources for those law firms and legal organizations without them.	April 2011-January 2012 and ongoing through website	<ul style="list-style-type: none"> <li>• Resource center above to include information and models for career counseling</li> </ul>

## TRAINING THE TRAINERS (Summit Recommendation 15)

### 15. Law schools, law firms and CLE providers to train instructors in teaching skills, effective use of technology, intergenerational communications issues, etc.

Goals		Action Items
Create a collaborative CLE/law firms/law schools clearinghouse/resource center for training-the-trainer materials.	April 2011- January 2012 and ongoing through the website	<ul style="list-style-type: none"> <li>• Make sure training-the-trainer materials are differentiated by types of training to be done</li> <li>• Include a focus on how to use technology</li> <li>• Reach out to judges' groups (e.g.: NJC, NASJE), which have already created good materials</li> <li>• Create a certification system for those who undertake the training, and work to get this training CLE-credit certified</li> <li>• Tie in to adult learning goal under "Law Firms" and include tips and training for teaching lawyers</li> </ul>

## **SERVING THE UNDERSERVED**

### **(Summit Recommendation 16)**

**16. Legal community to develop programs to prepare and encourage all lawyers to serve the underserved.**

<b>Goals</b>	<b>Timelines</b>	<b>Action Items</b>
Create a clearinghouse of training materials for serving the underserved.	January 2011—August 2012	<ul style="list-style-type: none"> <li>• Collect and publish materials for training on how to serve underserved—get it from the lawyers who are already doing it now.</li> <li>• Contact LSC to make sure they know about what we have and how they can take advantage of it</li> </ul>
Increase the number of CLE programs devoted to training lawyers to serve the underserved	January 2011—December 2012	<ul style="list-style-type: none"> <li>• Survey ACLEA members’ pro bono efforts (start ACLEA’s Public Interest Committee) and share with all CLE providers.</li> </ul>

# APPENDIX



## Critical Issues Summit

*Equipping Our Lawyers:  
Law School Education, Continuing Legal Education,  
and Legal Practice in the 21st Century*

### Final Recommendations

Compiled and Edited by Charles C. Bingaman, Summit Reporter

#### Reporter's Introduction

The Critical Issues Summit (October 15-17, 2009) was sponsored by ALI-ABA Continuing Professional Education and the Association for Continuing Legal Education. It brought together CLE professionals, law school deans and faculty members, law practitioners, bar leaders, judges, mandatory CLE administrators, law firm educators, and other experts on lawyer professional education to study and respond to the challenges of equipping lawyers to practice in a rapidly changing world.

Working in groups, Summit participants generated a series of recommendations for improving the full continuum of lawyer professional development. The Reporter has edited these recommendations to reflect plenary session discussions at the Summit and post-Summit commentary by conferees and others.

In the course of developing these Final Recommendations, Summit conferees generated numerous other recommendations for improving lawyer professional development. These additional recommendations will be included in the Final Report of the Summit, to be issued shortly after these Final Recommendations.

More information about the Summit and its results is available at [www.equippingourlawyers.org](http://www.equippingourlawyers.org).

## Preamble

All members of the legal community share responsibilities to initiate and maintain the continuum of educational resources necessary to assure that lawyers provide competent legal services throughout their careers, maintain a legal system that provides access to justice for all, and remain sensitive to the diverse client base they must serve. These recommendations are offered as a blueprint for strengthening that continuum of educational resources and those values. The recommendations are presented in the chronological order of the legal education continuum—from initial law school education through legal careers.

1. Law schools should examine their teaching methods and the content of their curricula to ensure that their graduates are capable of serving as effective beginning professionals. Such examination might include:
  - a. Defining the learning outcomes they wish to produce;
  - b. Designing the curricula and engaging faculty to produce those outcomes;
  - c. Using proven teaching methods that will produce those outcomes, including the application of the latest research on adult learning styles and generational differences in learning; and
  - d. Evaluating their success at achieving those outcomes.

Reporter's Comment: Deans and other Summit participants noted that different law schools place differing priorities on scholarship and writing by faculty members as contrasted with teaching or preparing students for practice. Some participants suggested that a number of law schools place a low priority on their faculty members' developing research-based teaching skills for effective adult learning. This recommendation acknowledges the validity of law schools' different approaches to their missions while also placing a high value on preparing their students for legal careers.

Summit conferees who were asked to look at generational differences in learning style suggested that significant differences could largely be bridged if law schools, CLE organizations, and instructors considered relevant and new research and expanded their instructional approaches accordingly. As generational differences appear to be largely permanent and little change can be expected as people age, these differences in learning style should be taken into account when planning all educational programs.

2. Building upon the defined learning outcomes from Recommendation 1, law schools, the bar, and the bench should partner in the career-long development of lawyer competencies. In particular, law schools should initiate the continuum of legal education by integrating into their curricula the core practice competencies described in the ABA Model Rules of Professional Conduct, the MacCrate Report, the Carnegie Report, and the Canadian Centre for Professional Legal Education competency evaluation program in achieving their desired learning outcomes.

Reporter's Comment: While respecting the valuable diversity of law schools, participants in the Summit concluded that law schools that have not already done so should consider more rigorous efforts to help their students obtain the core competencies needed for practice.<sup>6</sup> One route to that end would be having a CLE department or at least an administrative officer whose responsibility would be to develop and coordinate partnering relationships with the bar and bench to facilitate training in core competencies.

**3. Law schools should continue to refine their lists of identified core practice competencies, recognizing that essential competencies will vary by stage of education and by practice area.**

Reporter's Comment: This recommendation refers to the core practice competencies referenced in Recommendation 2 above. Recommendations 11 and 12 below expand further on the need across the educational continuum to identify essential practice competencies as the basis for planning career-long learning objectives for lawyers.

**4. Law schools, the bar, and the bench should develop and encourage transitional training programs (defined as ones that teach or improve practice skills) to begin in law school and to continue through at least the first two years of practice. Approaches to implement this recommendation might include:**

- a. **Experiential learning opportunities in law school curricula, for example: practical experiences, clinical experiences, skills courses, internships, and mentorships;**
- b. **Post-admission supervised apprenticeships (similar to paid articling in Commonwealth countries) or other practice experiences such as working in legal services programs consistent with law graduates' financial situations; and**
- c. **Universal mentoring requirements for new admittees.**

---

<sup>6</sup> Recommendation 2 refers to several important documents. The MacCrate Report, formally titled *Legal Education and Professional Development – An Educational Continuum: The Report of The Task Force on Law Schools and the Profession: Narrowing the Gap*, can be found at <http://www.abanet.org/legaled/publications/onlinepubs/maccrate.html>. The Carnegie Report abstract, entitled “Educating Lawyers: Preparation for the Practice of Law” (2007), can be found at <http://www.carnegiefoundation.org/publications/educating-lawyers-preparation-profession-law>. The ABA Model Rules can be found at [http://www.abanet.org/cpr/mrpc/mrpc\\_toc.html](http://www.abanet.org/cpr/mrpc/mrpc_toc.html). The Canadian Centre for Professional Legal Education competency evaluation program can be found at <http://www.cpled.ca/competency.html>. Also relevant in this context is a report of the Clinical Legal Education Association, “Statement of Best Practices for Legal Education” (2007), at [http://cleaweb.org/documents/Best\\_Practices\\_For\\_Legal\\_Education\\_7\\_x\\_10\\_pg\\_10\\_pt.pdf](http://cleaweb.org/documents/Best_Practices_For_Legal_Education_7_x_10_pg_10_pt.pdf).

Reporter's Comment: The main thrust of Recommendation 4 is to encourage building practice competencies into the process for determining readiness for bar admission. While it repeats some concepts found elsewhere in these recommendations, this recommendation emphasizes the importance of making lawyer education a true career-long continuum, rather than a disconnected landscape of only distantly related fiefdoms with few connected pathways or purposes.

A variety of real-world models exist for the mentoring envisioned by this recommendation, including law school internships, the articling process in some Commonwealth jurisdictions, and the State Bar of Georgia Transition Into Law Practice program.

5. **Regulatory authorities should consider restructuring one-time bar examinations into phased examinations over time, linked in part to attainment of legal practice skills, with some parts of the examination occurring as early as in the law school years.**

Reporter's Comment: While this recommendation proposes a significant change in the bar admission process in the United States, it was strongly supported by Summit conferees. Participants noted that initial testing in skills development during law school would result in an increased skills focus in law schools, protect the public, and provide valuable feedback for law schools and law students alike. It was also noted that phased examinations are already used for licensing in other professions, such as medicine. Summit conferees recognized that implementing this recommendation would require some fundamental changes in traditional law school and bar admission approaches, but believed that the process of consideration and experimentation would be a positive challenge.

6. **CLE providers, MCLE regulators, the practicing bar, and the bench should create communication frameworks for mandatory CLE rules to ensure that all parties share an understanding of the content of the rules, their needed evolution, and their effects.**

Reporter's Comment: The goal of this recommendation is to ensure that all interested constituencies participate in a dialogue about how to make the MCLE rules more effective in improving the profession and protecting the public it serves.

7. **MCLE regulators, in collaboration with CLE providers and the practicing bar, should develop appropriate accreditation standards for all varieties of distance learning CLE programs while also updating and improving accreditation standards for in-person CLE programs.**

Reporter's Comment: Distance learning encompasses a myriad of media, including but not limited to live and archived telephone seminars, live and archived audio and video webcasts, audio and video replays, and private and public uses of CDs. Over the past decade, distance learning has become an integral part of CLE, and its broad use and

unique characteristics demand consideration for appropriate accreditation standards. How much of a lawyer's mandatory CLE requirement should be met through distance learning? Some think that all lawyers should have to participate in at least some in-person CLE because of the inherent value of face-to-face interchanges. Others argue that well-planned and well-executed distance learning media can yield equally effective learning results and, therefore, should not have accreditation limits. Summit participants agreed that accreditation standards for more traditional, in-person CLE programs also need to evolve to reflect ongoing CLE experience and research findings on effective approaches to adult learning.

**8. MCLE regulators should accredit training in the content or skills necessary to effectively practice law, even if such content or skills are not directly related to substantive law.**

Reporter's Comment: This recommendation speaks to the not-uncommon mandatory CLE provision that denies accreditation to CLE courses on practice management, computer usage, or other skills lawyers need but that do not relate directly to substantive law. The rationale in some states for such limitations has been that CLE should encourage legal skills and knowledge, not practice management skills. Participants at the Summit argued that effective client service requires lawyers to be good managers of their time and offices, skilled managers of the financial aspects of running a practice, and knowledgeable in areas that do not necessarily involve substantive law. Several conferees involved in lawyer disciplinary matters noted that the percentage of cases involving lawyers' shortcomings in personal and practice management far outweighs the percentage of cases involving lack of substantive law awareness. This fact argues in favor of mandatory CLE rules that encourage lawyers to develop skills in practice management, practice development, client communication, and the like.

**9. MCLE regulators and CLE providers should work together to develop and implement means of measuring the effectiveness of CLE offerings.**

Reporter's Comment: Lawyers have traditionally been skeptical of testing in any form. And even the best-crafted evaluation forms are of limited value in substantiating the amount of learning taking place in CLE programs or in determining whether other approaches to learning might be more effective or efficient. Moreover, as was noted at the Summit, what really matters is whether the lawyer has the practice competencies needed for the work he or she is doing, not when or how the competencies were acquired. This argues for measuring competencies throughout careers, not by hours served in class.

**10. Recognizing that law firms and other legal employers are significant and regular providers of CLE, MCLE regulators should provide them with the same opportunities to gain accreditation of their programs as those afforded to external CLE providers.**

Reporter's Comment: Some jurisdictions deny or limit mandatory CLE credit for in-house training programs. It was the consensus of the Summit participants that lawyer

training should be encouraged in many settings as long as it meets the basic criteria of effective teaching and learning to produce better qualified and better performing lawyers.

11. **A post-Summit project should be initiated with representatives from law schools, the practicing bar, legal employers, bar associations, bar admissions, MCLE regulators, CLE providers, and in-house professional development to determine next steps toward achieving some or all of the following goals:**
  - a. **Designing a model approach to competencies;**
  - b. **Designing a model approach to bridge-the-gap transitional training programs;**
  - c. **Creating technology-enabled sharing of information and resources among providers and users of legal education;**
  - d. **Building support and getting input from local and regional constituencies on the project's recommendations and actions to address the recommendations; and**
  - e. **Developing mechanisms through which solo practitioners, small firms, and public interest organizations can access and benefit from developmental resources, training, and mentoring created by law schools, CLE providers, bar associations, and legal employers.**

Reporter's Comment: The early years of the 21<sup>st</sup> century have seen a rapid rise in the number of law firms, corporations, and government offices scaling up in-house professional development programs for their lawyers and in the number of full-time in-house education officers of such organizations. Key reasons for the increase in such programs and personnel have included hoped-for cost and time savings as compared with sending lawyers to outside training and the expected benefits of tailoring lawyer training to the specific needs of the lawyers in the sponsoring organizations. This recommendation suggests that after this period of rapid growth, it is appropriate now to step back, assess what has been learned to date, and share and spread the lessons of effective in-house professional development.

12. **The project described in Recommendation 11 should create a rigorous, sophisticated approach to developing model competencies, including:**
  - a. **Assembling information about existing competency models;**
  - b. **Creating a research process for identifying and testing which competencies actually correlate with successful practice;**
  - c. **Designing a template for making competencies appropriate to different roles, career stages, practice areas, etc.; and**
  - d. **Designing model curricula, aligned with the model competencies, to support lawyers' post-law school development.**

Reporter's Comment: This recommendation expands on Recommendation 11(a) above. It seeks to encourage those responsible for developing lawyers (e.g., law schools, in-house professional development programs, CLE providers) to participate actively in the design of practice competencies that will serve the legal profession and in the development of educational strategies and opportunities relevant to teaching those competencies. The use of competencies to guide educational approaches will increase the value of legal education for all concerned, including those delivering and receiving legal services.

13. **Law firms and other legal employers should continue to improve the effectiveness of their in-house programs by:**
  - a. **Using input from clients to identify important practice skills that will help lawyers serve their clients more effectively;**
  - b. **Applying adult learning theory and approach when designing programs; and**
  - c. **Partnering with law schools, clients, and CLE providers to share resources and to identify and apply the best content and teaching approaches.**

14. **Law firms and other legal employers should recognize a range of possible professional “paths” and provide or support training that assists lawyers in setting and achieving their individual professional goals.**

Reporter's Comment: The old model of all young lawyers eagerly seeking to work as associates in order to become partners in law firms is no longer the sole existing professional model, if it ever was. Rather, lawyers today choose among a wide range of career models. This recommendation simply urges that 21<sup>st</sup> century reality be taken into account so that lawyer training is based on realistic assumptions about lawyer career paths and is more likely to fill the felt needs and wants of lawyers and the organizations for which they work.

15. **Law schools, law firms, and CLE providers should train their instructors in: teaching skills, effective uses of technology to enhance learning, inter-generational communication issues, the communication of professional values and identity, and the design of effective clinical experiences.**
16. **Acknowledging our professional responsibility, the legal community should continue to develop programs that will prepare and encourage law students and all lawyers to serve the underserved.**
  - a. **As part of the legal community, law schools, if they have not already done so, should incorporate into their curricula the principle that improving access to justice for all is every lawyer's responsibility, and should offer students early in their law school experience exposure to**

- underserved communities and opportunities to provide legal assistance to those communities.**
- b. The legal community in each jurisdiction should collaborate to help newly admitted lawyers develop the skills that will enable them to provide effective legal services to underserved communities and to create opportunities for those lawyers to provide such services. Examples of such opportunities include work with community-based legal services including solo practitioners' resource networks and non-profit "incubators." Other opportunities for newly admitted lawyers to provide legal services to underserved communities include working with law school/court partnerships to provide resource materials for self-represented litigants, representing clients through traditional bar association pro bono programs, and serving as mentors to students in law school legal clinics.**
  - c. An entity of the ABA should serve as a clearinghouse for these programs to provide examples of best practices and innovative ideas.**