

FOUNDATIONS

INSTRUCTIONAL DESIGN GUIDE

Use Learning Outcomes & Standards-Based Assessments
to Train Better Lawyers



INSTITUTE for the ADVANCEMENT
of the AMERICAN LEGAL SYSTEM



UNIVERSITY of
DENVER

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April 2021

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IAALS

IAALS, the Institute for the Advancement of the American Legal System, is a national, independent research center at the University of Denver dedicated to facilitating continuous improvement and advancing excellence in the American legal system. We are a think tank that goes one step further—we are practical and solution-oriented. Our mission is to forge innovative solutions to problems within the American legal system. By leveraging a unique blend of empirical and legal research, innovative solutions, broad-based collaboration, communications, and ongoing measurement in strategically selected, high-impact areas, IAALS is empowering others with the knowledge, models, and will to advance a more accessible, efficient, and accountable American legal system.

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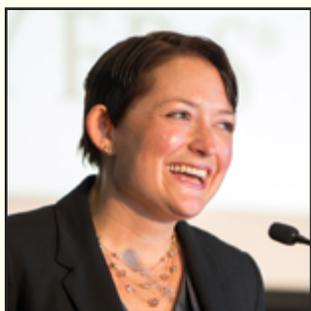
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Foundations is the creation of Alli Gerkman, former senior director at IAALS, and it would not exist today without her tireless dedication, innovative spirit, and bold leadership. Her death in August 2019 deprived us of her friendship and her fearlessness, but it did not extinguish her vision for an accessible, fair, and accountable justice system that works for all people. We are always mindful that our work to revitalize and advance *Foundations for Practice* as a means of improving legal education, improving hiring practices among legal employers, and increasing diversity within the profession is a piece of keeping Alli's legacy burning bright.



We are also grateful for the support and guidance provided to us by Paula Littlewood, member of IAALS' Board of Advisors until her passing in 2020. Paula was a champion for innovation in the legal industry and in legal education and was instrumental in launching *Foundations for Practice*. She also worked by our side to ensure workshops in 2018 and 2019 were a success. Paula urged us to be bold and had great vision for the future, which now rests in our hands.

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Participating Law Schools

- Columbia Law School
- University of Denver Sturm College of Law
- Northwestern Pritzker School of Law
- Seattle University School of Law

Participating Employers

- Akin Gump Strauss Hauer & Feld LLP
- Brownstein Hyatt Farber Schreck LLP
- Cleary Gottlieb Steen & Hamilton LLP
- Colorado Office of Attorney General
- Office of the Colorado State Public Defender
- Cook County State's Attorney's Office, Chicago
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- Davis Polk & Wardwell LLP
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- Ropes & Gray LLP
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- Seattle City Attorney's Office
- Sidley Austin LLP
- Skellenger Bender P.S.
- Starbucks Coffee Company
- The City of New York Law Department
- Washington State Office of Attorney General
- Wheeler Trigg O'Donnell LLP

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Table of Contents

INTRODUCTION: USE LEARNING OUTCOMES & STANDARDS-BASED ASSESSMENTS TO TRAIN BETTER LAWYERS	1
THE WHOLE LAWYER	2
THE FOUNDATIONS LEARNING OUTCOMES	4
THE LEARNING OUTCOMES MAP	5
HOW TO INCORPORATE A FOUNDATIONS-BASED INSTRUCTIONAL DESIGN PROCESS	7
THE STANDARDS-BASED EDUCATIONAL MODEL	9
THE BENEFITS OF USING FOUNDATIONS LEARNING OUTCOMES	11
OVERVIEW OF THE FOUNDATIONS LEARNING OUTCOMES	12
FRAMEWORK FOR IMPLEMENTING FOUNDATIONS LEARNING OUTCOMES	14
HOW TO IMPLEMENT FOUNDATIONS LEARNING OUTCOMES	16
ANALYZE LEARNING OUTCOMES	17
REFINE FOUNDATION DEFINITIONS	18
REVISE LEARNING OBJECTIVES	20
OPERATIONALIZE THE LEARNING OBJECTIVE	24
DETERMINE APPROPRIATE ASSESSMENTS	26
DEVELOP RUBRICS	28
STANDARDS-BASED ASSESSMENTS: TOOLS FOR ACCOUNTABILITY	30
CONCLUSION	31
THE INSTRUCTIONAL DESIGN TOOLKIT	32
LEARNING OUTCOMES MODEL	33
BLOOM'S TAXONOMY PLANNING KIT	58
TYPES OF ASSESSMENT	59
OBSERVATIONAL RUBRIC GUIDE AND EXAMPLES	62
EXAMPLES OF RUBRICS	66

Use Learning Outcomes & Standards-Based Assessments to Train Better Lawyers

This instructional design guide is for educators who are interested in using what IAALS has learned from the *Foundations for Practice* project as a basis for learning outcomes and standards-based assessments.

The guide uses a step-by-step approach to implement a Foundations-based instructional model in the university law classroom. The methodologies described are designed to be accessible and comprehensible for instructors who have not previously used standards-based instruction.

The Model Learning Outcomes should not be used as boilerplate to merely create the appearance of implementing learning outcomes in law schools. Instead, they form a set of principles and recommendations geared toward assisting in the application of data-informed, standards-based instruction. Our Model Learning Outcomes can and should be adapted, following the guidance provided in this report, to match the specific

objectives and goals for individual educators and law schools.

Importantly, implementing Foundations-based learning outcomes does not mean a complete overhaul of everything a law school is already doing. On the contrary, most law schools already have a curriculum that reflects many of the foundations. What this process urges schools and educators to do is comprehensively define what it is that students should be learning using IAALS' Model Learning Outcomes as a guide, then map the existing curriculum onto that adapted model. This will allow law schools and educators to identify where the foundations are already being learned, where there are gaps, and—where gaps are found—to understand what needs to be added to the curriculum.

The Framework This Guide Is Based On:

The **Model Learning Outcomes** that IAALS developed in collaboration with Columbia Law School, Northwestern Pritzker School of Law, University of Denver Sturm College of Law, and Seattle University School of Law

Collaborative working sessions conducted with 36 different legal employers in New York, Chicago, Denver, and Seattle representing a variety of practice areas and organization sizes

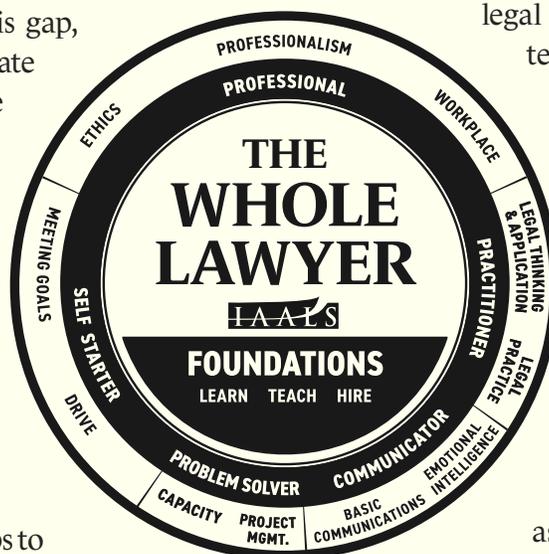
Results of the *Foundations for Practice* survey of more than **24,000 lawyers** from across the country

The Whole Lawyer

For years, lawyers, judges, and clients have called for new lawyers who can hit the ground running. Disheartening job placement numbers for law school graduates and declining numbers of paying clients, among other issues, have highlighted the gap in what abilities new lawyers need and what they have.

If law schools are to close this gap, they will need to better evaluate whether their graduates have the abilities necessary to be successful new lawyers in today's environment. So, those of us working in legal education are tasked with figuring out how law schools can adapt to meet the needs of the modern legal profession.

One place to start is taking steps to meaningfully measure and improve student learning. In fact, the American Bar Association (ABA) now requires accredited law schools to have standards for educational assessments.¹ Included in these standards are learning outcomes—statements that describe the knowledge or skills students should acquire by the end of a particular assignment, course, or program—for specific competencies related to the practice of law.² In response, law schools are beginning to make a shift in focus toward assessment, or, as Dean Gregory Bowman wrote, “away from what is taught, and toward what is actually learned.”³ Although the traditional



legal curriculum, which emphasizes teaching students to “think like a lawyer,” will remain at the center of law schools’ JD programs, schools should assess their students’ success in mastering that ability and in bridging the gap between thinking like a lawyer and other lawyering skills.

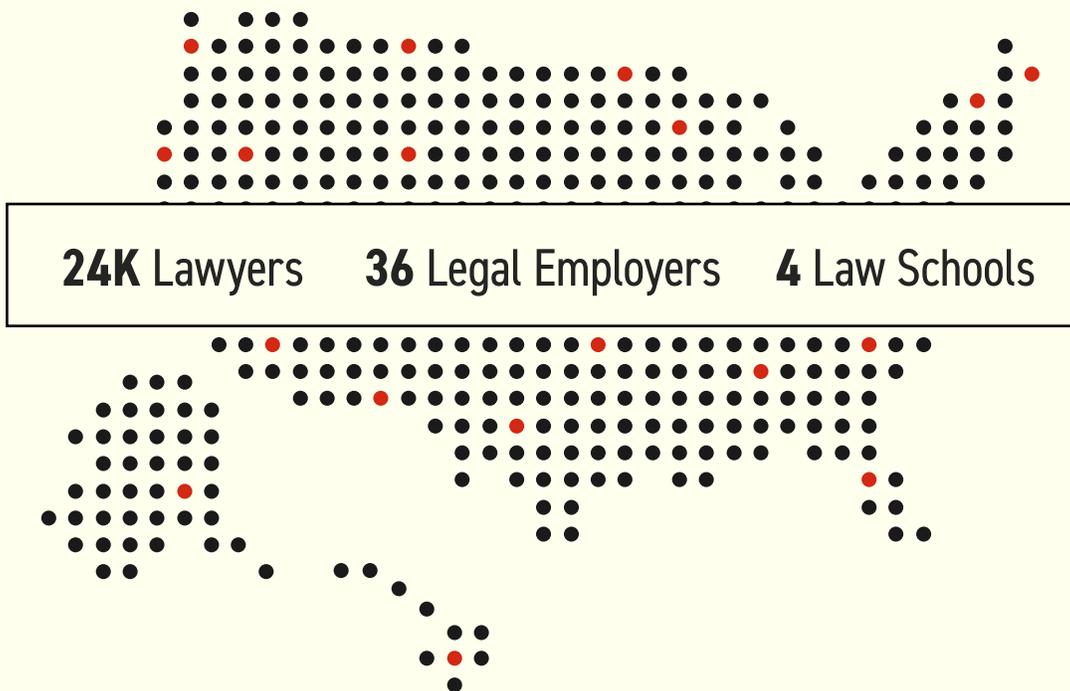
To design effective assessments, law schools must first identify the abilities and attitudes new lawyers need. To accomplish this goal, IAALS developed a set of Model Learning Outcomes based on the insights we learned from our empirical research and interactive workshops with four law schools and 36 legal employers from across the country. These Model Learning Outcomes arrange 76 foundations—characteristics, professional competencies, and legal skills needed right out of law school—into five broad categories: Lawyer as Practitioner, Lawyer as Professional, Lawyer as Communicator, Lawyer as Self Starter, and Lawyer as Problem Solver.

¹ See, e.g., ABA SECTION OF LEGAL EDUC. AND ADMISSIONS TO THE BAR, MANAGING DIRECTOR’S GUIDANCE MEMO: STANDARDS 301, 302, 314-315 6 (discussing assessments, learning outcomes, and objectives for legal education) (June 2015), https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/governancedocuments/2015_learning_outcomes_guidance.pdf [hereinafter MANAGING DIRECTOR’S GUIDANCE MEMO].

² *Id.* at 302. ABA standards require law schools to have established learning outcomes and demonstrate that they are implementing an assessment plan by the end of the 2018-2019 academic year.

³ Gregory W. Bowman, *The Rise of the Creative Law School*, U. Tol. L. Rev., Forthcoming; W. Va. U. C. OF LAW Research Paper No. 2018-011 (November 9, 2018), at 4, <https://ssrn.com/abstract=3281761> or <http://dx.doi.org/10.2139/ssrn.3281761>.

Through a national survey, over 24,000 lawyers in all 50 states identified a set of 76 characteristics, professional competencies, and legal skills that are necessary right out of law school.⁴ We call the new lawyer who exhibits these foundations the "Whole Lawyer."



⁴ Our survey results identified the foundation “Have a personality that ‘fits’ the firm or organization” as one of 77 needed right out of law school, but educators and employers in our workshops viewed this foundation negatively. The lack of a definition for fit could easily—and, in reality, often does—result in biased hiring practices, such as those that favor candidates of a particular ethnic background or gender. Thus, the foundation’s wording has the potential to validate explicit or implicit bias based on race, gender, or other traits in hiring, which directly contradicts the value our participants place on diversity and cultural competency in the profession. The project team determined that fit is best evaluated by assessing a candidate’s abilities in the 76 other key legal skills, professional competencies, and characteristics that an employer values. Therefore, fit is best thought of as an individual’s demonstration of the full set of foundations an employer views as most important. Given that characterization of fit, it was no longer necessary as an individual foundation, so we removed it from the Model Learning Outcomes.

The Foundations Learning Outcomes

Using this model, we will help schools instill and measure what is important for student practice-readiness, and help employers adopt hiring practices that identify candidates that they want to hire and retain.⁵

COMMUNICATOR

Communicate by reading, writing, speaking, and listening in a professional manner.

PRACTITIONER

Employ research, synthesize, analyze, and apply skills in legal processes and actions.

PROFESSIONAL

Use efficient methods and tools to manage one's and the firm or organization's professional workload with accuracy and utility.

PROBLEM SOLVER

Solve long-term and immediate problems to the benefit of all stakeholders.

SELF STARTER

Demonstrate leadership, responsibility, and initiative in work responsibilities with little supervision.

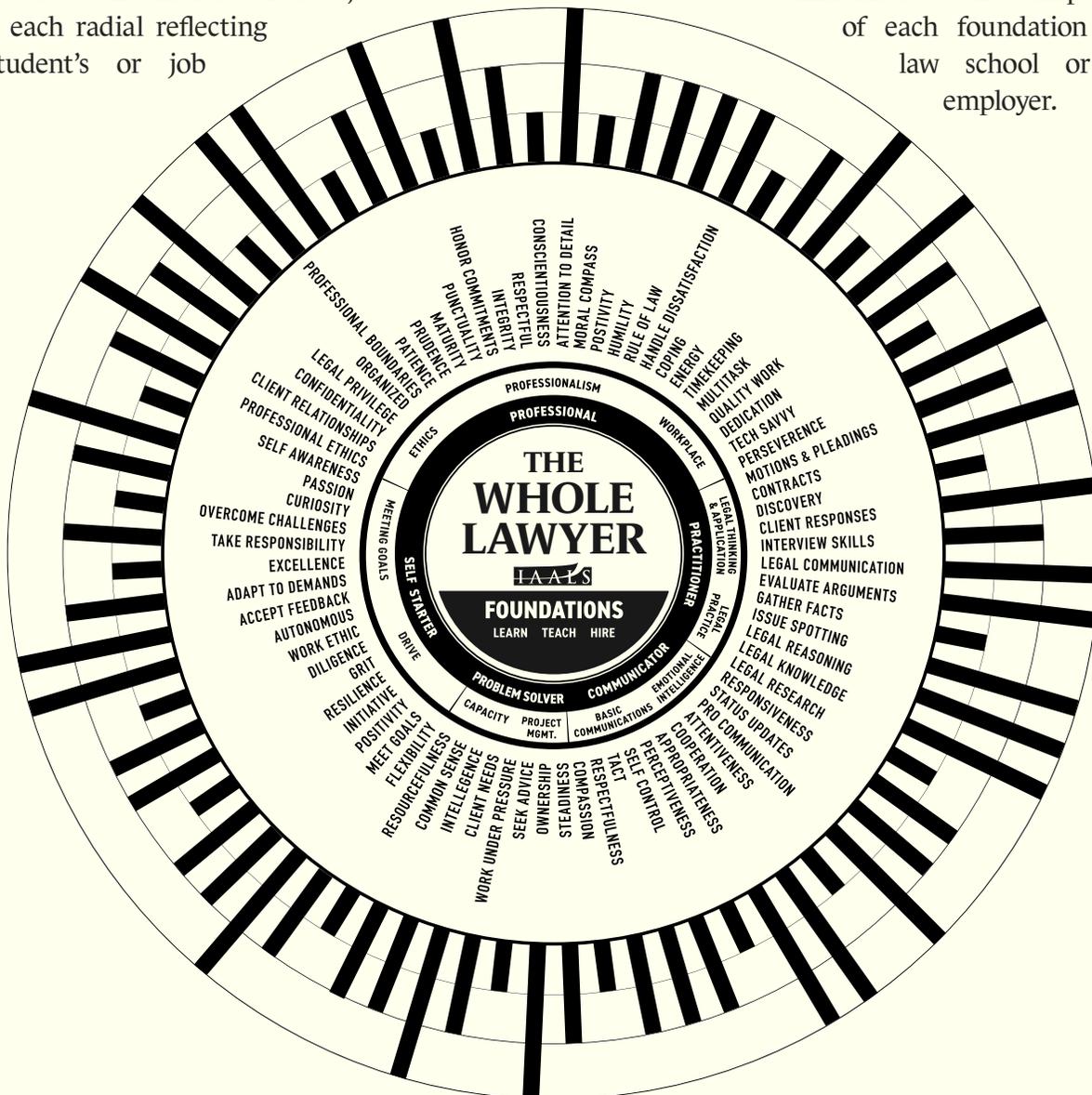
⁵ For more information on how this model was developed, please see ZACHARIAH J. DeMEOLA & LOGAN CORNETT, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., FOUNDATIONS: EDUCATE AND HIRE THE BEST LAWYERS or visit our project website at <https://iaals.du.edu/projects/foundations-practice>

The Learning Outcomes Map

The Learning Outcomes Map captures the five learning outcomes, the categories within them, and the 76 foundations organized according to those categories.

This model is designed to be flexible and can be used, with the assistance of the guidance, tools, and processes we developed, to measure relative mastery of these foundations. This map can be used at the individual level, with each radial reflecting a student's or job

candidate's level of mastery of each foundation based on the length of the radial line. It can also be used at the organizational level to map the relative strengths of a curriculum or to communicate the importance of each foundation for a law school or legal employer.



How to Incorporate a Foundations-Based Instructional Design Process

1. Analyze Objectives and Goals of Coursework

- Critically analyze the five learning outcomes and adapt them to the objectives and unique goals of the coursework. Carefully dissect each learning outcome and determine whether each is organized in a way that works for the law school, taking care to consider whether it contains the appropriate foundations and learning outcomes and whether these are defined in a way that makes sense for the school.

2. Develop Clear Definitions

- Develop clear and detailed definitions for each foundation. Examine the meaning underlying each foundation and specify the knowledge needed to master each foundation. Intentionally defining foundations that will underpin coursework is critical to setting expectations from the instructors' and the students' points of view.

3. Write Learning Objectives

- Write learning objectives, which are unambiguous descriptions of a specific unit of knowledge that a student needs to obtain through instruction—the next level of detail under the learning outcomes—by:
 - Identifying the knowledge students need to obtain under each foundation;
 - Determining the level of cognition students must achieve for the identified foundation or learning objective;
 - Selecting a verb that describes what a student should be able to do to demonstrate achievement of the level of cognition; and
 - Describing the abilities students must demonstrate upon mastery of the knowledge.

4. Operationalize Learning Objectives

- Operationalize foundations and learning objectives by describing the method by which they will be measured. Focus on two prime components: 1) the kinds of instruction and activities that would foster mastery of the foundation or learning objective, and 2) the purpose of the foundation or learning objective—the reason it is important for students to master.

5. Design Appropriate Assessments

- Design or select a set of assessments by which to measure mastery of the foundations or learning objectives. Consider what students should fundamentally be doing to improve their proficiency in the foundation(s) or learning objective(s), and how that process manifests itself differently in different activities.

6. Design Observational and Scoring Rubrics

- Design or select observational rubrics to be used for the foundations or learning objectives that are not otherwise easily measured.
- Develop scoring rubrics for projects in which there may be subjectivity in grading to ensure that all students and instructors who participate in the assessment understand the criteria created and how to apply it.

Strategies for Continued Improvement

Consistently Assess Targeted Knowledge

- Consistently test and assess the targeted knowledge delineated by learning outcomes, foundations, and learning objectives.

Identify Inconsistencies

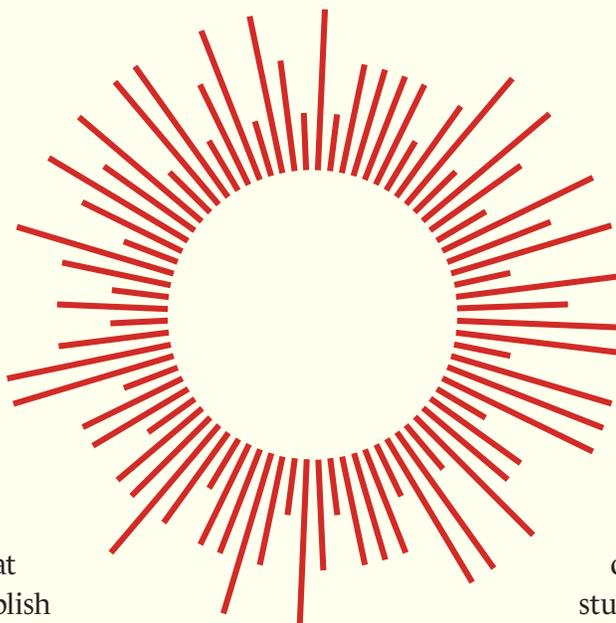
- Look for inconsistent application of criteria in assessments. For instance, assessments that rely on the same evidence but come to different conclusions or assessments that come to the same conclusion, but with different evidence.

Build Accountability and Improve the Process

- Use these inconsistencies to identify where improvements can be made in instruction or assessment and to fuel discussion about how assessors can be more consistent in their evaluation of students. Build accountability into the process with these discussions. Take any feedback or lessons learned to continually update, analyze, and adapt the standards-based framework, taking care to stay fluid without losing accountability.

The Standards-Based Educational Model

Learning outcomes, the bedrock of standards-based instruction, are the yardstick by which student learning is measured.



Up to this point, graduation rates, job placement, and bar passage have been the primary focus in measuring academic outcomes for law schools. Today, the ABA expects that “law schools must also establish and measure other important outcomes for those who enroll in its program of legal education.”⁶ Further, the ABA requires law schools to develop learning outcome measures and assessment methodologies that will “improve their legal education programs and better serve the needs of students during their legal education and in their professional careers.”⁷

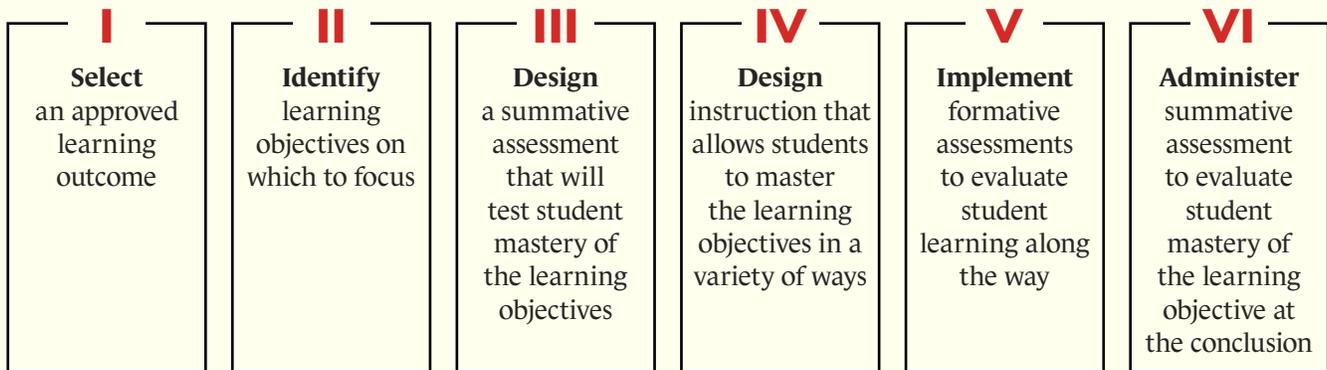
When the ABA and others discuss learning outcomes, they are referring to standards-based

instruction. Learning outcomes, the bedrock of standards-based instruction, are the yardstick by which student learning is measured. Learning outcomes clarify what students are expected to master by describing the information and skills (referred to collectively as knowledge throughout this guide) students should acquire by the end of an assignment, course, or program. The purpose of standards-based instruction is to guide the learning process from identifying the baseline standard—the learning outcome—to designing instruction, applying research-based instructional practices, and assessing student mastery of knowledge. Under this regime, learning outcomes drive every aspect of instruction.

⁶ See MANAGING DIRECTOR’S GUIDANCE MEMO, *supra* note 1.

⁷ *Id.* at 1.

Process for Standards-Based Education



Under the standards-based educational model, the instructor first selects a learning outcome from a list upon which the school (that is, faculty and administrators) has agreed, and selects specific learning objectives (sub-units within each learning outcome) upon which the course will focus. Then, prior to developing a strategy for instruction around the learning outcome, the instructor designs a summative assessment to measure student mastery of the learning outcome at the conclusion of the unit, course, or program. This summative assessment should be standardized and, where appropriate, instructors should provide a rubric that will apply to all students equally.⁸ Once the summative assessment is developed, the instructor moves on to designing instruction to facilitate student mastery of the learning outcome in a variety of ways. Throughout the course of instruction, the instructor uses formative assessment techniques—generally, worth relatively few points toward the final grade as these are practice opportunities—to evaluate student learning as the unit, course, or program progresses. Instructors can use performance on the formative assessments as a means of

identifying areas in which instruction can be improved. Finally, at the conclusion of the unit, course, or program, the instructor administers the summative assessment—designed at the outset—to gauge student mastery of the selected learning outcome(s). See the “Determine Appropriate Assessments” section below for more detailed discussion of the different types of assessments.

A critical consideration in developing a standards-based educational strategy is alignment across learning objectives, instruction, and assessment—that instruction and assessments reflect the desired learning outcomes, and that assessments provide a reliable and valid measure of concepts introduced during instruction.⁹ Failure to create alignment can result in obvious and considerable problems. For instance, if instruction is not based upon the selected learning outcomes, student performance in the course cannot be linked to any degree of mastery of those learning outcomes. However, when alignment does exist, educators and students can be certain that success in law school directly relates to mastery of learning outcomes.

⁸ See the Instruction Toolkit at the end of this guide for a sample rubric.

⁹ LORIN W. ANDERSON AND DAVID R. KRATHWOHL, *A TAXONOMY FOR LEARNING, TEACHING, AND ASSESSING 3* (LORIN W. ANDERSON ET AL. EDs., 2001) [Hereinafter *TAXONOMY FOR LEARNING*].

The Benefits of Using Foundations Learning Outcomes

“

The *Foundations for Practice* learning outcomes...helped us to think about how to teach doctrinal courses and...helps to guide mentoring efforts, gives permission to not hold back on giving feedback to students, and opens the door to more proactive guidance.

— Diane Lourdes Dick

Associate Professor of Law, Seattle University School of Law

In our work on this project, we learned that law school faculty, staff, and administrators are all grappling with how to structure, design, and incorporate learning outcomes and assessments into their educational programs. But we also learned that they are genuinely motivated to better prepare students for their careers after law school. In our view, a Foundations-based approach using a data-driven process to design learning outcomes and implement corresponding assessments is the best way to accomplish that goal.

Foundations-based learning outcomes emphasize the application and integration of knowledge and help students understand why particular content, knowledge, and skills will be useful to them in law school and in their future careers. They also provide a comprehensive means of including co- and extra-curricular activities in assessing how certain standards are being met by students.

Foundations-based learning outcomes also underscore school accountability. Learning outcomes require schools to collect evidence that demonstrates students' mastery of a subject or skill. In the collection and evaluation of data, learning outcomes are key to the integrity of the process, establishing a starting point against

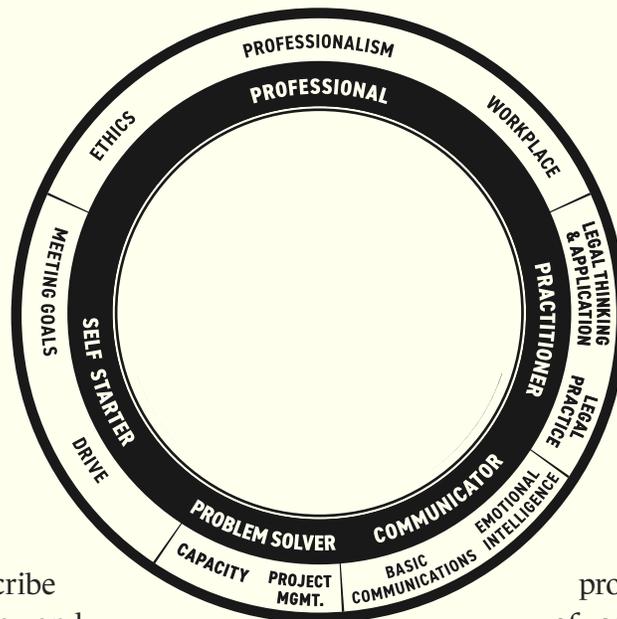
which progress will be measured. They create a baseline that, once established, facilitates identification of the most valuable information for decision making. In addition, given the often subjective nature of individual judgment in assessments, a Foundations-based approach offers multiple methods of assessment, which will produce a more accurate portrayal of a given assignment, course, or program.

Moreover, a Foundations-based approach can be designed to improve educational programs with a framework that is adaptable enough to accommodate future improvement and innovation in education or the legal profession. The assessment and evaluation process feeds into sustainable growth by allowing a program to stay fluid without losing the accountability necessary to maintain high standards.

Ultimately, explicitly defined learning outcomes that are used as consistent assessment criteria provide a more reliable, robust, and adaptable process, reducing the influence of bias and other factors that may compromise the integrity of education. Indeed, our participants came away with what one of our educators described as a “deep appreciation for the willingness to explore the metrics we can provide, whether curriculum or recruiting metrics.”

Overview of the Foundations Learning Outcomes

Through the *Foundations for Practice* project, including the national survey and our collaborations with legal educators and employers, we created a set of Model Learning Outcomes.



Before moving on to describe the process that schools and educators can use for adapting and fleshing out the Model Learning Outcomes, it is important for us to review and lay out the levels of detail and hierarchical structure underlying each of the five main learning outcomes. This information is crucial to understanding the Model Learning Outcomes.

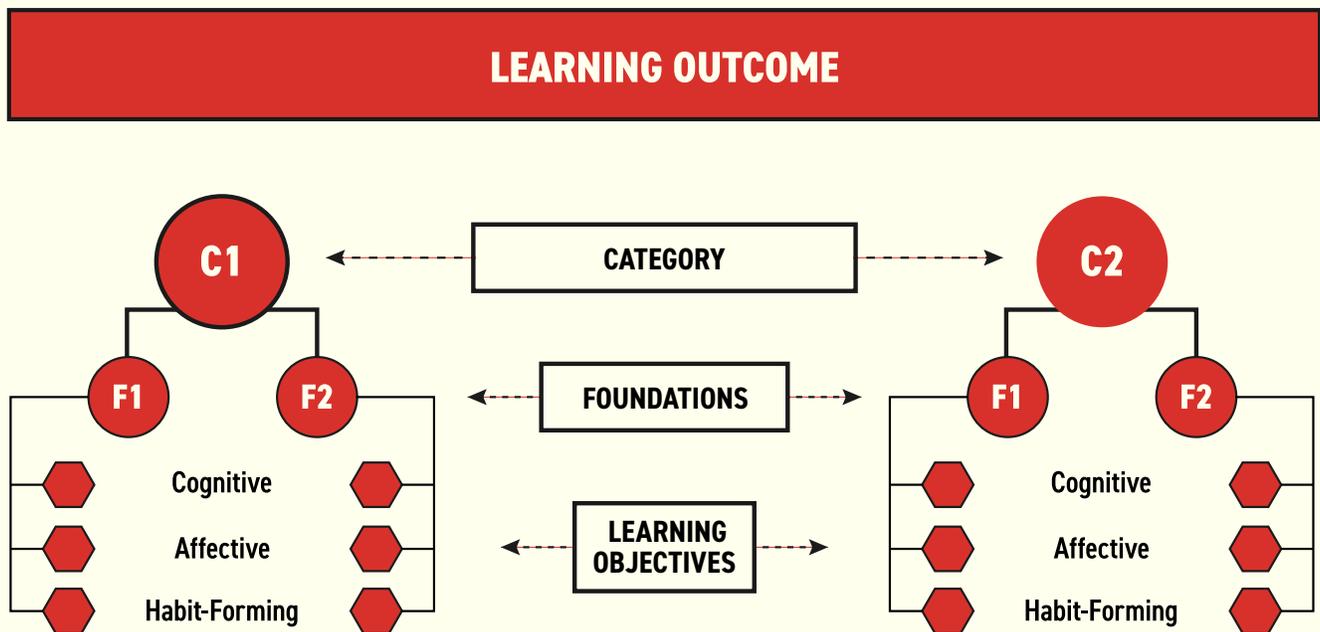
Each of our learning outcomes consists of two or more categories. The categories exist to

provide an additional level of organization and group the foundations together in meaningful ways underneath each learning outcome. The foundations constitute the next level of detail and represent the basic unit of knowledge within the learning outcome. Each foundation can be measured according to three types of learning objectives: cognitive, affective, and habit-forming (these are referred to as domains of learning and are described in more detail in the *Revise Learning Objectives* section below).

Sample Learning Outcome Hierarchy

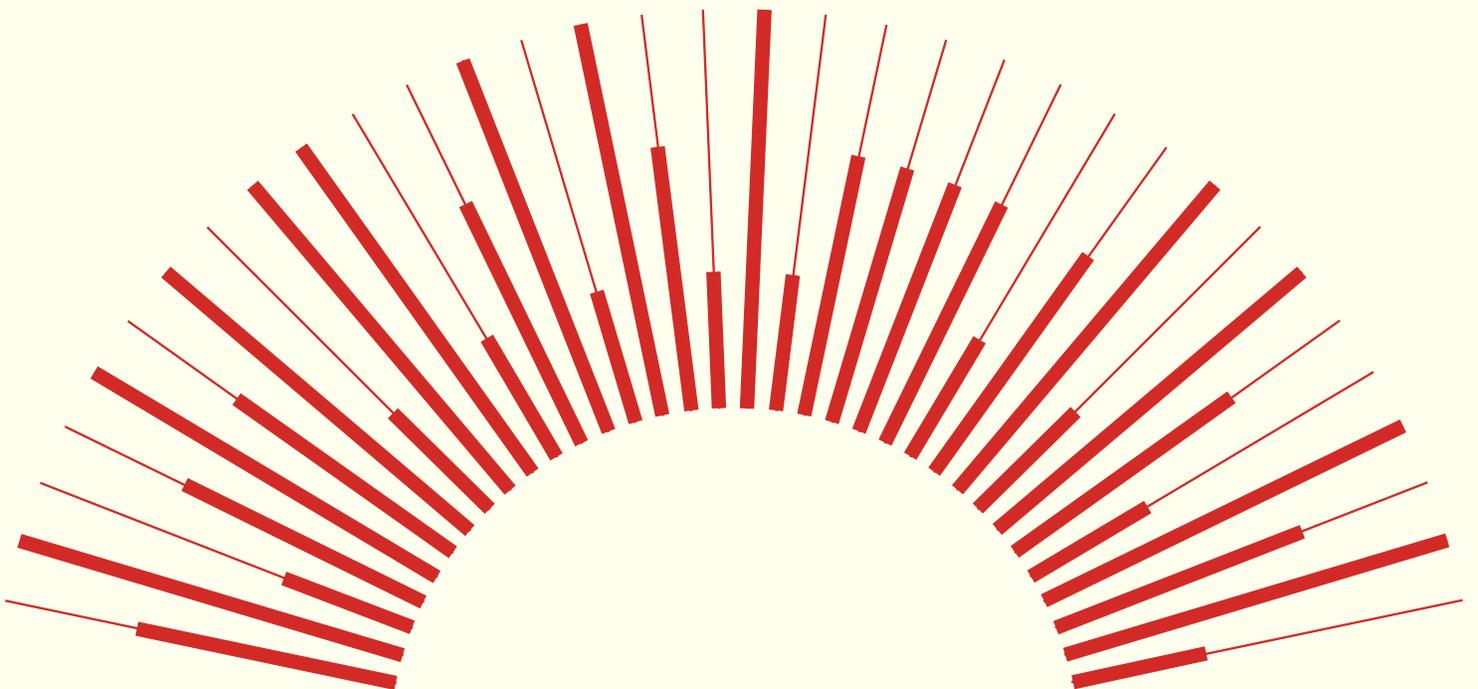
The complete Model Learning Outcomes includes the five Foundations-based learning outcomes, as well as the categories, foundations, and learning objectives that compose them. The sections that follow describe the rationale and process law

schools should undertake in implementing the Model Learning Outcomes—along with their component parts—and adapting them to match the school’s unique goals.



Framework for Implementing Foundations Learning Outcomes

A Foundations-based approach in designing and implementing learning outcomes helps students understand what is and will be expected of them, helps legal educators evaluate the knowledge students must develop, and helps law schools evaluate their own programs and progress. It follows a framework of **intentional**, **explicit**, and **consistent** practices. Below are examples of places where these ideas can and should be employed; however, they are in no way comprehensive—this framework should be considered throughout the process of adapting and implementing the Foundations-based outcomes.



FRAMEWORK

INTENTIONAL

Being intentional ensures that law schools and legal educators remain thoughtful and vigilant throughout the process of adapting and implementing the Foundations-based learning outcomes. Educators should be intentional in:

Analyzing the learning outcomes and their constituent parts	Determining the value of each foundation for the law school	Building consensus within the law school around the learning objectives	Creating alignment between learning objectives, instruction, and assessment	Continuing to review and adapt the learning outcomes as needs change over time
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EXPLICIT

Being explicit is imperative for ensuring universal understanding of the learning outcomes, the components of which they are comprised, the instruction they underpin, and the process through which they are implemented. Educators should be explicit in:

Determining the meaning of each learning outcome for the law school	Drafting and defining learning objectives for individual courses	Communicating those learning objectives to students at the outset of the course	Communicating with fellow educators about the implementation process	Setting expectations with students around formative and summative assessments, including what those assessments will evaluate and how
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CONSISTENT

Being consistent creates an environment in which both educators and students know what to expect; it also provides a basis for educators to evaluate their instruction and adapt when necessary. Educators should be consistent in:

Implementing the Foundations-based learning outcomes	Developing instructional strategies to target specific learning objectives	Applying assessments and rubric criteria to all students equally
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How To Implement Foundations Learning Outcomes



ANALYZE
Learning
Outcomes



REFINE
Foundation
Definitions



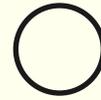
REVISE
Learning
Objectives



OPERATIONALIZE
Foundations &
Learning
Objectives



DETERMINE
Appropriate
Assessments

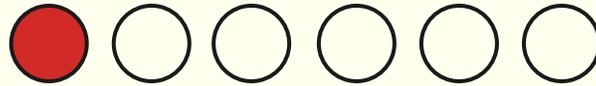


DEVELOP
Rubrics

The Model Learning Outcomes and the individual pieces that constitute them represent a complete and implementable set of learning outcomes.

We strongly encourage any law school looking to implement them to carefully review the Model Learning Outcomes and modify them in ways appropriate to the school's specific needs. For example, the majority of *Foundations for Practice* survey respondents did not view trial skills as necessary right out of law school. For certain law schools, it may be that employers who consistently hire from that school disproportionately seek trial skills in new hires. These schools would likely need to focus more on trial skills than what the national *Foundations for Practice* survey would suggest. In either case, we recommend the following process for any law school seeking to implement the Foundations-based learning outcomes.

Analyze Learning Outcomes



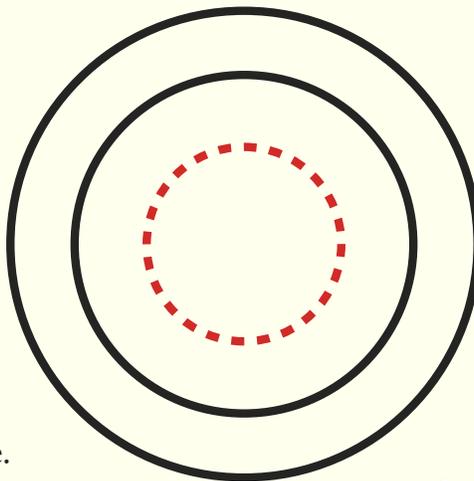
Conduct a comprehensive, in-depth analysis of each learning objective and its component parts (categories, foundations, and learning objectives)

Consider the organization of the learning outcomes and the role each plays in the curriculum

Build consensus by including faculty, staff, administrators, and employers in the process

The first step in implementing Foundations-based learning outcomes is conducting a comprehensive, in-depth analysis of each learning outcome and its components: the categories, foundations, and learning objectives that compose each learning outcome. During this initial phase, educators must fully understand and consider how each learning outcome functions individually, as well as the role it plays in the set of learning outcomes overall. Educators will need to carefully dissect each learning outcome and, in doing so, determine whether each is organized in a way that works for the law school, taking care to consider whether it contains the appropriate foundations and learning outcomes and whether they are defined in a way that makes sense for the school.

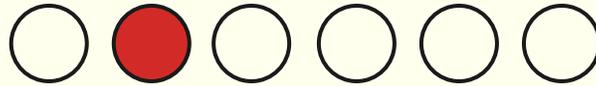
This initial step cannot be done in a vacuum. Rather, it requires building consensus across



the school's faculty, staff, and administrators. We strongly encourage schools to include employers in the conversation as well. Involving a diverse set of perspectives helps to ensure a thorough, exhaustive learning outcomes analysis. For instance, different types of faculty members—doctrinal, clinical, legal writing, and others—will likely have distinct ideas about what is important for students to know and reasons for emphasizing certain foundations or learning objectives over others.

At the conclusion of the learning outcomes analysis process, the school should have a final set of learning outcomes to be implemented. If the school has involved a broad set of perspectives, it will also have buy-in across the school and employers regarding the final set of learning outcomes.

Refine Foundation Definitions

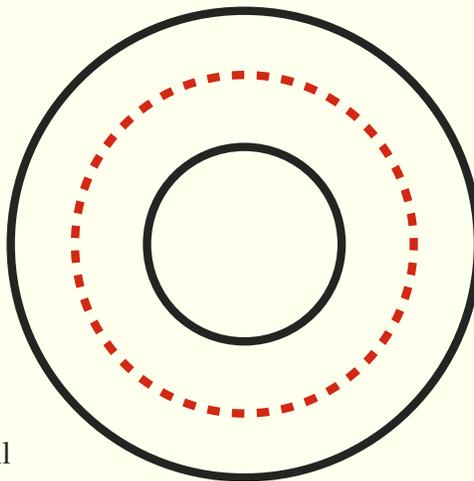


Explicitly specify the knowledge needed to master each foundation

Modify foundation definitions provided in the Model Learning Outcomes to meet the needs of the school

Ensure definitions are comprehensive, fully describing the meaning of each in unambiguous terms

The next step in the implementation process is examining the meaning underlying each foundation. In other words, instructors must specify the knowledge needed to master each foundation. Intentionally defining foundations that will underpin coursework is critical to setting expectations from the instructor's and the students' points of view. More broadly, these definitions equip instructors with the ability to gather the information needed to measure each foundation. Importantly, agreeing



upon the definition of each foundation, which will ultimately drive coursework, creates a basis for consistent and objective assessment of student learning.

As part of our Model Learning Outcomes, we have constructed definitions for each of the foundations that can be found in the Instructional Design Toolkit at the end of this guide; however, as with other elements of the Model Learning Outcomes, schools may need to modify the foundation definitions to meet their own needs.

In reviewing and modifying the foundation definitions, educators should consider each of the following:

- What constitutes familiarity with the foundation;
- What is important to know and do when demonstrating the foundation; and
- What comprises enduring understanding of the foundation.

From here, each foundation should be carefully defined. When defining foundations, educators should be as clear as possible, leaving nothing to assumption. Be wary of buzzwords or any word with a vague or ambiguous definition. Definitions for such terms should be scrutinized and revised until there is a single, clear interpretation of its meaning. Further, each definition should be comprehensive; in other words, the definitions should fully describe the meaning of the foundation, rather than only discrete portions.

For example, the foundation "Grit" is included under the Lawyer as Self Starter learning outcome. Indeed, conversations in our workshops with both educators and employers revealed this to be a highly prized characteristic. But different people understand and define grit in different

ways—and without a concrete definition, any assessment of this characteristic would be subjective and unreliable. Angela Duckworth, a psychologist and researcher at the University of Pennsylvania, defines grit as “perseverance and passion for long-term goals.”¹⁰ However, a dictionary definition of grit is “firmness of character; indomitable spirit; pluck.”¹¹ Neither one of these definitions is wrong, but each definition would likely lead to different educational outcomes. In the Model Learning Outcomes, we created a sort of amalgam of these, defining "Grit" as “perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments.” This definition is suitably explicit and complete for purposes of the Model Learning Outcomes, but some schools may wish to modify this definition to better suit their educational goals.

Developing these definitions is not always easy; there is sometimes the temptation to take an “I know it when I see it” approach to identifying student mastery of certain knowledge. But because these foundation definitions are the bedrock upon which assessments are built, creating unambiguous and comprehensive definitions is crucial to avoiding bias, subjectivity, and inconsistency.

¹⁰ Duckworth, A. L., Peterson, C., Matthews, M. D., & Kelly, D. R., *Grit: Perseverance and Passion for Long-Term Goals*, 92(6) J. OF PERSONALITY AND SOC. PSYCHOL. 1087–1101, 1087 (2007). See also ANGELA DUCKWORTH, GRIT: THE POWER OF PASSION AND PERSEVERANCE 8 (2016).

¹¹ *Grit*, *DICTIONARY.COM*, available at <https://www.dictionary.com/browse/grit> (last visited Mar. 19 2021).

Revise Learning Objectives



Identify knowledge students need to obtain

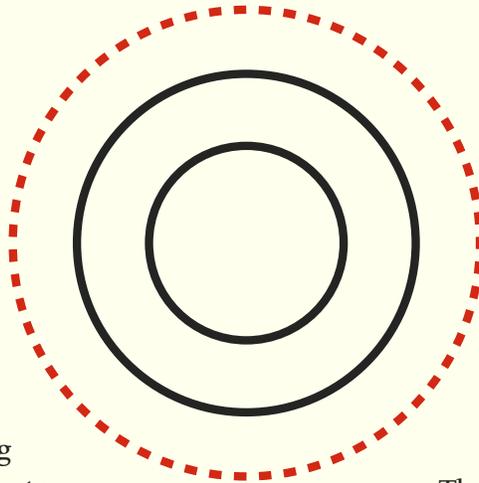
Indicate the target domain of learning: cognitive, affective, or habit-forming

Determine the level of cognition students must achieve for the identified foundation or learning objective (see Bloom's Taxonomy)

Select a verb which describes what a student should be able to do to demonstrate achievement of the level of cognition

Describe the abilities students must demonstrate upon mastery of the knowledge

After analyzing the broad learning outcomes and refining the foundation definitions, law schools must review and revise the learning objectives that comprise each foundation. As part of our process for developing the Model Learning Outcomes, we created learning objectives ready for law schools to implement. These can be found in the Instructional Design Toolkit at the end of this guide. However, as with all other aspects of the learning outcomes, we recognize that schools may need or want to modify the learning objectives to more closely align with their own



mission and goals. Thus, this section provides detail about our process for creating learning objectives for the Model Learning Outcomes, as well as guidance for those who wish to modify or develop new objectives based upon the foundations.

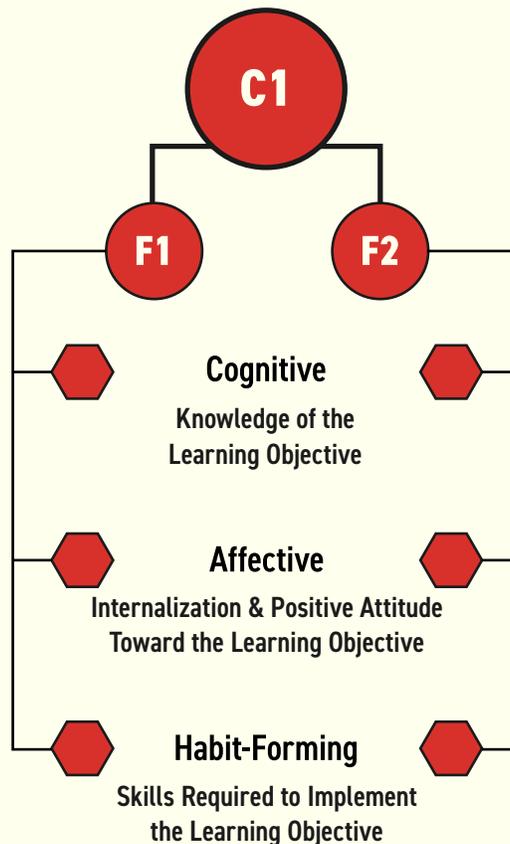
The process we describe here and the concomitant terms are derived from Bloom's Taxonomy, which is a strategy for curriculum and assessment development that has been used in instructional design for decades.¹² Before tackling the process, it is important to understand the related terms and concepts.

¹² TAXONOMY FOR LEARNING, *supra* note 9, at 5.

Learning Objectives & Domains of Learning

A learning objective is an unambiguous description of a specific unit of knowledge that a student needs to obtain through instruction—these are the next level of detail under the learning outcomes. In our Model Learning Outcomes, each foundation is comprised of three separate learning objectives. The learning objectives under each foundation represent

three domains of learning: cognitive, affective, and habit-forming. The cognitive domain refers, broadly, to knowledge of the learning objective.¹³ The affective domain refers to increasing degrees of internalization and positive attitude toward the learning objective.¹⁴ The habit-forming (or psychomotor) domain refers to the skills required to implement the learning objective.¹⁵



¹³ Alfred P. Rovai, Mervyn J. Wighting, Jason D. Baker, and Linda D. Grooms, *Development of an Instrument to Measure Perceived Cognitive, Affective and Psychomotor Learning in Traditional and Virtual Classroom Higher Education Settings*, 12 *INTERNET AND HIGHER EDUCATION* 7, 8 (2009), <https://www.sciencedirect.com/science/article/pii/S109675160800064X>.

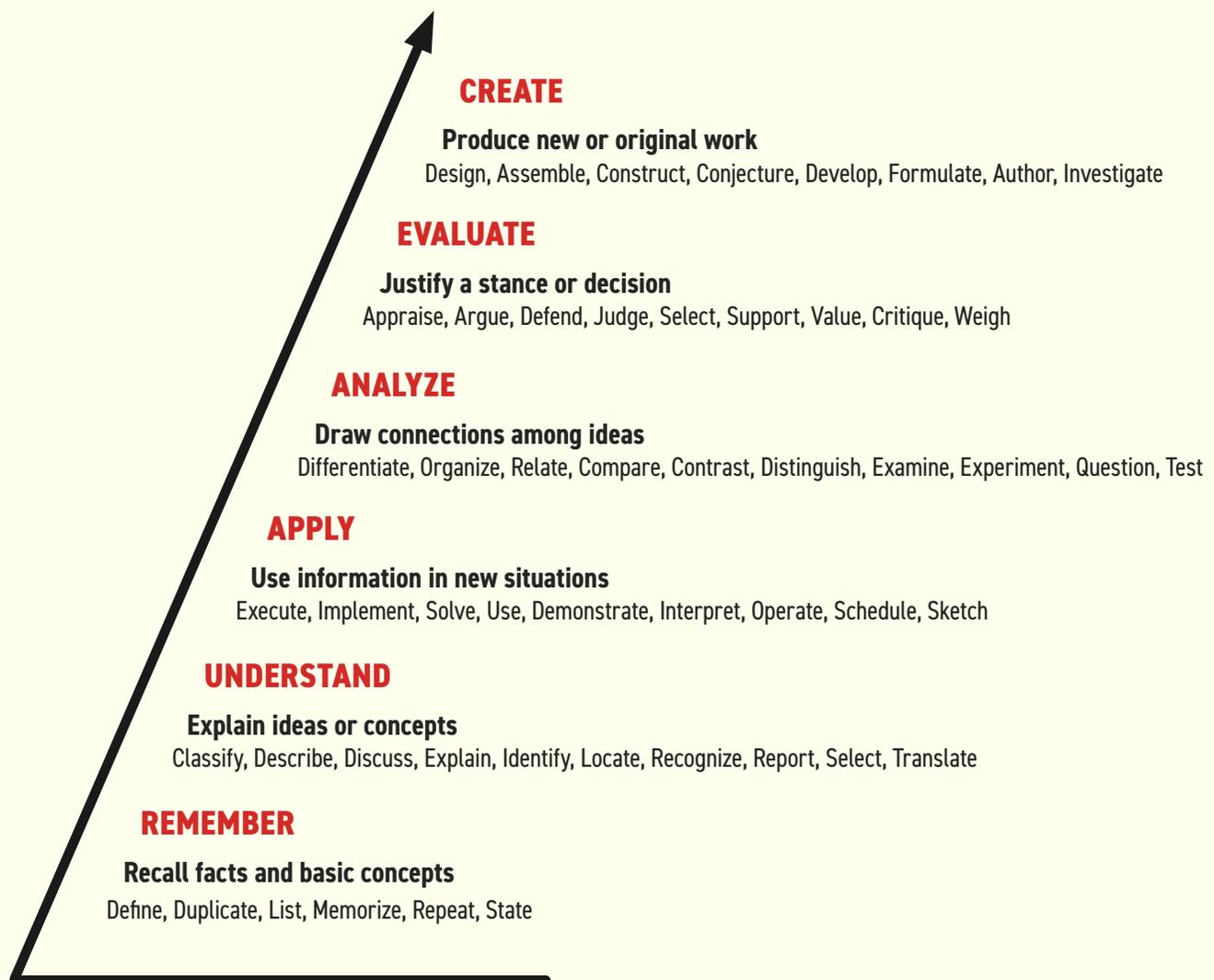
¹⁴ *Id.*

¹⁵ *Id.*

Levels of Cognition

There are a total of six levels of cognition, each of which describes a degree of sophistication with which students encounter and interact with knowledge.¹⁶ The six levels of cognition are arranged in a hierarchy, with simple, concrete levels at the bottom and more complex, abstract levels at the top. The figure below presents

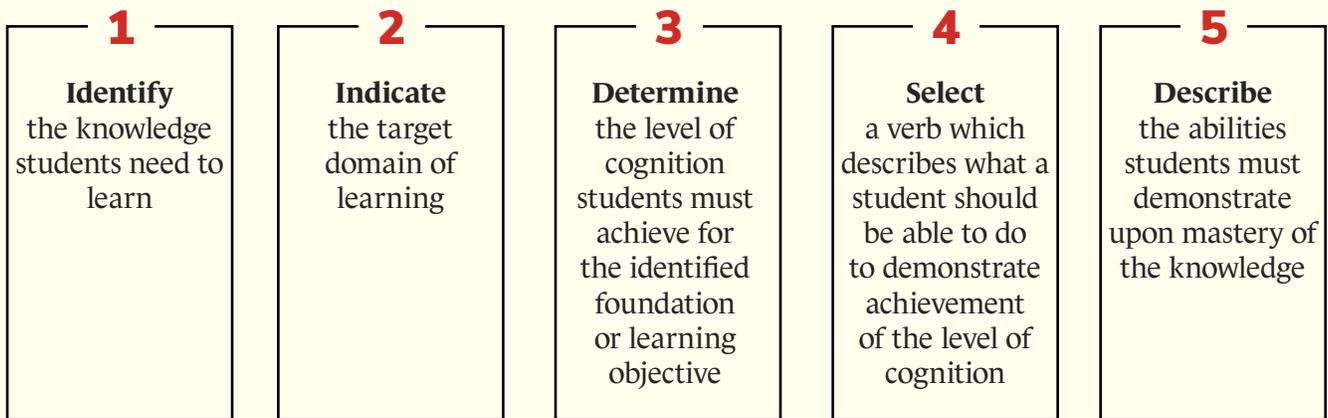
each of the six levels of cognition, along with definitions and associated verbs that can be used in drafting learning objectives for each, which describe what the student should be able to do to demonstrate achievement of the appropriate level of cognition.¹⁷



¹⁶ TAXONOMY FOR LEARNING, *supra* note 9, at 5. T

¹⁷ The verbs listed are, of course, not the only possible words to use in drafting learning objectives. See the Instruction Toolkit at the end of this guide for more examples of verbs.

The process for drafting a learning objective can be described in the following five steps:



As an example, consider the foundation “Draft pleadings, motions, and briefs.” If we selected the understand level of cognition as the basis for a learning objective, we would select a related action verb and combine that with a description

of the abilities that would demonstrate mastery of that level in the selected domain of learning. In our Model Learning Outcomes, the cognitive domain learning objective (which is at the understand level of cognition) for this foundation is:



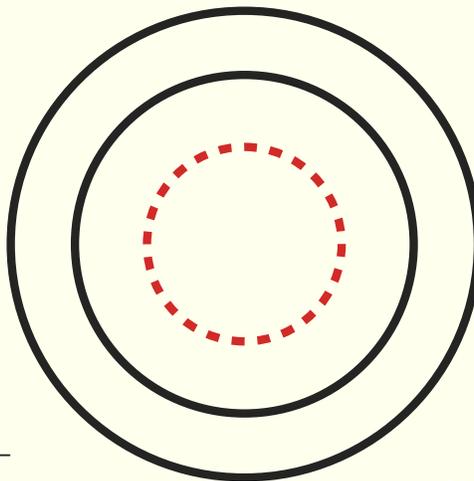
Operationalize the Learning Objective



Identify the complete list of specific abilities a student must possess to demonstrate mastery of the learning objective

Create course instruction and activities to foster student learning and mastery, targeted at those specific abilities

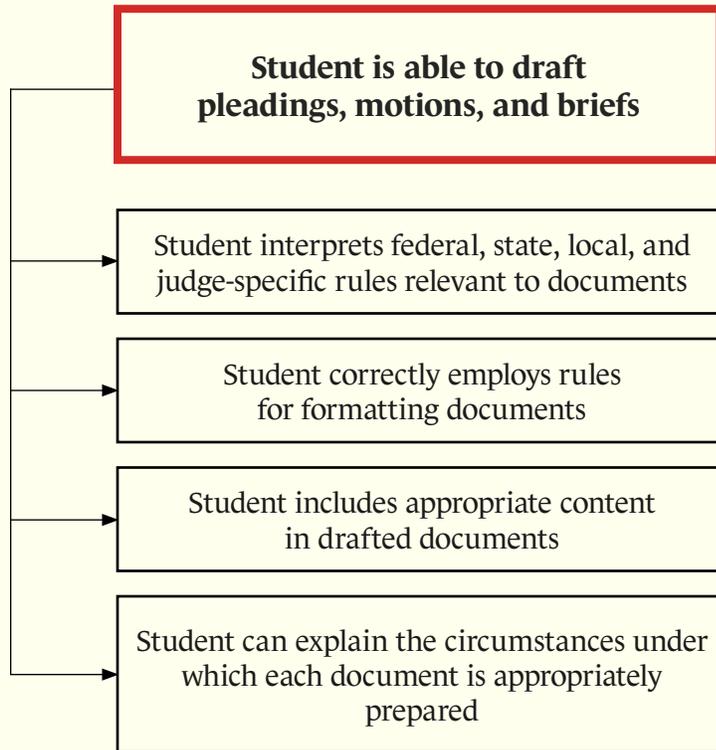
After crafting the detailed definition for a given foundation and writing learning objectives for that foundation, the next step is to operationalize them. Operationalization is the process of strictly describing the method by which a variable—in our case, a learning objective—will be measured. When operationalizing a given foundation or learning objective, it is useful to focus on two prime components. First, educators should think carefully about precisely what kinds of instruction and activities would foster mastery of the foundation or learning objective. Second, educators should be cognizant of the purpose of the foundation or learning objective—the reason it is important for students



to master. Once completed, operationalization informs the design or selection of instructional activities.

In order to operationalize, first create a complete list of indicators; in other words, the educator must identify all of the specific abilities a student must possess in order to demonstrate mastery of the learning objective. For instance, if an educator decided to add the learning objective “student is able to draft pleadings, motions, and briefs” to a particular course, the instructor would use the following indicators (or something very similar) to evaluate each student's mastery of this foundation.

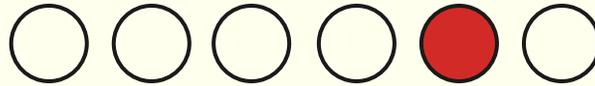
Sample Operationalization



Once the instructor has compiled a comprehensive list of all the indicators to operationalize a particular foundation or learning objective, the instructor is ready to develop instruction and assessments around it. As the example above shows, operationalization helps to bring abstract or complex concepts into the realm of the concrete and measurable.

After operationalizing the foundations or learning objectives, the instructor is ready to determine appropriate methods of assessing them. In some cases, the foundations or learning objectives and their indicators will be readily evaluated through more formal techniques such as standardized exams or class projects. In other cases, mastery of the learning objective and its indicators will be best measured using a rubric. The two sections that follow discuss each of these scenarios in some detail.

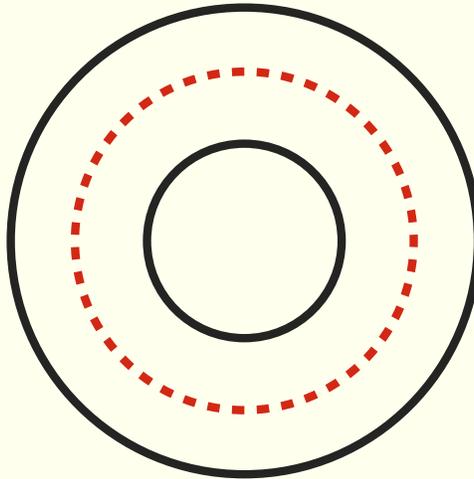
Determine Appropriate Assessments



Design assessments around what students must do to improve proficiency in the foundation(s) or learning objective(s)

Build in multiple assessment types, including formative and summative

Equipped with a set of operationalized foundations or learning objectives for the course, the instructor may now design or select a set of assessments by which to measure mastery of those learning objectives.



objectives and learning outcomes. This will help students understand the role each activity and assessment plays in their legal education and how the information and experiences transfer to real-world practice.

An assessment or measure must encompass both the definition and operationalization of the relevant foundation(s) or learning objective(s). Consider what students should fundamentally be doing to improve their proficiency in the foundation(s) or learning objective(s), and how that process manifests itself differently in different activities. At the very least, instructors should build in both formative and summative assessments to a given course; however, there may be instances in which an instructor chooses to incorporate three or all four types of assessments into a single course. The purpose of each assessment should be clearly communicated to students; instructors should emphasize how each course activity and assessment contributes to learning, using the language of learning

Building on our example in the previous section, in which the selected learning objective for a course was “student is able to draft pleadings, motions, and briefs,” let us consider potential assessments to evaluate student mastery of the objective. One option would be to give students a vignette and ask students to draft a complaint based upon it. Students would be required to employ appropriate formatting rules and to demonstrate the ability to include the appropriate content in the document—two of the identified indicators for the learning objective. Thus, such an assessment would serve as an opportunity for the instructor to gauge student mastery of the learning objective. See the Instructional Design Toolkit at the end of this guide for additional examples of assessments.

Types of Assessments

FORMATIVE

Gathers information about student learning as learning is taking place. Allows for mid-process modifications to instruction for improvement of quality or amount of learning.

SUMMATIVE

Gathers information about student learning after learning should have occurred, generally for the purpose of assessing overall learning and assigning a grade.

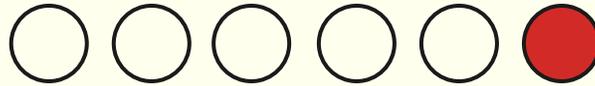
AUTHENTIC

Students complete tasks through practical application as if the student were in a professional role; prepares students for the workplace by developing skills and competencies while honing their academic development. Examples include internships, mock professional tasks, or project-based learning.

DIAGNOSTIC

Collects information about the content students already know and the skills they have already attained, as well as identifies areas of needed growth so that the instructor and the student are aware of the knowledge still needed to achieve mastery.

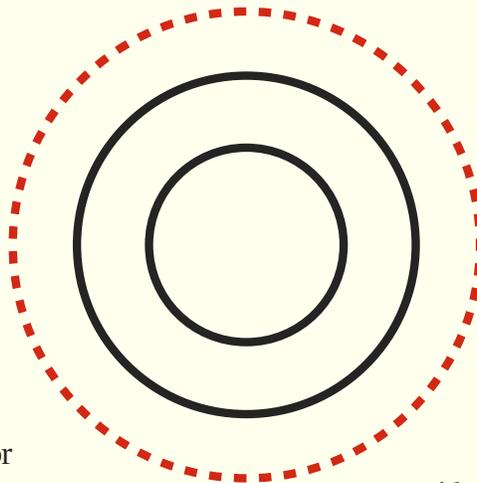
Develop Rubrics



Rubrics are vital tools for evaluating student performance on hard-to-measure abilities and attitudes, as well as for scoring on more traditional assignments such as essays

In the rubric, delineate the levels of mastery and their point values, and describe the identifiers that will indicate each level of mastery

Some learning objectives do not readily lend themselves to assessment through more traditional methods. For instance, it would be very difficult to design a formal assessment that evaluated learning objectives associated with foundations such as “Diligence,” “Have a passion for the work,” or “Grit.”



as essays, speeches, and other projects for which there may be subjectivity in grading. Scoring rubrics identify specific point values to different levels of mastery for each aspect of an assignment. More explicitly put, scoring rubrics expressly list each graded component of the assignment and identify different levels of mastery for each component, including the score for demonstrating each. This clarifies expectations so that both instructors and students can depend on the rubric to justify grades.

In these cases, a well-crafted observational rubric is the ideal strategy for capturing information needed to assess student mastery of the learning objective. Observational rubrics are built around the operationalized learning objective and its component indicators and are completed based upon the instructor’s observations as well as instructor-student interactions.

The Instructional Design Toolkit at the end of this guide includes a guided template for filling out observational rubrics and a chart with examples of written rubrics for additional guidance.¹⁸

In addition to observational rubrics, instructors can use scoring rubrics for assignments such

¹⁸ In addition to the format we suggest in this guide, we recommend reviewing Holloran Competency Milestones (HCM) created by the University of St. Thomas School of Law Holloran Center as development milestones for learning outcomes. Holloran Competency Milestones include various rubrics for Cultural Competency, Integrity, Professionalism Honoring Commitments, Self-Directedness, and Teamwork/Collaboration. They can be found at the Holloran Center’s website at <https://www.stthomas.edu/hollorancenter/resourcesforlegaleducators/>.

OBSERVATIONAL RUBRIC EXAMPLE

Observer _____

Observed _____

Date _____

Foundation

Grit

Learning Objective

Student is able to consistently and effectively demonstrate self-control and a stick-to-it-iveness; firmness of character, mind, or spirit; perseverance and deeply set motivation for long-term goals

Definition

Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments

Operationalization of Learning Objective

Demonstration of grit is measured through the consistent and persistent display of positive risk taking; ability to overcome setbacks and put forth maximum effort toward self-identified long-term goals, including course completion, project completion, and graduation

BEGINNING

Student chooses not to take positive risks when presented with the opportunity.

Student does not seek or use resources, activities, or opportunities to challenge themselves.

Student has not begun or is just beginning to understand their own strengths and weaknesses.

Student tends to give up when faced with an academic challenge or setback.

Student puts forth minimum effort necessary to complete courses and move toward graduation.

DEVELOPING

Student has displayed acts of positive risk taking but has not done so consistently throughout the year; when given challenging opportunities student uses them to improve but does not actively seek out challenging opportunities.

Student understands their own strengths and weaknesses, but does not put extra effort into practicing or improving them.

Student puts forth effort toward course completion and graduation but has room for growth.

MASTERING

Student has displayed four or more acts of positive risk taking, in a year's time, such as pushing oneself to explore new and different academic opportunities or seeking resources or activities to challenge themselves to improve.

Student has faced and overcome two or more academic struggles.

Student clearly understands their own strengths and weaknesses; works to practice/improve.

Student displays maximum effort toward course completion and graduation.

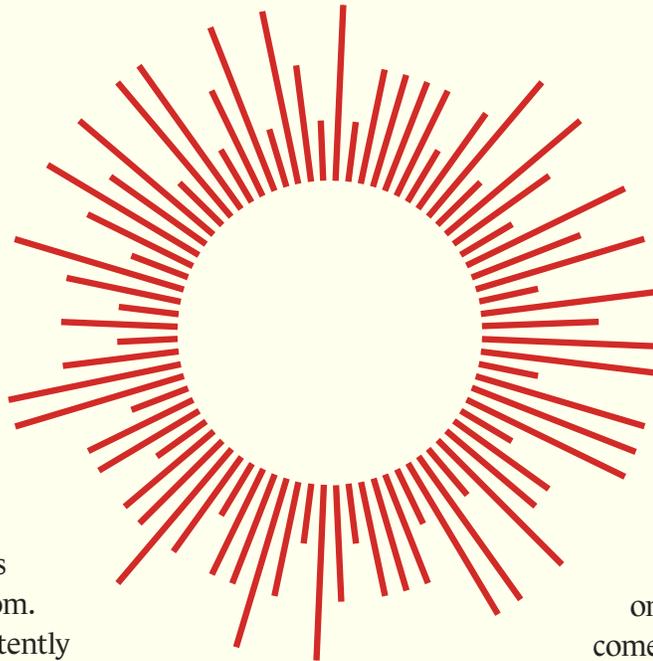
Additional Evidence of Learning Objective

EXAMPLES

- Student took initiative to ask for resources and activities to improve writing skills.
- Student initiated their participation in the externship program.

Standards-Based Assessments: Tools for Accountability

Even carefully designed learning outcomes, learning objectives, assessments, and rubrics are not effective unless they are applied consistently.



After taking these steps, an instructor will be ready to implement the learning outcomes and standards-based assessments in the law school classroom. Instructors must consistently test and assess the targeted knowledge identified by learning outcomes, foundations, and learning objectives and ensure that assessments and rubric criteria are applied to all students equally. Consistency provides the integrity that is the basis for a standards-based educational model; it also provides a basis for instructors to evaluate their learning outcomes and adapt when necessary.

Instructors can find places for improvement by looking for inconsistent application of criteria

in assessments. For instance, instructors should more carefully examine assessments that rely on the same evidence but come to different conclusions or assessments that come to the same conclusion, but with different evidence. These inconsistencies can be used to identify where there are weak points in instruction or assessment and can fuel discussion among instructors about how they can be more consistent in their evaluation of students. This effort builds accountability into the process and allows instructors to take any feedback or lessons learned to continually update, analyze, and adapt the standards-based framework.

Conclusion

The process of developing, adopting, and implementing learning outcomes and an assessment program takes time, but a Foundations-based educational process that is **intentional, explicit,** and **consistent** will result in better outcomes for students by the time they graduate law school and enter the profession. Being intentional ensures that law schools and legal educators remain thoughtful and vigilant throughout the process of adapting and implementing the Foundations-based learning outcomes, and results in careful analysis of learning outcomes; determination of the value of each foundation to the law school; and alignment between learning objectives, instruction, and assessment. Being explicit ensures a uniform understanding of learning outcomes and their components, which is vital for setting expectations with students around formative and summative assessments, including what those assessments will evaluate and how. And a consistent implementation of learning outcomes, together with consistent application of assessments and rubrics to all students, will build accountability into the process. All of these pieces together will help students understand what is expected of them, help educators evaluate the knowledge and skills students must develop, and helps law schools evaluate their own programs and progress.



FOUNDATIONS

INSTRUCTIONAL DESIGN TOOLKIT



Learning Outcomes Model

LAWYER as COMMUNICATOR

Communicate in reading, writing, speaking,
and listening in a professional manner

Category: BASIC COMMUNICATIONS

Definition

The ability to understand and employ spoken, written, and non-verbal messages and cues to communicate thoughts, information, and feelings; the ability to interact, collaborate, and be agreeable to others to achieve best outcomes in a team setting

Objective

Learn to be proficient with professional standards of communication and behavior and effectively communicate with colleagues, clientele, and stakeholders in spoken, written, and non-verbal forms

Use open communication, mutual respect, teamwork, and shared decision-making skills to work collaboratively with others

Foundations

- Listen attentively and respectfully
- Proactively provide status updates to those involved on a matter
- Promptly respond to inquiries and requests
- Speak and write in a manner that meets professional standards
- Work cooperatively and collaboratively

Category: EMOTIONAL INTELLIGENCE

Definition

The ability to recognize, understand, and manage one's own emotions and to recognize, understand, and appropriately respond to the emotions of others in professional and social situations

Objective

Use self-awareness, self-management, social awareness, and relationship management skills to moderate one's own emotions and to recognize and respond to the emotions of others to effectively communicate in professional and social situations

Foundations

- Demonstrate tolerance, sensitivity, and compassion as part of a team
- Exhibit tact and diplomacy
- Express disagreement thoughtfully and respectfully
- Perceptiveness
- Regulate emotions and demonstrate self-control
- Understand and conform to appropriate appearance and behavior in a range of situations

Category: **BASIC COMMUNICATIONS**

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Listen attentively and respectfully	Pay close attention to what is being communicated in an alert or observant manner and demonstrate appropriate social norms that signify respect while communicating	Student understands concepts related to paying close attention and demonstrating respect while communicating	Student understands the importance of paying close attention and demonstrating respect while communicating	Student consistently pays close attention and demonstrates respect while communicating
Proactively provide status updates to those involved on a matter	Provide status updates to all stakeholders in an appropriate and timely manner	Student understands the concepts related to providing status updates to all stakeholders in an appropriate and timely manner	Student understands the importance of providing status updates to all stakeholders in an appropriate and timely manner	Student consistently provides status updates to all stakeholders in an appropriate and timely manner
Promptly respond to inquiries and requests	Respond to all communication (e.g., emails, social media, letters, calls, etc.) and do so within a timeframe that meets industry standard norms or client/stakeholder expectations	Student understands the concepts related to responding to all communication within a timeframe that meets industry standard norms or client/stakeholder expectations	Student understands the importance of responding to all communication within a timeframe that meets industry standard norms or client/stakeholder expectations	Student consistently responds to all communication within a timeframe that meets industry standard norms or client/stakeholder expectations
Speak and write in a manner that meets professional standards	<p>Speak clearly, succinctly, and confidently, making use of appropriate diction and verbal organizational cues</p> <p>Write in a formal, effective, clear, and accurate way, making use of appropriate diction and free of spelling mistakes, typos, and grammatical errors</p>	<p>Student understands the concepts related to speaking clearly, succinctly, and confidently</p> <p>Student understands the concepts related to writing in a formal, effective, clear, and accurate way</p>	<p>Student understands the importance of speaking clearly, succinctly, and confidently</p> <p>Student understands the importance of writing in a formal, effective, clear, and accurate way</p>	<p>Student is able to consistently and effectively speak in a clear, succinct, and confident manner</p> <p>Student is able to consistently write in a formal, effective, clear, and accurate way</p>

Category: BASIC COMMUNICATIONS

LEARNING OBJECTIVES

Foundations

Definition

Cognitive

Affective

Habit-Forming

Work cooperatively and collaboratively as part of a team

Demonstrate solidarity and commitment to the team's goals and processes and organize and conduct work by prioritizing the needs and abilities of the group as a whole

Student understands the concepts related to having a commitment to the team's goals and processes, and prioritizing their work based on the group needs

Student understands the importance of having a commitment to the team's goals and processes, and prioritizing their work based on the group needs

Student consistently displays a commitment to the team's goals and processes, and effectively prioritizes their work based on the group needs

Category: EMOTIONAL INTELLIGENCE

LEARNING OBJECTIVES

Foundations

Definition

Cognitive

Affective

Habit-Forming

Demonstrate tolerance, sensitivity, and compassion

Develop and exercise: awareness of the needs and emotions of others, sympathy and understanding for beliefs or practices differing from or conflicting with one's own, and a consciousness of others' distress together with an understanding of how to alleviate it

Student understands the concepts related to developing and exercising an awareness of the needs and emotions of others, sympathy for beliefs or practices that differ from their own, and a consciousness of others' distress together with an understanding of how to alleviate it

Student understands the importance of developing and exercising an awareness of the needs and emotions of others, sympathy for beliefs or practices that differ from their own, and a consciousness of others' distress together with an understanding of how to alleviate it

Student is able to consistently and effectively demonstrate an awareness of the needs and emotions of others, sympathy for beliefs or practices that differ from their own, and a consciousness of others' distress together with an understanding of how to alleviate it

Exhibit tact and diplomacy

Exercise a keen sense of what to do or say by gauging what is appropriate to a given situation, avoid offense, and avoid arousing hostility in order to maintain good relations with others

Student understands the concepts related to exercising a keen sense of what to do or say by gauging what is appropriate to a given situation, avoiding offense, and avoid arousing hostility in order to maintain good relations with others

Student understands the importance of exercising a keen sense of what to do or say by gauging what is appropriate to a given situation, avoiding offense, and avoid arousing hostility in order to maintain good relations with others

Student is able to consistently and effectively exercise a keen sense of what to do or say by gauging what is appropriate to a given situation, avoiding offense, and avoid arousing hostility in order to maintain good relations with others

Category: EMOTIONAL INTELLIGENCE

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Express disagreement thoughtfully and respectfully	Manage conflict, challenges, and disagreements by exercising self-restraint, respect, and methods of interaction appropriate to the situation	Student understands the concepts related to managing conflict, challenges, and disagreements by exercising self-restraint, respect, and methods of interaction appropriate to the situation	Student understands the importance of managing conflict, challenges, and disagreements by exercising self-restraint, respect, and methods of interaction appropriate to the situation	Student is able to consistently and effectively manage conflict, challenges, and disagreements by exercising self-restraint, respect, and methods of interaction appropriate to the situation
Perceptiveness	Capable of or exhibiting keen insight, being observant, and understanding intuitive input	Student understands the concepts related to being observant and understanding intuitive input	Student understands the importance of being observant and understanding intuitive input	Student is consistently and effectively observant and understands intuitive input
Regulate emotions and demonstrate self-control	Exercise restraint over and bring order to one's feelings, impulses, desires, or conscious mental reaction	Student understands the concepts related to exercising restraint over and bringing order to their feelings, impulses, desires, or conscious mental reactions	Student understands the importance of exercising restraint over and bringing order to their feelings, impulses, desires, or conscious mental reactions	Student consistently and effectively exercises restraint over and brings order to their feelings, impulses, desires, or conscious mental reactions
Understand and conform to appropriate appearance and behavior in a range of situations	Be proficient with professional standards of attire and norms for interaction and appropriately adapt attire and interaction to a given situation, whether casual, professional, or formal	Student understands the concepts related to being proficient with professional standards of attire and norms for interaction and appropriately adapting to various situations as necessary	Student understands the importance of being proficient with professional standards of attire and norms for interaction and appropriately adapting to various situations as necessary	Student is consistently proficient with professional standards of attire and norms for interaction and appropriately adapts to various situations as necessary

LAWYER as PRACTITIONER

Research, synthesize, analyze, and apply skills in legal processes and actions

Category: LEGAL PRACTICE

Definition

The ability to execute fair and valid process and application of the law

Objective

Use each of the legal process steps to effectively apply the law

Foundations

- Draft contracts and agreements
- Draft pleadings, motions, and briefs
- Interview clients and witnesses
- Prepare client responses
- Request and produce written discovery

Category: LEGAL THINKING & APPLICATION

Definition

The ability to engage in critical legal thinking and execute each step in the legal research process

Objective

Employ critical legal thinking skills and use each of the research process steps to effectively apply the law

Foundations

- Critically evaluate arguments
- Effectively research the law
- Effectively use techniques of legal reasoning and argument (case analysis and statutory interpretation)
- Gather facts through interviews, searches, document/file review, and other methods
- Identify relevant facts, legal issues, and informational gaps or discrepancies
- Maintain core knowledge of substantive and procedural law in the relevant focus area(s)
- Speak and write in a manner that meets legal standards

Category: **LEGAL PRACTICE**

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Draft contracts and agreements	Compose legally binding documents, taking care to be clear and specific to avoid ambiguity and loopholes	Student understands the concepts related to carefully and concisely composing legally binding documents	Student understands the importance of carefully and concisely composing legally binding documents	Student is consistently able to carefully and concisely compose legally binding documents
Draft pleadings, motions, and briefs	Write and edit documents to be filed with the court or submitted to the appropriate legal authority, consistent with federal, state, local, and judge-specific rules	Student understands the concepts related to writing and editing documents to be filed with the court or submitted to the appropriate legal authority, consistent with federal, state, local, and judge-specific rules	Student understands the importance of being able to effectively write and edit documents to be filed with the court or submitted to the appropriate legal authority, consistent with federal, state, local, and judge-specific rules	Student is able to effectively write and edit documents to be filed with the court or submitted to the appropriate legal authority, consistent with federal, state, local, and judge-specific rules
Interview clients and witnesses	Interact with clients and witnesses to gather information about a matter	Student understands the concepts related to interacting with clients and witnesses to gather information about a matter	Student understands the importance of being able to effectively interact with clients and witnesses to gather information about a matter	Student is able to consistently and effectively interact with clients and witnesses to gather information about a matter
Prepare client responses	Respond to requests for information, which may include gathering documents and information, objecting to certain requests, responding to negotiations, and responding to informal inquiries	Student understands the concepts related to responding to requests for information, negotiations, and informal inquiries	Student understands the importance of being able to effectively respond to requests for information, negotiations, and informal inquiries	Student is able to consistently and effectively respond to requests for information, negotiations, and informal inquiries

Category: LEGAL PRACTICE

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Request and produce written discovery	Compose formal requests to an opposing party for information, documents, and evidence to support their case; respond to corresponding formal requests in return, which may include gathering documents and information, and objecting to certain requests based on relevance, scope, excessive number of requests, privilege, and other reasons	Student understands the concepts related to composing requests to an opposing party for information, documents, and evidence to support their case, and responding to corresponding formal requests in return	Student understands the importance of being able to effectively compose requests to an opposing party for information, documents, and evidence to support their case, and responding to corresponding formal requests in return	Student is able to consistently and effectively compose requests to an opposing party for information, documents, and evidence to support their case, and responding to corresponding formal requests in return

Category: LEGAL THINKING & APPLICATION

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Critically evaluate arguments	Judiciously assess all assertions in a case	Student understands the concepts related to judiciously assessing all assertions in a case	Student understands the importance of being able to judiciously assess all assertions in a case	Student is consistently and effectively able to judiciously assess all assertions in a case
Effectively research the law	Find the answer to a legal question in a methodical and time-effective way, exhausting all possible relevant sources	Student understands the concepts of using legal research techniques to find the answer to a legal question in a methodical and timely way	Student understands the importance of using legal research techniques to find the answer to a legal question in a methodical and timely way	Student is able to consistently and effectively find the answer to a legal question in a methodical and timely way

Category: LEGAL THINKING & APPLICATION

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Effectively use techniques of legal reasoning and argument (case analysis and statutory interpretation)	Apply a pattern of analysis to a legal issue by discerning the issue, the rules that apply to the issue, and the facts surrounding the issue, then analyzing by applying the law to the facts, and finally reaching a conclusion	Student understands the concepts related to applying a pattern of analysis to a legal issue by discerning the issue, the rules that apply to the issue, and the facts surrounding the issue then analyzing by applying the law to the facts, and finally reaching a conclusion	Student understands the importance of applying a pattern of analysis to a legal issue by discerning the issue, the rules that apply to the issue, and the facts surrounding the issue then analyzing by applying the law to the facts, and finally reaching a conclusion	Student consistently and effectively applies a pattern of analysis to a legal issue by discerning the issue, the rules that apply to the issue, and the facts surrounding the issue then analyzing by applying the law to the facts, and finally reaching a conclusion
Gather facts through interviews, searches, document/file review, and other methods	Review all relevant documents and sources to gather information about a case or issue	Student understands the process for reviewing all relevant documents and sources to gather information about a case or issue	Student understands the importance of reviewing all relevant documents and sources to gather information about a case or issue	Student consistently and effectively reviews all relevant documents and sources to gather information about a case or issue
Identify relevant facts, legal issues, and informational gaps or discrepancies	Understand the scope of the legal question, including jurisdiction, time period, and the consequences of factual inconsistencies, as well as whether and how specific facts relate to those issues	Student understands the concepts related to understanding the scope of a legal question, including jurisdiction, time period, and inconsistencies	Student understands the importance of being able to understand the scope of a legal question, including jurisdiction, time period, and inconsistencies	Student is able to consistently understand the scope of a legal question, including jurisdiction, time period, and inconsistencies
Maintain core knowledge of substantive and procedural law in the relevant focus area(s)	Actively maintain an awareness and understanding of the relevant laws, statutes, and rules in one's specific practice area	Student understands strategies for maintaining an awareness and understanding of the relevant laws, statutes, and rules in one's specific practice area	Student understands the importance of maintaining an awareness and understanding of the relevant laws, statutes, and rules in one's specific practice area	Student consistently and effectively implements strategies for maintaining an awareness and understanding of the relevant laws, statutes, and rules in one's specific practice area

Category: LEGAL THINKING & APPLICATION

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Speak and write in a manner that meets legal standards	Communicate in an appropriate, professional manner regardless of situation or scenario, including proficiency with legal style and correctly applying citations in Bluebook format	Student understands the concepts related to communicating in a manner appropriate for the legal profession	Student understands the importance of being able to communicate in a manner appropriate for the legal profession	Student is able to consistently and effectively communicate in a manner appropriate for the legal profession

LAWYER as PROBLEM SOLVER

Solve long-term and immediate problems to the benefit of all stakeholders

Category: CAPACITY

Definition

The ability to process information, solve problems, comprehend complex ideas, apply solutions, and demonstrate understanding of a variety of content

Objective

To apply and strengthen abilities and aptitudes needed to identify and meet challenges, master new content and skills, and to ultimately apply learning outcomes in a professional setting

Foundations

- Common Sense
- Intelligence
- Resourcefulness

Category: PROJECT MANAGEMENT

Definition

The application of professional competencies to achieve project objectives through managing one's self, colleagues and teammates, clients, and requisite legal processes while taking responsibility for each step and delivering results within given constraints

Objective

Handle the short and long-term challenges of managing one's time, tasks, workload, teamwork, communication, and results

Foundations

- Make decisions and deliver results under pressure
- React calmly and steadily in challenging or critical situations
- Recognize client or stakeholder needs, objectives, priorities, constraints, and expectations
- Take ownership
- Understand when to engage supervisor or seek advice in problem solving

Category: CAPACITY

LEARNING OBJECTIVES

Foundations

Definition

Cognitive

Affective

Habit-Forming

Common sense

Sound and prudent judgments based on experience or a simple perception of the situation or facts, independent of specialized knowledge, training, or the like

Student understands the concepts related to making sound and prudent judgments based on experience or simple perception of the situation or facts, independent of specialized knowledge, training, or the like

Student understands the importance of making sound and prudent judgments based on experience or simple perception of the situation or facts, independent of specialized knowledge, training, or the like

Student is able to consistently and effectively make sound and prudent judgments based on experience or simple perception of the situation or facts, independent of specialized knowledge, training, or the like

Intelligence

The capacity for learning, reasoning, understanding, and similar forms of mental activity; aptitude in grasping truths, relationships, facts, means, etc. The faculty of understanding; the ability to acquire and apply knowledge and skills

Student understands the concepts related to having a capacity for learning, reasoning, understanding, and similar forms of mental activity

Student understands the importance of having a capacity for learning, reasoning, understanding, and similar forms of mental activity

Student consistently demonstrates a capacity for learning, reasoning, understanding, and similar forms of mental activity

Category: CAPACITY

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Resourcefulness	Ability to devise solutions, create opportunities, or identify tools sufficient to deal skillfully and promptly with new situations and difficulties	Student understands the concepts related to devising solutions, creating opportunities, and identifying tools sufficient to deal skillfully and promptly with new situations and difficulties	Student understands the importance of devising solutions, creating opportunities, and identifying tools sufficient to deal skillfully and promptly with new situations and difficulties	Student is able to consistently and effectively devise solutions, create opportunities, and identify tools sufficient to deal skillfully and promptly with new situations and difficulties

Category: PROJECT MANAGEMENT

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Make decisions and deliver results under pressure	Complete all tasks to a high quality regardless of challenges and level of pressure	Student understands the concepts related to completing all tasks to a high quality regardless of challenges and level of pressure	Student understands the importance of completing all tasks to a high quality regardless of challenges and level of pressure	Student is able to consistently and effectively complete all tasks to a high quality regardless of challenges and level of pressure
React calmly and steadily in challenging or critical situations	Exercise self-control, stability, and professional problem-solving skills with aplomb and courtesy to others in all situations	Student understands the concepts related to exercising self-control, stability, and professional problem-solving skills with aplomb and courtesy to others in all situations	Student understands the importance of exercising self-control, stability, and professional problem-solving skills with aplomb and courtesy to others in all situations	Student is able to consistently and effectively exercise self-control, stability, and professional problem-solving skills with aplomb and courtesy to others in all situations

Category: **PROJECT MANAGEMENT**

Foundations	Definition	LEARNING OBJECTIVES		
		Cognitive	Affective	Habit-Forming
Recognize client or stakeholder needs, objectives, priorities, constraints, and expectations	Develop an understanding of stakeholder motivations and backgrounds sufficient to identify and address stakeholders needs, goals, and expectations to move each case forward	Student understands the concepts related to developing an understanding of stakeholder motivations and backgrounds sufficient to identify and address stakeholders needs, goals, and expectations to move each case forward	Student understands the importance of developing an understanding of stakeholder motivations and backgrounds sufficient to identify and address stakeholders needs, goals, and expectations to move each case forward	Student consistently and effectively understands stakeholder motivations and backgrounds sufficient to identify and address stakeholders needs, goals, and expectations to move each case forward
Take ownership	Internalize and commit to the principle that one bears responsibility for success or failure in their own work	Student understands the concepts related to internalizing and committing to the principle that one bears responsibility for success or failure in their own work	Student understands the importance of internalizing and committing to the principle that one bears responsibility for success or failure in their own work	Student consistently internalizes and commits to the principle that one bears responsibility for success or failure in their own work
Understand when to engage supervisor or seek advice in problem solving	Identify when one's own problem-solving options have been exhausted, making guidance from supervisors a high priority in one's own work, and know the appropriate time to ask for such guidance	Student understands the concepts related to identifying when their own problem-solving options have been exhausted, making guidance from supervisors a high priority in his/her work, and recognize when it is an appropriate time to ask for such guidance	Student understands the importance of identifying when their own problem-solving options have been exhausted, making guidance from supervisors a high priority in their work, and recognize when it is an appropriate time to ask for such guidance	Student is able to consistently and effectively identify when their own problem-solving options have been exhausted, make guidance from supervisors a high priority in their work, and recognize when it is an appropriate time to ask for such guidance

LAWYER as PROFESSIONAL

Use efficient methods and tools to manage one's and the firm's professional workload with accuracy and utility

Category: ETHICS

Definition

Communicate, behave, and perform one's tasks in an ethical manner to uphold professional and ethical standards, for the benefit of clients and to reinforce public trust and confidence in the profession

Objective

Use professional standards of behavior in all aspects of one's professional life

Foundations

- Conclude relationships appropriately
- Document or organize a case or matter
- Keep information confidential
- Recognize and resolve ethical dilemmas in a practical setting
- Set clear professional boundaries
- Understand and apply legal privilege concepts

Category: PROFESSIONALISM

Definition

A consistent drive to work as a competent, responsible, professional member of the field

Objective

Use professional characteristics and qualities to meet the expectations and standards of a member of the legal profession

Foundations

- Arrive on time for meetings, appointments, and hearings
- Attention to detail
- Conscientiousness
- Cope with stress in a healthy manner
- Handle dissatisfaction appropriately
- Have a commitment to justice and the rule of law
- Honor commitments
- Humility
- Integrity and trustworthiness
- Maintain positive professional relationships
- Maturity
- Patience
- Prudence
- Strong moral compass
- Treat others with courtesy and respect

Category: WORKPLACE

Definition

Understand and master foundations vital to professional performance in a workplace setting

Objective

Apply the foundations that characterize professional performance in a workplace setting

Foundations

- Adhere to proper timekeeping and/or billing procedures
- Energy
- Learn and use relevant technology effectively
- Maintain a high-quality work product
- Prioritize and manage multiple tasks
- See a case or project through from start to timely finish
- Show loyalty and dedication to the firm or organization and its clients or stakeholders

Category: ETHICS

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Conclude relationships appropriately	Apply professional standards when concluding relationships, including clarifying in writing the terms of the conclusion of any attorney-client relationship, ideally at the beginning of such relationship, and sending a written letter informing the client that representation is concluded at the time of such conclusion	Student understands the concepts related to applying professional standards when concluding attorney-client relationships	Student understands the importance of applying professional standards when concluding attorney-client relationships	Student is able to consistently and effectively apply professional standards when concluding attorney-client relationships
Document or organize a case or matter	Employ a systematic structure for tracking all aspects of a case or matter	Student understands the concepts related to employing a systematic structure for tracking all aspects of a case or matter	Student understands the importance of employing a systematic structure for tracking all aspects of a case or matter	Student is able to consistently and effectively employ a systematic structure for tracking all aspects of a case or matter

Category: ETHICS

LEARNING OBJECTIVES

Foundations

Definition

Cognitive

Affective

Habit-Forming

Keep information confidential

Adhere to and uphold professional standards regarding confidentiality of information relating to the representation of a client

Student understands the concepts related to adhering to and upholding professional standards regarding confidentiality of client information

Student understands the importance of adhering to and upholding professional standards regarding confidentiality of client information

Student consistently and effectively displays an adherence to and an upholding of professional standards regarding confidentiality of client information

Recognize and resolve ethical dilemmas in a practical setting

Identify and apply solutions to ethical challenges

Student understands the concepts related to identifying and applying solutions to ethical challenges

Student understands the importance of understanding how to identify and apply solutions to ethical challenges

Student consistently and effectively identifies and applies solutions to ethical challenges

Set clear professional boundaries

Define effective and appropriate interaction between attorney and client; adhere to professional boundaries through consistency and structure of communications, responsibilities, and expectations

Student understands the concepts related to defining effective and appropriate client relationships, and adhering to professional boundaries

Student understands the importance of defining effective and appropriate client relationships, and adhering to professional boundaries

Student is able to consistently and effectively define appropriate client relationships, and adhere to professional boundaries

Understand and apply legal privilege concepts

Identify circumstances that require application of legal privilege to protect communications between an attorney and his or her clients from being disclosed without the permission of the client and appropriately apply principles of legal privilege in such circumstances

Student understands the concepts related to identifying circumstances that require application of legal privilege and applying the principles appropriately

Student understands the importance of identifying circumstances that require application of legal privilege and applying the principles appropriately

Student is able to consistently and effectively identify circumstances that require application of legal privilege and apply the principles appropriately

Category: PROFESSIONALISM

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Arrive on time for meetings, appointments, and hearings	Be punctual	Student understands the concepts related to arriving on time for meetings, appointments, and hearings	Student understands the importance of arriving on time for meetings, appointments, and hearings	Student consistently arrives on time for meetings, appointments, and hearings
Attention to detail	Achieve thoroughness and accuracy when completing a task through concern for all aspects of the task	Student understands the concepts related to achieving thoroughness and accuracy when completing a task through concern for all aspects of the task	Student understands the importance of achieving thoroughness and accuracy when completing a task through concern for all aspects of the task	Student is able to consistently achieve thoroughness and accuracy when completing a task through concern for all aspects of the task
Conscientiousness	Careful and painstaking, particular, meticulous, scrupulous, principled	Student understands the concepts related to being conscientious with work	Student understands the importance of being conscientious with work	Student is consistently conscientious with work
Cope with stress in a healthy manner	Recognize signs of becoming stressed and develop positive, constructive strategies for handling stress and anxiety	Student understands the strategies related to recognizing signs of becoming stressed and developing positive, constructive strategies for handling stress and anxiety	Student understands the importance of being able to recognize signs of becoming stressed and the ability to develop positive, constructive strategies for handling stress and anxiety	Student consistently and effectively recognizes signs of becoming stressed and develops positive, constructive strategies for handling stress and anxiety
Handle dissatisfaction appropriately	Understand and manage one's reactions to information that is displeasing or disappointing, in a way that is appropriate to the situation	Student understands the concepts related to appropriately managing their reactions to information that is displeasing or disappointing	Student understands the importance of appropriately managing their reactions to information that is displeasing or disappointing	Student is able to consistently and effectively manage their reactions to information that is displeasing or disappointing

Category: PROFESSIONALISM

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Have a commitment to justice and the rule of law	In all areas of life, be dedicated to ensuring justice and the rule of law, including prioritizing the rule of law over political or otherwise expedient considerations and ensuring that equity applies to all within the legal system and that all have access to their rights	Student understands the concepts related to having a dedication to ensuring justice and the rule of law	Student understands the importance of being dedicated to ensuring justice and the rule of law	Student is consistently dedicated to ensuring justice and the rule of law
Honor commitments	Complete all projects and abide by agreements once committed to them	Student understands the concepts related to completing all projects and abiding by agreements once committed to them	Student understands the importance of completing all projects and abiding by agreements once committed to them	Student consistently completes all projects and abides by agreements once committed to them
Humility	Freedom from pride or arrogance; remaining teachable	Student understands the concepts related to acting free of pride and arrogance, and remaining teachable	Student understands the importance of acting free of pride and arrogance, and remaining teachable	Student consistently acts free of pride and arrogance, and remains teachable
Integrity and trustworthiness	Moral uprightness, deserving of trust or confidence, dependable, reliable	Student understands the concepts related to earning trust and confidence and upholding a moral uprightness	Student understands the importance of earning trust and confidence and upholding a moral uprightness	Student consistently upholds a moral uprightness, earning trust and confidence
Maintain positive professional relationships	Build and conserve positive relationships that support one's own reputation, the positive reputation of one's firm, and the high regard of the profession	Student understands the strategies related to maintaining positive professional relationships	Student understands the importance of maintaining positive professional relationships	Student consistently and effectively maintains positive professional relationships

Category: PROFESSIONALISM

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Maturity	A quality of becoming fully developed mentally, emotionally, and socially	Student understands the concepts related to acting with mental, emotional, and social maturity	Student understands the importance of acting with mental, emotional, and social maturity	Student consistently acts with mental, emotional, and social maturity
Patience	Not hasty or impetuous; the capacity to accept or tolerate delay, trouble, or suffering without getting angry or upset	Student understands the concepts related to accepting or tolerating delay, trouble, or suffering without getting angry or upset	Student understands the importance of accepting or tolerating delay, trouble, or suffering without getting angry or upset	Student consistently accepts or tolerates delay, trouble, or suffering without getting angry or upset
Prudence	Skill and good judgment; the quality of cautiousness, wisdom, and discretion	Student understands the concepts related to acting with cautiousness, wisdom, and discretion	Student understands the importance of acting with cautiousness, wisdom, and discretion	Student consistently and effectively acts with cautiousness, wisdom, and discretion
Strong moral compass	Internalized set of values and objectives that guide a person with regard to ethical behavior and decision-making; a feeling that tells people what is right and wrong and how they should behave	Student understands the concepts related to having an internalized set of values and objectives that guide what is right and wrong and how they should behave	Student understands the importance of having an internalized set of values and objectives that guide what is right and wrong and how they should behave	Student consistently has an internalized set of values and objectives that guide what is right and wrong and how they should behave
Treat others with courtesy and respect	Recognize the worth of others and treat them accordingly	Student understands the concepts related to recognizing the worth of others and treating them accordingly	Student understands the importance of recognizing the worth of others and treating them accordingly	Student is consistently and effectively able recognize the worth of others and treats them accordingly

Category: WORKPLACE

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Adhere to proper timekeeping and/or billing procedures	Timekeeping/billing; tracking the hours/fractions of an hour spent on a specific case, matter, or project	Student understands the concepts related to proper and ethical timekeeping practices	Student understands the importance of proper and ethical timekeeping practices	Student is able to consistently and effectively employ proper and ethical timekeeping practices
Energy	Capacity for concentrated effort and desire for work assignments, projects and professional tasks; fostering positive culture through positive energy in the workplace	Student understands the concepts related to having a concentrated effort and a desire for work assignments, projects, and professional tasks and fostering a positive culture through positive energy in the workplace	Student understands the importance of having a concentrated effort and a desire for work assignments, projects, and professional tasks and fostering a positive culture through positive energy in the workplace	Student consistently demonstrates a concentrated effort and a desire for work assignments, projects, and professional tasks; student consistently fosters a positive culture through positive energy in the workplace
Learn and use relevant technology effectively	Stay abreast of innovative technological tools relevant to the field	Student understands the concepts related to staying abreast of innovative technological tools relevant to the field	Student understands the importance of staying abreast of innovative technological tools relevant to the field	Student is consistently and effectively able to stay abreast of innovative technological tools relevant to the field
Maintain a high-quality work product	Submit high-quality products and presentations	Student understands the concepts related to submitting high-quality products and presentations	Student understands the importance of submitting high-quality products and presentations	Student is able to consistently and effectively submit high-quality products and presentations
Prioritize and manage multiple tasks	Determine order of importance when managing tasks for a variety of purposes	Student understands the strategies related to determining order of importance when managing tasks for a variety of purposes	Student understands the importance of determining order of importance when managing tasks for a variety of purposes	Student is able to consistently and effectively determine order of importance when managing tasks for a variety of purposes

Category: **WORKPLACE**

LEARNING OBJECTIVES

Foundations

Definition

Cognitive

Affective

Habit-Forming

See a case or project through from start to timely finish

See the big picture and complete all projects once started in a timely and efficient manner

Student understands the concepts related to seeing the big picture and completing all projects once started in a timely and efficient manner

Student understands the importance of seeing the big picture and completing all projects once started in a timely and efficient manner

Student is able to consistently and effectively see the big picture and complete all projects once started in a timely and efficient manner

Show loyalty and dedication to the firm or organization and its clients or stakeholders

Demonstrate constancy and reliability to employing firm and stakeholders in all situations

Student understands the concepts related to demonstrating constancy and reliability to employing firm and stakeholders in all situations

Student understands the importance of demonstrating constancy and reliability to employing firm and stakeholders in all situations

Student is able to consistently and effectively demonstrate constancy and reliability to employing firm and stakeholders in all situations

LAWYER as SELF STARTER

Demonstrate leadership, responsibility, and initiative in work responsibilities with little supervision

Category: DRIVE

Definition

A consistent and strong work ethic and dedication to professional development through continual personal and professional improvement to one's abilities

Objective

Demonstrate commitment to continually strengthening characteristics and improving professional competencies and legal skills in order to better to manage workplace challenges and build upon one's own professional development

Foundations

- Adapt work habits to meet demands and expectations
- Enjoy overcoming challenges
- Have a passion for the work
- Have a strong work ethic and put forth best effort
- Have an internalized commitment to developing toward excellence
- Intellectual curiosity
- Possess self-awareness (strengths, weaknesses, boundaries, preferences, sphere of control)
- Seek and be responsive to feedback
- Take individual responsibility for actions and results
- Work autonomously

Category: MEETING GOALS

Definition

Achieving targeted standards of development and mastery of skills involving communication, adaptability, problem solving, and decision making

Objective

Set and accomplish personal and professional goals through individual or collective action as a means of continual professional improvement and development skills survey

Foundations

- Diligence
- Exhibit flexibility and adaptability regarding unforeseen, ambiguous, or changing circumstances
- Exhibit resilience after a setback
- Grit
- Positivity
- Set goals and make a plan to meet them
- Show initiative

Category: **DRIVE**

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Adapt work habits to meet demands and expectations	Be flexible, self-motivated, and accommodating to meet expectations	Student understands the concepts related to being flexible, self-motivated, and accommodating to meet expectations	Student understands the importance of being flexible, self-motivated, and accommodating to meet expectations	Student is consistently flexible, self-motivated, and accommodating to meet expectations
Enjoy overcoming challenges	Motivation for seeking and addressing difficult tasks or situations; ability to recognize and realize opportunity for growth in ongoing professional challenges	Student understands the concepts related to seeking difficult tasks or situations and recognizing the opportunity for growth in those situations	Student understands the importance of seeking difficult tasks or situations and recognizing the opportunity for growth in those situations	Student consistently seeks difficult tasks or situations, and recognizes the opportunity for growth in those situations
Have a passion for the work	Be inspired by and deeply motivated about working in the legal field; possess an earnest desire for accomplishing legal work	Student understands the concepts related to being inspired by and deeply motivated about working in the legal field	Student understands the importance of being inspired by and deeply motivated about working in the legal field	Student consistently displays an inspiration and a deep motivation for working in the legal field
Have a strong work ethic and put forth best effort	To incorporate within one's self a sense of value and duty for one's work; to work at an efficient, consistent pace with determination and a drive for excellence	Student understands the concepts related to working at an efficient, consistent pace with determination and a drive for excellence	Student understands the importance of working at an efficient, consistent pace with determination and a drive for excellence	Student is able to work at an efficient, consistent pace with determination and a drive for excellence
Have an internalized commitment to developing toward excellence	To follow a guiding principle that compels one's self to grow and achieve good things	Student understands the concepts related to following a guiding principle that compels one's self to grow and achieve good things	Student understands the importance of following a guiding principle that compels one's self to grow and achieve good things	Student consistently follows a guiding principle that compels one's self to grow and achieve good things
Intellectual curiosity	Inquisitiveness, interest in things, a desire to learn	Student understands the concepts related to being inquisitive and having a desire to learn	Student understands the importance of being inquisitive and having a desire to learn	Student is consistently inquisitive and demonstrates a desire to learn

Category: DRIVE

LEARNING OBJECTIVES

Foundations	Definition	Cognitive	Affective	Habit-Forming
Possess self-awareness (strengths, weaknesses, boundaries, preferences, sphere of control)	To incorporate within one's self a conscious guiding principle that compels one to grow, achieve, and improve	Student understands the concepts related to incorporating within one's self a conscious guiding principle that compels one to grow, achieve, and improve	Student understands the importance of incorporating within one's self a conscious guiding principle that compels one to grow, achieve, and improve	Student consistently demonstrates having a conscious guiding principle that compels one to grow, achieve, and improve
Seek and be responsive to feedback	To proactively look for or ask for corrective information or criticism that will help one improve, and to then act appropriately on that information in a timely manner	Student understands the concepts related to proactively looking for or asking for corrective information or criticism that will help one improve, and to then act appropriately on that information in timely manner	Student understands the importance of proactively looking for or asking for corrective information or criticism that will help one improve, and to then act appropriately on that information in timely manner	Student consistently and proactively seeks corrective information or criticism that will help one improve, and then acts appropriately on that information in timely manner
Take individual responsibility for actions and results	To demonstrate responsibility and accountability for all actions and their subsequent results, whether positive or negative	Student understands concepts related to demonstrating responsibility and accountability for all actions and their subsequent results, whether positive or negative	Student understands the importance of demonstrating responsibility and accountability for all actions and their subsequent results, whether positive or negative	Student consistently demonstrates responsibility and accountability for all actions and their subsequent results, whether positive or negative
Work autonomously	To perform work on one's own, without outside guidance or influence	Student understands the concepts related to being able perform work on one's own, without outside guidance or influence	Student understands the importance of being able perform work on one's own, without outside guidance or influence	Student is able to consistently and effectively perform work on one's own, without outside guidance or influence

Category: **MEETING GOALS**

Foundations	LEARNING OBJECTIVES			
	Definition	Cognitive	Affective	Habit-Forming
Diligence	Steady, earnest, and energetic effort	Student understands the concepts related to putting forth a steady, earnest, and energetic effort	Student understands the importance of putting forth a steady, earnest, and energetic effort	Student consistently puts forth a steady, earnest, and energetic effort
Exhibit flexibility and adaptability regarding unforeseen, ambiguous, or changing circumstances	To be readily able to modify behavior or change course, strategy, or approach, given new, different, or changing information or circumstances	Student understands the concepts related to being readily able to modify behavior or change course, strategy, or approach, given new, different, or changing information or circumstances	Student understands the importance of being readily able to modify behavior or change course, strategy, or approach, given new, different, or changing information or circumstances	Student is able to consistently and effectively modify behavior or change course, strategy, or approach, given new, different, or changing information or circumstances
Exhibit resilience after a setback	To recover from, bounce back, or adjust after encountering an obstacle, changing circumstances, failure, or a slowing of progress	Student understands the concepts related to recovering from, bouncing back, or adjusting after encountering an obstacle, changing circumstances, failure, or a slowing of progress	Student understands the importance of recovering from, bouncing back, or adjusting after encountering an obstacle, changing circumstances, failure, or a slowing of progress	Student is able to consistently and effectively recover from, bounce back, or adjust after encountering an obstacle, changing circumstances, failure, or a slowing of progress
Grit	Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments	Student understands the concepts related to perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments	Student understands the importance of perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments	Student is able to consistently and effectively demonstrate perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments

Category: MEETING GOALS

		LEARNING OBJECTIVES		
Foundations	Definition	Cognitive	Affective	Habit-Forming
Positivity	Internalizing and exhibiting optimism, hopefulness, and an upbeat outlook	Student understands the concepts related to internalizing and exhibiting optimism, hopefulness, and an upbeat outlook	Student understands the importance of internalizing and exhibiting optimism, hopefulness, and an upbeat outlook	Student is able to consistently and effectively exhibit optimism, hopefulness, and an upbeat outlook
Set goals and make a plan to meet them	To identify specific personal and professional objectives and create a strategy for meeting or accomplishing them	Student understands the concepts related to identifying specific personal and professional objectives and creating a strategy for meeting or accomplishing them	Student understands the importance of identifying specific personal and professional objectives and creating a strategy for meeting or accomplishing them	Student is able to consistently and effectively identify specific personal and professional objectives and creating a strategy for meeting or accomplishing them
Show initiative	To proactively move forward or initiate action toward a goal or objective	Student understands the concepts related to proactively moving forward or initiating action toward a goal or objective	Student understands the importance of proactively moving forward or initiating action toward a goal or objective	Student is able to consistently and proactively move forward or initiation action toward setting a goal or objective

Bloom's Taxonomy Planning Kit

Table A1: Bloom's Taxonomy – Six Categories of Cognitive Processing ¹

Category	Action	Action Verbs	
<p>REMEMBER</p> <p>Recall facts and basic concepts. Retrieve relevant knowledge from long-term memory.</p>	<ul style="list-style-type: none"> • Recognizing • Recalling 	<ul style="list-style-type: none"> • Define • Duplicate • List 	<ul style="list-style-type: none"> • Memorize • Repeat • State
<p>UNDERSTAND</p> <p>Explain ideas or concepts. Construct meaning from instructional messages, including oral, written, and graphic communication.</p>	<ul style="list-style-type: none"> • Interpreting • Exemplifying • Classifying • Summarizing • Inferring • Comparing • Explaining 	<ul style="list-style-type: none"> • Classify • Describe • Discuss • Explain • Identify 	<ul style="list-style-type: none"> • Locate • Recognize • Report • Select • Translate
<p>APPLY</p> <p>Use information in new situations. Carry out or use a procedure in a given situation.</p>	<ul style="list-style-type: none"> • Executing • Implementing 	<ul style="list-style-type: none"> • Execute • Implement • Solve • Use • Demonstrate 	<ul style="list-style-type: none"> • Interpret • Operate • Schedule • Sketch
<p>ANALYZE</p> <p>Draw connections among ideas. Break material into constituent parts and determine how parts relate to one another and to an overall structure or purpose.</p>	<ul style="list-style-type: none"> • Differentiating • Organizing • Attributing 	<ul style="list-style-type: none"> • Differentiate • Organize • Relate • Compare • Contrast 	<ul style="list-style-type: none"> • Distinguish • Examine • Experiment • Question • Test
<p>EVALUATE</p> <p>Justify a stance or decision. Make judgments based on criteria and standards.</p>	<ul style="list-style-type: none"> • Checking • Critiquing 	<ul style="list-style-type: none"> • Appraise • Argue • Defend • Judge • Select 	<ul style="list-style-type: none"> • Support • Value • Critique • Weigh
<p>CREATE</p> <p>Produce new or original work. Put elements together to form a coherent or functional whole; reorganize elements into a new pattern or structure.</p>	<ul style="list-style-type: none"> • Generating • Planning • Producing 	<ul style="list-style-type: none"> • Design • Assemble • Construct • Conjecture 	<ul style="list-style-type: none"> • Develop • Formulate • Author • Investigate

¹ Taxonomy for Learning, *supra* note 10 at 27-37.

Types of Assessment

Professional educators have designed hundreds of assessment options that can be replicated as formative, diagnostic, summative, or authentic assessments. Below are examples of assessments that are readily applicable to or already exist in some form in the law classroom.

Standardized Assessment

A standardized test is any test or exam with the same expectations of all test takers (i.e., same questions or selection of questions from a question bank, same time allotted, and same scoring methodology). Students are scored and their scores are compared against other test takers on a consistent basis to determine competency and mastery.

Essay, Research Paper

An essay or research paper is a short, literary composition supporting a thesis statement. The thesis is an arguable statement that is the conclusion of primary or secondary research on a topic. Essays and research papers include a combination of analysis, speculation, interpretation, and synthesis on a topic. Essays are oftentimes submitted for publication in general or scholarly journals.

Speech or Video Presentation

A speech or recorded video is a multimedia presentation using any combination of audio, video, and interactive technology tools. The speaker presents an analysis, speculation, interpretation, and synthesis on a topic to support a thesis statement.

Self-Evaluation Journal Entries

Journal entries are a collection of self-reflection notes taken over an extended period of time where students appraise the value of their efforts and determine best paths for continuous improvement. Journals are evaluated with a mentor as part of an ongoing academic or professional development plan.

Structured Discussion

This is a written debate where you are using your skill at reasoning, backed up by carefully selected evidence to make a case for and against an argument, or point out the advantages and disadvantages of a given context, eventually arriving at a conclusion.

Facilitate a Collaborative Decision-Making or Problem-Solving Meeting

A meeting facilitation is an opportunity to demonstrate clear communication, facilitation, and leadership skills in a group setting. Students plan, facilitate, and evaluate a meeting to its intended outcome of a decision made or a problem solved.

Skills Survey

A skills survey includes the participation in a standardized survey that evaluates students for their mastered and in-progress skill sets. Students take a skills survey and then create an action plan to address any areas that require attention.

Mock Interview (or other mock activity)

A mock interview (or similar scenario) includes students taking on a professional role for the purpose of practicing professional communication skills and qualities. Students are evaluated throughout the process for ongoing improvement.

Internship

An internship includes paid or unpaid work in a professional environment where students are mentored through the processes and policies of a work environment. Interns are evaluated for professional performance throughout their internships using common evaluation tools of the industry.

Service Project Organization

A service project organization includes the identification of a problem with a planned service project to address the issue. Students identify a problem, design a service project plan, then execute the service project. Afterwards, students evaluate the results of the service project and determine its effects.

Analyze Qualitative/Quantitative Data to Determine Outcome

A data analysis includes the collection, storage, and analysis of qualitative and/or quantitative data for the purpose of answering a research question. Students identify the outcomes of the data collected and compile it into a single document for publication or presentation.

Keep Running Records and Documentation

A documentation collection requires students to collect, maintain, and analyze records over an extended period of time. Consistency, accuracy, and attention to detail are of vital importance in records collection and maintenance.

Cooperative Learning Project—Jigsaw

A cooperative learning project, or “jigsaw,” is a technique where a large project that includes research, analysis, synthesis, and presentation is broken up between students in a group. Each member of the group takes on the responsibility of researching an element of the project and instructing the other group members on the topic, adding their findings to the group’s presentation.

Mentor a Classmate

A mentorship role requires a student to take on a leadership role with another student or group of students. The mentor monitors the mentee’s progress, gives advice, instructs, makes connections, and oversees the mentee’s path to success.

Portfolio

A student portfolio is a collection of academic documentation of a variety of types that create evidence to demonstrate the student’s competence and mastery. A portfolio serves the purposes of: evaluating coursework, academic progress, and achievements; evaluating student’s mastery of learning standards and academic achievement; offering students a means for reflection on their learning; creating documentation of academic products, accomplishments, and awards.

Create a Partnership

Facilitate the creation of a new partnership between two or more students, colleagues, or organizations. This partnership could be not-for-profit or business-related. Organize the details of the partnership so that both parties are benefitted and work towards their goals.

Blog, Vlog, or Podcast Series

Use current technical tools for blogging, vlogging, or podcasting to create a series of posts to inform a specific audience about a contemporary issue (i.e., copyright laws). Each post in the series should inform the audience with detailed information on how to solve their questions.

Design Community Political Action Plan

Identify a community issue (for a community of any size—neighborhood, city, state, etc.). Research the issue, its sources, details, and effects. Create a community action plan that, when implemented, would lessen or solve the issue.

Private Practice Business Plan

Using a standardized business plan, create a private practice business plan for starting a private law practice.

Book Review Series

Identify a list of books that address a particular topic important to the public. For each one, students write a book review that elucidates its value to the public audience and recommends the books that would most benefit readers interested in the law.

Kaleidoscope-Bill Perspectives Research Project

Choose a recently proposed bill and research a “kaleidoscope” project. Research multiple perspectives of who might benefit from the bill, in what ways, and to what effects. Be sure to include socially and economically disenfranchised groups.

Interview Series

Identify individuals who could be interviewed about a related topic. Plan for and organize the interviews to occur in person, virtually, or via correspondence. Interview each of the individuals, then synthesize the findings from the interviews into a final document for publishing or presentation.

Technology Proposal

Write a proposal for a new technology, such as a program or application that would solve a problem in the law community. Include in your proposal a detailed description of what the technology would need to include and how it should operate.

Documentary Production

Plan and produce a video documentary on a local legal issue that illuminates the complexity of the issue.

Observational Rubric Guide and Examples

Observer _____

Observed _____

Date _____

Foundation

Foundation as listed in learning outcomes

Definition

Why is this foundation important? Why is this foundation being measured? What is the ultimate goal of this foundation?

Is this foundation a characteristic/trait, skill (physical ability), or ability (mental ability)?

What are the necessary components, subskills, and/or details needed to get to the ultimate goal?

Learning Objective

Learning objective as listed in learning outcomes

Operationalization of Learning Objective

How do you know the ultimate goal has been met/reached?

How do you know the foundation has been or is being developed?

How do you know the foundation has been or is being mastered?

What do the necessary components, subskills, and/or details needed to get to the ultimate goal look like? How are they observed?

BEGINNING

How do you know a student has minimal levels of this foundation and needs to begin to develop the foundation?

What will a student do, say, or display when they only have minimal levels of this foundation?

What can a student do and not do with minimal levels of this foundation?

DEVELOPING

How do you know a student is developing this foundation but has not yet quite mastered it or fully developed it?

What will a student do, say, or display when they are developing this foundation but have not yet mastered or fully developed the foundation?

What can a student do at this level of the foundation that they could not do before?

MASTERING

What does having this foundation mastered or fully developed look like?

What will a student do, say, or display when they have mastered or fully developed this foundation?

What will a student be able to do or accomplish when this foundation has been mastered or fully developed?

Additional Evidence of Learning Objective

EXAMPLES

- Student took initiative to ask for resources and activities to improve writing skills.
- Student initiated their participation in the externship program.

Observational Rubric Example

Observer _____

Observed _____

Date _____

Foundation

Grit

Learning Objective

Student is able to consistently and effectively demonstrate perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments

Definition

Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments

Operationalization of Learning Objective

Demonstration of grit is measured through the consistent and persistent display of positive risk taking, ability to overcome setbacks and put forth maximum effort toward self-identified long-term goals, including course completion, project completion, and graduation

BEGINNING

Student chooses not to take positive risks when presented with the opportunity.

Student does not seek or use resources, activities, or opportunities to challenge themselves.

Student has not begun or is just beginning to understand their own strengths and weaknesses.

Student tends to give up when faced with an academic challenge or setback.

Student puts forth minimum effort necessary to complete courses and move toward graduation.

DEVELOPING

Student has displayed acts of positive risk taking but has not done so consistently throughout the year; when given challenging opportunities student uses them to improve but does not actively seek out challenging opportunities.

Student understands their own strengths and weaknesses but does not put extra effort into practicing or improving them.

Student puts forth effort toward course completion and graduation but has room for growth.

MASTERING

Student has displayed four or more acts of positive risk taking, in a year's time, such as pushing oneself to explore new and different academic opportunities or seeking resources or activities to challenge themselves to improve.

Student has faced and overcome two or more academic struggles.

Student clearly understands their own strengths and weaknesses; works to practice/improve.

Student displays maximum effort toward course completion and graduation.

Additional Evidence of Learning Objective

EXAMPLES

- Student took initiative to ask for resources and activities to improve writing skills.
- Student initiated their participation in the externship program.

Observational Rubric Example

Observer _____

Observed _____

Date _____

Foundation

Exhibit flexibility and adaptability regarding unforeseen, ambiguous, or changing circumstances

Definition

To be readily able to modify behavior or change course, strategy, or approach, given new, different, or changing information or circumstances

Learning Objective

Student is able to consistently and effectively modify behavior or change course, strategy, or approach, given new, different, or changing information or circumstances

Operationalization of Learning Objective

Exhibit flexibility and adaptability regarding unforeseen, ambiguous, or changing circumstances is measured by the one-time or consistent display of the ability to accept change or changing circumstances and is able to make the necessary adjustment, whether the change has momentary, short-term, or long-term awards and consequences

BEGINNING

Student is shocked/surprised by change or changing circumstances.

Student does not know how to act or acts inappropriately when facing a change or changing circumstances.

Student does not display the ability to adjust to changes or changing circumstances.

Student requires an outside party to make them aware of changes and or changing circumstances as well as their need to adjust.

DEVELOPING

Student has displayed some skills to recognize change and changing circumstances but is still shocked/surprised by other changes.

Student has sought guidance in recognizing change and changing circumstances but requires an outside party to make them aware of their need to adjust.

Student has displayed the desire to adjust to changing circumstances but is still developing the skills and abilities to do so on their own.

MASTERING

Student has displayed the skills to recognize a change or changing circumstances.

Student has displayed the ability to adjust to a change or changing circumstances.

Student has sought guidance in making necessary changes and used the advice to adjust.

Student displays ability to adjust to changing circumstances in the moment and when awards and consequences are more time lapsed.

Additional Evidence of Learning Objective

EXAMPLES

- Student adjusted well to the culture and demand of law school in their first year.
- Student made a smooth transition from law school courses to externship/clinic experiences and work requirements.

Observational Rubric Example

Observer _____

Observed _____

Date _____

Foundation

Critically evaluate arguments

Learning Objective

Students is consistently and effectively able to judiciously assess all assertions in a case

Definition

Judiciously assess all assertions in a case

Operationalization of Learning Objective

Critically evaluate arguments is measured by consistent display of the skills and abilities related to dissecting an argument into its general components (conclusion and premises), deciding if the argument is logical as well as logically supported by its premises, and making a final judgment on the argument

BEGINNING

It is unclear if the student can identify the conclusion of an argument.

It is unclear if the student can identify the premises of an argument.

It is unclear if the student can determine if an argument is logical.

It is unclear if the student can determine if the premises logically support an argument.

Student is not able to make a final judgment on an argument.

Student is not able to use final judgment of an argument to act accordingly.

DEVELOPING

Student inconsistently identifies the conclusion of an argument.

Student inconsistently identifies the premises of an argument.

Student inconsistently determines if an argument is logical.

Student inconsistently determines if the premises logically support an argument.

Student inconsistently makes a final judgment on an argument.

Student inconsistently uses a final judgment of an argument to act accordingly.

MASTERING

Student can consistently identify the conclusion of an argument.

Student can consistently identify the premises of an argument.

Student can consistently determine if an argument is logical.

Student can consistently determine if the premises logically support an argument.

Student can consistently make a final judgment on an argument.

Student can consistently use final judgment of an argument to act accordingly.

Additional Evidence of Learning Objective

EXAMPLES

- Student successfully completed three assignments that require the skills and ability to critically evaluate an argument (list assignments).

Examples of Rubrics

Examples of Rubrics for Written Assessment

CRITERIA / SCALE	0 Inadequate	1 Needs Improvement	2 Meets Expectations	3 Exceeds Expectations
STRUCTURE <ul style="list-style-type: none"> • Organization • Flow of thought • Transitions • Format 	<ul style="list-style-type: none"> • There is no apparent organization to the paper • Difficult to follow • No or poor transitions • No format 	<ul style="list-style-type: none"> • There is some level of organization, but there are too many digressions, ambiguities, and irrelevances • Difficult to follow • Ineffective transitions • Disjointed format 	<ul style="list-style-type: none"> • Paper has a clear organizational structure with some digressions, ambiguities, or irrelevances • Easily followed • Basic transitions • Structured format 	<ul style="list-style-type: none"> • Paper is logically organized • Easily followed • Effective, smooth, and logical transitions • Professional format
GRAMMAR/ MECHANICS <ul style="list-style-type: none"> • Sentence structure • Punctuation and mechanics 	<ul style="list-style-type: none"> • Uses simple sentence structures • Too many mechanical and/or punctuation errors 	<ul style="list-style-type: none"> • Uses compound sentence structures • Too many mechanical and/or punctuation errors 	<ul style="list-style-type: none"> • Uses complex sentence structures • Few punctuation or mechanical errors 	<ul style="list-style-type: none"> • Manipulates complex sentences for effect/ impact • No punctuation or mechanical errors

Examples of Rubrics for Written Assessment

CRITERIA / SCALE	0 Inadequate	1 Needs Improvement	2 Meets Expectations	3 Exceeds Expectations
LANGUAGE <ul style="list-style-type: none"> • Vocabulary • Use of vocabulary in sentences • Tone 	<ul style="list-style-type: none"> • Vocabulary is unsophisticated and not used properly • Very simple sentences; uses subject-specific vocabulary too sparingly • Writer's tone is difficult to discern 	<ul style="list-style-type: none"> • Vocabulary is used properly • Sentences are simple; correct use of subject-specific vocabulary is infrequent • Writer's tone exhibits small level of audience sensitivity 	<ul style="list-style-type: none"> • Vocabulary is varied, specific, and appropriate • Sentences vary in structure and length; frequently uses subject-specific vocabulary correctly • Writer's tone emerges and is generally appropriate to audience 	<ul style="list-style-type: none"> • Vocabulary is sophisticated and correct • Sentences vary in structure and length; uses and manipulates subject-specific vocabulary for effect • Writer's tone is clear, consistent, and appropriate for intended audience
CONTENT / INFORMATION <ul style="list-style-type: none"> • Clarity of purpose • Critical and original thought • Use of supporting evidence and/or examples 	<ul style="list-style-type: none"> • Lacks focus and development • Little or no exercise of critical, careful thought, and analysis and/or insight • Few supporting examples and/or evidence; examples and/or evidence used is weakly connected to ideas 	<ul style="list-style-type: none"> • The central idea is expressed, but it is vague or too broad; some sense of purpose is maintained throughout the essay • Some exercise of critical, careful thought, and analysis and/or insight • There are some supporting examples and/or evidence, but those examples are general or lack relevance 	<ul style="list-style-type: none"> • Central idea and clarity of purpose are generally evident throughout the essay • Clear exercise of critical, careful thought, and analysis and/or insight • There are good, relevant supporting examples and evidence 	<ul style="list-style-type: none"> • Central idea is well-developed, and clarity of purpose is exhibited throughout the paper • Abundant exercise of critical, careful thought, and analysis and/or insight • Evidence and examples are vivid and specific, and focus remains tight



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