

MEMORANDUM

To: Neil Dennis, Board Liaison

Cc: Fred Thrasher, Deputy Director
Meaghan Hagner, Member Services Coordinator

From: Eric Bono, Chair, Law Student Professional Development Section
Law Student Professional Development Leadership Team

Date: March 21, 2019

Re: Board Report, NALP Law Student Professional Development Section

The NALP Law Student Professional Development Section (“LSPD”) has had a good year in 2018-19. This report identifies our leadership team, summarizes the environmental scanning we conducted in our most recent quarterly section call and describes the status of our projects.

I. Leadership Team

Chair – Eric Bono, University of Denver Sturm College of Law, ebono@law.du.edu

Annual Education Conference/*Bulletin* Article Planning Vice Chairs, Erin Pedrami, LSU, epedrami@lsu.edu; Alex Piller, Illinois, apiller2@illinois.edu

Law Student and Lawyer Professional Development Sections Collaboration Vice Chairs, Elisabeth Beal, William & Mary, eabeal@wm.edu; Shannon DeGennaro, DePaul, SDEGENN1@depaul.edu

Best Practices Guide Vice Chairs, Francie Scott, Wake Forest, scottfs@wfu.edu; Kate Christoff, Cincinnati, christkb@ucmail.uc.edu

Membership Development Vice Chairs, Patty Lopez, Case Western pmr43@case.edu and Elizabeth Carr, Mercer, carr_e@law.mercer.edu

Professional Identity Formation Vice Chairs, Susan Fine, George Washington, sfine@law.gwu.edu; Melissa Berry, Washington, mmberry@uw.edu, Angela Cruseturner, Baylor, Angela_Cruseturner@baylor.edu

II. Section Call & Environmental Scanning

On March 7, 2019, forty-one members of the LSPD section participated in our fourth quarterly call of the current NALP cycle, which was nearly double the number of participants in our January call.

A. Updates

The meeting began with several updates, including a thorough board report from NALP Director Heather DiFranco (Cleveland Marshall). Next, Vice Chair Erin Pedrami (LSU) promoted the RFP process for NALP's 2019 Professional Development Institute and its 2020 Annual Education Conference. In particular, Erin encouraged LSPD members who had previously submitted RFPs to consider re-submitting them. In addition, Erin and her co-Vice Chair, Alex Piller (Illinois), offered to assist LSPD colleagues with identifying RFP topics, refining those ideas and recruiting co-speakers. As a part of this discussion, Erin promoted the professional benefits of speaking at a NALP conference and we emphasized that sessions focused on aspects of Law Student Professional Development tend to be very well attended. Finally, Susan Fine (George Washington) promoted the focus group discussion on the Holloran Center's competency milestones, which will occur on April 11 at the Annual Education Conference in San Diego.

B. Approaches Military Recruiting under the Transgender Ban

On January 22, 2019, the United States Supreme Court issued an unsigned order, which allowed the federal government's transgender military ban to take effect while challenges to the ban make their way through the lower courts. With the ban in effect, law schools are considering how they might respond to requests for military recruitment on campus. While this is not strictly a law student professional development issue, the LSPD leadership team nonetheless believed this important topic would be of interest to our members and included it on our section call agenda. It sparked a lively conversation.

Several themes emerged in this discussion. First, as a general matter, call participants seemed inclined to reinstate the ameliorative approach law schools followed widely during the federal government's former "Don't Ask, Don't Tell" policy with respect to military service. Applied in the context of the transgender ban, this would involve posting notices during military recruitment visits stating that the military transgender ban violates a law school's antidiscrimination policy. It would also involve schools making a concerted effort to support transgender people through programming and other means.

While schools seem inclined to adopt these ameliorative practices, they are not all moving at the same pace. Indeed, some call participants had already posted transgender ban notices during military visits while other schools are still trying to determine their approach. For schools still considering their approach to this matter, some are seeking to coordinate with CSOs in other units at their institutions and/or seeking advice from their General Counsels' offices.

It is interesting to note that some call participants reported that they had reached out to their LGBT-focused student organizations for input on this issue and felt that their students did not seem to be particularly focused on it. Other participants indicated that they are going to seek to engage with military recruiters before their campus visits to determine whether and how the ban is going to be enforced in their recruiting process before determining what steps to take. Participants also referenced NALP's Amelioration Best Practices Guide and material on NALP's website regarding the Solomon Amendment as being excellent resources in seeking to address the transgender military ban.

C. Counseling across Generations: Resilience and Resourcefulness

Two common challenges law school CSOs face on the professional development front include: (1) helping students attend to and retain the important career-related information we communicate to them; and (2) helping students develop resilience in the face of the challenging job search process. CSOs have long faced both of these challenges, but some participants in our section call reported that these challenges have intensified with the latest generation of law students.

Helping students develop the organizational skills to focus on and retain important career-related information can be challenging because law students are extremely busy absorbing voluminous and complex information from multiple directions (e.g. coursework, student organizations, CSOs, etc.) Several call participants discussed strategies they use to maximize student retention of important career information. Such strategies include carefully tailoring the timing of such communications to periods when students may have more ability to focus, keeping communications as short as possible and using platforms other than email to communicate with students—e.g. social media and blogs. Nonetheless, this will remain a challenge for CSOs. Notably, one call participant reported that student organization leaders at her school are experiencing the same challenges with other students in terms of not retaining important information they are communicating.

Helping students develop resilience in the face of the challenging career development and job search processes is also a significant focus for our LSPD members. This challenge can be particularly acute with first-year law students who are embarking on their first summer job search. Several participants reported working early on with students (sometimes as early as August orientation) to help students understand the realities of a job search and in particular, that rejection is very much a part of it. Of course, schools try to strike a careful balance here between helping students develop realistic expectations and trying to help students develop confidence. At least one call participant reported that their CSO does formal programming on grit and resilience early in the 1L to prepare students for the challenges of the job search.

On a related note, several call participants reported that 1Ls may sometimes lack perspective on how much effort and tenacity the job search requires. Frequently, students report being

frustrated with their job searches, but upon further inquiry, we learn that they may have only applied to a small number of employers (sometimes only one). Our members work hard to help students understand that they can maximize their opportunities by pursuing more of them in a manner tailored to each employer. The University of Minnesota uses a “funnel” metaphor in connection with the job search. With graphic aids and through conversation with students individually and in programming, Minnesota’s CSO seeks to help students understand that the more they put into their “funnel” (i.e. the more jobs they apply for; the more networking they do) the more they are likely to get out of it.

D. Communicating about Diversity Initiatives

Communicating with students about diversity hiring programs offered by employers has long been a challenge for law school CSOs. The most common challenge is the potential for backlash from some students who are not the targets of these programs. More recently, at least one call participant has fielded concerns from historically underrepresented students about students seeking to participate in these programs whom they do not believe should qualify. Both of these issues (and more) can be challenges for CSOs who are seeking to maximize students’ awareness and participation in these opportunities while at the same time trying to build and maintain trust with all of their students.

There was a general consensus on the Section Call that law school CSOs should not serve as the gatekeepers with regard to eligibility for these programs and that these opportunities should be advertised widely.¹ This approach is especially important since not all forms of diversity are visible and since many legal employers intentionally define diversity very broadly in marketing these opportunities. While schools represented on the call agreed that these opportunities should be advertised to all students, schools also vary in their approach to doing that. Some schools simply broadcast these opportunities to all students while other schools communicate through a listserv or other dedicated channel that targets self-identified students from diverse backgrounds and is available to all other students on an opt-in basis.

Interestingly, one participant reported that employers sometimes end up engaging with candidates through their diversity hiring programs who do not fit the employers’ definition of diversity for such programs, but end up being good candidates through other hiring programs.

¹ Some schools reported that they occasionally have to ask employers to re-word their job postings if those postings state that the employer will *only* consider candidates who fit the employers’ definition of diversity.

III. Work Group Reports

A. Annual Education Conference/*Bulletin* Article Planning (by Erin Pedrami and Alex Piller)

We have continued to encourage submissions for the upcoming NALP PDI and NALP Annual Education Conferences. As a part of that process, we have specifically reviewed those RFPs that were not selected for the 2019 NALP Annual Education Conference to encourage re-submission.

B. Law Student and Lawyer Professional Development Sections Collaboration (by Elisabeth Beal and Shannon DeGennaro)

We are continuing to work on our initiative to interview and draft write-ups about law firm PD programs. Approximately 36 firms have been invited to participate, and 10 write-ups are complete. We are conducting more follow-up outreach to our volunteers and Shannon and Elisabeth will reach out to additional firms as the semester winds down. Jeanette Forgey, the Chair of the Lawyer PD Section, will be promoting the project again in their section call on Monday, March 18th. Our goal remains to complete 20 write-ups before publishing the booklet.

C. Best Practices Guide (Francie Scott and Kate Christoff)

This project was intended to draw upon the experience of the Section membership to create a resource for schools implementing professional development programming. After multiple attempts to get it off the ground, there does not seem to be the level of interest among the membership necessary to develop a meaningful tool. Due to a lack of response from the section, the project is effectively stalled. We recommend re-evaluating the needs of the section in an effort to evaluate whether there is a more viable option.

D. Membership Development (by Patty Lopez and Elizabeth Carr)

We have continued to post professional development topics to NALP Connect and contacted members ahead of our section calls to encourage ideas and participation. In addition, in the run-up to the Annual Education Conference, we are working to encourage attendance at our Section Meeting during the Conference. We have continued to work to grow our list of previously active and newly interested members of the group by actively reaching out to potential new members as well as existing members to assess what they would like to see from the group, what topics they would like to cover, and what they hope to gain from their membership. We have also periodically joined other section calls to garner interest in the group and encouraged LSPD members to invite 1-2 colleagues to participate in our section calls. In addition, in communicating with new members, we have regularly suggested helpful resources developed by the group such as our section's PD Booklet.

E. Professional Identity Formation (by Susan Fine, Melissa Berry and Angela Cruseturner)

The LSPD and LPD sections will convene an open focus group at the Annual Education Conference to review and provide feedback on the Holloran Center's competency models for professional identity formation. Professors Neil Hamilton and Jerry Organ from the Holloran Center will introduce and lead a discussion on the current Working Groups' Stage Development Milestones for Law Schools' most utilized learning outcomes.

F. Professionalism Videos (Collaboration with JD Career Advisers and Recruiting Sections) – Eric Bono

This project has been put on hold for the time being as incoming NALP President Georgia Gray has made it a part of her business plan for the upcoming NALP year.