Six Ways Law Schools Can Make Students More Practice Ready

The legal education system is being shaped by the changes affecting the practice of law and the legal profession: a tighter job market, emerging technologies and the increasing use of legal process outsourcers and alternative providers. Law schools can make the most of these significant changes by turning them into opportunities to make law students better lawyers. Current law school curriculum provides students with the theoretical base they need to pass the bar, but the transformation of the legal landscape opens up more ways for law schools to better prepare law students for the day-to-day practice of the law.

To help identify the greatest opportunities, Thomson Reuters conducted 30 in-depth interviews with third-year law students, law firm hiring managers and new attorneys. Thomson Reuters analyzed the results and identified six ways law schools may be able to improve curriculum to best prepare law students for today’s practice environment.

1. **Include more diverse experiential learning.** According to the Thomson Reuters study findings, law schools currently offer experiential learning opportunities but on a limited basis, making it difficult for students to participate. While respondents who had participated in externships, clinics and other experiential programs considered them extremely valuable, the majority of respondents identified scheduling conflicts as a major challenge. They described being forced to make trade-off decisions, such as turning down an experiential learning activity offered at the same time as a required course. They also called out capacity restrictions as hindrances to participation.

   A third-year student explained, “My externship took all of my pass/fail hours, so I couldn’t do any clinics. I got a top externship offer, so I did that.” Law schools can make experiential learning activities more widely available and make participation mandatory – with a strong focus during the third year of law school – to help ensure that students are practice ready.

2. **Prepare students for transactional practice.** A common concern among all interview respondents group – third-year law students, law firm hiring managers and new attorneys – is that law schools focus on litigation at the expense of transactional practice. One hiring manager noted, “For transactional matters, they [new hires] absolutely don’t have the skills. Drafting and doing deal work, we have to train them on all of that.”

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   Law schools can help students by expanding curriculum to provide a stronger introduction to the specific underlying subjects of transactional law, and by incorporating more experiential learning programs that focus on drafting documents, regulatory research and structuring a deal. Expanding the curriculum by incorporating opportunities to draft and to understand corporate and transactional documents on a more regular basis would give students a better understanding of transactional law.

   Also, students need exposure to fundamental business principles as well as the industry-specific knowledge required for transactional practice. A third-year student explained, “A lot of people like me go into corporate law without a business or accounting background. You’re asked to look through financial statements. It would take one accounting class to understand what a balance sheet looks like.” The student’s comments were echoed by a recent hire who explained, “There were a lot of theoretical courses in law school. With the business things I do, I would have been better served with something more practical, like contract drafting.”

3. **Focus on the business side of law.** Students’ lack of exposure to fundamental business principles affects both law firm management as well the ability to understand clients’ business environments. In addition, many young lawyers need to be shown that they are going to work for a business, which requires administrative and management skills to be successful. A third-year student worried, “I don’t really have practical business skills. That’s a huge problem. The people who make partner are the people who make the best lawyers, but the best lawyers don’t necessarily know how to run a firm.”

   This presents an opportunity for law schools to integrate skills like time tracking and billing into assignments and clinics, and offer law firm management courses. Attorneys are tasked with time and billing...
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CASE STUDY

requirements the moment they start practicing. As a young associate noted, “Understanding how to bill your time would have been helpful. I didn’t know how much billing is scrutinized, how to properly articulate what you’re doing so that clients aren’t upset.”

By integrating time and billing procedures into the curriculum as well as offering more experiential learning activities, law schools could help alleviate new associates’ anxiety. Business courses, paired with practical hands-on assignments related to managing a business, would further strengthen students’ skill sets. As a hiring manager noted, “They [new associates] are lacking a sense of maturity of how to work with people who are older than them, working with legal assistants … how to conduct themselves in an office. No matter how smart you are or how great you are at writing a brief, you are going to struggle if you can’t succeed socially and that’s the biggest thing I see lacking.”

4. Expose students to legal processes and case management requirements. Externships and internships introduce students to litigation and transactional processes, yet most still lack knowledge of the detailed steps, common pitfalls and strategies to overcome when managing cases. One new associate said, “Luckily at my law firm, we have a document system where you can go look at previous documents and format them based on that. In school, you learn what an answer is but not how to draft one.”

The benefits of incorporating time and billing and case management into curriculum and clinical experiences would be twofold. For example, ensuring that students understand motions to dismiss by requiring them to draft one would help law schools meet the assessment requirements, while giving students hands-on experience.

5. Emphasize interpersonal and advocacy skills. Activities such as trial teams, mock trials and clinics help law students develop advocacy skills, yet new attorneys need more exposure to mediation, negotiation, oral argument, and trial opening and closing. Even though some law firms stress these skills in new hire training, it can still be challenging for new attorneys to learn interpersonal skills on the job, whether in dealing with senior attorneys or managing client relationships.

As one new associate noted, “I think developing clients is a skill that you need, and that is just interpersonal skills. I’m not sure that was covered in law school.” This is another area where mandatory clinics and externships, as well as integrating hands-on experience into existing curriculum, can help law students hit the ground running at law firms.

6. Require proficiency with legal technologies. Exposing students to the range of legal technologies used in practice – beyond research tools – also translates to less on-the-job training for new associates. For example, one young attorney said, “It would have been beneficial to have been introduced to a document management system. Most places have different systems in place, but just in general how they work.”

Incorporating legal technology into relevant courses, such as document management or document assembly tools in a drafting class, would make for a smoother transition from third-year law student to new hire.

Law schools can make the most of these opportunities to best position new grads to make an impact from day one. Each law school will evolve in its own way to continue serving its mission while staying true to its culture and heritage. Better preparing law students will involve a combination of programs, curriculum enhancements and outside partnerships that embed technology, legal processes, client management, the business of law and transactional law throughout the law school experience. This evolution of law schools will help foster the critical interpersonal and professional skills in law students that are so valued in successful new associates.

All of the Thomson Reuters interview respondent groups agreed that law schools should update course work and offer more experiential learning programs. Support for their recommendations includes the American Bar Association, which is implementing standard 303 in 2016-17 to require students to complete at least six credit hours of experiential course work, and standard 301, which mandates that law schools publish their learning outcomes.

Thomson Reuters identified four law schools already integrating practice-ready skills into their curriculums. In an upcoming series of case studies, Thomson Reuters will share their stories and explore how they’re shaping law students and law firms.