Dickinson Law’s New Curriculum and its Focus on Student Outcomes

PROF. LAUREL S. TERRY (LTerry@psu.edu) AND CAMILLE MARION, PROFESSOR & DIRECTOR OF EXPERIENTIAL LEARNING

Our Law School

1834: Founded in Carlisle
1997: DSL - Penn State merger
2006: ABA approves 2nd campus
2014: ABA gives Penn St. permission for 2 fully-accredited ABA law schools
OUR OPPORTUNITY

Legal Education at Penn State

ONE UNIVERSITY TWO LAW SCHOOLS

Penn State, which is consistently ranked in the top 1 percent of universities worldwide, offers two law school choices: Dickinson Law and Penn State Law.

OUR FIRST RESPONSE: DEFINE THE OUTCOMES WE WANTED

#1 of 4 Core Principles Adopted 12-2012:

To vest in our students the entire range of concrete lawyering skills necessary to most effectively perform as legal professionals at the local, state, national, transnational, and international levels in the 21st Century.
**OUR 2ND RESPONSE: DEVELOP “THE LAWYER AS” OUTCOMES-FOCUSED CURRICULUM**

- Lawyer As...Consumer Advocate
- Lawyer As...Employment Advisor
- Lawyer As...Environmental Advocate
- Lawyer As...Family Advisor
- Lawyer As...Government Advisor
- Lawyer As...Intellectual Property Advisor
- Lawyer As...International Advisor and Advocate
- Lawyer As...Manager and Leader

and more....

**OUR THIRD RESPONSE: ADD NEW COURSES & REQUIREMENTS**

- **Fall 1L**: Problem Solving I
- **Spring 1L**: Practicing Law in a Global World: Contexts & Competencies I
- **Spring 2L**: Practicing Law in a Global World: Contexts & Competencies II
- **12 Credit** Experiential Learning Requirement
  - 6 credits must be in an in-house legal clinic, an internship, or a semester-in-practice
WE ARE FORTUNATE IN OUR LOCATION

- 8 county seats are within ≈1 hour or less
- Harrisburg (state capital) is 20 minutes away
- Harrisburg has 1 of 3 PA federal district courts
  – The Middle District of Pennsylvania
- The nation’s capital is 2 hours away

EXPERIENTIAL OPPORTUNITIES

Internships
- Judicial placements
- Prosecution offices
- Public Defender offices
- Government agencies
- Legal Services
- Hershey Medical Center
- TechCelerator@Carlisle

Additional Programs
Semester-in-Harrisburg
Semester-in-Washington, D.C.
Int’l Justice Program (The Hague)

Pro Bono Opportunities
- IOLTA
- PILF
- Miller Center Pro Bono Match
- Project-based opportunities
  - Pennsylvania Innocence Project
  - Veterans’ Disability Appeals
  - Record Expungement Clinic
  - Public Utility Comm’n Clinic
  - Dauphin County Custody Clinic
  - VITA Tax Assistance Program
  - Bethesda Mission
  - Shelter-based Clinics
  - Alternative Spring Break

Distance in Miles
Baltimore: 90
Wilmington: 100
Washington: 110
Philadelphia: 125
Pittsburgh: 195
New York City: 200
Richmond: 210

*Washington
CONNECTING OLD & NEW

CURRICULAR INNOVATION HISTORY

• Our LL.M. program began in 1974
• Our first clinic started in 1975
• 1983: Dean Gildin received the Roscoe Pound Award for our Trial Advocacy program
• We’ve had interdisciplinary clinics since 2007
  – social workers-medical residents & fellows-law students
  – two new interdisciplinary clinics launch in 2016-17
• Innovative 1L course since 2010:
  ➢ Legal Argument and Factual Persuasion (fka “Elements”)
THE **CONTEXTS & COMPETENCIES COURSES**

- These courses will begin Spring 2016 & Spring 2017
- The *Contexts* course will draw from several models
- Assessment likely will include portfolios, reflective essays, & lawyer interviews
- It will include professional identity formation
  - Carnegie’s “3rd Apprenticeship”
- Extensive use of guest speakers
- I welcome suggestions regarding reading materials

---

**SYLLABUS TOPICS**

**The “Contexts” Course**

- About the legal profession
- **What clients want**
- What employers want
- What the student wants
  - Their own strengths, weaknesses, interests
- Contexts in which lawyers (& law grads) work
- Globalization & its impact on law & lawyers

**The “Competencies” Course**

- Shortening the list to 14 is still a work in progress
- Personal skills
  - Teamwork, leadership, cultural competency, wellness, managing yourself & others, e-Professionalism
- Technical skills
  - Business principles, statistical & math principles for lawyers, project management, intuition & judgment, visual law & infographics, negotiation theories
THE PROBLEM SOLVING 1 COURSE:

• By week 2 of law school, 1Ls were doing mock interviews

OUTCOMES-FOCUSED TRANSFERABLE METHODOLOGY

• Who is the client?
• What are the facts?
• What are the goals?
• What are the legal constraints & opportunities?
• What are the legal and ethical options?
• How should the client proceed?

Assigned Joseph William Singer, PROBLEM SOLVING FOR LAWYERS (2010), http://casestudies.law.harvard.edu/
COURSE STRUCTURE

• **Law Firm:** Larger class of ≈30-35 students meets with Faculty Professor. Represents Π or Δ. [Meets on Wednesday]

• **Practice Group:** Smaller class of 6 to 8 students meets with Practitioner Instructor. [Meets on Monday]

• **Settings:** Transactional, Litigation, & Government (starting 2016)

COURSE MATERIALS

- Cox & Thomas, *Law in Practice* (West 2013)
- Assignment (...includes...the objectives and evaluation criteria...)
- Update
- Case Documents
- Law File
- Background Reading for Videos
- Skill Development Videos
- Rule Reading
ASSESSMENT

• 10% Client Interview
• 10% Negotiation
• 10% Witness Interview
• 20% Writing Assignment
• 20% Deposition
• 10% Actual Client Interview
• 10% Client Interview & Counseling
• 10% Law Firm Class

EVALUATION CRITERIA

Practice Group Participation: Student performance in simulations is based on the following three criteria:
(1) Preparation and adaptability
(2) Execution of objectives
(3) Professional demeanor

Law Firm Participation and Practice Group Overall Assessment: ...will be based on preparation, knowledge of the case files and law, appropriate and useful participation in discussion, attendance, and timely submission of assignments
AN INTEGRATED 3-YEAR PROGRAM FOCUSED ON STUDENT OUTCOMES

Fall 1L: Professional Identity Formation & Skills

Spring 1L: Professional contexts & introspection

2L: Extra-legal Competencies

6 credits of “real” experience

6 additional experiential credits

Dickinson Law Practice Greatness