Teaching Professional Skills and Values: An Alumni Assessment

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TEACHING PROFESSIONAL SKILLS AND VALUES:
AN ALUMNI ASSESSMENT

Hon. Stephen Gerst (Ret.)* & Maria L. Bahr**

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I. INTRODUCTION

The purpose of this article is to report on Phoenix School of Law’s attempt to address the following question: will recent innovations in law school curricula make a significant difference in graduates’ readiness to practice law?1

The General Practice Skills (“G.P.S.”) course at Phoenix School of Law, first offered in the fall semester of 2007, is designed to teach law students the professional skills and values that are deemed essential to the practice of law. Known as the “G.P.S.” course, it is a direct response to the calls for change in traditional legal education.2 This article will describe the efforts made by

* Professor and Program Director of General Practice Skills at the Phoenix School of Law; retired Maricopa County Superior Court Judge. The authors express their gratitude for helpful comments made to earlier drafts of this article by Gerry Hess, Sophie Sparrow, Jennifer Spreng, and Hon. Michael Yarnell (Ret.). We also express our gratitude to the Phoenix Law Review for their efforts in reviewing and preparing this article for publication.

** Adjunct Professor and Assistant Director of the General Practice Skills Program at Phoenix School of Law.

1 Stephen Gerst & Gerald Hess, Professional Skills and Values in Legal Education: The GPS Model, 43 VAL. U. L. REV. 513, 546-47 (2009) (“Will recent innovations in law school curricula make a significant difference in the readiness of graduates to practice law? Law schools will not know the answer to that question unless they assess the effects of their reform efforts. Surveys or interviews of former students, after their first year or two of practicing law, is one way of assessing the success of curricular innovations. The survey could ask graduates to evaluate the role that skills and values courses played in their transition to practice. Former students could rank the degree to which the skills and values taught in law school have helped in their present area of practice.”).

2 See id. at 515. Over the last three decades, critics have argued that legal education does not do enough to prepare graduates for professional practice. See id. at 515, 518. They have urged
Phoenix School of Law to assess and evaluate the effectiveness of its G.P.S. course to determine whether it is achieving its goal of helping students become "practice ready."

The first part of this article is an overview of the G.P.S. course. The second part contains the results of the initial survey of alumni, all of whom completed the G.P.S. course as a requirement of graduation. The third part contains an analysis of the survey results. This part also discusses the questions that the present survey leaves unanswered. This article is more than just a report on the survey results of a skills and values course; its intent is to share information and lessons we have learned from our first experience in surveying alumni. We hope that this information and our suggestions will be of assistance to others who are also seeking meaningful evidence on whether recent innovations in law school curricula make a significant difference in the readiness of graduates to practice law.

II. OVERVIEW OF THE GENERAL PRACTICE SKILLS COURSE

Phoenix School of Law began with an inaugural class of twenty-eight students in 2005. Its three-fold mission is to provide an educational experience that is 1) student-centered, 2) a bridge to practice readiness, and 3) committed to serving the underserved communities.

In 2005, Phoenix School of Law mailed over 10,000 letters inviting Arizona Bar Association members to complete a survey. The purpose of the survey was to ask Arizona lawyers to assess areas of essential knowledge, skills and values to the practice of law in Arizona. The survey results were substantially similar to the knowledge, skills, and values identified by the MacCrate Report in 1992, which was critical of law schools generally for failing to adequately prepare students for the practice of law. Informed by these studies, the law schools to devote significant effort and resources to teach students a broad range of professional skills and values. See id. at 515-16. Defenders of traditional legal education point out its success in teaching doctrine, theory, and analytical skills; they argue that other professional skills and values are best learned in practice after graduation from law school. See id. at 546. In response to the calls for change, Phoenix School of Law has attempted to address the gaps between legal education and the professional practice. See id. at 523.

3 See id. at 526-40 (detailing the history and description of the General Practice Skills course at Phoenix School of Law).
4 Total enrollment in the spring semester of 2012 is expected to exceed 1000 students.
6 Gerst & Hess, supra note 1, at 523 n.69. For a full copy of the Arizona Bench and Bar Survey, see id. at 548-51, and for a full outline on the results, see id. at 524-25.
7 See generally SECTION ON LEGAL EDUC. & ADMISSIONS TO THE BAR, AM. BAR ASS'N, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT ("MACCRATE REPORT") (1992) (Robert MacCrate chaired the task force at the time of this report).
G.P.S. course was specifically designed to be a capstone course to help fulfill
the mission pillar of "a bridge to practice readiness." Later studies and reports,
such as the Carnegie Study\(^8\) and Best Practices for Legal Education,\(^9\) con-
firmed the course design was consistent with the learning objectives of the
G.P.S. course.

By the end of the course each student will have done the following:
1) practiced many of the skills that will be used in the practice of law;\(^10\) 2) experienced how lawyers solve legal problems; 3) become knowledgeable and
sensitive to the professional values deemed important by the bench and bar;\(^11\) 4) demonstrated a commitment to high ethical standards of behavior and pro-
fessionalism in dealing with clients, opposing counsel, courts, and the commu-
nity; and 5) acquired a realistic basis to make decisions about different areas of
the law as a career.\(^12\)

To achieve these objectives, the G.P.S. course is designed as a single
semester, required, six credit, pass/fail course which meets twice each week for
a three hour period. Most of the skill exercises are practiced collaboratively in
student "law firms." A distinguishing feature of the course design is to invite
practicing lawyers to serve as "lawyer-faculty" to guide students in learning
and practicing the skills and values identified in the course design.

Each G.P.S. class section is limited to no more than thirty students. The
course is divided into seven learning modules representing different areas of
law practice.\(^13\) A different two lawyer-faculty team provides instruction and
feedback on the skills and values exercises for each module.\(^14\) The G.P.S.

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\(^8\) See William M. Sullivan et al., Educating Lawyers: Preparation for the Profession of Law,
in Preparation for the Professions, at 15-17 (The Carnegie Found. for the Advancement


\(^10\) Gerst & Hess, supra note 1, at 527-28. Thirteen professional skills have been identified and
adopted into the course design. These include the following: 1) working cooperatively as a team;
2) listening; 3) written communication; 4) oral communication; 5) counseling; 6) recognizing and
resolving ethical dilemmas; 7) mediation; 8) pretrial discovery; 9) advocacy; 10) drafting legal
documents; 11) interviewing and questioning; 12) negotiation; and 13) factual investigation. Id. at
528.

\(^11\) Id. at 527-28. Six professional values have been identified and incorporated into the course
design: 1) acting honestly and with integrity; 2) showing reliability and a willingness to accept
responsibility; 3) striving to provide competent, high quality legal work for each client; 4) treating
clients, lawyers, judges, and staff with respect; 5) demonstrating creativity and innovation; and 6)
showing tolerance, patience, and empathy. Id. at 529-30.

\(^12\) Id. at 527-28.

\(^13\) Id. at 528. This includes six, two-week modules of twelve hours of classroom instruction
and one, one-week module of six hours of classroom instruction. Id. at 534 n. 94.

\(^14\) See id. at 530. The emphasis on professional values and the skills of recognizing and
resolving ethical issues are included in the course design for all modules. Id. at 529. The most
powerful teaching of values and professionalism, however, is the modeling of behaviors by the
course begins with a module on Law Office Management, followed by modules in Family Law Practice, Representing a Creditor or Debtor, Creating and Selling Small Business Enterprises, Wills and Estates Practice, Criminal Law Practice, and Personal Injury Practice. These practice areas and Law Office Management were selected because of the number of Phoenix School of Law graduates who are expected to join small firms or become solo practitioners.

lawyer-faculty teams observed by the students throughout each module. The other identified skills are practiced in several modules but are not necessarily included in all modules. See id. at 529.

15 See id. at 533. In the Law Practice Management module, students form the law firms they work in for the semester, draft business plans and fee agreements, reconcile and manage trust fund accounts, use time-capturing software for record keeping, and practice different billing methods. Id.

16 See id. In the Family Law module, students interview and counsel clients in a hypothetical family law matter. Id. at 533-34. Students represent their clients in a dissolution of marriage legal action between the parties. Id. This requires the drafting and preparation of all required documents related to dissolution of a marriage involving children. Id. Students also negotiate a settlement agreement and participate in court hearings on motions they have drafted on behalf of their clients. Id.

17 Id. at 535. In the Creditor/Debtor module, students spend the first week learning and practicing the various means of assisting clients on the collecting of a debt or money judgment. Id. Students practice the skills of drafting, fact investigation, discovery, advocacy and negotiation. Id. at 529. In the second week of the module, students practice the skills involved in representing a debtor client in a bankruptcy matter. Id. at 535. Students prepare the bankruptcy schedules and necessary documentation. Id. Students are also involved in the drafting of motions and court hearings related to bankruptcy proceedings. Id.

18 Id. at 534. In the Small Business Enterprise module, students represent clients in the legal formation, purchase or sale of a small business enterprise. Id. The skills practiced include interviewing and counseling, drafting of documents for the formation of a company, and purchasing or selling the assets or other ownership interest in a business entity. Id. at 529. Students are involved in interviewing and counseling, negotiation, drafting, and statutory analysis. Id.

19 Id. at 534-35. In the Estate Planning module, students draft a client’s will, advance directives, and a durable power of attorney. Id. Students also prepare and draft the appropriate documents necessary to a probate of a client’s estate. Id. Skills practiced include interviewing and counseling, legal analysis, and drafting of documents. Id. at 529.

20 Id. at 535. In the Criminal Law module, students process a criminal case while representing either the prosecution or the defense. Id. Students practice the skills of interviewing, counseling, fact investigation, discovery, drafting legal instruments, negotiation, court hearings, and interviewing and counseling. Id. at 529.

21 Id. at 536. In the Personal Injury module, students represent a plaintiff or defendant in a civil action for damages arising out of an automobile accident. Id. Students practice the skills of interviewing, counseling, fact investigation, oral advocacy, drafting of pleadings and motions, negotiation, and advocating before a court and jury. Id. at 529.

22 See infra Part IV.
III. The Alumni Survey

Before the present survey, the G.P.S. course was assessed primarily through student evaluations, the oversight of faculty, and the observations of others. Student evaluations were conducted anonymously after each module in the first few semester offerings of the course. Thereafter, student evaluations were conducted at the end of the semester to enable students to compare course modules and lawyer-faculty over an entire semester.

In February 2009, an American Bar Association site team visited Phoenix School of Law as part of the accreditation process. Its report included the following comments:

[T]he course appears to be an appropriate vehicle to introduce students to drafting, advocacy and other skills transferable to a variety of practice settings. In addition, based upon a team member's review of the course materials and interview with the supervising faculty member, the course appears to be well-organized and delivered by adjunct faculty who are both well-supervised and vetted for practice and teaching effectiveness.23

In July of 2009, the ABA Section on Professionalism recognized Phoenix School of Law by awarding it the E. Smythe Gambrell Professionalism Award for the development and design of the General Practice Skills course. In the letter informing Phoenix School of Law of its having been selected as one of three winners of the award for 2009, the Standing Committee on Professionalism wrote, “The Committee was particularly impressed with the fundamental integration of professionalism into basic legal education.”24

Despite the praise of professional organizations and positive feedback from students, it still remained to be determined whether the G.P.S. course was of significant value in helping students achieve practice readiness in the legal community. The measurement of that value had to abide until the graduation of a sufficient number of students entering the practice of law.

24 Letter from Melvin F. Wright, Standing Comm. on Professionalism Chair, Am. Bar Ass’n, to Stephen Gerst, Associate Professor & Dir. of the Gen. Practice Skills Program, Phx. Sch. of Law (June 4, 2009) (on file with authors). The award is given annually by the American Bar Association Standing Committee on Professionalism. See id. The presentation of the award was made at the ABA Annual Meeting in Chicago, Illinois on July 31, 2009. Id.
On February 16, 2011, Phoenix School of Law administered a survey of alumni electronically through “SurveyMonkey.” As of that date, there were 162 alumni of Phoenix School of Law, of whom the school maintained a list of 158 alumni electronic addresses available for use in the survey. The survey was sent to all 158 alumni and each anonymous response was tracked. It requested the alumni to rate the learning and practice of each skill and value taught using a scale of 1 through 5, with 5 being the highest. Forty-two alumni responded to the survey—a response rate of 27%. The survey consisted of four parts plus an invitation for responders to add their comments. The survey questions, with responses, are reproduced below:

SurveyMonkey, February 16, 2011

A. Question: What kind of legal experience have you had since graduation? (Pick as many choices as apply.)

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solo Practitioner</td>
<td>22.0%</td>
<td>9</td>
</tr>
<tr>
<td>Small Firm (less than 10)</td>
<td>24.4%</td>
<td>10</td>
</tr>
<tr>
<td>Medium-sized Firm (10-50)</td>
<td>4.9%</td>
<td>2</td>
</tr>
<tr>
<td>Large Firm (more than 50)</td>
<td>2.4%</td>
<td>1</td>
</tr>
<tr>
<td>Public Sector/Agency</td>
<td>22.0%</td>
<td>9</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>29.3%</td>
<td>12</td>
</tr>
</tbody>
</table>

25 A copy of the questionnaire and responses are on file with Stephen Gerst. For a general understanding of this online survey, see SURVEYMONKEY, http://www.surveymonkey.com (last visited Feb. 23, 2012).

26 Graduates are not placed on the alumni list until one week after the next bar examination following their graduation. Although there were thirty-seven students who graduated on January 14, 2011, they were not eligible for the alumni list because their earliest opportunity to take a bar examination in Arizona would not occur until February 2011. The students who were included in the survey pool all had an opportunity to take a bar examination as of July 2010. Of the total number of students who graduated from Phoenix School of Law as of February 15, 2011, 155 had taken a bar exam. One hundred thirty-six students had passed either the Arizona bar exam or an out-of-state bar exam. Records of the Registrar and Academic Records Department of Phoenix School of Law (2011) (on file with Phoenix School of Law).

27 Although the survey was mailed electronically to the 158 alumni on the Phoenix School of Law alumni e-mail address list, it is not known how many of the alumni actually received the survey. In the future, efforts will be made to verify current e-mail addresses and obtain evidence of actual delivery of survey questionnaires. The net effect of this is that the response percentage can be characterized as a minimum percentage of only those who received the survey.
B. Question: How well did the G.P.S. course achieve its goal of helping you become practice ready? (On a scale of 1-5, with 5 being the highest.)

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2.4%</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>11.9%</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>31.0%</td>
<td>13</td>
</tr>
<tr>
<td>4</td>
<td>40.5%</td>
<td>17</td>
</tr>
<tr>
<td>5</td>
<td>14.3%</td>
<td>6</td>
</tr>
</tbody>
</table>

C. Question: Would you recommend continuing the G.P.S. course as a requirement of graduation?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>85.7%</td>
<td>36</td>
</tr>
<tr>
<td>No</td>
<td>14.3%</td>
<td>6</td>
</tr>
</tbody>
</table>

D. Question: Please rank how well the G.P.S. course increased your level of confidence in the following skills. (On a scale of 1-5, with 5 being the highest.)

<table>
<thead>
<tr>
<th>Skill</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviewing and Questioning Clients and Witnesses</td>
<td>4.8%</td>
<td>9.5%</td>
<td>19.0%</td>
<td>45.2%</td>
<td>21.4%</td>
<td>42</td>
</tr>
<tr>
<td>Negotiation of Settlements and Agreements</td>
<td>7.1%</td>
<td>14.3%</td>
<td>26.2%</td>
<td>40.5%</td>
<td>11.9%</td>
<td>42</td>
</tr>
<tr>
<td>Pretrial Discovery and Factual Investigation (depositions and judgment debtor exams)</td>
<td>4.9%</td>
<td>34.1%</td>
<td>26.8%</td>
<td>24.4%</td>
<td>9.8%</td>
<td>41</td>
</tr>
</tbody>
</table>
Drafting Legal Documents (letters, pleadings, motions, petitions)  

<table>
<thead>
<tr>
<th></th>
<th>7.1%</th>
<th>16.7%</th>
<th>21.4%</th>
<th>35.7%</th>
<th>19.0%</th>
<th>42</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(3)</td>
<td>(7)</td>
<td>(9)</td>
<td>(15)</td>
<td>(8)</td>
<td></td>
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</tbody>
</table>

Advocacy - Oral Argument, Voir Dire, Hearings  

<table>
<thead>
<tr>
<th></th>
<th>2.4%</th>
<th>22.0%</th>
<th>26.8%</th>
<th>34.1%</th>
<th>14.6%</th>
<th>41</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1)</td>
<td>(9)</td>
<td>(11)</td>
<td>(14)</td>
<td>(6)</td>
<td></td>
</tr>
</tbody>
</table>

Law Office Management and Organization (planning, time billing, trust accounts)  

<table>
<thead>
<tr>
<th></th>
<th>2.4%</th>
<th>16.7%</th>
<th>23.8%</th>
<th>33.3%</th>
<th>23.8%</th>
<th>42</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>(1)</td>
<td>(7)</td>
<td>(10)</td>
<td>(14)</td>
<td>(10)</td>
<td></td>
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</tbody>
</table>

Recognizing and Resolving Ethical and Professionalism Issues  

<table>
<thead>
<tr>
<th></th>
<th>4.8%</th>
<th>4.8%</th>
<th>23.8%</th>
<th>42.9%</th>
<th>23.8%</th>
<th>42</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(2)</td>
<td>(2)</td>
<td>(10)</td>
<td>(18)</td>
<td>(10)</td>
<td></td>
</tr>
</tbody>
</table>

Working Cooperatively as Part of a Team (law firms)  

<table>
<thead>
<tr>
<th></th>
<th>7.3%</th>
<th>7.3%</th>
<th>12.2%</th>
<th>36.6%</th>
<th>36.6%</th>
<th>41</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(3)</td>
<td>(3)</td>
<td>(5)</td>
<td>(15)</td>
<td>(15)</td>
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</tr>
</tbody>
</table>

Legal Analysis and Reasoning  

<table>
<thead>
<tr>
<th></th>
<th>9.5%</th>
<th>9.5%</th>
<th>31.0%</th>
<th>23.8%</th>
<th>26.2%</th>
<th>42</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(4)</td>
<td>(4)</td>
<td>(13)</td>
<td>(10)</td>
<td>(11)</td>
<td></td>
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</tbody>
</table>

Listening  

<table>
<thead>
<tr>
<th></th>
<th>12.2%</th>
<th>7.3%</th>
<th>17.1%</th>
<th>34.1%</th>
<th>29.3%</th>
<th>41</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(5)</td>
<td>(3)</td>
<td>(7)</td>
<td>(14)</td>
<td>(12)</td>
<td></td>
</tr>
</tbody>
</table>

IV. Survey Results  

The survey results\(^\text{28}\) show that of the responding Phoenix School of Law alumni, graduates are primarily practicing in solo practice (22%), small firms (24.4%), or in public sector/agency employment (22%). The rest (29.3%) listed themselves as “Other” and described their experience since graduation as corporate, in-house counsel, Law/Compliance, Teaching Paralegals, Law Clerk, LLM Student, Bar Prep, Non-legal employment and Unemployed. This is illustrated in the graph below:

\(^{28}\) See supra notes 25-27 and accompanying text.
What kind of legal experience have you had since graduation?

To the question of "How well did the G.P.S. course achieve its goal of helping you become practice ready?" 85.8% of the responders answered with a 3 or higher rating, as is shown in the graph below.
HOW WELL DID THE GPS COURSE ACHIEVE ITS GOAL OF HELPING YOU BECOME PRACTICE READY?

Responders were asked to rank how well the G.P.S. course increased their level of confidence in a list of ten skills. The following list breaks out individual skills with the corresponding percentage of alumni that ranked their level of increased confidence in that particular skill with a 3 or higher ranking as a result of the G.P.S. course:
A. Interviewing and Questioning of Clients and Witnesses (85.6% answered with a 3 or higher rating)

How well did GPS Course increase your level of confidence in interviewing and questioning clients and witnesses?
B. Negotiating Settlements and Agreements (78.6% answered with a 3 or higher rating)

How well did GPS course increase your level of confidence in negotiating settlements and agreements?
C. Pretrial Discovery and Factual Investigation (61% answered with a 3 or higher rating)

How well did GPS course increase your level of confidence in pretrial discovery and factual investigation?
D. Drafting Legal Documents (76.1% answered with a 3 or higher rating)

How well did GPS course increase your level of confidence in drafting legal documents?

[Bar chart showing percentage responses]

Scale 1-5, with 5 being highest
E. Advocacy (75.5% answered with a 3 or higher rating)

**How well did GPS course increase your level of confidence in advocacy?**

Scale 1-5, with 5 being highest
F. Law Office Management and Organization (80.9% answered with a 3 or higher rating)

**How Well Did GPS Course Increase Your Level of Confidence in Law Office Management?**

![Bar Graph]

- Scale 1-5, with 5 being highest

- Percentage Responses: 2.4, 16.7, 23.8, 33.3, 23.8
G. Recognizing and Resolving Ethical and Professional Issues (90.5% answered with a 3 or higher rating)

How well did GPS course increase your level of confidence in recognizing and resolving ethical issues?

Scale 1-5, with 5 being highest
H. Working Cooperatively as Part of a Team (85.4% answered with a 3 or higher rating)

How well did GPS course increase your level of confidence in working cooperatively as part of a team?

![Bar chart showing percentage responses on a scale from 1 to 5, with 5 being the highest.]

- Scale 1-5, with 5 being highest.
- Percentage Responses:
  - 1: 7.3%
  - 2: 7.3%
  - 3: 12.2%
  - 4: 36.6%
  - 5: 36.6%
I. Legal Analysis and Reasoning (81% answered with a 3 or higher rating)

How well did GPS course increase your level of confidence in legal analysis and reasoning?

Scale 1-5, with 5 being highest
J. Listening (80.5% answered with a 3 or higher rating)

How well did GPS course increase your level of confidence in listening?

To the question of “Would you recommend continuing the G.P.S. course as a requirement of graduation?” 85.7% of the responders answered “Yes” as shown in the graph below.
Would You Recommend Continuing the G.P.S. Course as a Requirement of Graduation?

V. Alumni Comments

Alumni comments\(^{29}\) in the survey reflect the differences among alumni in rating the value of the course to their early practice experience. Some alumni found the course valuable in ways not specifically described as a course design goal. Some found the course was of value in building a sense of confidence in their ability to enter the legal profession. Others found the course valuable in making career choices as they were exposed to different career areas of legal practice. The following selected and excerpted comments are organized to illustrate these differences among alumni.

A. Comments on the value of building a sense of confidence:

By the end of the course [,] I felt a new level of confidence & felt as though I had a professional tool kit sufficient to get me started in the practice of law.

\(^{29}\) See supra notes 25-27 and accompanying text.
GPS was a wonderful class and gave me an edge over non-PSL graduates who had done very little in the way of practical experience prior to graduating from law school.

... ...

Working with students of another law school this year has shown me how much more I am prepared for the 'real legal world' than many of them. I believe a big part of this is PSL, specifically the GPS program. ...

B. Comments on the value of being exposed to different practice areas:

The variety of practice areas helps students who are not sure of their legal future get real life experience in those areas.

... ...

Meeting active attorneys in the community and learning about the practice of law in several different areas. It helped me figure out which areas I was interested in.

... ...

The thing I remember the most is meeting and talking to actual practicing attorneys. That simply has to continue and looking back through school—especially as a working student—you just don’t get that exposure in the night program.

... ...

I loved the overview it provided. It really opened my eyes to some legal fields I had never considered.

C. Comments on preferences for skills learned:

[T]he law office management is invaluable ... I think it is invaluable to someone who needs to know how an office is run.

... ...

I think that since I am focusing in estate planning ... the items that were taught that relate to my scope of the law was definitely beneficial to me being a solo practitioner.
D. **Suggestions for changes or improvements:**

I'd suggest PSL consider developing several practice area specific electives using the GPS model.

I would add in a section on document management, especially electronic document management.

More time spent on practice exercises, less time spent on lectures.

Some of the sections were a bit repetitive and I felt like we did the same kind of motion multiple times.

Sometimes the written assignments were not clear and there was not enough time to do most of them.

Instead of focusing so much on different areas of the law, focus on different skills and spend more time on those skills.

I think the course is useful however I did not feel it dove deep enough into any of the practice areas we were exposed to simply because of the time restraints in the subject matter.

E. **Positive Comments:**

The GPS course brought everything together for me. I started to feel like a lawyer the first day of class—a new & slightly overwhelmed lawyer, but a lawyer nonetheless.

I found the GPS program to be tremendously (sic) helpful preparation.

This was a very valuable course to take.
It was great to experience application, rather than just theory, while still in school. Thank you!

GPS was a highlight of my legal education.

I believe the GPS course is very valuable as a capstone to practice-ready, practical, hands-on, legal education.

VI. Survey Analysis

The survey results\textsuperscript{30} show that most alumni consider the G.P.S. course to have been of substantial value to their early law practice experience. In response to the question "How well did the G.P.S. course achieve its goal of helping you become practice ready?" 85.8\% of the alumni surveyed answered the question with a rating of 3 or higher. In fact, most of the alumni responded with a 4 or 5 rating to this question. An almost identical percentage of alumni surveyed, 85.7\%, answered, "Yes," to the question of whether the G.P.S. course should be retained as a requirement of graduation. When alumni were asked to rank the value of teaching particular skills to the achievement of practice readiness, however, the overall percentage ratings were not as high. The average rating given to the learning of particular skills was 80\% as compared to the rating of 85.8\% given to the overall course. This may be explained by some alumni finding the course of value in preparing them for practice in ways that are not specific to the teaching of particular skills. This was reflected in comments about feeling increased confidence and exposure to different practice areas that helped some students make career choices.

The skills which rated the highest among alumni surveyed were as follows: Listening (80.5\%), Law Office Management (80.9\%), Legal Analysis (81\%), Working Cooperatively (85.4\%), Interviewing and Questioning (85.6\%), and Resolving Ethical and Professional Issues (90.5\%). Although higher ratings given to some skills learning may be gratifying, the results raise questions with respect to why such skills learning were rated higher than others in the course.

Of particular interest are the alumni ratings for the learning of the skill of Legal Analysis. Legal Analysis is not one of the listed skills in the G.P.S. course design, yet a large percentage of the alumni surveyed rated it higher than many of the skills the course was designed to teach. Is it possible that this suggests the skill of legal analysis, which the Carnegie Study\textsuperscript{31} concedes law

\textsuperscript{30} See supra notes 25-27 and accompanying text.
\textsuperscript{31} Sullivan et al., supra note 8.
schools traditionally teach quite well, is learnable from practicing other skills? Is this just one of those “unexpected outcomes” that suggests that learning legal analysis is enhanced from practicing other skills? If so, such conclusion might be an argument for orienting other courses to a “practice ready” learning style.

The highest rating for the learning of skills and values was in Recognizing and Resolving Ethical and Professional Issues. A professional responsibility course is already a required course in the curriculum. One would not think that the teaching of such skills would top the list of skills learned and valued for practice readiness after a course in the subject matter was already taken. Does this mean that “hands on” courses are simply better or such effective supplements to other professional responsibility courses that the subject should be taught in that manner?

Of equal interest to the authors were the differences among alumni in the ratings given to the learning of the specific skills the course was designed to teach. An example is the learning of the skills of Factual Investigation, which received the lowest rating with 61% of the alumni surveyed rating its value with a 3 or higher. Skill exercises involving factual investigation included instruction and practice in conducting a judgment debtors’ examination, and the taking of depositions.\(^\text{32}\) Perhaps some of the alumni who rated the value of teaching this skill believed they received sufficient instruction in other courses or that they did not receive sufficient instruction or practice in the G.P.S. course. It might be that some alumni have not yet had occasion to use the skills of deposition taking or other factual investigation in their practices.

Other skills that received a less than 80% rating of 3 or higher from alumni were Negotiating (78.6%), Drafting (76.1%), and Advocacy (75.5%). Is it because other courses in the curricula have already adequately taught the skills involved in drafting, advocacy and negotiation? Is it due to the nature of their practice experience? Is it an issue of selection and training of lawyer-faculty or course design?

Not yet mentioned in this discussion is what the survey tells us about the learning of skills and values related to practice readiness that are not identified in the studies of competencies deemed essential to lawyers in the practice of law. The learning of skills related to law office management, although not an “identified skill,” may arguably be the most important skills taught in the G.P.S. course. Phoenix School of Law only offers a course in law office man-

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\(^{32}\) See Gerst & Hess, supra note 1, at 535-36. In the Personal Injury module, court-reporter students participated in the deposition practice exercises by administering oaths to witnesses, using their stenography machines, and assuring that the record was not affected by student lawyers talking over each other, talking too fast, or otherwise being asked to say things, off the record without a stipulation to do so from the other parties.
agement in a summer session. Its importance, especially to students who enter practice as sole practitioners or who form small law firms, cannot be overestimated. The only chance many students will have to obtain any law school instruction on this subject may be in the G.P.S. course.

One of the lessons learned from this survey is the importance of including questions asking for specific comments or explanations for the rating of each skill taught and practiced in addition to comments on the overall value of the course. It would also be helpful to ask alumni to provide their work history, how long they have been in active practice, and their present employment status. With this information an analysis based on the length of time in law practice, and the different types of law practice, could be conducted. Such information would also help differentiate how the skills ratings of solo practitioners compare to the skills ratings of alumni employed by government agencies or law firms. Future surveys will include these additional questions in the hope that such information will provide answers to these questions.

The present survey provides useful information and identifies areas of course design and course delivery where improvements can be made. One area identified by alumni is that we must assure that repetitive practice of a particular skill shows a progression from basic learning of a skill to increased practice of a skill at a greater complexity as the course progresses. In interviewing a client, for instance, the challenge is to ensure that the skill practice does not just cover the basic initial interviewing skills. The comprehensive curriculum design may need to be reviewed to ensure that students start with a basic initial interview in early classes and then progress to more complex interviewing and counseling skills in later classes.

The survey reinforces the need of some lawyer-faculty to receive additional and continuous training to refrain from “lecturing,” or attempting to teach substantive law, except as it is necessary for the students to understand the context

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33 As of this writing, the course has only been offered in two summer sessions. In the summer of 2010, there were twenty students enrolled and in summer of 2011, there were seventeen students. Records of the Registrar and Academic Records Department of Phoenix School of Law (2011) (on file with authors).

34 Of concern to the authors in conducting this first survey was that alumni might be unwilling to answer a survey that took more than a few minutes of their time. In hindsight, this is now of less concern given the lost opportunity of gathering useful information.

35 It is recognized that a survey assessment, usually referred to as an indirect assessment, assesses students’ subjective experiences of their learning. In contrast, direct assessment would be observations from clients, other lawyers, judges, and those who have a chance to interact with graduates. Direct assessment is more valid but very difficult to obtain. See What Is Assessment?, U. CONNECTICUT., http://assessment.uconn.edu/what/index.html (last visited February 23, 2012). While it might be possible in the future to survey attorneys in law firms about the difference between a Phoenix School of Law graduate, who has taken the GPS course and another graduate who has not, it would be difficult to obtain such data at this time.
of the practice skills. The primary function of the lawyer-faculty is to provide instruction in the skill exercises and to provide informative feedback to the students' practice of the skill exercises.

Serious consideration is being given to the suggestion from one alumni comment that a G.P.S. module be offered focusing on the skills of using technology for things such as "electronic document management." The use of technology in the legal profession could also be incorporated into a module that not only teaches skills useful in practice, but addresses the ethical and professional issues that accompany the use of technology.

VII. Conclusion

The continued success of the G.P.S. course will determine not only its future at Phoenix School of Law, but will also have an effect on the establishment and maintenance of law practice skills and values courses at other schools. With feedback from alumni, input from the practicing legal community, and the creative efforts of law school faculty the needs of the legal community can be addressed in a manner that addresses the criticisms of past law school teaching. Students are placing their trust in their chosen law schools to prepare them to be ready to join the legal community and to be of immediate value and service in whatever capacity they choose to express their skills as lawyers.