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Integrating the Perspectives of Alumni Practitioners into the Oral Report Module to Provide an Opportunity for Professional Identity Formation Early in the First Year

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1. Introduction

Recent revisions to ABA accreditation standards provide yet another exciting opportunity for faculty teaching lawyering skills¹ to position our courses as central to preparing students for excellence in professional practice, particularly in terms of offering opportunities for professional identity formation in the first-year curriculum.

ABA Standard 303(b)(3) now formally requires that law schools provide “substantial opportunities” to law students for “the development of a professional identity.” Interpretation 303-5 provides that professional identity “focuses on what it means to be a lawyer and the special obligations lawyers have to their clients and society. The development of professional identity should involve an

¹ This article uses the term “lawyering skills” to refer broadly to courses teaching professional practice skills, including traditional legal research and writing courses.

intentional exploration of the values, guiding principles, and well-being practices considered foundational to successful legal practice.” Importantly, the Interpretation counsels that this practice requires “requires reflection and growth over time,” including frequent opportunities for development “during each year of law school” and “in a variety of courses . . . and activities.”²

Like many of our colleagues across the country even prior to the February 2022 standards revision, the first-year lawyering skills faculty at Boston College Law School has integrated professional identity formation into our teaching in a variety of ways. This article briefly describes our comprehensive, experiential lawyering skills curriculum that specifically incorporates professional identity formation into its learning outcomes. Then, it offers the “oral report to a supervising attorney” module as an example of a traditional skills exercise that we’ve reframed to offer a specific opportunity for professional identity formation which incorporates the perspectives of practicing lawyers and judges, including BC Law alumni, and allows students to better envision themselves as lawyers in a wide range of professional practices.³ Finally, the piece offers suggestions for faculty seeking to recreate the exercise at other schools and reflects on enhancements we will make to the activity going forward.

2. The First-Year Lawyering Skills Curriculum at BC Law

BC Law’s foundational three-credit fall course, “Law Practice 1,” is one of two required simulation courses at BC Law that count toward the ABA’s six-credit experiential coursework requirement.⁴ In addition to Law Practice 1’s focus on teaching core professional practice skills such as legal analysis, research, and writing through structured simulations, we include explicit learning objectives related to professionalism and professional identity formation, including: (1) understanding the role of the lawyer in the U.S. legal system and meeting expectations for professionalism with supervisors, colleagues, and clients and (2) practicing techniques for organization and management of legal work, self-

² See ABA Standards and Rules of Procedure for Approval of Law Schools 303(b)(3) (2022-23),

³ See Neil W. Hamilton & Jerome M. Organ, *Learning Outcomes that Law Schools Have Adopted: Seizing the Opportunity to Help Students, Legal Employers, Clients, and the Law School*, 71 J. Legal Educ. (forthcoming 2023), <https://ssrn.com/abstract=4047405>.

⁴ See ABA Standards and Rules of Procedure for Approval of Law Schools 304(a) (2022-23) (requiring that qualifying experiential “simulation” courses, among other things, “integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more . . . professional skills”; develop the concepts underlying such professional skills; and provide multiple opportunities for student performance supervised by a faculty member, feedback, and self-evaluation).

evaluation, and collaboration essential for professional law practice.⁵ Students work toward these professional identity outcomes in the course of performing myriad activities, which may include simulated writing assignments, interviews, negotiation, counseling, and collaboration sessions with colleagues.

3. Updating the “Oral Report to Supervising Attorney” Module to Enhance Opportunity for Professional Identity Formation

3.1. *Goals and inspiration*

Since the inception of the Law Practice course, most faculty have incorporated some form of an “oral report to a supervising attorney” simulation. The simulation typically includes an instructional component aided by a teaching video that can be viewed and/or discussed in class, student critique of videotaped sample meetings, in-class practice, and an assessment, either graded or ungraded.⁶ In addition to foundational skills of legal research and analysis, the module has always helped students to develop broader “professionalism” skills, including understanding the needs of colleagues, collaborating on a team, and communicating clearly for a “listener” audience.

However, we’ve recently made changes to our teaching materials that have allowed us to provide an updated view into contemporary law practice and the needs of the audience in legal settings that BC Law students are most likely to enter. Specifically, we’ve updated our teaching video to feature interviews with

⁵ Definitions of professional identity formation abound. Our program’s goals track closely with at least three of the four goals of professional identity formation identified by Neil W. Hamilton & Louis D. Bilionis, including:

- 1) Ownership of continuous professional development toward excellence at the major competencies that clients, employers, and the legal system need;
- 2) A deep responsibility and service orientation to others, especially the client; and a client-centered problem-solving approach and good judgment that ground each student’s responsibility and service to the client; and
- 3) A client-centered problem-solving approach and good judgment that ground each student’s responsibility and service to the client.

Neil W. Hamilton & Louis D. Bilionis, *Law Student Professional Development and Formation: Bridging Law School, Student, and Employer Goals 1-2* (2022).

⁶ Our faculty have incorporated assessment in myriad creative ways. Examples include: graded research simulations requiring one-on-one meetings with faculty or TAs, graded or ungraded reports at writing conferences on an issue that a student will add in a second draft of a memo, and graded videotaped answers to research questions submitted through course web pages.

BC Law alumni with diverse personal backgrounds and varied professional practices. By teaching best practices for giving an oral research report via interviews with these practitioners, we are able to introduce students to a diverse range of professional practice and help them begin the process of envisioning themselves in these roles in practice.

Our revised teaching video is modeled after the video “Oral Presentation of Research Results,” developed by the faculty at Washington University School of Law.⁷ Pedagogically, the Washington University teaching video provides students with a highly effective introduction to the skill of delivering research results in an oral presentation to a supervisor, and many of the Law Practice faculty at BC Law have used it in our classrooms. The first half of the video features interviews with various attorneys about the kinds of projects that require junior attorneys to report to their supervisors, best practices for giving oral reports, and common pitfalls that novice attorneys may encounter. The second half of the video features a series of oral report demonstrations for students to critique. While the video is decades old, the best practices for delivering an oral report to a supervising attorney are remarkably timeless, including providing an answer up front, preparing for the meeting with thorough and accurate research, and understanding the need to participate in a flexible conversation reflecting ownership and understanding of the client’s problem.

Despite the efficacy and timelessness of the lessons in the Washington University video, I saw many opportunities that could arise from producing an updated version more specifically geared to our students at BC Law. I wanted my students to understand the needs of the specific supervisors they were likely to encounter as BC Law summer interns and eventual graduates in the 2020s. I wanted to illustrate the lessons with sample videotaped oral presentations that students could critique, reflecting research problems they were already familiar with. I wanted students to hear from practitioners with a diverse range of backgrounds, both personally and professionally, as they started to explore their own professional identities and envision themselves in the roles of practicing attorneys. And I wanted to use the project to build bridges between our school and the practitioner community—creating a feedback loop from practice, giving students a talking point while networking, and raising the visibility of our Law Practice curriculum with alumni and potential employers. In sum, I wanted to use the exercise as a way to begin socializing students to a new professional community.⁸ Thus, in addition to developing important professional skills for use

⁷ Jo Ellen Lewis & Ann Davis Shields, *Oral Presentation of Research Results*, Washington University School of Law, https://www.kaltura.com/index.php/extwidget/preview/partner_id/2480991/uiconf_id/43717111/entry_id/1_zj3jbd5/embed/dynamic.

⁸ See Hamilton and Bilonis, *supra* note 5, at 31 (calling in part on lessons from medical educators to envision a process of “socialization” where the law student begins as an “an outsider to the

in the law office, students could begin the important work of their own professional identity formation.

3.2. Producing the BC Law Teaching Video

From start to finish, the process of creating the updated teaching video was truly a collaborative effort of my Law Practice faculty colleagues, our career service and alumni relations professionals, and the school's educational technology team.⁹

First, as the leader of the project, I set out to “cast” alumni practitioners who would provide students with an understanding of their “audience” as supervising attorneys on the receiving end of oral reports on legal research. By virtue of the attorneys’ affiliation with BC Law, a wide range of practice areas, and their diverse personal backgrounds, I hoped that each of my students would be able to identify with at least one, if not many, of the attorneys featured in the video. Collaborating with our career services and alumni relations professionals, we were able to identify some of the best alumni candidates who had expressed enthusiasm for working with BC Law students in the past and with whom the school was especially interested in deepening its relationships.

I was also able to leverage the suggestions and connections of my faculty colleagues, who suggested former students, colleagues, and acquaintances from teaching and law practice. In the end, we secured the participation of attorneys with a wide array of impressive backgrounds, including a senior in-house corporate counsel, a federal district court judge, two law firm partners, and a BC Law clinical law professor who provides business law services to non-profit clients. All were graduates of BC Law, creating instant connection between the attorneys featured in the video and the student audience.

Next, each attorney participant was invited to participate in a videotaped interview in BC Law’s newly established in-house recording studio.¹⁰ I sent participants a list of questions ahead of time. When they arrived for their

professional community and its ways, values, and norms” and moves through experiences over time to become a skilled member of the legal professional community).

⁹ Particular thanks are due to Boston College Law School Professors Elisabeth Keller, Cheryl Bratt, and E. Joan Blum; Jen Perrigo, Associate Dean for Strategy and Student Affairs; Douglas Sapphire, Interim Assistant Dean, Career Services; and Kyle Fidalgo, Educational Technology Consultant.

¹⁰ The importance to the project of the availability of professional-grade lighting and equipment and the expertise of our in-house technology consultant, Kyle Fidalgo, cannot be overstated. For a look at the setup of the law school recording studio, please see <https://www.youtube.com/watch?v=dPdKyK5Pe0w>.

interviews, we engaged in a videotaped conversation around those talking points. The questions queried the participants about their affiliation with BC Law, the nature of their law practices, the types of research projects they were apt to assign to junior attorneys, their specific needs as the “audience” of an oral report, best practices, and common errors.

Because we enjoyed the luxury of an experienced in-house technology consultant that handled the taping and editing, the conversations flowed freely and efficiently. Extensive retakes were not necessary because we could edit after the fact, and we were able to complete each interview in less than thirty minutes. Once all interviews were filmed, our educational technology consultant used the Panopto video editing program¹¹ to compile nearly ninety minutes of footage, edited so that each question I asked would appear in writing on the screen, followed by every interviewee’s answers. I reviewed this “super-edit” and made the final cuts, eliminating redundant answers or requesting changes to the order in which answers appeared. The final product included twenty-four minutes of interviews with the practitioners discussing best practices and common issues with oral reports. This comprised the first part of the instructional video that faculty could view and discuss with their students.

In addition to the content on how to give an oral report, it was important to also include updated “sample” oral reports for students to critique. For this portion of the video, I enlisted the help of teaching assistants who served as actors.¹² I wrote scripts for three separate sample meetings with a supervisor. All sample meetings involved a report about a legal issue that forms the basis for the closed memo that all BC Law students write in their first month of Law Practice.¹³ Thus, our students would be intimately familiar with the law being discussed in the clips, could identify analytical gaps or errors in the reporting attorneys’ analysis, and could envision how the information could be most effectively presented. The first two meetings feature presentations reflecting common pitfalls of junior attorneys in delivering oral reports. The final sample meeting features an exemplar video incorporating best practices. In addition to writing the scripts for these videos, I wrote teaching plans identifying all of the lessons that can be discussed with students.¹⁴

¹¹ See <https://www.panopto.com/>

¹² We are grateful for the participation of former teaching assistants and BC Law graduates Savanna Arral, Benjamin Case, and Kaitlin Martin.

¹³ All faculty teaching LP 1 use a version of the same ungraded closed memo problem each fall, so the video does not require updating each year and students in all sections are familiar with the basic legal analysis.

¹⁴ The author is happy to share scripts and teaching materials upon request at maureen.vanneste@bc.edu.

3.3. Reflections on the Final Product, Lessons for Faculty at other Law Schools, and Future Enhancements at BC Law

The final product is an updated, “BC-centric” instructional video that all Law Practice faculty were able to first use in their classrooms in the Fall 2021 semester.¹⁵ After watching the videotaped interviews in class, students, in collaboration with faculty, were able to develop a list of best practices that faculty could use as part of a “rubric” for follow-up assessments of students’ performance of the oral research reporting skills, including: leading with an answer; demonstrating command of the law and the facts of the client’s problems; providing clear explanations; anticipating the supervisor’s needs and questions; showing attentive listening and flexibility; and demonstrating “ownership” of the client’s problem and adding value, such as offering to complete follow-up tasks.

The response to the updated teaching video from students and from across the wider BC Law faculty has been enormously positive. Students demonstrated great engagement with the video material and have expressed gratefulness for such practical perspectives. Students have a window into the minds of practitioners that they may have an opportunity to actually work with, and they have a sense of how the lessons can be applied across practice areas, from corporate to litigation settings to a judge’s chambers. And I have observed that students have delivered even stronger performances on graded assessment designed to test students’ oral reporting skills, including enhanced organization of answers and noticeable attempts to reflect ownership of the client’s problem and add value to the simulated attorney team.

While readers of this article are welcome to use BC Law’s video in their classrooms, they may also wish to replicate “school-centric” videos at their school, across a wide variety of topics. These videos offer an easy way to introduce the perspectives of attorneys whose voices are underrepresented in law school classrooms and across the legal profession. Faculty who wish to create their own videos should keep the following questions in mind:

- What types of practice areas do students at my school tend to enter, and what types of practice are my students likely to be most curious about?

¹⁵ The link to the video is available at <https://bc.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=e8356d1a-c022-48fc-9475-adcd014ac75b>. Readers are welcome to show the video in their classes for educational purposes only.

- Can I use the video to feature the voices of attorneys who are underrepresented in the legal profession or introduce students to a wider range of practices than they might encounter in typical first-year lawyering simulations?
- Are there sources of monetary support at my institution for pursuing projects that integrate technology into the classroom?¹⁶
- Can I use this project to create important new relationships inside the institution? What about alumni or potential employers that my institution is eager to create relationships with?
- Can I use this project to feature the perspectives of other faculty at my institution, including clinical supervisors that students might have in the future?
- What support do I have for filming and editing at my institution? If these supports do not exist on campus at the law school, do they exist elsewhere at the institution?

I am also planning several enhancements to the teaching module that may be of interest to readers, especially now that professional identity formation objectives have finally been explicitly codified in the ABA accreditation standards.

First, I intend to incorporate structured written reflection into the module, as “reflection and growth over time” is explicitly referenced in the language of Interpretation 303-5. In addition to assessing the student’s skills in this area by observing their skills in a one-on-one conference and/or reviewing videotapes of student responses to a legal research prompt,¹⁷ I intend to have students complete a short reflection and self-evaluation at the end of the exercise, answering some or all of the following questions:

- “What attorney(s) featured in the video practice in an area in which you might envision yourselves practicing? What did you learn about the needs of a supervising attorney in this area?”
- “In your opinion, what are the important skills and lessons from this module that you expect that you will be able to demonstrate in a legal summer job placement?”

¹⁶ In the early stages of this production, I was lucky to be awarded a grant from my university intended to support pedagogical innovations incorporating the use of technology.

¹⁷ In recent years, I have done one or both.

- “How have the lessons you learned from this module reinforced knowledge or experiences you had coming into this class?”
- “How do you rate your performance, on a scale of 1-3 (beginning, developing, competent), in each of the ‘best practice’ areas you have identified, or using the class-generated rubric?”
- “What is your single biggest strength and weakness in delivering your oral research report, and your plan for improving your performance the next time you deliver one?”

Second, I plan to continue updating the video with additional interviews to ensure that the kinds of law practices reflected in the video align with the goals and values of our student body. For example, we could include the perspectives of more public interest lawyers, particularly with so many BC Law students reporting an interest in public service and public interest practice.

In sum, the “oral report to a supervising attorney” assignment, and particularly a teaching video of a kind described here, offers an excellent opportunity for first-year students to engage in professional identity formation by introducing them to specific professional opportunities available in their geographic area, by bringing new and varied voices into the first-year lawyering skills classroom and by encouraging students to picture themselves in the shoes of the attorneys featured and reflect on how they might best meet such an audience’s needs.