

EMPIRICAL RESEARCH ON THE CORE COMPETENCIES NEEDED TO PRACTICE LAW: WHAT DO CLIENTS, NEW LAWYERS, AND LEGAL EMPLOYERS TELL US?

by Neil Hamilton

Key stakeholders in legal services, legal education, and the professional regulation of lawyers are asking the following question: What are the core competencies needed for a new lawyer to practice law effectively and successfully? This article summarizes some of the empirical data available to answer this question.

Since the focus of professions like law, medicine, the clergy, and the professorate is to provide assistance at a high level of commitment and professional competence to the person served (client, patient, parishioner, and student), a good place to start in answering this question would be to examine empirical research on what core competencies are needed by the person served. For the legal profession, this inquiry would focus on the client and what core competencies the client needs a lawyer to have. For legal educators, this inquiry would focus on the student and what core competencies the law graduate needs not only to serve clients effectively but also to demonstrate to employers in order to secure meaningful employment.

As explained below, there is little empirical research in the legal profession to date that answers these questions. The professions mentioned above, the legal profession included, have historically operated in an “expert” model where the certified professionals, as experts, believe that they know what is

needed by the person served and that it is therefore unnecessary to ask. In the legal profession, however, rapidly changing markets for legal services, employment, and law school enrollment are challenging this model. Market realities are forcing both lawyers and law professors to become more informed about and responsive to the needs of the person served.

WHAT COMPETENCIES DO CLIENTS WANT A LAWYER TO HAVE?

The Shultz-Zedeck Study

Although there are few empirical studies on how clients define the values, virtues, capacities, and skills of an effective lawyer, we do have one rigorous empirical study of what competencies lawyers as clients would want if they were hiring a lawyer.¹ In 2003, Professors Marjorie M. Shultz and Sheldon Zedeck at the University of California at Berkeley identified 26 factors important for lawyer effectiveness by interviewing 133 people from five stakeholder groups associated with Berkeley Law: alumni, students, faculty, clients (only six of whom were nonlawyers), and judges. They asked questions such as “If you were looking for a lawyer for an important matter for yourself, who would you identify, and why?” and “What qualities and behavior would cause you to choose that attorney?” They then used focus groups and a survey to which more than 2,000

Berkeley alumni responded.² The 26 factors important to lawyer effectiveness that emerged from this process are shown in Table 1.

Table 1: Shultz-Zedeck List of 26 Lawyer Effectiveness Factors

Analysis and reasoning
Creativity/innovation
Problem solving
Practical judgment
Researching the law
Fact finding
Questioning and interviewing
Influencing and advocating
Writing
Speaking
Listening
Strategic planning
Organizing and managing one's own work
Organizing and managing others (staff/colleagues)
Negotiation skills
Able to see the world through the eyes of others
Networking and business development
Providing advice and counsel and building relationships with clients
Developing relationships within the legal profession
Evaluation, development, and mentoring
Passion and engagement
Diligence
Integrity/honesty
Stress management
Community involvement and service
Self-development

Source: Marjorie M. Shultz & Sheldon Zedeck, *Predicting Lawyer Effectiveness: Broadening the Basis for Law School Admission Decisions*, 36 LAW & SOC. INQUIRY 620, 629 (2011).

Corporate Client Studies

The few other empirical studies of how clients assess the effectiveness of lawyers nearly all focus on how in-house counsel for corporate clients assess the effectiveness of outside counsel.³ So again, the data set focuses essentially on what competencies lawyers as clients want from another lawyer.

In 2009, the Association of Corporate Counsel (ACC) developed what it termed the Value Index, a tool to assess the value of outside counsel service from the in-house client's perspective.⁴ Informed by many years of conversations with in-house and outside counsel, the ACC determined that six key criteria define high-value service: (1) understanding client objectives and expectations, (2) legal expertise, (3) efficiency/process management, (4) responsiveness/communication, (5) predictable cost/budgeting skills, and (6) results delivered.⁵ Former ACC General Counsel Susan Hackett concluded that the distinguishing skill for outside counsel is to go beyond high-quality work by providing high-quality work in a way that the client gets the most value. The lawyer must understand the client and be responsive to the client to provide this value.⁶

Similar results were reached by the 2013 Altman Weil Chief Legal Officer Survey. This survey found that the most important efforts that outside counsel could make to improve relations with clients all related to improved responsiveness to the client's needs. These efforts included improved budget forecasting so that the client will know what the service will cost, cost reduction, more efficient project management, non-hourly-based pricing structures, and improved communication and responsiveness.⁷

More supporting evidence is provided by a 2013 survey of more than 240 corporate clients conducted by BTI Consulting Group.⁸ Survey results showed that the dominant (68.8%) factor that distinguishes "the absolute best client service" is "client focus,"

where the client perceives the lawyer to be highly committed to and proactively responsive to the client.⁹ Client focus includes understanding the client's business and legal objectives and recognizing and demonstrating a mutual interest in achieving client goals.¹⁰

The central theme of these studies is that exceptional effectiveness moves beyond excellent technical competence toward excellent *relationship skills* demonstrating (1) a strong understanding of the client's business and needs, (2) good judgment and problem solving in light of that understanding of the client, (3) strong responsiveness to the client, and (4) a focus on cost-effective solutions that provide value to the client.

WHAT COMPETENCIES DO NEW LAWYERS REPORT ARE SIGNIFICANT IN THEIR WORK?

Data on the competencies that new lawyers report play a significant role in their work indirectly answer the question of the competencies that clients need—that is, if we assume that the new lawyer respondents to the surveys are meeting their clients' needs competently.¹¹ In 2011 and 2012, NCBE conducted a web-based survey of newly licensed lawyers (licensed within the last three years) who were practicing in a variety of practice settings and geographic areas.¹² The survey asked what skills, abilities, and knowledge domains are significant to the newly licensed lawyer.

On a scale from 1 as "minimally significant" to 4 as "extremely significant," the new lawyers rated 25 of the skills and abilities as having an average significance greater than the highest-rated knowledge domains.¹³ Table 2 shows the average significance of the top-ranked skills and abilities as rated by the new lawyers participating in the survey.

WHAT COMPETENCIES DO LEGAL EMPLOYERS BOTH LOOK FOR IN A DECISION TO HIRE A NEW LAWYER AND ASSESS IN JUNIOR LAWYERS?

Data on the competencies that legal employers both look for in a decision to hire a new lawyer and assess in their evaluation of junior lawyers again indirectly answer the question of what core competencies are needed to serve a client. Again, this is the case if we assume that legal employers know which competencies most effectively meet their clients' needs.¹⁴ These data help legal educators understand the core competencies that law students (the persons served by the professorate) need to demonstrate to secure meaningful employment and to serve clients well.

Competencies That Legal Employers Value in the Decision to Hire a New Lawyer

In 2013 and 2014, I conducted four surveys of legal employers in Minnesota to capture the competencies considered most important by those legal employers (on a scale from 0 as "not considered" to 5 as "critically important"). Table 3 shows the averages of those four surveys. (The legal employers surveyed included the 14 largest law firms of 67–740 lawyers, 23 small law firms of 2–9 lawyers, 18 county attorney's offices, and all 6 regional legal aid offices.)

Overall, there is wide agreement among these types of legal employers on the competencies that are important in the decision to hire a new lawyer. In addition to the observations made in the table, all four types of legal employers believe that the competencies from number 16 (Seeks feedback/responsive to feedback) up to number 9 (Project management including high quality, efficiency, and timeliness) are at least *important to very important* in the decision to hire, with one or two types of legal employers rating numbers 9–15 as *very important to critically important*.

Table 2: NCBE Survey of Newly Licensed Lawyers: Top 25 Most Significant Skills and Abilities*

Skills and Abilities		Average Significance
1.	Written communication	3.77
2.	Paying attention to details	3.67
3.	Listening	3.60
4.	Oral communication	3.58
5.	Professionalism	3.58
6.	Using office technologies (e.g., word processing and e-mail)	3.56
7.	Critical reading and comprehension	3.55
8.	Synthesizing facts and law	3.55
9.	Legal reasoning	3.54
10.	Knowing when to go back and ask questions	3.46
11.	Organizational skills	3.46
12.	Working within established time constraints	3.44
13.	Interpersonal skills	3.44
14.	Issue spotting	3.43
15.	Decisiveness	3.31
16.	Answering questions succinctly	3.30
17.	Judgment	3.29
18.	Computer skills	3.28
19.	Electronic researching	3.26
20.	Diligence	3.26
21.	Advocacy	3.24
22.	Fact gathering and evaluation	3.22
23.	Consciousness of personal and professional limitations	3.15
24.	Planning and strategizing	3.13
25.	Information integrating	3.10

Source: National Conference of Bar Examiners, *A Study of the Newly Licensed Lawyer*, 2012.

* These 25 skills and abilities were all rated as having an average significance greater than the 3 highest-rated knowledge domains, which were Rules of Civil Procedure (3.08), Other Statutory and Court Rules of Procedure (3.06), and Rules of Evidence (3.01).

Competencies That Legal Employers Use to Assess Junior Lawyers' Performance

In May and June 2012, the 14 largest Minnesota law firms provided me with their associate evaluation forms.¹⁵ All 14 had developed competency models and were using them to assess the effectiveness of their associate attorneys. A competency model defines the characteristics and skills of the most effective and successful lawyers in the firm

or department and then uses those characteristics/skills in assessing the performance of junior lawyers. I found four other published studies nationally analyzing the competency models of individual law firms ranging in size from 250 to 750 lawyers.¹⁶ The competencies that these firms and the 14 Minnesota firms assessed are listed in Table 4.

There is a high degree of convergence on the competencies the firms assessed, with 12 or more

(text continues on page 12)

Table 3: Relative Importance of Different Competencies in the Decision to Hire a New Lawyer: Average Ratings Across Four Surveys of Legal Employers in Minnesota

VERY IMPORTANT TO CRITICALLY IMPORTANT		
Competency		Average Significance
1.	Integrity/honesty/trustworthiness*	4.76
2.	Good judgment/common sense/problem solving*	4.63
3.	Analytical skills: identify legal issues from facts, apply the law, and draw conclusions*	4.37
4.	Initiative/ambition/drive/strong work ethic*	4.33
5.	Effective written/oral communication skills**	4.33
6.	Dedication to client service/responsiveness to client** (1st for legal aid offices)	4.29
7.	Commitment to firm/department/office and its goals and values*	4.25
8.	Initiates and maintains strong work and team relationships** (4th for county attorneys)	4.14
IMPORTANT TO VERY IMPORTANT		
Competency		Average Significance
9.	Project management, including high quality, efficiency, and timeliness	3.91
10.	Legal competency/expertise/knowledge of the law	3.87
11.	Ability to work independently (6th for small firms and 7th for county attorneys)	3.83
12.	Commitment to professional development toward excellence	3.68
13.	Strategic/creative thinking	3.66
14.	Research skills (9th for large firms) (Note that for large firms, Business development/marketing/client retention was ranked the 15th most important competency, and for small firms this was ranked 14th most important, but this competency was not included in the county attorney and legal aid office surveys.)	3.62
15.	Inspires confidence (8th for large firms)	3.60
16.	Seeks feedback/responsive to feedback (12th for small firms and 11th for county attorneys)	3.53
17.	Stress/crisis management	3.45
18.	Leadership	3.10
19.	Negotiation skills	3.10
SOMEWHAT IMPORTANT TO IMPORTANT		
Competency		Average Significance
20.	Pro bono, community, bar association involvement	2.48
21.	Delegation, supervision, mentoring	2.37

* All four types of legal employers agreed that the competency is *very important to critically important*.

** Three out of four types of legal employers agreed that the competency is *very important to critically important*.

Table 4: Most Common Values, Virtues, Capacities, and Skills Assessed in Associates' Performance:
Analysis of Studies on the Competency Models of 18 Law Firms

	Competency	Number of Firms That Considered Each Competency in Their Evaluation of Associates
1.	Initiates and maintains strong work and team relationships	18
2.	Good judgment/common sense/problem solving	18
3.	Effective written/oral communication skills	17
4.	Project management, including high quality, efficiency, and timeliness	17
5.	Business development/marketing/client retention	16
6.	Dedication to client service/responsive to client	16
7.	Analytical skills: identify legal issues from facts, apply the law, and draw conclusions	15
8.	Initiative/ambition/drive/strong work ethic	15
9.	Legal competency/expertise/knowledge of the law	14
10.	Commitment to professional development toward excellence	12
11.	Research skills	12
12.	Commitment to firm and its goals and values	10
13.	Integrity/honesty/trustworthiness	9
14.	Delegation, supervision, mentoring	9
15.	Pro bono, community, bar association involvement	8
16.	Seeks feedback/responsive to feedback	5
17.	Stress/crisis management	5
18.	Inspires confidence	4
19.	Ability to work independently	4
20.	Negotiation skills	4
21.	Strategic/creative thinking	4
22.	Leadership	2
23.	Demonstrates interest in business and financial arrangements with clients	2

of the firms (66%) assessing 11 of the competencies. Nine or more of the firms (50%) assessed 14 of the competencies.

CONVERGENCE OF THE DATA SETS ON PARTICULAR CORE COMPETENCIES

A general principle of empirical research is to use a variety of quantitative and qualitative research methods and triangulate to determine if the results of different inquiries converge on similar findings or themes. The higher degree of convergence among the findings, the higher degree of confidence we have that the data are accurately answering the question posed—in this case, what are the core competencies that new lawyers need to practice law effectively and successfully. In comparing the four studies whose results are shown in Tables 1–4, the following convergence is demonstrated:

1. We see substantial convergence between the Shultz-Zedeck list of lawyer effectiveness factors (Table 1) and both the competencies that legal employers value in the decision to hire (Table 3) and the competencies that legal employers assess in new lawyers (Table 4). Assuming that some of the Shultz-Zedeck factors are implicit in some of the competencies (e.g., “Diligence” is implicit in “Dedication to client service/responsiveness to client”), Tables 3 and 4 and Table 1 reflect the same competencies. (The Shultz-Zedeck list also includes some additional effectiveness factors, such as “Listening.”)

2. The NCBE new lawyer survey (Table 2) used somewhat different terms than the surveys in Tables 3 and 4, but Table 5 synthesizes the NCBE skills and abilities together with the competencies shown in Tables 3 and 4. Table 5 matches the more detailed NCBE skills and abilities to the more general competencies of Tables 3 and 4, and then reorders the gen-

eral competencies to reflect the average significance of the associated NCBE skills and abilities.

3. Finally, we see substantial convergence between Tables 3 and 4, with 12 of the top 14 competencies the same in each table. Some competencies are ranked identically (e.g., “Good judgment” is ranked second in both tables; “Dedication to client service/responsiveness to client” is ranked sixth in both tables) or similarly (e.g., “Legal competency/expertise/knowledge of the law” is ranked tenth in Table 3 and ninth in Table 4), while the ranking of other competencies is notably different (e.g., “Integrity/honesty/trustworthiness” is ranked first in Table 3 and thirteenth in Table 4; “Initiates and maintains strong work and team relationships” is ranked eighth in Table 3 and first in Table 4).

COMPETENCIES RELATED TO PROFESSIONAL FORMATION: EXPLORING THEIR IMPORTANCE FROM THE LEGAL EDUCATION STANDPOINT

A number of the most important competencies valued in hiring new lawyers (also emphasized in assessing junior lawyers’ performance) are what I have called the *professional formation competencies*.¹⁷ These are values, virtues, and habits that can be developed over a career: integrity/honesty/trustworthiness; good judgment/common sense/problem solving; initiative/ambition/drive/strong work ethic; dedication to client service/responsiveness to client; commitment to firm/department/office and its goals and values; commitment to professional development toward excellence; inspires confidence; seeks feedback/responsive to feedback; and leadership.

The high ranking of most of these professional competencies in Table 3 corresponds with the results of six earlier studies I have published analyzing different perspectives on the capacities and skills that

Table 5: Synthesizing the NCBE Newly Licensed Lawyer Survey Skills and Abilities with the Competencies in Tables 3 and 4

1.	Integrity/honesty/trustworthiness (NCBE skills/abilities: professionalism)
2.	Effective written/oral communication skills (NCBE skills/abilities: written communication, listening, oral communication, using office technologies [e.g., word processing and e-mail], answering questions succinctly, and advocacy)
3.	Initiates and maintains strong work and team relationships (NCBE skills/abilities: interpersonal skills)
4.	Project management, including high quality, efficiency, and timeliness (NCBE skills/abilities: paying attention to details, using office technologies [e.g., word processing and e-mail], knowing when to go back and ask questions, organizational skills, working within established time constraints, diligence, and planning and strategizing)
5.	Analytical skills: identify legal issues from facts, apply the law, and draw conclusions (NCBE skills/abilities: critical reading and comprehension, synthesizing facts and law, legal reasoning, issue spotting, and information integrating)
6.	Dedication to client service/responsiveness to client (NCBE skills/abilities: interpersonal skills, diligence)
7.	Good judgment/common sense/problem solving (NCBE skills/abilities: decisiveness, judgment)
8.	Research skills (NCBE skills/abilities: computer skills, electronic researching, and fact gathering and evaluation)
9.	Seeks feedback/responsive to feedback (NCBE skills/abilities: consciousness of personal and professional limitations)

define professional formation or professionalism. These studies reflect the understandings of professionalism from the organized profession, the legal scholars who have written on professionalism, the five Carnegie studies on higher education for the professions, and exemplary lawyers (professionalism award winners). All studies agree that professional formation encompasses an *internalized moral core* characterized by a *deep responsibility or devotion to others*, particularly the client, and some *restraint on self-interest in carrying out this responsibility*.¹⁸ Most of the studies also agree that professionalism in the legal profession includes these elements: (1) integrity and honesty, (2) an internalized standard of excellence at lawyering skills, (3) ongoing solicitation of feedback and self-reflection, (4) adherence to the ethical codes, (5) public service (especially for the disadvantaged), and (6) independent professional judgment and honest counsel.¹⁹

Probing the foundation of the professional formation competencies listed above, we can indeed see that the unstated but implicit foundation for all

of them is each lawyer's *moral core* characterized by the internalization of *deep responsibility and service to others*, particularly the client. William Sullivan, the co-director of all five Carnegie Foundation for the Advancement of Teaching studies of higher education for the professions, recognizes the importance of this bedrock foundation. Sullivan believes that the "chief formative challenge" for higher education in the professions is to help each student entering a profession to move from thinking like a student—where he or she learns and applies routine techniques to solve well-structured problems—toward the acceptance and internalization of responsibility to others (particularly the person served) and to foster the student's own development toward excellence as a practitioner of all of the competencies of the profession.²⁰ Whether in law or medicine, each client or patient needs to trust that the lawyer or physician is dedicated above all else to caring for him or her with all of the professional's ability.²¹ This is essentially a fiduciary disposition, using "fiduciary" in the general meaning of founded on trustworthiness. Each

student must internalize a fiduciary disposition for others, particularly the client.²²

The 2014 Report and Recommendations of the ABA Task Force on the Future of Legal Education emphasizes that legal education should give attention to both the student's individual interest in obtaining meaningful employment²³ and the "competencies and professionalism required of people who deliver services to clients."²⁴ The Report also emphasizes that "society has a deep interest in the competence of lawyers, in their availability to serve society and clients, in the broad public role they can play, and in their professional values [S]ociety also has a deep interest in the system that trains lawyers: it directly affects the competence, availability, and professionalism of lawyers."²⁵

The challenge for higher education as expressed by both the Carnegie Foundation studies and the goals for legal education expressed by the ABA Task Force Report and Recommendations, is to place more emphasis on the foundation that underlies the competencies that are ranked highly by legal employers in the decision to hire a new lawyer and in assessing junior lawyers' performance. Law schools can meet society's and the profession's public purposes, as well as each student's individual need for securing employment, by fostering each student's professional formation competencies.

CONCLUSION


Heeding what can be learned from the profession in terms of the core competencies needed to practice law effectively and successfully can allow us to build from strengths in legal education and make changes that will serve (1) the enlightened self-interest of the profession in terms of better client service and more business, (2) law students in terms of focusing on competencies that employers want, and (3) law schools in terms of better employment metrics for

graduates and higher applications. The challenge is to lean toward greater attention in the curriculum and culture of legal education to help each student develop competencies that clients and legal employers want beyond the traditional technical competencies of knowledge of doctrinal law, legal analysis, and written and oral communication.

The data in Table 2 on the NCBE new lawyer survey and in Tables 3 and 4 on the competencies that legal employers value in hiring new lawyers and in assessing existing lawyers agree that a substantial number of competencies or skills are more valuable for the new lawyer or candidate for employment than doctrinal law knowledge domains. However, the typical required and elective curriculum at law schools heavily emphasizes doctrinal knowledge in specialized areas of law. The curriculum should give more attention to these competencies that clients and legal employers want.

As mentioned earlier, the larger law firms are experimenting with assessment for new lawyers on all of these additional competencies. For example, the firms assess dedication to client service/responsiveness to client, pro bono/professional/community service, commitment to the organization, and effective teamwork. If a new lawyer is moving toward later stages on these competencies, he or she is signaling also an increasing internalization of responsibility to others, which is the heart of professional formation. These law firms are also experimenting with structured behavioral interviewing to help them identify candidates who can demonstrate some of these additional competencies. Interviewers using behavioral interviewing probe for information about how an individual behaved with respect to a specific competency in an actual work- or service-related situation. This approach is based on a judgment that the best predictor of future conduct on a competency is demonstrated past conduct. We can learn from this experimentation.

Legal education can do more to foster each student's development of the professional formation competencies. We know far more from recent empirical research about what curriculum, pedagogy, and culture are most effective to help each student with these additional competencies. We can also learn a great deal from medical education, which changed its accreditation requirements 15 years ago to put more emphasis on the professional formation competencies.²⁶

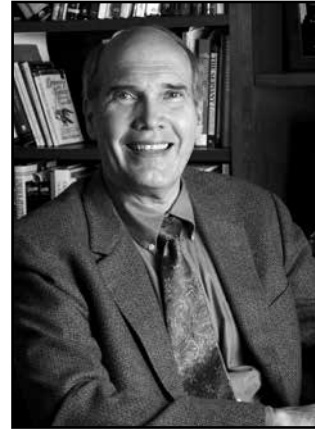
Rapidly changing markets for legal services, employment, and law school enrollment offer an opportunity to challenge the "expert" model in the legal profession and learn from what clients and legal employers tell us are the core competencies for effective and successful practice of law. What can be distilled from the available data on these core competencies can help guide key stakeholders in legal services and legal education toward improving the future of the legal profession—both for clients and for prospective lawyers. 

NOTES

1. The text in this section on the competencies that clients want a lawyer to have borrows substantially from Neil Hamilton, *Law-Firm Competency Models and Student Professional Success: Building on a Foundation of Professional Formation/Professionalism*, 12 U. ST. THOMAS L. J. (forthcoming 2014), available at <http://ssrn.com/abstract=2271410> at pages 15–19.
2. Marjorie M. Shultz & Sheldon Zedeck, *Predicting Lawyer Effectiveness: Broadening the Basis for Law School Admission Decisions*, 36 LAW & SOC. INQUIRY 620, 629 (2011).
3. The text in this section on corporate counsel studies borrows substantially from Neil Hamilton & Verna Monson, *The Positive Empirical Relationship of Professionalism to Effectiveness in the Practice of Law*, 24 GEO. J. LEGAL ETHICS 137 (2011).
4. ASS'N OF CORPORATE COUNSEL, HOW TO EVALUATE THE PERFORMANCE OF LITIGATION LAW FIRMS 1–2 (2008).
5. Larry Bodine, *ACC Launches Controversial "Value Index" Ranking of Law Firms*, LARRY BODINE L. MARKETING BLOG (Oct. 20, 2009), <http://blog.larrybodine.com/2009/10/articles/current-affairs/acc-launches-controversial-value-index-ranking-of-law-firms/>.
6. E-mail from Susan Hackett to Neil Hamilton and Verna Monson (Aug. 13, 2010) (on file with the author); see also John C. Coates et al., *Hiring Teams, Firms and Lawyers: Evidence of the Evolving Relationships in the Corporate Legal Market*, 36 LAW & SOC. INQUIRY 999, 1013 (2011) (drawing on interview and survey data from 166 chief legal officers of S&P 500 companies from 2006–07, Coates et al. found that the chief legal officer's selection of outside counsel for major matters is "almost always determined by prior experience with the company based on the chief legal officer's personal knowledge about the lawyer or law firm. . . . As one CLO interviewee explained, 'At the end of the day, it is personal relationships.'").
7. ALTMAN WEIL, INC., CHIEF LEGAL OFFICER SURVEY (2013) at 31. (Altman Weil provides management consulting to law firms, law departments, and legal vendors; the Altman Weil Chief Legal Officer Survey is an annual survey of Chief Legal Officers on issues of importance in managing their corporate law departments.)
8. BTI CONSULTING GROUP, *Executive Summary*, in THE BTI CLIENT SERVICE ALL-STAR TEAM FOR LAW FIRMS 1, 2, 43 (2013). (BTI Consulting Group conducts independent research on how clients acquire, manage, and evaluate their professional service providers.)
9. *Id.* at 3.
10. *Id.*
11. The text in this section on competencies that new lawyers report are significant in their work borrows substantially from Neil Hamilton, *Changing Markets Create Opportunities: Emphasizing the Competencies Legal Employers Use in Hiring New Lawyers (Including Professional Formation/Professionalism)*, 65 S. CAROLINA L. REV. 547, 566–567 (2014).
12. NATIONAL CONFERENCE OF BAR EXAMINERS, A STUDY OF THE NEWLY LICENSED LAWYER (2012).
13. *Id.* at Summary of the Job Analysis Survey Results.
14. The text in this section on competencies that legal employers look for borrows substantially from Neil Hamilton, *Changing Markets Create Opportunities: Emphasizing the Competencies Legal Employers Use in Hiring New Lawyers (Including Professional Formation/Professionalism)*, 65 S. CAROLINA L. REV. 547, 557–558 (2014).
15. The text in this section on the competencies that legal employers use to assess junior lawyers' performance borrows substantially from Neil Hamilton, *Law-Firm Competency Models and Student Professional Success: Building on a Foundation of Professional Formation/Professionalism*, 12 U. ST. THOMAS L. J. (forthcoming 2014), available at <http://ssrn.com/abstract=2271410> at pages 15–19.
16. Lori Berman & Heather Bock, *Developing Attorneys for the Future: What Can We Learn from the Fast Trackers?*, 52 SANTA CLARA L. REV. 875 (2012); SCOTT A. WESTFAHL, YOU GET WHAT YOU MEASURE: LAWYER DEVELOPMENT FRAMEWORKS & EFFECTIVE PERFORMANCE EVALUATIONS (NALP 2008); PETER B. SLOAN, FROM CLASSES TO COMPETENCIES, LOCKSTEP TO LEVELS: HOW ONE LAW FIRM DISCARDED LOCKSTEP ASSOCIATE ADVANCEMENT AND REPLACED IT WITH AN ASSOCIATE LEVEL SYSTEM (Blackwell Sanders Peper Martin 2007); HEATHER BOCK & ROBERT RUYAK, CONSTRUCTING CORE COMPETENCIES: USING COMPETENCY MODELS TO MANAGE FIRM TALENT (American Bar Association 2006).
17. The text in this section on the importance of competencies related to professional formation/professionalism borrows substantially from Neil Hamilton, *Law-Firm Competency Models and Student Professional Success: Building on a Foundation of Professional Formation/Professionalism*, 12 U. ST. THOMAS L. J. (forthcoming 2014), available at <http://ssrn.com/abstract=2271410> at pages 15–19.

.com/abstract=2271410 at pages 28–32; see Neil Hamilton, Verna Monson & Jerry Organ, *Empirical Evidence That Legal Education Can Foster Student Professionalism/Professional Formation to Become an Effective Lawyer*, 10 U. ST. THOMAS L. J. 11, 13–17 (2012).

18. See Neil Hamilton & Verna Monson, *Legal Education's Ethical Challenge: Empirical Research on How Most Effectively to Foster Each Student's Professional Formation (Professionalism)*, 9 U. ST. THOMAS L. J. 325, 326 (2011).
19. *Id.*
20. WILLIAM M. SULLIVAN, *Foreword* to TEACHING MEDICAL PROFESSIONALISM at xi, xv (Richard Creuss et al. eds., 2009).
21. See *id.* at ix.
22. See William Sullivan, 85:7 NEW YORK STATE BAR ASSN J. (Sept. 2013) at 41–43 (where he introduces the concept of fiduciary disposition).
23. AMERICAN BAR ASSOCIATION TASK FORCE ON THE FUTURE OF LEGAL EDUCATION, REPORT AND RECOMMENDATIONS (2014) at 7, 34.
24. *Id.* at 3.
25. *Id.* at 6.
26. See Neil Hamilton, Verna Monson & Jerry Organ, *Empirical Evidence That Legal Education Can Foster Student Professionalism/Professional Formation to Become an Effective Lawyer*, 10 U. ST. THOMAS L. J. 11, 13–17 (2012); Neil Hamilton & Verna Monson, *Legal Education's Ethical Challenge: Empirical Research on How Most Effectively to Foster Each Student's Professional Formation (Professionalism)*, 9 U. ST. THOMAS L. J. 325, 326 (2011).



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