

## Book Review

Neil W. Hamilton, *Roadmap: The Law Student's Guide to Meaningful Employment*, 2d ed., American Bar Association, 2018, pp. 234, \$39.95 (paper).

Reviewed by Judith Welch Wegner

### *Introduction.*

Many readers of the *Journal of Legal Education* are faculty members who focus primarily on developments in their substantive fields and effective teaching techniques. This review seeks to expand readers' horizons by urging them to engage more significantly with the community of scholars who are exploring ideas of "professional identity" in legal education. It also urges them to read this important book, which offers a framework for helping students take responsibility for their learning and their associated career planning. If more law schools took to heart Neil Hamilton's counsel on how to shape programming about professional identity in the standard curriculum, and in the "informal curriculum" (student affairs and career-planning offerings), we would have many more law students who understand how to develop a more mature and engaged understanding of how to chart their professional course in the future. Mature and engaged law students make for better law schools and a better legal profession. Read *Roadmap* and consider how its widespread adoption in professional development courses, extracurricular programming or professional responsibility courses could improve legal education and the profession, based on grounded research and insightful ideas. Step up and embrace such changes. You will be glad if you and your law school do so.

### *Background: Professional Identity and the Carnegie Report*

Readers of the *Journal of Legal Education* are undoubtedly aware of the 2007 publication of *Educating Lawyers*, the review of legal education by the Carnegie Foundation for the Advancement of Teaching.<sup>1</sup> This study sought to offer cross-profession insights about strategies for professional education, drawing on parallel studies of clergy, engineering, nursing and medicine.<sup>2</sup> The

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1. WILLIAM M. SULLIVAN ET AL., *EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW* (2007) [hereinafter *EDUCATING LAWYERS*].
2. The Carnegie Foundation for the Advancement of Teaching also conducted studies of

framework for these studies reflects the insights of Foundation President Lee Shulman (who had devoted his life to teacher education, medical education, and consideration of professional fields).<sup>3</sup> Some of Shulman's most significant insights focused on the connection between professional practice and professional education.<sup>4</sup>

Shulman argued that professional education in various realms needs to address each of six touchpoints representing the core aspects of professional practice.<sup>5</sup> He was devoted to helping educators across disciplines learn from one another.<sup>6</sup> In particular, the set of studies of professional education performed under Shulman's leadership illuminated the "signature pedagogies" of various fields, and urged educators in diverse fields of professional education to examine one another's approaches.<sup>7</sup>

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diverse professions beyond law during this period. See CHARLES R. FOSTER, ET AL., *EDUCATING CLERGY: TEACHING PRACTICES AND PASTORAL IMAGINATION* (2005); SHERI D. SHEPPARD, ET AL., *EDUCATING ENGINEERS: DESIGNING FOR THE FUTURE OF THE FIELD* (2008); PATRICIA BENNER ET AL.,<sup>†</sup> *EDUCATING NURSES: A CALL FOR RADICAL TRANSFORMATION* (2010); MOLLY COOKE ET AL., *EDUCATING PHYSICIANS: A CALL FOR REFORM OF MEDICAL SCHOOL AND RESIDENCY* (2010).

3. Lee Shulman's numerous publications are listed at <http://www.leeshulman.net/publications/>. Among my favorites are the following: ARTHUR S. ELSTEIN, LEE S. SHULMAN & SARAH A. SPRAFKA, *MEDICAL PROBLEM SOLVING: AN ANALYSIS OF CLINICAL REASONING* (1978); Lee S. Shulman, *Teaching as community property: Putting an end to pedagogical solitude*, *CHANGE* 6-7 (1993); Lee S. Shulman, *Theory, practice, & the education of professionals*, 98 *ELEMENTARY SCH. J.* 511-26 (1998); Lee S. Shulman, *From Minsk to Pinsk: Why a scholarship of teaching & learning?*, 1 *J. SCHOLARSHIP OF TEACHING & LEARNING* 48-53 (2012); LEE S. SCHULMAN, *TEACHING AS COMMUNITY PROPERTY: ESSAYS ON HIGHER EDUCATION* (P. Hutchings ed., 2004); Lee S. Schulman, *THE WISDOM OF PRACTICE: ESSAYS ON TEACHING, LEARNING, AND LEARNING TO TEACH* (2004); Lee S. Shulman, *Signature pedagogies in the professions*, 134 *DAEDALUS* 52-59 (2005); Howard Gardner, & Lee S. Shulman, *The professions in America today: Crucial but fragile*, 134 *DAEDALUS* 13-18 (2005) [hereinafter *The professions in America today*].
4. See *The professions in America today*, *supra* note 3.
5. *Id.* at 14. The six factors (commonplaces) cited by Shulman and Gardner are as follows:  
[A] commitment to serve in the interests of clients in particular and the welfare of society in general; a body of theory or special knowledge with its own principles of growth and reorganization; a specialized set of professional skills, practices, and performances unique to the profession; the developed capacity to render judgments with integrity under conditions of both technical and ethical uncertainty; an organized approach to learning from experience both individually and collectively and, thus, of growing new knowledge from the contexts of practice; and the development of a professional community responsible for the oversight and monitoring of quality in both practice and professional education.
6. See *supra* note 2. Each of these studies sought to share insights by offering "windows" into other professional fields.
7. See *Signature pedagogies in the professions*, *supra* note 3. Shulman had important insights about the role of "signature pedagogies." For example, in law, the case-dialogue method has significant strengths in building students' capacities to engage in critical thinking by using cases to take students through the range of educational objectives framed by Bloom's taxonomy of educational objectives: knowledge, understanding, analysis, application and synthesis, evaluation. In effect, legal educators help first-year students build significant critical

As the only law professor involved in the Carnegie Foundation study of legal education, I have spent considerable time reaching out to law schools and legal educators, engaging in conversations, and fostering reform for those interested in following the recommendations embedded in the Carnegie Foundation's study.

One of the most important contributions of the Carnegie Foundation study was its emphasis on the importance of "professional identity" and "professional formation." This was particularly important given the absence of attention in recent years to this dimension of legal education. While the need to renew our focus on what it means to be a professional was, in my view, enormously important, it could not gain traction unless it was embraced by the community of educators and developed through exploration of implementation strategies.

*Legal Educators Engage with the Challenge of Professional Identity*

Neil Hamilton is, without doubt, the leading thinker in American legal education on how to engage with issues of professional identity and professional formation. His work in this arena is transcendent.

I have followed Hamilton's writing for years. I first learned of his work when he published an important volume titled *Academic Ethics: Problems and Materials on Professional Conduct and Shared Governance*, which he wrote while working with the AAUP and the American Council on Education. I used this volume as a template for engaging campus colleagues in discussions of key issues when I served as Faculty Chair for the University of North Carolina at Chapel Hill. I often recommend it to others who wish to understand the importance of the collegium, the theory of academic freedom, and the tools that might be used to strengthen our commitment to shared values. These issues have become increasingly salient in current days, and I strongly recommend that those seeking to understand them seek out this work. If they do, they will be as eager to follow Hamilton's continuing scholarly contributions as I am.

I was delighted to see that Hamilton had moved to Minnesota and had served on the faculty at Mitchell Hamline (formerly William Mitchell) and more recently on the faculty of the University of St. Thomas (Minneapolis). With the support of his university, Hamilton has become a co-director of the Halloran Center there. He and his colleague Jerry Organ are making a profound difference in legal education through their empirical studies and leadership in encouraging law schools to attend to professional identity and values, among many other issues. They have collected and documented learning outcomes across the curriculum in law schools. Even more

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thinking skills that, in Shulman's view, would be the envy of higher educators in diverse fields. For a discussion of the instructional tactics and dynamics associated with the case-dialogue method, see EDUCATING LAWYERS, *supra* note 1, at 59-74. But signature pedagogies have a "shadow" side based on the ways that their very strengths create weaknesses. In legal education, the shadow side gives rise to a deficiency in preparing students in professional skills and values, as the case-dialogue method devalues conversations on these points. See *id.* at 50-59.

significantly, they have convened interested colleagues from across the country to develop educational strategies that help develop students' understandings of professional identity and assess the effectiveness of educational strategies designed to achieve related objectives. While Hamilton has focused much of his work on professional identity,<sup>8</sup> Organ has been an enormously significant contributor on other issues facing legal education, such as student transfers and financial support.<sup>9</sup> In short, colleagues who are not familiar with the Halloran Center and its faculty directors and initiatives are missing some incredibly important developments in legal education writ large.

*Situating Professional Identity in the Educational Environment*

Hamilton's recent book, *Roadmap: The Law Student's Guide to Meaningful Employment* (2d ed. 2018) is an exceptionally important contribution to legal education. I wanted to take the time to review it here because it might otherwise be unknown to line faculty who may not think about fostering student professional development and career planning as part of their professional "brief." Putting aside questions of student professional identity or professional formation is an unfortunate mistake. These issues should be addressed by academic leaders and faculty members if they want to help their students thrive both in law school and beyond. Increasingly, visionary leaders are doing so.

Legal educators of this generation may not remember the impetus of the Watergate era, when the ABA first required law schools to instruct law students in professional ethics. Because key lawyer-advisors of President Nixon at that time failed to comply with professional obligations, the American Bar Association concluded that law schools should be obliged to instruct their students in professional responsibilities. Unfortunately, that mandate evolved

8. Hamilton's bibliography is available at <https://www.stthomas.edu/hollorancenter/resourcesforlegal educators/publications/>. The following is a list of some of Hamilton's more important work in the last several years. Neil W. Hamilton & Verna E. 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 (2011); Neil W. Hamilton & Verna E. Monson, *Ethical Professionalism (Trans)formation: Themes from Interviews about Professionalism with Exemplary Lawyers*, 52 SANTA CLARA L. REV. 921 (2012); Neil W. Hamilton, *Fostering Professional Formation (Professionalism): Lessons from the Carnegie Foundation's Five Studies on Educating Professionals*, 45 CREIGHTON L. REV. 763 (2012); Neil W. Hamilton, *Analyzing Common Themes in Legal Scholarship on Professionalism to Address Current Challenges for Legal Education*, 22 PROF. LAW. 1 (2013); Neil Hamilton, *Law Firm Competency Models & Student Professional Success: Building on a Foundation of Professional Formation/Professionalism*, 11 U. ST. THOMAS L.J. 6 (2013); Neil W. Hamilton, *Changing Markets Create Opportunities: Emphasizing the Competencies Legal Employers Use in Hiring New Lawyers (Including Professional Formation/Professionalism)*, 65 S. C. L. REV. 547 (2014); Neil W. Hamilton, *Professional Formation with Emerging Adult Law Students in the 21-29 Age Group: Engaging Students to Take Ownership of Their Own Professional Development Toward Both Excellence and Meaningful Employment*, 2015 J. PROF. LAW. 125 (2015); Neil W. Hamilton & Sarah E. Schaefer, *What Legal Education Can Learn from Medical Education About Competency-Based Learning Outcomes Including Those Related to Professional Formation and Professionalism*, 29 GEO. J. LEGAL ETHICS 399 (2016).
9. See, e.g., Jerome M. Organ, *What Do We Know About the Satisfaction/Dissatisfaction of Lawyers? A Meta-Analysis of Research on Lawyer Satisfaction and Well-Being*, 8 U. ST. THOMAS L.J. 225 (2011).

into a requirement that law schools teach their students about the “law of lawyering” rather than truly engaging such students in discussion about who they would be as emerging lawyers and how they might proceed as practicing lawyers.<sup>10</sup>

As currently understood, “professional identity” for lawyers and law students refers to a combination of ethical principles, aspirational ideals, and an appreciation for professional roles with distinctive dimensions that differ based on professional context.<sup>11</sup> Hamilton defines professional identity to include the internalization of both a commitment to continuous professional development toward excellence (the firms are calling this “ownership”) and a deep responsibility to clients, the team serving the clients, and the legal system.<sup>12</sup>

Many law schools address professional identity in a truncated fashion, perhaps limited to conversations in professional responsibility/ethics classes, with supplementation from student affairs voluntary programming and support services offered through career services offices.

One of the most important contributions of Hamilton’s *Roadmap* is its documentation and demonstration of a “best practices” approach to engaging law students with associated issues of professional identity and professional formation. Hamilton offers a “go where the students are” approach and recommends incentives for them to understand that it is in their personal and professional interest to take control over how they shape their professional development and careers from early in their law school tenure to graduation and beyond.

#### *Roadmap: The Framework*

*Roadmap* includes four major parts. Part I discusses “Buying into the *Roadmap*,” a critical component designed to persuade law students to take the book’s approach and recommendations to heart. This part is particularly important because it addresses both concerns of law students who have come straight from undergraduate school, and those who have had prior work experience. This part also explains “foundational realities” often unknown to or misunderstood by law students, including the changing markets for legal services, the “entrepreneurial mindset,” and issues of uncertainty about career paths. It also addresses what legal employers seek in terms of new lawyers and their professional competencies. Many readers of the *Journal* may be unfamiliar with empirical data on what employers actually want in new hires. This segment of the book (eighteen pages) summarizes empirical information

10. See EDUCATING LAWYERS, *supra* note 1, at 126-61.

11. See, e.g., Martin J. Katz, *Teaching Professional Identity in Law School*, 42 COLO. LAW. 45 (2013) (“Professional identity is the way a lawyer understands his or her role relative to all of the stakeholders in the legal system, including clients, courts, opposing parties and counsel, the firm, and even the legal system itself (or society as a whole.)”).

12. NEIL W. HAMILTON, ROADMAP: THE LAW STUDENT’S GUIDE TO MEANINGFUL EMPLOYMENT 61-62 (2d. ed. 2018).

on this point that should be of interest to all of those involved in the legal education enterprise.

Part II addresses “your timeline for the *Roadmap* Process and your *Roadmap* template.” This section encourages students to engage in self-assessment and offers them a means for doing so. Faculty members should recognize that the counsel offered here might profitably be reinforced in advising sessions with students. The questions asked will likely resonate with millennial students, who are asked to think about “what is my value proposition” in varying ways. I remember well sitting with students whom I had taught, and who were seeking to land an externship position that could be crucial to their desired career trajectory. Too often, such students emphasized “what I want you to do for me” rather than “what I can do for you.” Having a text that emphasizes the importance of formulating a value proposition and strategies for communicating it can make all the difference in student employment interviews. And student employment success can make a significant difference in law school rankings. Section II also addresses the importance of providing documentation of strong competencies through portfolios or other means. Law schools have not yet generally embraced portfolios as a protocol for documenting student work, but would be well-advised to learn from other disciplines that employ such tools.

Part III, “Developing Your Strongest Competencies,” is one of the strongest parts of the book. This section is particularly effective in citing relevant research on competencies and attending to significant nuances of academics’ and practitioners’ views. For example, this section encourages students to appreciate how prior experiences can provide evidence of initiative and drive, and how students and emerging professionals can build confidence through creative problem-solving when they may fear that they “don’t know what they are doing.” This section is more than 120 pages long and is a rich resource for those likely to engage in student counseling.

Part IV provides a summary and links to various sources of information. It also provides information on empirical evidence on competencies. This area, too, is one that faculty members should explore.

#### *Roadmap: The Future*

How can we, as faculty members—and academic leaders—help students prepare for their future lives in the legal profession? It can be very challenging for us, as many faculty members have not engaged in legal practice or have left legal practice to enter the legal academy with only a modest appreciation of the challenges that legal practice entails or that students embarking on the path to legal practice face.

*Roadmap* provides a significant means of addressing these concerns. It is designed to help law students engage with their aspirations and their hopes for the future. At the same time, it provides a means for faculty members and law schools to guide students toward a meaningful sense of professional identity

and responsibility for future professional paths. It accordingly provides significant guidance to law students, law faculty, and law school leaders. It bases its guidance on well-grounded empirical evidence.

#### *Conclusion*

Law faculty members, student support professionals, law schools, and law students should take *Roadmap* to heart. It is an invaluable guidebook to improving both academic and career advising. It assists students in building a sense of self-efficacy and shaping plans for professional success. It helps law schools rebalance student and faculty/staff responsibilities. It clarifies the pipelines available to future lawyers interested in shaping their careers.

These accomplishments are not easily achieved, but Hamilton's *Roadmap* has taken on this challenge and achieved a good deal of success in documenting relevant research and helping explain how law students can proceed to achieve satisfying lives. All faculty members need to have this book on their shelves. They also need to encourage their law schools to adopt the *Roadmap* strategy in professional development courses, and in career placement and student affairs initiatives, as well as in professional responsibility courses going forward. Embracing the approach recommended in *Roadmap* would help students flourish.