

# Educational Interventions to Cultivate Professional Identity in Law Students: Introduction

by Patrick Emery Longan\*

On October 7, 2016, the Mercer Law Review co-sponsored the 17th Annual Georgia Symposium on Professionalism and Ethics.<sup>1</sup> The Georgia symposia on professionalism and ethics have all been made possible by the Honorable Hugh Lawson, Senior United States District Judge for the Middle District of Georgia. In 1999, Judge Lawson oversaw the settlement of a matter that involved allegations of litigation misconduct, and as part of the settlement four of Georgia's law schools each received an endowment to fund annual symposia dedicated to ethics and professionalism. The symposium series began in 2001 and rotates among Mercer University, Georgia State University, the University of Georgia, and Emory University.<sup>2</sup> This volume of the Mercer Law Review contains the articles that grew out of the 17th Symposium.

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1. The other co-sponsors of this event were the Mercer Center for Legal Ethics and Professionalism and the Mercer Phronesis Project for the Exploration of Character, Practical Wisdom and Professional Formation. The Symposium was held in conjunction with the fall workshop of the National Institute for Teaching Ethics and Professionalism (NIFTEP). I extend my appreciation to Daisy Floyd, Tim Floyd, Mark Jones, Paul Lewis, Clark Cunningham, Tiffany Roberts, Paul Haskins, Gretchen Longan, Karen Batts, and Yonna Shaw, as well as the editors and staff members of the Mercer Law Review, for their participation in the planning and execution of the events. I am also deeply grateful for the participation and insights of our NIFTEP Fellows, Freda Grealy, Alain Roussy, Debra Moss Curtis, Kelly Terry, Laurel Rigertas, Mary Helen McNeal, Carwina Weng, and Debra Austin. Finally, thanks to Jerry Organ and Jim Elliott for their participation in the symposium and workshop.

2. Descriptions and links to materials that came out of previous symposia sponsored by Mercer are available at <http://law.mercer.edu/academics/centers/clep/symposia.cfm>.

The theme of the Symposium was "Educational Interventions to Cultivate Professional Identity in Law Students." That title deserves some explanation. In its 1996 report, *Teaching and Learning Professionalism*,<sup>3</sup> the Professionalism Committee of the American Bar Association Section on Legal Education and Admissions to the Bar recommended that law schools devote more attention in the curriculum to lawyer professionalism.<sup>4</sup> Eight years later, Mercer Law School responded to that call and added a first-year required professionalism course, The Legal Profession.<sup>5</sup> We undertook through that course to "teach professionalism."<sup>6</sup>

We have gradually come to the conclusion that "teaching professionalism" is only a small part of the larger mission. That mission is the theme of the symposium: the cultivation of professional identity in our students. The ultimate goal is for our students to become lawyers who will faithfully fulfill the purposes of the profession. Knowing the tenets of "professionalism" is necessary for that purpose but not sufficient. David Brooks recently captured the broader picture when he wrote, "Our institutions depend on people who have enough engraved character traits to fulfill their assigned duties."<sup>7</sup> An "engraved character trait" is a part of a person's identity, and the institutions of the law depend upon lawyers having the kind of professional identity that will dispose them to fulfill their duties and thereby preserve the institutions of the law.<sup>8</sup> A law school cannot "teach" professional identity. There is more going on here than the transmission of knowledge. Law school will inevitably, however, "cultivate" professional identity, for better or worse, by everything that happens during a student's legal education. The goal of the symposium was to explore effective ways to intervene in a student's legal education, through courses or otherwise, to try to cultivate the right kind of professional identity.

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3. TEACHING AND LEARNING PROFESSIONALISM, REPORT OF THE PROFESSIONALISM COMMITTEE, American Bar Association Section of Legal Education and Admissions to the Bar (1996).

4. *Id.* at 18-23.

5. To read a detailed description of the course and its methods, visit <http://law.mercer.edu/academics/centers/clep/education.cfm>.

6. For a description of an early version of the course, see Patrick Emery Longan, *Teaching Professionalism*, 60 MERCER L. REV. 659 (2009). To read a description of the course as it has evolved, see Patrick Emery Longan, *Further Reflections on Teaching Professionalism: A Thank You Note to Jack Sammons*, 66 MERCER L. REV. 513 (2015).

7. David Brooks, *When the World is Led by a Child*, N.Y. TIMES, May 16, 2017.

8. For purposes of the Symposium, we used the following definition of professional identity: A lawyer's professional identity is a deep sense of self in role. It includes a set of virtues, skills and dispositions that enable the lawyer to serve clients and the public well in complex, stressful and uncertain circumstances, including ones that present questions of ethics, morality and professional responsibility.

We deeply appreciate the efforts of our speakers and contributors. We sought and received the help of other disciplines and other professions. Professor Clark Cunningham spoke at the symposium and collaborated with Professors Muriel Bebeau and Steven Thoma on their article regarding the role of social science research in formulating and assessing educational interventions related to professional identity formation.<sup>9</sup> Professor Larry Krieger reported on the results of his work with Professor Kennon Sheldon on the connections between professional identity and lawyer satisfaction.<sup>10</sup> Professor Elizabeth Vozzola brought to us her insights from the field of moral psychology.<sup>11</sup> We needed guidance from other professions as well. Lt. Col. Benjamin Grimes started the Symposium by describing his experience with professional identity formation at West Point.<sup>12</sup> We heard from Dr. Richard Cruess and Dr. Sylvia Cruess, leading experts on the cultivation of professional identity in medical school.<sup>13</sup> Dr. Larry Golemon described his experience with identity formation in clergy education.<sup>14</sup>

Law professors (in addition to Professor Cunningham) also contributed to the success of the Symposium. Professors Tim Floyd and Kendall Kerew provided a detailed look at a particular type of “educational intervention,” the academic component of a field placement programs.<sup>15</sup> Professor Jack Sammons spoke at the Symposium and brought his deep philosophical perspective to the question of professional identity and “the art

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9. Muriel J. Bebeau, Stephen J. Thoma & Clark D. Cunningham, *Educational Programs for Professional Identity Formation: The Role of Social Science Research*, 68 MERCER L. REV. 591 (2017).

10. See Lawrence S. Krieger & Kennon M. Sheldon, *What Makes Lawyers Happy?: A Data-Driven Prescription to Redefine Professional Success*, 83 GEO. WASH. L. REV. 554 (2015); see also Lawrence S. Krieger, *The Inseparability of Professionalism and Personal Satisfaction*, 11 CLINICAL L. REV. 425 (2005).

11. Elizabeth C. Vozzola, *The Case for the Four Component Model vs. Moral Foundations Theory: A Perspective from Moral Psychology*, 68 MERCER L. REV. 633 (2017). Readers of the Bebeau, Thoma, and Cunningham article will note that those authors are critical of Professor Vozzola’s article in some respects. To see Professor Vozzola’s reply, please visit the web site of the Mercer Center for Legal Ethics and Professionalism, <http://law.mercer.edu/academics/centers/clep/symposia.cfm>.

12. Lt. Col. Benjamin Grimes, *Keynote Address: 17th Annual Georgia Symposium on Ethics and Professionalism: October 6, 2016*, 68 MERCER L. REV. 583 (2017).

13. Sylvia R. Cruess & Richard L. Cruess, *From Teaching Professionalism to Supporting Professional Identity Formation: Lessons from Medicine*, 68 MERCER L. REV. 665 (2017).

14. Dr. Larry A. Golemon, *Professional Identity Formation Throughout the Curriculum: Lessons from Clergy Education*, 68 MERCER L. REV. 649 (2017).

15. Timothy W. Floyd & Kendall L. Kerew, *Marking the Path from Law Student to Lawyer: Using Field Placement Courses to Facilitate the Deliberate Exploration of Professional Identity and Purpose*, 68 MERCER L. REV. 767 (2017).

of self.”<sup>16</sup> Professor Mark Jones helped plan the Symposium and contributed his article on the development of virtue and practical wisdom as components of professional identity.<sup>17</sup> Professor Neil Hamilton shared his work on assessment of professional identity formation learning outcomes, particularly with respect to the “pro-active professional development toward excellence at all the competencies needed to serve clients and the legal system well.”<sup>18</sup>

It is our sincere hope that you will find the articles in this Symposium issue helpful in the consideration of innovative and effective ways to cultivate the right kind of professional identity in law students. The purpose of the Georgia symposia on professionalism and ethics is to improve the profession, and there is no better long-term way of accomplishing that task than to graduate students who have an internalized, personal commitment to the virtues necessary for the fulfillment of the purposes of the legal profession.

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16. Jack L. Sammons, *The Art of Self and Becoming a Professional*, 68 MERCER L. REV. 741 (2017).

17. Mark L. Jones, *Developing Virtue and Practical Wisdom in the Legal Profession and Beyond*, 68 MERCER L. REV. 833 (2017).

18. Neil Hamilton, *Off-The-Shelf Formative Assessments to Help Each Student Develop Toward a Professional Formation/Ethical Professional Identity Learning Outcome of an Internalized Commitment to the Student's Own Professional Development*, 68 MERCER L. REV. 687, 695 (2017). Readers of the Bebeau, Thoma, and Cunningham article will note that those authors are critical of Professor Hamilton's article in some respects. To see Professor Hamilton's reply, please visit the web site of the Mercer Center for Legal Ethics and Professionalism, <http://law.mercer.edu/academics/centers/clep/symposia.cfm>.