

SYMPOSIUM INTRODUCTION

Educating Lawyers: Preparation for the Profession of Law,¹ known in the legal education field simply as the *Carnegie Report*, created an upheaval unseen since the *MacCrate Report*² of 1992. While the *Carnegie Report* continues to advocate for a more comprehensive view of education in the spirit of the *MacCrate Report*, it argues further that lawyering comprises three fundamental professional behaviors—to think, to perform, and to conduct oneself like a professional.³ The *Carnegie Report* has spawned numerous publicized conferences, such as the one that gave rise to this Symposium issue of *Legal Writing: The Journal of the Legal Writing Institute*. Almost certainly, it has also inspired many more internal fora and debates about whether and how to respond to its critique and recommendations for improvement in the training of lawyers. Response to the report has been intense and diverse, but not nearly as diverse as was the response to the *MacCrate Report*, now nearly twenty years ago. Like a large ship in the ocean, legal education has slowly, slowly been turning toward a more nuanced course, one that embraces comprehensive legal training.

The *Carnegie Report* presents six distinct qualities of a professional. These six reflect three core values: knowing, doing, and being.⁴ A true professional possesses the knowledge of the profession, can execute the skills of the profession, and embodies the character and values of the profession.⁵ To move beyond the first value, knowing, the report assesses the limits of law's signature pedagogy: the case method.⁶ Notwithstanding the importance of knowledge, the report critiques the singular focus of many law

1. William M. Sullivan et al., *Educating Lawyers: Preparation for the Profession of Law* (Jossey-Bass 2007) [hereinafter *Carnegie Report*]

2. ABA Sec. of Leg. Educ. & Admis. to B., *Legal Education and Professional Development—An Educational Continuum, Report of the Task Force on Law and the Profession: Narrowing the Gap* (ABA 1992).

3. See e.g. *Carnegie Report*, *supra* n. 1, at 13–14.

4. *E.g. id.* at 22.

5. *E.g. id.* at 27–29.

6. *Id.* at ch. 2.

school curricula on legal analysis.⁷ Without clinics or other skill-building mechanisms, knowledge cannot translate into practical competence; if it does translate, it occurs haphazardly and often without guidance.⁸ Without specific care to model and teach professional identity, law students see their emerging identities as little more than a body of ethical rules which, while important, may seem to have nothing to do with actual lawyering.⁹ Thus, the *Carnegie Report* views the ideal end product, a knowledgeable and skilled attorney who has internalized a professional identity, and finds that legal education comes up far short.

The *Carnegie Report* is now four years old. Its immediate effect was significant; its long-term effects may be even more so. The final part of the report, discussing assessment, has begun to make significant inroads into legal education.¹⁰ The American Bar Association recently took up the issue of student assessment and its action has engendered significant discussion in the legal academy. How this discussion ultimately might change legal education is not clear; what is clear is that the *Carnegie Report* has launched an important forum for any school that might have been inclined to re-evaluate its program of legal education.

This Symposium was held to look at the *Carnegie Report* in its historical context and offer insight into how it might drive change. From the plenary speaker to the final panel, the discussion focused on how the report might improve the experience that students have as they strive to enter the legal profession. The highly informative aspect of the conference was to be expected; more surprising was the amount of passion the sessions generated in favor of change. The old dichotomy of “substance vs. skills” was conspicuously absent as the panel make-up proves, not to mention the strong support for the recommendations of Carnegie offered by both the plenary and luncheon speakers. The committee that planned and executed the conference offers this Symposium issue to share the insights gained.

The committee thanks The John Marshall Law School in Chicago for its support and underwriting of the conference. Dean

7. *Id.*

8. *Id.* at ch. 3.

9. *Id.* at ch. 4.

10. *Id.* at ch. 5.

John Corkery and Associate Dean Ruebner were enthusiastic and unwavering in their support of the concept and its execution. Thanks, too, to all of the panelists and speakers who gave of their time and talent in sharing their perspectives on the report and its inspiration to legal education. Special thanks are in order to Dean Bryant G. Garth of Southwestern Law School in Los Angeles and Dean Erwin Chemerinsky of the University of California-Irvine School of Law for their remarks at the conference. Finally, the committee wishes to thank the editorial board of the Journal or its confidence in the conference as demonstrated by its willingness to publish this Symposium issue. To know that the insights offered by many panelists have been preserved and shared through this issue is gratifying indeed.

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