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TALENT DEVELOPMENT



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The dynamics of contemporary legal practice require revisiting the relationship between law schools and law firms in the training of young lawyers. All that is certain is the uncertainty of exactly how the profession will change in the coming years. Predicting the nature and pace of change is always a risky enterprise. Yet, there is something especially vexing about the current climate in the legal profession, with structural impacts wrought by technology, globalization, and formidable economic forces ushering significant changes in the way in which young lawyers enter and thrive in these complex environments.

What are the law schools' roles in this period, which is somewhat opaquely labeled the "new normal"? Certainly, we will remain committed to the central imperative of providing law students with critical reasoning skills and the abilities to express themselves in writing and orally. To put the point in finer terms, we should remain committed to a curriculum that helps our students to become articulate advocates and careful thinkers. Moreover, we should inculcate into these students the values of teamwork and leadership and, beyond this inculcation, develop in them the skills appropriate to a world in which collaboration is essential and in which lawyers will more often than not be part of, and eventually lead, teams of organized professionals. Finally, we should give opportunities for our students to use the important modern elements of big data and analytical methods, all to the advantage of their clients and causes. No doubt about it, there has been a sea change in the availability and compilation of information. Lawyers of the modern age will distinguish themselves through their abilities to develop heuristics, forge algorithms, and manage enormously complex bodies of information and data. These are skills that can and ought to be taught in law school.

The dichotomy between foundational, doctrinal knowledge and experiential learning is used too often in a confused and exaggerated way. Law schools are excoriated by lawyers for not doing enough to provide on-the-ground training; and law professors will frequently react defensively by insisting that their central role is teaching substance and not ensuring that their students are "practice ready." In reality, law schools can succeed in providing both fundamental knowledge and reasoning skills while also giving their students ample opportunities for turning this knowledge into action through clinics, simulations, and other experiential modalities. At their best, law schools build able lawyers through a marriage of doctrine and practice, substance and process. And, in our turbulent new normal, it is especially imperative for law schools to focus on both dimensions of these skills and on both layers of the legal curriculum.

Our times demand critical self-reflection, within both the bar and in the academy. Many law schools, including mine, are hard at work in constructing new forms of legal education and in refining our curricula to ensure that our students will be immediately capable to add value to law firms and their clients. With respect to pedagogical techniques, innovations such as "flipped classrooms" and the use of case studies will help our students become better lawyers faster. And, with respect to specific curricular foci, developing courses and seminars that expose students to new areas of law and, importantly, to the intersections among law, business, and technology will enhance their abilities and benefit their employers.

We are in an exciting era in both the practice of law and the education of law students. Never has it been more important for legal educators to join with professionals in the legal training space, both within and outside law firms, in order to forge novel initiatives and promote good ideas. In this book, the reader will see examples of these innovations come to life.