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# Developing Professional Judgment [1]

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A scholarly research project of this type would be new, challenging, and fun for me – and thus I greatly welcome the opportunity. Legal educators have long struggled with how to measure their success in facilitating students' development in a range of key competencies, and I'd love the chance to contribute a little bit to our understanding in this area. I note, however, that I have never engaged in qualitative empirical work of this sort, so I would very much look forward to finding a Teaching Scholar mentor, as suggested in your materials.

As I explained in my memo on the four tasks of teaching, my goals in every course include instilling in students a sense of professionalism as part of their training to be -- and ultimate success as -- leaders as well as lawyers, and I use my class participation grade as a means of measuring their professionalism. Here I define professional behavior as that which demonstrates a commitment not only to excellence (through thoughtful preparation and careful analysis) but also to ethical and collegial behavior (emphasizing that the practice of law requires the ability to work effectively with colleagues, clients, decisionmakers, opposing counsel, and others). Relatedly (and as explained in my "aspirational" statement), I also hope to improve my ability to facilitate my students' judgment and problem-solving skills. Lawyers most often add value to their clients and to society through the exercise of judgment (some call it "practical wisdom"). Whether judgment can be "taught" is deeply contested, but most agree that it can be encouraged and fostered through a variety of experiential and other learning techniques. These include observation and reflective critique of others' problem-solving efforts (including those of experienced professionals as well as their own less experienced colleagues), as well as students' own participation in simulated or actual problem-solving scenarios. Success or failure in solving legal problems that require the exercise of judgment and discretion is very difficult to measure, but I'd like to try.

I'd thus like to develop a research project that would help me assess progress towards these goals of helping students improve their exercise of professionalism and judgment when solving legal problems. At this point, I'd like to use each student as her own control group, and compare her problem-solving approaches at the beginning and end of the semester. To this end, I anticipate developing some problem-solving scenarios that require the exercise of judgment and attention to professionalism issues. At the beginning of the semester, I might ask my students to write a memo explaining their proposed response/solution. At the end of the semester I could again give each student the problem along with her original answer, and ask for a new memo in which the student identifies any changes or revisions she would now make to her original response, and reflect on what, if anything,

she learned over the course of the semester that changed her approach.  I imagine that it’s also possible that some educators have already developed survey instruments for assessing related problem-solving competencies; if so, I would hope to draw from them in developing assessment tools. Again, as a novice in this area, I’d welcome the chance to learn from a Teaching Scholar mentor.

**Groups audience:**
President's Teaching Scholars Program

**Source URL:**https://www.cu.edu/ptsp/developing-professional-judgment

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