

# IU McKinney School of Law: PRAC Report 2017

The IU McKinney School of Law PRAC Report relates to the law school's JD program for the 2016-2017 Academic Year. See Appendix A for a description of the degrees conferred at IU McKinney and the currently anticipated schedule for implementing program review outside of the JD program.

## Executive Summary

### IU McKinney Program Review

Beginning in Fall 2015, under the guidance of then Associate Vice Chancellor Trudy Banta, IU McKinney produced an outline of a program review procedure. Law school administration adopted the procedure and constituted the Evaluation and Assessment Committee, co-chaired by two tenured full professors and made up of broadly representative faculty members, key administrative staff, the law school Vice Dean sitting *ex officio*, and staff from the Center for Teaching and Learning sitting *ex officio*. The Evaluation and Assessment Committee has the goal, in its initial three years of operation, of turning the program review procedure into a core part of the law school's work.

In support of those goals, Dean Andrew Klein has devoted substantial resources and indirect support to the project. Examples include convening a Fall 2015 full-day faculty retreat centered around the importance and process of program review; convening a Fall 2017 half-day faculty retreat devoted to the specifics of developing and using rubrics to measure identified program competencies; funding faculty and staff participation in seminars and colloquia around the country; and supporting the project with incentive compensation for the Evaluation and Assessment co-directors.

### The Report

In this first year reporting under the new IU McKinney program review procedure, the Evaluation and Assessment Committee reports on the development of its review process for the JD program.

The IU McKinney PRAC Report 2017 proceeds in three parts. Part I identifies and describes the IU McKinney JD program learning outcomes and the existing draft competencies that are being developed to facilitate those outcomes' measurement. The Part continues to explain the initial efforts at curricular mapping and the role of curricular mapping in the review procedure. The curricular mapping shows gaps, where faculty reporting on course goals suggests one or more of the program outcomes may be underserved. Finally, the Part describes "next steps" in the work of identifying outcomes and mapping the curriculum to determine where those outcomes are best taught and assessed.

In Part II the Report describes the assessment measures used to evaluate student achievement of the JD program learning outcomes. Those measures, both direct and indirect, include (1) faculty reporting on student success; (2) student evaluations of

learning experiences; (3) student surveys of bar readiness; (4) bar (licensing) examination outcomes; and (5) employment outcomes.

The Part next maps the assessment measures to outcomes being measured. The mapping demonstrates some success in evaluating core program outcomes but clear gaps in which new assessment measures should be implemented. The Part concludes with a description of next steps, including primarily the development and adoption of rubrics tied to under-assessed outcomes.

Part III details the findings from the assessment measures. Those findings, particularly in the areas of bar examination success and student employment, serve as effective but imperfect direct measures of some of the learning outcomes. The Part explains that those measures leave much to be desired as measures of other outcomes and in terms of formative assessments that allow for meaningful intervention earlier in the JD program.

## I. Learning Outcomes

### Introduction

In AY 2014-15, the IU McKinney faculty adopted eight Educational Objectives (called learning outcomes here) reflecting the faculty's view of the JD program. (The outcomes have been expanded to nine, splitting one into two natural subparts.) The Evaluation and Assessment Committee has begun the process of reducing those outcomes to competencies. The goal for competencies is that they will be sufficiently granular and measurable that student achievement can be measured in individual courses or learning experiences by way of to-be-developed rubrics tying performance metrics to the individual competencies.

Competencies have been drafted with the input of the Evaluation and Assessment Committee; law school alumni and administration; and review of the work of peer institutions that have preceded us in this early part of the process. While still in draft form, the existing competencies reflect promising statements of 30 professional competencies that, if achieved at a level of mastery, will ensure a graduate's full preparedness for legal professional work.

Initial curricular mapping efforts in the JD program have provided helpful – but incomplete – information as to the role of our required curriculum in addressing the learning outcomes. Limits on the success of curricular mapping are because of

- the Evaluation Committee's insufficient efforts at faculty education prior to beginning the curricular mapping;
- the failure to reduce outcomes to competencies prior to beginning curricular mapping;
- faculty resistance to the curricular mapping effort.

### Outcomes-Competencies

The law school adopted learning outcomes for its JD program as part of its preparation for the reaccreditation visit in Fall 2017.

Those outcomes (updated as described in the preceding sub-part) are:

A McKinney graduate will be prepared to:

1. Build upon an existing base of legal knowledge to succeed in the graduate’s chosen career path;
2. Leverage real-world legal skills to succeed in the graduate’s chosen career path;
3. Exercise sound professional judgment and fulfill ethical responsibilities;
4. Exhibit a high degree of competence in legal analysis, reasoning, research, and writing;
5. Demonstrate acumen in oral communication in the legal context;
6. Serve as a leader or contributing team member in professional settings;
7. Transition readily to law practice or other government, non-profit, or private sector employment;
8. Leverage a network of professional relationships; and
9. Appreciate that excellence as a lawyer requires individual, life-long effort.

The outcomes best reflect high-level goals for graduates, which need reduction to more granular competencies to be meaningfully measurable.

The process of reduction to competencies is under way. (Unlike in other professions, the legal profession does not have existing, broadly accepted statements of “professional competencies” that IU McKinney can adopt for its JD program.)<sup>1</sup> The DRAFT competencies below reflect initial efforts to develop a model for stakeholders to consider and improve:

A McKinney graduate will be prepared to:	
Outcome	DRAFT Corresponding Competencies
Build upon an existing base of legal knowledge to succeed in the graduate’s chosen career path	<ul style="list-style-type: none"> <li>• In the context of the core curriculum, students will identify, describe, interpret, and apply the fundamental terms, rules, policy, and principles;</li> <li>• In the context of upper level electives chosen by the student, students will interpret and synthesize legal rules, policy, and principles;</li> <li>• Students will show the ability to analyze the impact of legal rules on society, understood from a variety of perspectives.</li> </ul>
Leverage real-world legal skills to succeed in the graduate’s chosen career path	<ul style="list-style-type: none"> <li>• Project management, moving matters forward, outcome oriented;</li> <li>• Factual development;</li> <li>• Finding the law;</li> <li>• Interpersonal relationships, empathy, emotional intelligence, and cultural competency;</li> </ul>

<sup>1</sup> Comments and suggestions from reviewers as to best practices for ensuring faculty engagement in the process of producing competencies would be particularly valuable.

	<ul style="list-style-type: none"> <li>• Business skills;</li> <li>• Communication, translate law to layperson.</li> </ul>
Exercise sound professional judgment and fulfill ethical responsibilities	<ul style="list-style-type: none"> <li>• Identify and resolve ethical issues in law or generally;</li> <li>• Exhibit passion for a representation and work ethic;</li> <li>• Integrate moral principles and values with a lawyer's professional responsibilities;</li> <li>• Sound professional judgment.</li> </ul>
Exhibit a high degree of competence in legal analysis, reasoning, research, and writing	<ul style="list-style-type: none"> <li>• Legal Research</li> <li>• Legal Analysis</li> <li>• Legal Reasoning (Argument, Application of Facts to Law)</li> <li>• Legal Writing</li> </ul>
Demonstrate acumen in oral communication in the legal context	<ul style="list-style-type: none"> <li>• Explain issues, arguments, and conclusions to other lawyers and to lay persons;</li> <li>• Make formal oral presentations to courts, other tribunals, or other audiences;</li> <li>• Exhibit professional oral skills in front of all audiences.</li> </ul>
Serve as a leader or contributing team member in professional settings	<ul style="list-style-type: none"> <li>• Lead a team of lawyers and/or legal support staff to achieve a group outcome;</li> <li>• Contribute to a legal team led by another in pursuit of a group outcome;</li> <li>• Drive progress toward a goal in the face of opposition from others.</li> </ul>
Transition readily to law practice or other government, non-profit, or private sector employment	<ul style="list-style-type: none"> <li>• Awareness of professional opportunities;</li> <li>• Understanding of law as a business.</li> </ul>
Leverage a network of professional relationships	<ul style="list-style-type: none"> <li>• Comfort engaging in unscripted settings among professionals;</li> <li>• Skill in identifying opportunities for mutually beneficial exchange with other professionals.</li> </ul>
Appreciate that excellence as a lawyer requires individual, life-long effort	<ul style="list-style-type: none"> <li>• Self-directed learning;</li> <li>• Intellectual curiosity;</li> <li>• Pursuit of extracurricular opportunities.</li> </ul>

### Initial Curricular Mapping

IU McKinney has taken early steps to map the curriculum to identify the degree to which required and highly recommended courses achieve the learning outcomes. This process

involved surveying faculty teaching required courses, most of which are taken in students' first year of study.<sup>2</sup> Appendix D contains the full results from those surveys from Academic Year 2016-17. Summary results from the initial curricular mapping effort are below:

Mapped 1L Curriculum (Day/Full-time)

Objective→	... build upon a base of legal knowledge and skills	... exercise sound professional judgment and fulfill ethical responsibilities	... exhibit a high degree of competence in legal analysis, reasoning	.. demonstrate acumen in oral communication in the legal context	... serve as a leader or contributing team member in professional settings	... transition readily to law practice or other... employment	... leverage a network of professional relationships	.. appreciate that [law] requires individual, life-long effort
Course↓								
Civ Pro I	1.5	1.5	1.5	2.5	1	0	1.5	0.5
Civ Pro II	3	1	3	1	0	3	1	0
Con Law	3	1.5	3	2.5	1.5	2.5	0.5	2.5
Contracts I	3	2	3	3	3	3	3	3
Contracts II	0	3	3	3	0	3	0	3
Crim Law	1	1	2.5	2.5	2.5	1.5	1	1
LCA I	2.4	1.57	3	1.57	1	2	0.29	1.57
LCA II	2.33	2.5	3	2.83	1.67	2.67	0.83	2.17
Legal Res.	2.6	2.4	3	0	1.8	2.8	0	2.8
Property	2	2	2	2	2	3	2	2
Torts	1	2	3	2	1.5	1	1.5	2
<b>Totals</b>	<b>21.86</b>	<b>20.47</b>	<b>31</b>	<b>21.40</b>	<b>14.97</b>	<b>25.97</b>	<b>10.62</b>	<b>20.54</b>

<sup>2</sup> Particular thanks are due to colleagues at the Kelley School of Business for sharing their faculty survey forms and processes, based on which we designed our own.

Mapped 1L Curriculum (Evening/Part-time)

Objective→	... build upon a base of legal knowledge and skills	... exercise sound professional judgment and fulfill ethical responsibilities	... exhibit a high degree of competence in legal analysis, reasoning, research, and writing	... demonstrate acumen in oral communication in the legal context	... serve as a leader or contributing team member in professional settings	... transition readily to ... employment	... leverage a network of professional relationships	... appreciate that excellence as a lawyer requires individual, life-long effort
Course↓								
Civ Pro I	3	3	3	0	1	3	0	1
Civ Pro II	3	3	3	1	1	3	0	2
Con Law	3	1.5	3	2.5	1.5	2.5	0.5	2.5
Contracts I	1	1	3	2	1	1	1	1
Contracts II	2	2	2	2	2	2	2	2
Crim Law	1	1	2.5	2.5	2.5	1.5	1	1
LCA I	2.43	1.57	3	1.57	1	2	0.29	1.57
LCA II	2.5	2.5	3	3	2	2.5	0.5	2.5
Legal Res.	3	1.33	3	0.33	0.67	2.33	0	2.33
Property	2	2	2	2	2	3	2	2
Torts	3	2	3	2	1	2	1	2
<b>Totals</b>	<b>25.93</b>	<b>20.90</b>	<b>30.5</b>	<b>18.90</b>	<b>15.67</b>	<b>24.83</b>	<b>8.29</b>	<b>19.90</b>

Initial Map of Upper-Level “Highly Recommended” Curriculum (Spring Semester)

UL Highly Recommended	... build upon a base of legal knowledge and skills	... exercise sound professional judgment and fulfill ethical responsibilities	... exhibit a high degree of competence in legal analysis, reasoning, research, and writing	... demonstrate acumen in oral communication in the legal context	... serve as a leader or contributing team member in professional settings	... transition readily to ... employment	... leverage a network of professional relationships	... appreciate that excellence as a lawyer requires individual, life-long effort
PR	3	3	3	0	2	2	0	3
PR	3	3	2	1	2	3	1	3
PR Average	3	3	2.5	0.5	2	2.5	0.5	3
Employment Law	3	3	3	3	3	3	3	3
Employment Law	3	3	3	3	3	3	1	3
Emp. Average	3	3	3	3	3	3	2	3
Evidence	3	2	3	1	0	3	0	0
Evidence	3	2	2	2	0	2	1	3
Evid. Average	3	2	2.5	1.5	0	2.5	0.5	1.5
Administrative Law	3	3	3	3	3	3	1	3
CHBO	3	3	2	3	3	3	0	2
Total across UL Highly Recommended	15	14	13	11	11	14	4	12.5

Initial Map of Upper-Level “Highly Recommended” Curriculum (Fall Semester)

Objective→	... build upon a base of legal knowledge	... build upon a base of legal skills	... exercise sound professional judgment and fulfill ethical responsibilities	... exhibit a high degree of competence in legal analysis, reasoning, research, and writing	... demonstrate acumen in oral communication in the legal context	... serve as a leader or contributing team member in professional settings	... transition readily to ... employment	... leverage a network of professional relationships	... appreciate that excellence as a lawyer requires individual, life-long effort
Courses↓									
Trusts Estates (O)	3	2	0	2	0	0	2	0	0
Secured Trans (O)	3	0	0	2	0	0	2	0	0
Secured Trans (Night)	3	3	3	0	3	0	3	0	0
Income Tax	3	3	0	0	0	2	2	0	2
CP Inv. (N)	3	0	0	2	2	0	0	0	0
Totals	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Note on Reliability

Our initial experience with curricular mapping has been experimental and has not produced reliable information about the role of required courses in achieving program outcomes.

Primary limits include:

- Insufficient information about upper level required and highly recommended courses to determine the role of these courses in addressing the outcomes;
- Insufficient granularity of outcomes (not reduced to competencies) to allow the mapping meaningfully to inform the role of a course in achieving the outcomes;
- Lack of information on elective experiences (which make up well more than ½ of students' course of study) in students' achievement of outcomes.

The committee has identified three particular failings in the mapping process. Those are:

- the Evaluation Committee's insufficient efforts at faculty education prior to beginning the curricular mapping;
- the failure to reduce outcomes to competencies prior to beginning curricular mapping;
- faculty resistance to the curricular mapping effort.

As an example of the first failing, IU McKinney's phrasing of program outcomes includes an introductory clause "A McKinney graduate will be prepared to" before continuing with a list of outcomes including "build upon a base of legal knowledge." The committee anticipated that faculty teaching introductory courses would self-identify as addressing primarily that outcome. (In other words, first-year required courses primarily teach core legal knowledge.) However, faculty frequently overlooked the introductory clause and became confused by the outcome, which seemed to assume existing legal knowledge prior to beginning an introductory course.

The second failing is self-explanatory. For a 90-credit-hour professional degree such as that in law, nine learning outcomes describing the entire degree are too general to readily identify as related to one or another course. This problem is exacerbated with outcomes including "teamwork," "practice readiness," "networking," and "intellectual humility and curiosity," all of which are both broadly relevant and not centrally addressed in existing course designs.

The third failing reflects challenges of encouraging an over-extended faculty to participate thoughtfully in the process. When faculty members do participate, not infrequently submissions reflect insufficient attention to instructions. The results are incomplete and unreliable information.

### Next Steps

The Evaluation Committee is proceeding with the curricular mapping process with a three-pronged strategy.

- One is to produce a final set of competencies that further define the meaning of the nine learning outcomes;
- Second is to revisit and to improve the results of the existing maps (reproduced in summary form above) based on required and highly recommended coursework that all or most JD program students complete;
- Third is to identify other coursework and co-curricular experiences that can reliably measure achievement of learning outcomes across the student population.

The first two prongs identified reflect efforts to complete work already begun. The third prong is a new project that addresses two problems. First, with a substantial percentage of credit hours in the JD program coming in elective courses, it is impossible to identify any one such course or learning experience that captures data on a representative set of the student body. Second, several of the outcomes do not appear to be measured by the required or highly recommended courses.

## II. Assessment Measures

### Introduction

The Part begins by describing existing assessment measures with their promises and their shortcomings. It then maps those measures to the outcomes that they can inform. The third sub-part describes the “Rubric Project” and its planned use to develop an assessment measure addressing outcomes not adequately measured by existing tools.

### Assessment Measures

The Evaluation Committee has compiled a set of assessment measures from existing data sources as well as from efforts to produce data better targeted to the outcomes. The sources include bar examination results; faculty self-identification of student achievement; student surveys of bar preparation; and employment statistics.

### Bar Examination Results

The Bar Examination is the primary licensure examination for JD graduates. Nearly 100% of McKinney JD graduates take the bar exam. Success on the bar is required for entry into most typical legal careers, including private law practice, government service as a lawyer, non-profit service as a lawyer, and corporate legal department work. The bar exam measures core legal knowledge in more than a dozen subjects that are believed to be representative of a broad range of legal professional endeavors. The bar exam also measures legal reasoning and legal written argument skills.

The bar exam is therefore a measure of graduates’ achievement of (1) a base of legal knowledge, (2) competence in legal analysis, reasoning, and writing; (3) readiness to transition to law practice. According to Vice Dean Larry Cunningham (St. John’s), a leading commentator on law school assessment, “The bar exam is an important outcome measure of whether our graduates are learning the basic competencies expected of new lawyers.” (Law School Assessment Blog 11-19-2017) The bar exam is also a primary measure for law schools’ primary accreditor, the American Bar Association, as well as for voluntary reports to entities including the Association of American Law Schools and US News and World Report rankings.

As an outcomes measure, the bar exam fails in some important respects. Initially, it is indirect: myriad factors predict bar exam success. Importantly, top predictors of bar success include the LSAT – the law school *entrance* exam – as well as student work and study habits after graduation from law school. These predictors have been broadly observed in research into bar outcomes. Both of these predictors are outside of the control of law schools. Second, the Indiana Bar Examination is uniquely problematic as an assessment measure because student scores are not reported unless students fail the bar (and in that event the scores are only reported to the student). It is therefore impossible to

determine, in any but the most general a manner, which of the outcomes that map to bar exam success was not achieved.

However, success on the bar exam is its own outcome. For largely political reasons most law schools do not list “Graduates will pass the bar exam” as an outcome. Law faculties reject the idea of “teaching to the test” and generally decline to accept that bar exam success correlates well with preparedness for career success. However, every law school, including IU McKinney, counts bar exam success as one of its primary institutional goals.

### Student Surveys of Bar Preparation

Student surveys are the only source of data available to us that helps to determine what portions of the bar exam were particularly difficult for graduates; what students did to improve their preparation both during and after their JD program; and what other factors might explain bar outcomes. The Evaluation Committee began to use bar success surveys in Fall 2016 and repeated the process with an improved survey instrument in Fall 2017.

The survey instruments are included in Appendix B. Obvious limitations on the data received include student self-selection; faulty perception; faulty memory; and bad faith responses. With a response rate of approximately 30% (72 students) and a pass rate among responses of 76%, on its face the data appears somewhat representative of the overall population.

### Faculty Self-Identification of Student Achievement

The Evaluation Committee is in the process of developing measures for faculty reporting on student achievement of outcomes in particular courses and learning experiences. The preliminary, experimental measure is a post-course survey disseminated to faculty teaching required or highly recommended courses. The survey suffered the same failings as the curricular mapping surveys – faculty confusion, faculty inattention, and inherent immeasurability of the outcomes queried.

The Evaluation Committee is working on a more robust measure of student achievement in parallel with the process of developing competencies to improve understanding and measurability of the learning outcomes. The committee describes the “Rubric Project” in sub-part Next Steps, below.

### Employment Outcomes

Statistics on employment outcomes are the final source of data for this PRAC Report. Employment statistics are indirect measures that address one of the learning outcomes – student preparation to transition to a professional career. Because employment outcomes are influenced by a myriad of factors, including many that are not part of the educational experience in the IU McKinney JD program, the value of employment outcomes in assessing program effectiveness is limited. However, employment outcomes are key statistics for law schools’ primary accreditor, the American Bar Association, as well as for voluntary reports to entities including the Association of American Law Schools and US News and World Report rankings.

## Map to Outcomes

The table maps assessment measures to outcomes and competencies. Measures listed in brackets are likely options for future assessments, not currently employed or reported on in this Report.<sup>3</sup>

Learning Outcomes	DRAFT Competencies	Assessment Measures
A McKinney graduate will be prepared to:		
Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path	<ul style="list-style-type: none"> <li>• In the context of the core curriculum, students will identify, describe, interpret, and apply the fundamental terms, rules, policy, and principles;</li> <li>• In the context of upper level electives chosen by the student, students will interpret and synthesize legal rules, policy, and principles;</li> <li>• Students will show the ability to analyze the impact of legal rules on society, understood from a variety of perspectives.</li> </ul>	<ul style="list-style-type: none"> <li>• [Faculty self-identification of student achievement (Doctrinal courses)]</li> <li>• Bar examination outcomes</li> <li>• Student surveys of bar examination readiness</li> </ul>
Leverage real-world legal skills to succeed in the graduate's chosen career path	<ul style="list-style-type: none"> <li>• Project management, moving matters forward, outcome oriented;</li> <li>• Factual development;</li> <li>• Finding the law;</li> <li>• Interpersonal relationships, empathy, emotional intelligence, and cultural competency;</li> <li>• Business skills;</li> <li>• Communication, translate law to layperson.</li> </ul>	<ul style="list-style-type: none"> <li>• [Faculty self-identification of student achievement (LCA sequence)]</li> </ul>
Exercise sound professional judgment and fulfill ethical responsibilities	<ul style="list-style-type: none"> <li>• Identify and resolve ethical issues in law or generally;</li> <li>• Exhibit passion for a representation and work ethic;</li> <li>• Integrate moral principles and values</li> </ul>	<ul style="list-style-type: none"> <li>• [Faculty self-identification of student achievement (Professional Responsibility course)]</li> <li>• [Student success on Multistate Professional Responsibility</li> </ul>

<sup>3</sup> Comments from reviewers on the promise and likely workability of the bracketed measures will be particularly welcome.

	<p>with a lawyer's professional responsibilities;</p> <ul style="list-style-type: none"> <li>• Sound professional judgment.</li> </ul>	Examination]
Exhibit a high degree of competence in legal analysis, reasoning, research, and writing	<ul style="list-style-type: none"> <li>• Legal Research</li> <li>• Legal Analysis</li> <li>• Legal Reasoning (Argument, Application of Facts to Law)</li> <li>• Legal Writing</li> </ul>	<ul style="list-style-type: none"> <li>• [Faculty self-identification of student achievement (LCA sequence, upper level writing requirement)]</li> <li>• Bar examination outcomes</li> </ul>
Demonstrate acumen in oral communication in the legal context	<ul style="list-style-type: none"> <li>• Explain issues, arguments, and conclusions to other lawyers and to lay persons;</li> <li>• Make formal oral presentations to courts, other tribunals, or other audiences;</li> <li>• Exhibit professional oral skills in front of all audiences.</li> </ul>	<ul style="list-style-type: none"> <li>• [Faculty self-identification of student achievement (LCA sequence, Doctrinal courses)]</li> </ul>
Serve as a leader or contributing team member in professional settings	<ul style="list-style-type: none"> <li>• Lead a team of lawyers and/or legal support staff to achieve a group outcome;</li> <li>• Contribute to a legal team led by another in pursuit of a group outcome;</li> <li>• Drive progress toward a goal in the face of opposition from others.</li> </ul>	<ul style="list-style-type: none"> <li>• [Peer evaluations]</li> <li>• [Student self assessments]</li> </ul>
Transition readily to law practice or other government, non-profit, or private sector employment	<ul style="list-style-type: none"> <li>• Awareness of professional opportunities;</li> <li>• Understanding of law as a business.</li> </ul>	<ul style="list-style-type: none"> <li>• Bar exam outcomes</li> <li>• Employment outcomes</li> </ul>
Leverage a network of professional relationships	<ul style="list-style-type: none"> <li>• Comfort engaging in unscripted settings among professionals;</li> <li>• Skill in identifying opportunities for mutually beneficial exchange with other professionals.</li> </ul>	<ul style="list-style-type: none"> <li>• Employment outcomes</li> </ul>
Appreciate that excellence as a lawyer requires	<ul style="list-style-type: none"> <li>• Self-directed learning;</li> <li>• Intellectual curiosity;</li> </ul>	<ul style="list-style-type: none"> <li>• Faculty self-reporting of student achievement]</li> </ul>

individual, life-long effort	<ul style="list-style-type: none"> <li>• Pursuit of extracurricular opportunities.</li> </ul>	<ul style="list-style-type: none"> <li>• [Student self assessment]</li> </ul>
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## Next Steps

### Rubric Project

In an effort to improve the data gathering relating to direct evidence of student achievement, the Evaluation Committee is beginning its “Rubric Project.” With McKinney administration support, the committee invited Professor Andrea Curcio from Georgia State University College of Law, the leader of that institution’s assessment program, to guide the McKinney faculty in a rubric development exercise at the October 20, 2017 Faculty Service Day. Curcio’s leadership included reviewing the Evaluation Committee’s work and offering suggestions for change and improvement.

The Rubric Project is an effort to create assessment instruments that are broadly acceptable to the McKinney faculty, present low barriers to completion, and will produce reliable and consistent data on student progress in the JD program. Beginning with the Draft Competencies, the Rubric Project requires the Evaluation Committee to lead the faculty and other stakeholders in an effort to describe “Performance Metrics” including “Insufficient,” “Emerging,” “Competent,” and “Excellent.” The committee has begun that project, first meeting with attendees at the IU McKinney Alumni Board meeting on October 26, 2017, and is prepared to continue the work of defining performance metrics for each program competency during the Spring 2018 semester. (Appendix C is the tool developed to create the rubrics based on the existing drafts of the competencies.)

The committee will next use the results from the curricular mapping project to identify data gathering “insertion points” for each of the competencies. The goal is to identify a baseline data gathering point during students’ first year and a later data gathering point in students’ second or third year of their program. Faculty, paper supervisors, or others charged with monitoring student learning will be asked to complete the rubric for the relevant competency or competencies being assessed.

One ready example relates to the competencies defining the analysis, research, and writing objective. All students take two required foundational Legal Communications and Analysis courses and all students are required to complete an Advanced Research and Writing requirement sometime after their first year. The foundational courses will provide baseline data and the advanced research and writing requirement will provide data on improvement in the program.

### Example of Rubric-Based Assessment of Student Progress

The chart serves as an example, based on one of the learning outcomes.

Outcome	Competencies	Data Gathering Points
Exhibit a high degree of competence in legal analysis, reasoning,	<ul style="list-style-type: none"> <li>• Legal Research</li> <li>• Legal Analysis</li> <li>• Legal Reasoning</li> </ul>	<b>BASELINE:</b> <ul style="list-style-type: none"> <li>• LCA I (first year fall semester)</li> </ul>

research, and writing	(Argument, Application of Facts to Law) <ul style="list-style-type: none"> <li>Legal Writing</li> </ul>	<b>MEASUREMENT OF PROGRESS:</b> <ul style="list-style-type: none"> <li>Advanced Research and Writing Requirement OR</li> <li>Law Review Candidacy paper</li> </ul>
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### III. Assessment Findings

#### Introduction

In this Part we describe the findings of our assessment measures.

#### Measures-Findings

##### Bar Exam Results

Bar exam outcomes are the most complete indirect measure of success in the learning outcomes. Bar exam results can be used to evaluate the following learning outcomes:

- Build upon an existing base of legal knowledge to succeed in the graduate’s chosen career path;
- Exhibit a high degree of competence in legal analysis, reasoning, research, and writing;
- Transition readily to law practice or other government, non-profit, or private sector employment.

The chart includes results from graduates who first took the Indiana Bar Exam in July 2017. Reported data reflects *pre-appeal* bar outcomes. Post-appeal data reflects slight improvement, to an overall first-time taker success rate of 70%. IU McKinney has not established a goal for first-time taker pass rate. However, historic pass rates at IU McKinney for first-time takers have been at, or near to, 80%.

	<b>PASS</b>	<b>FAIL</b>
<b>TOTAL/AVERAGE FT TAKER</b>	<b>120</b>	<b>56</b>

Past research on IU McKinney students and new research conducted at peer institutions suggests the single biggest predictor of bar exam success is graduating GPA. Breaking bar outcomes down by GPA range demonstrates that strong correlation. The two tables below reflect different lessons drawn from the same data. In the first table, we see that pass rate by single point GPA range below 3.0 is substantially below 50%, approaching 0 as the GPA range regresses below 2.6.

<b>GPA RANGE</b>	<b>RATE</b>	<b>POPULATION</b>
<b>&lt;2.6</b>	<b>0</b>	<b>11</b>

2.6-2.7	8%	12
2.7-2.8	50%	8
2.8-2.9	50%	12
2.9-3.0	46%	13
3.0-3.1	61%	23
3.1-3.2	65%	17
3.2-3.3	90%	20
3.3-3.4	94%	16
>3.4	100%	45
<b>TOTAL</b>		<b>177</b>

The second table gives pass rates at or above certain GPAs as well as below certain GPAs. There are two important lessons. First, if the target bar pass rate is 80%, finding a way for all students to achieve the level of bar preparation that students with graduating GPAs at 2.8 or above have may achieve that outcome. Second, graduates with GPAs below 2.7 pass at a rate of 4%. Graduating GPA below 2.7 might be called the “futility range” at which interventions could credibly include encouraging students to delay taking the bar.

<b>GPA AND ABOVE</b>	<b>RATE</b>	<b>BELOW GPA</b>	<b>RATE</b>
>2.34	68%	<2.6	0
2.6 AND ABOVE	72%	<2.7	4%
2.7 AND ABOVE	77%	<2.8	16%
2.8 AND ABOVE	79%	< 2.9	26%
2.9 AND ABOVE	81%	< 3.0	31%
3.0 AND ABOVE	85%	< 3.1	40%
3.1 AND ABOVE	91%	< 3.2	44%
3.2 AND ABOVE	96%	< 3.3	52%
3.3 AND ABOVE	98%	< 3.4	57%
3.4 AND ABOVE	100%	<b>Overall</b>	<b>68%</b>

The final table shows the outcomes of our “Bar Mentorship Program,” an intervention adopted in 2017 to assist at-risk bar takers in their preparation. (Numbers from the

February exam date are misleading because the opt-in nature of the program gathered a substantial population of students who were not in need of assistance. In July, participants were identified based on risk factors and invited into the program.) While the data reflect small numbers and are thus unreliable for any but casual observation, they are nonetheless discouraging.

The most discouraging statistic is the pass rate for students who were invited into the program and took advantage of faculty mentorship during bar preparation. 7.7% (1 of 13) of that population passed the bar, as compared with

- approximately 16% pass rate for the entire student population with a comparable average graduating GPA; and
- 21.4% for first time takers *invited into the mentorship program but declining to participate*.

Repeating the small numbers caution, evidence suggests the Bar Mentorship Program was on net a harmful rather than beneficial factor.

	<b>PASSING PERCENTAGE</b>	<b>GROUP AVERAGE GPA</b>
<b>TOTAL/AVERAGE FIRST TIME TAKER BAR MENTEES</b>	<b>0.077</b>	<b>2.65</b>
<b>TOTAL/PERCENTAGE REPEAT TAKER BAR MENTEES</b>	<b>0.43</b>	<b>2.80</b>
<b>TOTAL/PERCENTAGE ALL MENTEES (FIRST TIME AND REPEAT)</b>	<b>0.2</b>	<b>2.68</b>
<b>TOTAL/PERCENTAGE FIRST TIME TAKER DECLINERS</b>	<b>0.214</b>	<b>2.62</b>
<b>TOTAL/PERCENTAGE REPEAT TAKER DECLINERS</b>	<b>0.2</b>	<b>2.87</b>

#### Student Surveys of Bar Preparation

The substantial limitations on the data available from the bar exam makes the exam a blunt instrument for evaluating outcomes at any except the most general level. Student surveys permit the committee to measure more specific questions about the educational program and other influences on student readiness to enter the legal profession. Student surveys address the following learning outcome:

- Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path.

Our Student Bar Preparation survey for Fall 2017 revealed graduates' perceptions of the Multistate Bar Exam<sup>4</sup> subjects that were most challenging. These are highly unreliable data, reflecting *graduates' recollections of their perceptions at the time they took the bar* – which, in the case of the February takers, preceded the survey by 8 months. Some responses, where responders identified all seven subjects as uniquely difficult and also selected the option for “no subjects were particularly challenging”, suggest responders were not paying attention to their responses or were being deliberately misleading in their responses.

Even taking into account the shortcomings in these data, graduates' responses suggest Real Property is an area in which interventions might better prepare students for bar exam success. One possible intervention is to increase the number of required credits of Real Property. (Real Property is one of three required first-year courses that IU McKinney teaches in one, as opposed to two, semesters. The other two are Torts and Con Law.) Notably, there is *not* a substantial difference in graduates' perceptions of difficulty on the Real Property questions based on whether they passed or failed the bar exam.

SUBJECT → POPULATION ↓	CIV PRO	CON LAW	CONTRACTS	CRIM LAW AND PROC.	EVIDENCE	REAL PROP.	TORTS
<b>STUDENTS PASSED</b>	13	18	21	12	25	32	14
<b>STUDENTS DID NOT PASS</b>	5	5	4	2	8	8	3
<b>TOTAL</b>	18	23	25	14	33	40	17

The survey asked about graduates' study habits and work-and-life distractions. Past efforts have informed the intuition that substantial work obligations and short study periods may undermine bar success. Results from this year's survey generally confirm that intuition.

In the first table, we learn that the self-identified time of starting bar study seems to have minimal correlation to bar success. Because the end of the term (whether December for a February bar or May for a July bar) precedes the examination by between 2 and 3 months, it is not surprising that approximately 60% of students begin their study at that point.

MOS. IN ADV. → POPULATION ↓	> 3 MOS.	2-3 MOS.	1-2 MOS.	<1 MO.
<b>STUDENTS</b>	2	10	4	1

<sup>4</sup> The Multistate Bar Examination is a six-hour, 200-question multiple choice examination that tests seven core subjects. It is consistently considered the most challenging portion of the bar exam and the most likely portion of the test on which students will score poorly.

<b>PASSED</b>				
<b>STUDENTS DID NOT PASS</b>	5	33	16	1

In the second table, we learn that most students in each population (did not pass, passed) self-identified as studying more than 30 hours per week. However, self-identified volume of studying does correlate loosely with outcome. At the extreme end, **21 of 55 (38%)** of graduates who passed and **3 of 17 (18%)** of graduates who did not pass self identified as studying more than 40 hours weekly. **42 of 55 (76%)** of graduates who passed self identified as studying more than 30 hours weekly (counting both 30-40 and >40), while **11 of 17 (65%)** of graduates who did not pass self identified as studying at that volume. Similarly, none of the graduates who passed self identified as studying less than 10 hours weekly, while **2 of 17 (12%)** of graduates who did not pass self identified as studying that little.

HRS/WK. →	>40	30-40	20-30	10-20	<10
POPULATION ↓					
<b>STUDENTS PASSED</b>	21	21	11	2	0
<b>STUDENTS DID NOT PASS</b>	3	8	3	1	2

In the third table we compare hours worked with bar success. Our past survey suggested this statistic may be the greatest post-graduation predictor of bar success or its lack. The results of this year's bar survey support that conclusion. Notably, **6 of 17, or 35%**, of graduates who did not pass worked more than 25 hours weekly during bar study. In contrast, **8 of 55, or 15%**, of graduates who did pass worked at that volume. At the other extreme, **5 of 17, or 29%**, of graduates who did not pass were able to study without any work obligations. In contrast, **37 of 55, or 67%**, of graduates who did pass were able to study without any work obligations.

HRS/WK. →	>25	10-25	<10	0
POPULATION ↓				
<b>STUDENTS PASSED</b>	8	6	4	37
<b>STUDENTS DID NOT PASS</b>	6	2	4	5

Taking the study hours and work hours results together gives substantial support to the informed intuition that less work and more study after law school graduation increases the likelihood of bar success. Promising interventions include advising students of these data and assisting them in finding relief from work obligations for bar study.

### Faculty Reporting on Student Success

Faculty reporting on student success will be an effective means to evaluate achievement of learning outcomes that are not easily or reliably measured by other measures including bar passage, employment outcomes, and student surveys. The Evaluation Committee has not yet institutionalized a reliable method of faculty reporting. When instituted, the committee anticipates using faculty reporting to measure the following learning outcomes:

- Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path;
- Leverage real-world legal skills to succeed in the graduate's chosen career path;
- Exercise sound professional judgment and fulfill ethical responsibilities;
- Exhibit a high degree of competence in legal analysis, reasoning, research, and writing;
- Demonstrate acumen in oral communication in the legal context.

[PLACEHOLDER FOR FUTURE REPORTING ON FACULTY OBSERVATIONS OF STUDENT SUCCESS.]

### Employment Outcomes

The Evaluation Committee has tentatively identified Employment Outcomes as a valuable indirect measure of graduate success in the following learning outcomes:

- Transition readily to law practice or other government, non-profit, or private sector employment;
- Leverage a network of professional relationships.

Employment data necessarily lag data on other program outcomes because much employment is finalized after bar passage. Our data thus relate to AY 2015-2016 graduates.

IU McKinney compiles and reports employment data in the manner required by its accreditor. Thus, employment results are broken down by categories including full-time versus part-time, long-term versus short-term. Too, data are categorized as "bar passage required," "JD advantage," "professional," "non-professional," "law-school/university funded," and "undeterminable" – and further by type of employer.

Employment outcomes for IU McKinney graduates are strong relative to peer institutions. The broad categories that best reflect early starts on successful professional careers benefitting from the JD degree are:

- Bar passage required,
- JD advantage, and
- Professional positions.

The below chart demonstrates that 199 of 248 of 2016 graduates, or 80%, are employed in those broad categories. Among the more specific categories, those reflecting exceptional professional achievement and preparation include

- Clerkships,
- Public interest, and
- Medium-to-large large law firms.

Of 248 2016 graduates, the following chart reflects 46, or 19%, of graduates in these more specific categories.

<b>Category of Employment</b>	<b>Full Time Long Term</b>
Bar Passage Req'd	121
JD Advantage	66
Professional	12
<b>Total from Categories</b>	<b>199</b>
Clerkship	6
Public Interest	10
Law Firm >25 attorneys	30
<b>Total from Categories</b>	<b>46</b>
<b>Percentage of Total</b>	<b>19%</b>

## Summary and Conclusion

The IU McKinney PRAC Report demonstrates the Evaluation Committee's substantial start-up efforts in gathering existing data; identifying future promising sources of data; mapping the JD program curriculum; and identifying which data help to measure which learning outcomes. The project for Academic Year 2016-2017 has produced actionable results in terms of

- Recommendations for curricular interventions; and
- Recommendations for support for student bar exam preparation.

The committee's work has been primarily focused on moving the program review project from concept to reality. With that overarching goal in mind, the committee has made substantial strides, including stating a plan for continued program development through Academic Years 2017-18 and 2018-19.

# Appendix A: Degree Programs and Review Schedule

## Program Descriptions

IU McKinney confers four degrees: the Juris Doctor (JD); the Master of Laws (LLM); the Doctor of Science in Jurisprudence (SJD); and the Masters of Jurisprudence (MJ).

### Juris Doctor

The JD is the primary law degree for US lawyers, comprised of 90 credit hours usually earned over three (full time) or four (part time) years. JD students normally are graduates of four-year undergraduate degree programs in the US with Bachelors degrees. IU McKinney admits approximately 250 JD students yearly, graduating approximately 225 each year after taking into account attrition by transfer or failure to complete the program.

To earn a JD, students must:

- Complete 90 credit hours
- Maintain a cumulative grade point average of at least 2.3 on a 4.0 scale
- Complete all curricular requirements
- Complete a substantial research paper
- Complete the equivalent of six semesters of full-time resident study or eight semesters of part-time resident study
- Complete all of these degree requirements within 84 months of matriculation.

Once students complete these degree requirements, they may be certified as eligible for the bar examination in the state in which they intend to practice. Most JD graduates take a bar exam and ultimately intend to practice law. The great majority remain and pursue their professional lives in the State of Indiana.

Learning outcomes for the JD program are as follows:

A McKinney graduate will be prepared to:

1. Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path;
2. Leverage real-world legal skills to succeed in the graduate's chosen career path;
3. Exercise sound professional judgment and fulfill ethical responsibilities;
4. Exhibit a high degree of competence in legal analysis, reasoning, research, and writing;
5. Demonstrate acumen in oral communication in the legal context;
6. Serve as a leader or contributing team member in professional settings;
7. Transition readily to law practice or other government, non-profit, or private sector employment;
8. Leverage a network of professional relationships; and
9. Appreciate that excellence as a lawyer requires individual, life-long effort.

## Master of Laws

The LL.M. is the largest graduate program at IU McKinney, with approximately 20 new students in the degree yearly. The LL.M. degree is designed to deliver in-depth knowledge in a specific area, with “tracks” including

- American Law for Foreign Lawyers
- Corporate and Commercial Law
- Health Law, Policy, and Bioethics
- Intellectual Property Law
- International and Comparative Law
- International Human Rights Law

Students are most frequently credentialed lawyers in a foreign jurisdiction, frequently with a four year Bachelor of Laws (LLB) degree. Some LLM students are US lawyers seeking to develop a particular specialty for personal education or career advancement. With particular attention to satisfying detailed regulations, LL.M. graduates may qualify to sit for the bar exam in some US states.

IU McKinney has not yet adopted learning outcomes for the LL.M. program.

## Doctor of Science in Jurisprudence

The SJD is the terminal degree for lawyers in the US. The degree most closely approximates the Ph.D. offered in other disciplines. There is no set curriculum for the S.J.D. Instead, it is a research-based degree. To complete their candidacy, students are required to produce a dissertation of publishable quality constituting an original and scholarly contribution to the area of law they have chosen.

It ordinarily takes students three years to complete an S.J.D. degree, and they are required to complete, submit, and successfully defend their dissertation within five calendar years of the date of admission. S.J.D. graduates have the opportunity to publish their work on the ScholarWorks network at Indiana University, which makes their research available to lawyers and legal scholars worldwide.

Admission to the S.J.D. program at the McKinney School of Law is highly selective and limited to a small number of candidates. To be eligible, an applicant must:

- Hold a J.D. or LL.B. degree (minimum GPA of 3.0/B or the equivalent), or
- Hold a Master of Laws (LL.M.) degree from an ABA-accredited law school (minimum GPA of 3.0/B or the equivalent).

IU McKinney admits and graduates fewer than five SJD candidates each year.

IU McKinney has not yet adopted learning outcomes for the SJD program.

## Master of Jurisprudence

IU McKinney’s newest degree program is the MJ, a masters degree for non-lawyers seeking knowledge and skills that will enhance their careers. The MJ degree is designed for individuals interested in developing a better understanding of the law, but who do not wish to practice law or earn a J.D. degree. The degree requires completion of thirty credit hours, which are most frequently taken part-time (but may be taken full time).

Students create their own individualized curriculum that best suits their needs based on their area of interest. There are not “tracks” or “concentrations” as in the LL.M. program. IU McKinney offers sample curricula in several areas including Environmental Law, Energy, & Natural Resources Law, Human Resources, or Law Enforcement. Facilitating course choice, each M.J. candidate receives one-on-one assistance from a faculty advisor.

To be eligible for admission to the M.J. degree program applicants must hold a bachelor’s degree from a U.S. institution or an equivalent academic degree from an educational institution in a country other than the United States. Holders of a J.D. and other law degrees are ineligible for this degree.

IU McKinney admits approximately 10 new MJ students yearly. Because the degree is new and most students study part-time, the number graduating yearly does not currently match the number of matriculants.

IU McKinney has not yet adopted learning outcomes for the MJ program.

# Appendix B: Bar Success Survey Instruments

The Appendix includes the Bar Success Survey instruments for Fall 2016 and Fall 2017 and raw data from the responses.

[2016 Survey Instrument \(formatting the result of challenges in downloading from Google Forms to MS Word format\)](#)

## McKinney Bar Exam Retrospective

This voluntary survey is designed to help the McKinney School of Law to understand what helps students to pass the bar exam. The more information you are willing to share with us, the better we will be able to tailor course offerings, non-course programming, and advice, to facilitate success on the exam.

Not everyone will be comfortable responding to every question. However, the questions are independently valuable; if you are uncomfortable with any one question or series of questions, please simply leave it (them) blank and move on to the next question. Unless you voluntarily share your identification information, your response will be anonymous. Furthermore, even responses identified with individual students will be viewed only by select faculty and staff serving in a program evaluation role.

\*Once you have answered all the questions you are able to answer, please be sure to continue through to the end and click "submit" before being finished with the survey.\*

We appreciate your time.

1 **Questions Related to the Bar Exam** Your responses to the following questions will help us to know how best to prepare McKinney graduates to pass whatever bar exam they may choose to take. If you have taken the bar more than once, please respond based on your first bar exam experience.

2 **Which state's bar exam did you first take?** *Mark only one oval.*

Indiana  
Illinois

Ohio  
Kentucky  
Michigan  
Other:

3

4 Which month and year did you take your first bar exam? *Mark only one oval.*

July 2016  
February 2016  
July 2015  
February 2015

5

6 Did you pass the bar exam the first time you took it? *Mark only one oval.*

Yes  
No

7

8 If you did not pass the first time you took the bar exam, which best states your subsequent experience with/plans for the bar exam? *Mark only one oval.*

I plan to take it again (but have not yet done so)  
I passed the second time I took the exam  
I passed the third (or a later) time taking the bar exam  
I have not passed and will not take it again

9

10 If you have information (including a strong recollection) about your level of success on individual sections, check the box next to each of the portions that gave you the most trouble. (Please interpret "most trouble" however you like. A score that is below the passing level might be a good proxy.) \*Check all that apply.\* *Check all that apply.*

The Multistate Bar Exam (multiple choice) portion  
The Multistate Practice Test (written) portion  
The state law essay questions

11

12 Check the boxes indicating the subject matter on the Multistate Bar Exam (MBE) that you found most challenging. \*Check all that apply.\*  
*Check all that apply.*

Constitutional Law  
Contracts  
Criminal Law and Procedure  
Evidence  
Real Property  
Torts

Civil Procedure

13

14 **July 2016 Bar Exam** Please respond to the following  
questions if you took the July 2016 bar exam. (Skip to the next page if  
not.)

15 **July 2016: Which best states your degree of comfort/success with the  
Pleading and Practice question?** *Mark only one oval.*

16 17 18 19 20 21 22

23 No comfort/I was not at all  
successful on that question 24 25 26 27 28

29 High  
degree of  
comfort  
and  
success

30

31 **July 2016: Which best states your degree of comfort/success with the  
Commercial Law-Secured Transactions question?** *Mark only one  
oval.*

32 33 34 35 36 37 38

39 No comfort/I was not at all  
successful on that question 40 41 42 43 44

45 High  
degree of  
comfort  
and  
success

46

47 **July 2016: Which best states your degree of comfort/success with the  
Administrative Law question?** *Mark only one oval.*

48 49 50 51 52 53 54

55 No comfort/I was not at all  
successful on that question 56 57 58 59 60

61 High  
degree of  
comfort  
and  
success

62

63 **July 2016: Which best states your degree of comfort/success with the  
Business Organizations question?** *Mark only one oval.*

64 65 66 67 68 69 70

71 No comfort/I was not at all  
successful on that question 72 73 74 75 76

77 High  
degree of  
comfort  
and  
success

78

79	<b>July 2016: Which best states your degree of comfort/success with the Wills and Trusts question?</b>	<i>Mark only one oval.</i>						
80		81	82	83	84	85	86	
							93	High degree of comfort and success
87	No comfort/I was not at all successful on that question	88	89	90	91	92		
94								
95	<b>July 2016: Which best states your degree of comfort/success with the Family Law question?</b>	<i>Mark only one oval.</i>						
96		97	98	99	100	101	102	
							109	High degree of comfort and success
103	No comfort/I was not at all successful on that question	104	105	106	107	108		
110								
111	<b>Please describe the portions of the July 2016 bar exam, or subjects tested on the exam, with which you felt *most comfortable*. If you have thoughts as to what made you so comfortable on those sections/subjects, please let us know those thoughts.</b>							
112	<b>February 2016 Bar Exam</b> Please respond to the following questions if you took the February 2016 Bar Exam. (Skip to the next page if not.)							
113	<b>February 2016: Which best states your level of comfort/success with the Wills and Trusts question?</b>	<i>Mark only one oval.</i>						
114		115	116	117	118	119	120	
121	No comfort/I was not successful	122	123	124	125	126	127	High degree of comfort and success
128								
129	<b>February 2016: Which best states your level of comfort/success with the Administrative Law question?</b>	<i>Mark only one oval.</i>						
130		131	132	133	134	135	136	
137	No comfort/I was not successful	138	139	140	141	142	143	High degree of comfort and success
144								
145	<b>February 2016: Which best states your level of comfort/success with the Family Law question?</b>	<i>Mark only one oval.</i>						
146		147	148	149	150	151	152	
153	No comfort/I was not successful	154	155	156	157	158	159	High degree of comfort and success

160

161 **February 2016: Which best states your level of comfort/success with the Business Organizations question?** *Mark only one oval.*

162 163 164 165 166 167 168

169 No comfort/I was not successful 170 171 172 173 174 175 High degree of comfort and success

176

177 **February 2016: Which best states your level of comfort/success with the Pleading and Practice question?** *Mark only one oval.*

178 179 180 181 182 183 184

185 No comfort/I was not successful 186 187 188 189 190 191 High degree of comfort and success

192

193 **February 2016: Which best states your level of comfort/success with the Indiana Constitutional Law question?** *Mark only one oval.*

194 195 196 197 198 199 200

201 No comfort/I was not successful 202 203 204 205 206 207 High degree of comfort and success

208

209 **Please describe the portions of the February 2016 bar exam, or subjects tested on the exam, with which you felt \*most comfortable\*. If you have thoughts as to what made you so comfortable on those sections/subjects, please let us know those thoughts.**

210 **2015 Bar Exam** Please respond to the following questions if you first took the bar exam in 2015. (Skip to the next page if not.)

211 **If your first bar exam was not the February or July 2016 exam, please check the box corresponding to a state law essay subject you recall as being particularly challenging. \*Check all that apply.\*** *Check all that apply.*

Administrative Law  
Business Organizations  
Commercial Law - Secured Transactions  
Commercial Law - Payment Systems/Commercial Paper  
Constitutional Law  
Personal Property  
Pleading and Practice  
Family Law  
Taxation  
Wills and Trusts

212

213 **Please describe the portions of the exam, or subjects tested on the exam, with which you felt \*most comfortable\*. If you have thoughts as**

to what made you so comfortable on those sections/subjects, please let us know those thoughts.

214 **Questions Related to Bar Preparation** All  
responders: The following questions relate to your bar preparation outside of your JD degree program. Your responses will help McKinney to know how best to advise students and what assistance it should provide.

215 **Did you take a commercial bar preparation course to help you to prepare for your first bar exam?** *Mark only one oval.*

Yes

No

216

217 **If your response to the above is "yes," which of the following \*best\* identifies your use of commercially available bar preparation courses?** *Mark only one oval.*

I took a bar prep course from BarBri

I took a bar prep course from IndyBar

I took a bar prep course from Kaplan or Princeton Review

I took a bar prep course other than one of those identified

above (please fill in the blank below)

I took more than one bar prep course (please give more information below)

218

219 **If you answered "other than the above" or "more than one" to the prior question -- or if the question does not capture your use of commercial bar prep courses -- please explain here.**

220 **If you took a bar prep course, or more than one, which \*best\* states your level of participation/completion?** *Mark only one oval.*

I attended 90% or more of the classes/sessions

I attended less than 75% but more than half of the classes/sessions

I attended less than half of the classes/sessions

I hardly attended any classes/sessions

221

222 **If you did \*not\* take a bar prep course, which of the following best explains why?** *Mark only one oval.*

Too expensive/could not afford it

I felt I could successfully self study based on my law school performance

I did not feel a need to do substantial bar preparation work due to the base of knowledge acquired in law school

I was told that bar prep courses were not helpful

I work full time and could not fit it into my schedule

Other:

223

224 **Apart from attending commercial bar preparation classes/sessions, which \*best\* states your approach to studying for the exam?** *Mark only one oval.*

- Reviewed notes or study guides occasionally
- Reviewed notes or study guides regularly
- Reviewed notes or study guides regularly and tried some practice questions
- Reviewed notes or study guides regularly and spent significant time completing practice exams
- Did not study apart from the bar review course
- Other:

225

226 **Which best approximates the percentage of your study time devoted to taking practice exams?** *Mark only one oval.*

- None
- 1-10%
- 11-20%
- 21-30%
- More than 30%

227

228 **Which \*best\* states how you allocated your bar exam study as between the types of questions you might expect to encounter on the exam?** *Mark only one oval.*

- Mostly (more than 50%) essays
- Mostly (more than 50%) multiple choice (MBE)
- Mostly (more than 50%) Multistate Practice Test (MPT)
- Evenly split among the above
- Other:

229

230 **Which of the following study strategies did you use and find effective? \*Check all that apply.\*** *Check all that apply.*

- Individual study
- Small group study
- Large group study (e.g., review lectures)
- One-on-one or small group meetings with faculty or other experts
- "Cram sessions" characterized by several intense hours of study
- Repeated shorter review (e.g., switching subjects every hour or taking regular breaks to attend to other matters)
- Completing model essay questions, perhaps under exam

conditions

Completing model MBE sections, perhaps under exam

conditions

Other:

231

232 **Which \*most accurately\* states when you began your bar exam preparation?** *Mark only one oval.*

Less than a month before the exam

Between one and two months before the exam

Between two and three months before the exam

More than three months before the exam

233

234 **In your opinion, what did you do that most paid off in your bar exam preparation?**

235 **What, if anything, do you regret from your bar exam preparation?**

236 **Which of the below \*best\* captures your work obligations during bar exam study?** *Mark only one oval.*

I did not work during bar exam study

I worked a few hours per week (less than 10) during bar exam study

I worked part time (10-25 hours weekly) during bar exam study

I worked substantially full time (25+ hours weekly) during bar exam study

237

238 **Which \*best\* describes how close to the bar exam you continued working?** *Mark only one oval.*

I worked up to the last minute (a few days before the exam)

I worked up to the last couple of weeks but then took 1-2 weeks off

I took more than 2 weeks off

I continued working but substantially reduced my hours as the exam approached

Not applicable -- I did not work during bar exam study

239

240 **How did you primarily fund your bar exam study (prep course, living expenses, other)?** *Mark only one oval.*

I took a bar exam loan

I worked

A partner or family member covered expenses

My employer (or future employer) covered expenses

Savings

I used my existing financial aid (student loan)

Other:

241

242 **Questions Related to Your Advance**  
**Understanding of How to Prepare for the Bar**  
**Exam**

243 **During your 1L year, how clear was it to you that all of the classes**  
**you were taking were "bar" courses?** *Mark only one oval.*

244            245   246   247   248   249   250  
251 Not            252   253   254   255   256   257 I was fully  
clear at                                                                   aware of this.  
all.

258

259 **Which of the below was the source of your understanding that 1L**  
**classes were "bar" courses? \*Check all that apply.\*** *Check all that*  
*apply.*

- Student Affairs Office advising
- Faculty advising
- Word-of-mouth (from classmates, upper level students)
- Advice from others not at the law school (family members,  
friends or mentors from the community)
- Programs/seminars hosted by Student Affairs or Admissions  
Office
- Advice received from Admissions at time of application or  
admission
- Other:

260

261 **How did you learn of the bar-recommended elective courses that**  
**were available to you as an upper level student? \*Check all that**  
**apply.\*** *Check all that apply.*

- Student Affairs Office advising
- Faculty advising
- Word-of-mouth (from classmates, upper level students)
- Advice from others not at the law school (family members,  
friends or mentors from the community)
- Programs/seminars hosted by Student Affairs or Admissions  
Office
- Advice received from Admissions at time of application or  
admission
- Other:

262

263 **Based on your experience with the bar exam, are there any elective courses (or credit-bearing learning experiences) that you would recommend McKinney make required, rather than elective?**

264 **Did you receive advice from a McKinney faculty member to take bar courses?** *Mark only one oval.*

Yes (I received such advice)

No (I did not receive such advice)

265

266 **Did you receive advice from a McKinney faculty member \*not to worry\* about taking bar courses?** *Mark only one oval.*

Yes, I received advice not to worry about it

No, I did not receive advice not to worry about it

267

268 **At any time during law school, did you hear or did you otherwise acquire information about the relationship between law school GPA and bar exam success?** *Mark only one oval.*

Yes

No

269

270 **Other** What more can you tell us? Please do not be shy!

271 **Please tell us anything else you can think of that speaks to your performance on the bar exam. What did you do that you would do again? What did you do that you would not do again? What advice do you wish you had received? What kind of preparation would have helped your performance?**

272 **Questions Related to your JD Studies** This section relates to your studies in the JD degree at McKinney. Your responses will help us to know how best to advise students and what courses and other assistance the school should provide.

273 **Did you take a bar prep course offered by McKinney?** *Mark only one oval.*

Yes

No

274

275 **Which best states the success of that course in helping you to prepare for the bar exam? (Leave blank if not applicable.)** *Mark only one oval.*

276            277   278   279   280   281   282

---

283 No help at all   284   285   286   287   288   289 Invaluable assistance

---

290

291 **Please state how many "bar courses" that you took while in law school. This category includes those courses that are commonly understood to cover material tested on the bar exam, such as Family Law, Evidence, Commercial Law, and Indiana Constitutional Law (among perhaps a dozen others).**

292 **Which of the following best indicates your cumulative law school GPA at the end of 30 credits (or an appropriate semester end with approximately that number of credits).** *Mark only one oval.*

- Less than 2.4
- 2.4-2.5
- 2.6-2.7
- 2.8-2.9
- 3.0-3.1
- 3.2-3.3
- Above 3.3

293

294 **Which of the following best indicates your cumulative law school GPA at the end of 60 credits (or an appropriate semester end with approximately that number of credits).** *Mark only one oval.*

- Less than 2.4
- 2.4-2.5
- 2.6-2.7
- 2.8-2.9
- 3.0-3.1
- 3.2-3.3
- Above 3.3

295

296 **Which of the following best indicates your cumulative law school GPA at the time of graduation?** *Mark only one oval.*

- Less than 2.4
- 2.4-2.5
- 2.6-2.7
- 2.8-2.9
- 3.0-3.1
- 3.2-3.3
- Above 3.3

297

298 **\*Voluntary\* Demographic/Identification Information AND Focus Group Invitation** The

below information will help McKinney to determine whether it is appropriately serving its diverse community. The questions are not

required but your responses will be a tremendous assistance.

299

300 At the very end we invite you to consider participating in a focus group to gather more information about the topics raised in this survey. If you are willing to do so, we ask you to send a separate e-mail to the addresses indicated; doing so will preserve your privacy with regard to the survey.

301 **Responder Name (as used on your Bar application)**

302 **Responder Name (as used at McKinney -- if different from above)**

303 **Responder Gender Identification** *Mark only one oval.*

Female

Male

304

305 **Responder Age** *Mark only one oval.*

27 or younger

28-32

32-36

37 or older

306

307 **Responder Race/Ethnicity Identification** *Mark only one oval.*

Black/African American

Asian/Asian American/Pacific Islander

Latina/Latino/Hispanic

White/Caucasian

Native American/Native Alaskan/Native Hawaiian

Other

308

309 **Responder Degree Program** *Mark only one oval.*

Full Time

Part Time

Mixed (started Part/finished Full Time or vice versa)

310

311 **In which range did your \*undergraduate\* GPA fall?** *Mark only one oval.*

Less than 2.5

2.5-2.8

2.9-3.2

3.3-3.6

Above 3.6

312

313 **In which range did your LSAT fall?** *Mark only one oval.*

Less than 147

147-150  
151-154  
155-158  
Above 158

314

315 **I would be willing to participate in a focus group this fall, discussing further the topics in this survey** *Mark only one oval.*

Yes

No

Maybe -- please invite me but no promises

316

317 **If the answer to the above is "yes" or "maybe," please provide your e-mail address or other best contact information. (If you prefer to maintain your privacy, do not respond to this question and instead send an offline e-mail to [huffmmax@iupui.edu](mailto:huffmmax@iupui.edu); [smboyne@iupui.edu](mailto:smboyne@iupui.edu); [falong@iu.edu](mailto:falong@iu.edu).)**

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2017 Survey Instrument (disseminated using Qualtrix)

## Bar Retrospective Survey

---

Start of Block: Default Block

Q2 McKinney Bar Exam Retrospective - 2017

This voluntary, anonymous survey is designed to help the IU McKinney School of Law understand what helps students and graduates pass the bar exam. Your responses will help us tailor course offerings, co-curricular programming, mentorship, and advice in our efforts toward facilitating success on the bar exam.

You may find it helpful to have a copy of your law school transcript to reference while taking this survey. Your unofficial transcript is available in the Student Information System (SIS) under the "academics 2" tab.

If you have questions or concerns please contact the Evaluation Committee at [mckinney.evaluation@gmail.com](mailto:mckinney.evaluation@gmail.com). We appreciate your time.

End of Block: Default Block

---

Start of Block: Block 3

Q15 Questions Related to the Bar Exam

End of Block: Block 3

---

Start of Block: Block 1

Q4 Which state's bar exam did you FIRST take?

- Indiana
  - Other (please list) \_\_\_\_\_
- 

Q5 Which month and year did you take your FIRST bar exam?

- February 2016
  - July 2016
  - February 2017
  - July 2017
- 

**Commented [HM1]:** This needs to be limited to Feb and July 2017 based on our new plan for dissemination.

Q6 Which of the following best represents your graduation status when you took your FIRST bar exam?

- I had graduated
  - I had substantially completed graduation requirements (e.g., Advanced Writing Requirement yet to be completed or needed a few more course credits)
  - I had not substantially completed graduation requirements (e.g. sat for the February prior to graduating in May or sat for the July bar prior to graduating in December)
- 

Q7 Which best describes your result on the bar exam the FIRST time you took it?

- I passed
  - I passed after appeal
  - I did not pass
  - My score was in the appeal range but the appeal did not success (did not pass)
- 

*Display This Question:*

*If Which best describes your result on the bar exam the FIRST time you took it? = I did not pass*

*Or Which best describes your result on the bar exam the FIRST time you took it? = My score was in the appeal range but the appeal did not success (did not pass)*

Q8 Which best states your future plans with regard to the bar exam?

- I plan to take it again (but have not yet done so)
  - I passed the second time I took the bar exam
  - I passed the third (or later) time I took the bar exam
  - I have taken it more than once and have not passed
  - I am undecided as to whether I will take it again
- 

**Commented [HM2]:** This needs changing if we are sending only to Feb and July 2017 first time takers.

Q12 If you have information (including a strong recollection) about your level of success on individual sections, which of the portions did you find troublesome? (Please interpret "troublesome" however you like. A score that was below the passing level might be a good proxy.)

*Please check all that apply.*

- The Multistate Bar Exam (multiple choice) portion
  - The Multistate Practice Tet (written) portion
  - The state law essay questions
-

Q13 What subject matter on the Multistate Bar Exam (MBE) did you find challenging? If you took the corresponding course during law school, please list your course grade.

Please check all that apply.

- Constitutional Law (please list GPA) \_\_\_\_\_
- Contracts (please list GPA) \_\_\_\_\_
- Criminal Law and Procedure (please list GPA) \_\_\_\_\_
- Evidence (please list GPA) \_\_\_\_\_
- Real Property (please list GPA) \_\_\_\_\_
- Torts (please list GPA) \_\_\_\_\_
- Civil Procedure (please list GPA) \_\_\_\_\_
- I did not find any of the aforementioned subjects challenging.

**Commented [HM3]:** "state"

**Commented [HM4]:** GPA is the wrong word. "Course Grade"

**Commented [HM5]:** Delete, use "listed"

End of Block: Block 1

Start of Block: Block 4

Q16 Questions Related to Commercial Bar Preparation Course

Q17 Did you take a commercial bar preparation course to help you to prepare for your FIRST bar exam?

- Yes
- No

Display This Question:

If Did you take a commercial bar preparation course to help you to prepare for your FIRST bar exam? = No

Q18 Please select all of the following that offer an explanation as to why you did not take a commercial bar preparation course.

- Commercial bar preparation courses were too expensive and/or I could not afford it
- I felt I could successfully self study based on my law school performance
- I did not feel a need to do substantial bar preparation work based on my knowledge from law school
- I was told that bar prep courses were not helpful
- I work full time and could not fit it into my schedule
- Other (please list) \_\_\_\_\_

Display This Question:

If Did you take a commercial bar preparation course to help you to prepare for your FIRST bar exam? = Yes

Q19 From which provider did you take your commercial bar prep course?

- BarBri
- IndyBar
- Kaplan
- Princeton Review
- Themis
- More than one (please explain) \_\_\_\_\_
- Other (please list) \_\_\_\_\_

End of Block: Block 4

---

Start of Block: Block 2

Display This Question:

*If Did you take a commercial bar preparation course to help you to prepare for your FIRST bar exam? = Yes*

Q14 If you took a commercial bar prep course, which of the following MOST ACCURATELY states the manner in which you experienced MOST of the course lectures?

- I attended live classroom bar prep sessions
- I attended online bar prep sessions
- I watched a video
- I listened to audiotapes of the bar prep sessions
- Other (please list) \_\_\_\_\_

End of Block: Block 2

---

Start of Block: Block 5

Q21 Questions Related to Bar Study (whether of not you took a commercial bar preparation course) for your FIRST Bar Exam

---

Q22 Which of the following MOST ACCURATELY states when you began your bar exam preparation?

- Less than one month before the exam
  - Between one month and two months before the exam
  - Between two and three months before the exam
  - More than three months before the exam
-

Q23 Which of the following MOST ACCURATELY states the average number of hours per week that you studied for the bar exam during the time period identified above?

- Less than 10 hours per week
  - Between 10 and 20 hours per week
  - Between 20 and 30 hours per week
  - Between 30 and 40 hours per week
  - More than 40 hours per week
  - Other (please list) \_\_\_\_\_
- 

Q24 Which of the following is the MOST ACCURATE description for your "ramp up" period leading into the test?

- I did not meaningfully increase my study time (less than 10% increase) in the final weeks
  - I increased my study time per week modestly (10-50% increase) in the final weeks
  - I increased my study time per week substantially (50-100% increase) in the final weeks
  - I doubled (or more) my study time in the final weeks
  - None of these describe my ramp up (please describe your ramp up)  
\_\_\_\_\_
-

Q25 Which of the below MOST ACCURATELY captures your work obligations during bar exam study?

- I did not work during bar exam study
- I worked on average a few hours per week (less than 10 hours) during bar exam study
- I worked on average a moderate number of hours per week (10-25 hours) during bar exam study
- I worked substantially full time (25+ hours weekly) during bar exam

---

*Display This Question:*

*If Which of the below MOST ACCURATELY captures your work obligations during bar exam study? = I worked on average a few hours per week (less than 10 hours) during bar exam study*

*Or Which of the below MOST ACCURATELY captures your work obligations during bar exam study? = I worked on average a moderate number of hours per week (10-25 hours) during bar exam study*

*Or Which of the below MOST ACCURATELY captures your work obligations during bar exam study? = I worked substantially full time (25+ hours weekly) during bar exam*

Q26 Which of the below MOST ACCURATELY states how close to the bar exam you continued working?

- I took more than two weeks off prior to the bar
  - I took between 1-2 weeks off prior to the bar
  - I took less than one week off prior to the bar
  - I continued working almost to the bar but substantially reduced my hours
-

Q27 Which of the below MOST ACCURATELY states your family obligations during bar study?

- Family obligations were limited (less than 10 hours weekly)
  - Family obligations were moderate (10-25 hours weekly)
  - Family obligations were substantial (25 hours or more weekly)
  - Other (please list) \_\_\_\_\_
- 

Q28 Which of the below MOST ACCURATELY states the percentage of your study time devoted to taking practice exams?

- None
  - 1-10%
  - 11-20%
  - 21-30%
  - More than 30%
  - Other (please list) \_\_\_\_\_
-

Q29 Which MOST ACCURATELY states the percentage of your study time devoted to reviewing notes, outlines, or study guides?

- None
  - 1-10%
  - 11-20%
  - 21-30%
  - More than 30%
  - Other (please list) \_\_\_\_\_
- 

Q30 Which MOST ACCURATELY states how you allocated your bar exam study as between the TYPES OF QUESTIONS you might expect to encounter on the exam?

- More of than 40% of essays
  - More than 40% on the Multistate Bar Exam (MBE)
  - More than 40% on the Multistate Practice Text (MPT)
  - Fairly evenly split among the above
  - Other (please list) \_\_\_\_\_
-

Q31 How did you primarily fund your bar exam study (prep course, living expenses, other)?

- I had a bar exam loan
- I worked
- A family member or my spouse/significant other covered expenses
- My employer (or future employer) covered expenses
- I used my personal savings
- I used my existing financial aid (student loans)
- Other (please list) \_\_\_\_\_

End of Block: Block 5

---

Start of Block: Block 6

Q33 Questions Related to your JD Studies

---

Q34 Which of the following best indicates your cumulative law school GPA at the end of your FIRST YEAR (or approximately 30 credits if part time)?

- Less than 2.4
  - 2.4-2.5
  - 2.6-2.7
  - 2.8-2.9
  - 3.0-3.1
  - 3.2-3.3
  - Above 3.3
- 

Q35 Which of the following best indicates your cumulative law school GPA at the end of your SECOND YEAR (or approximately 60 credits if part time)?

- Less than 2.4
  - 2.4-2.5
  - 2.6-2.7
  - 2.8-2.9
  - 3.0-3.1
  - 3.2-3.3
  - Above 3.3
-

Q36 Which of the following best indicates your cumulative law school GPA and the time of GRADUATION?

- Less than 2.4
  - 2.4-2.5
  - 2.6-2.7
  - 2.8-2.9
  - 3.0-3.1
  - 3.2-3.3
  - Above 3.3
- 

Q37 Did you take the for-credit bar preparation course (PASS or BEST) offered at McKinney?

- Yes
  - No
- 

*Display This Question:*

*If Did you take the for-credit bar preparation course (PASS or BEST) offered at McKinney? = Yes*

Q38 How helpful was PASS or BEST in helping you prepare for the bar exam?

- 0 (no help at all)
  - 1 (somewhat helpful)
  - 2 (helpful)
  - 3 (invaluable)
-

Q40 Considering only your specific bar exam preparation: please identify one or more things that you believe was/were MOST HELPFUL in your bar exam preparation.

---

Q41 Considering only your specific bar exam preparation: please identify one or more things that you MOST REGRET from your bar exam preparation.

---

Q42 Please share with us anything else you can think of that speaks to your performance on the bar exam.

---

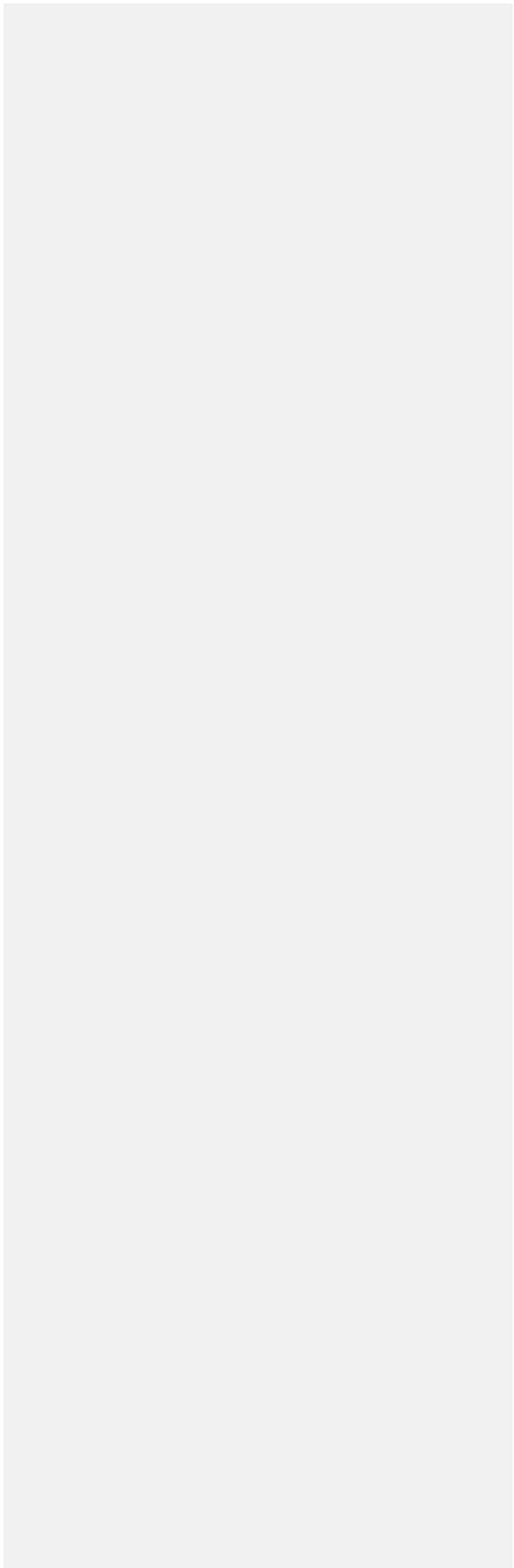
End of Block: Block 6

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Start of Block: Block 7

Q43 Demographic Information

---



Q44 In which range did your LSAT fall?

- Less than 147
  - 147-150
  - 151-154
  - 155-158
  - Above 158
- 

Q46 In what range did your UNDERGRADUATE GPA fall?

- Less than 2.5
  - 2.5-2.8
  - 2.9-3.2
  - 3.3-3.6
  - Above 3.6
- 

Q47 What was your status in the JD program?

- Full Time student
  - Part Time student
  - Mixed (started part/finished full time or vice versa)
-

Q48 What was your age at the time of your FIRST bar exam?

- 27 or younger
  - 28-32
  - 33-36
  - 37 or older
  - Prefer not to say
- 

Q49 What is your gender identification?

- Male
  - Female
  - Other
  - Prefer not to say
-

Q50 What is your race/ethnicity identification?

- Black/African American
- Asian/Asian American/Pacific Islander
- Latina/Latino/Hispanic
- White/Caucasian
- Native American/Native Alaskan/Native Hawaiian
- Other
- Prefer not to say

End of Block: Block 7

---

# Appendix C: Instrument for Defining Competencies and Achievement Metrics

## McKinney School of Law Educational Objectives

A **McKinney graduate** will be prepared to:

- Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path;
- Build upon a base of legal skills to succeed in the graduate's chosen career path;
- Exercise sound professional judgment and fulfill ethical responsibilities;
- Exhibit a high degree of competence in legal analysis, reasoning, research, and writing;
- Demonstrate acumen in oral communication in the legal context;
- Serve as a leader or contributing team member in professional settings;
- Transition readily to law practice or other government, non-profit, or private sector employment;
- Leverage a network of professional relationships; and
- Appreciate that excellence as a lawyer requires individual, life-long effort.

## Projects

1. Further define objectives in terms of "competencies" that, when achieved, will reflect achievement of the objectives\*
2. For each competency, define four degrees of achievement with the highest level reflecting complete preparedness for professional life (with regard to that competency)\*

\*"Achievement" and "preparedness" reflect the highest aspiration for a graduate from a JD program, but are not intended to suggest a level of accomplishment that does not allow for further development.

## Objective 1

“A McKinney graduate will be prepared to build upon an existing base of legal knowledge to succeed in the graduate’s chosen career path.”

### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Improve on the language of the competencies and/or articulate additional competencies

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
· In the context of the <b>core curriculum</b> , students will identify, describe, interpret, and apply the fundamental terms, rules, policy, and principles.				
· In the context of upper level electives chosen by the student, students will interpret and synthesize legal rules, policy, and principles.				
· Students will show the ability to analyze the impact of legal rules on society, understood from a variety of perspectives.				
Other?				
Other?				

## Objective 2

“A McKinney graduate will be prepared to build upon a base of legal skills to succeed in the graduate’s chosen career path.”

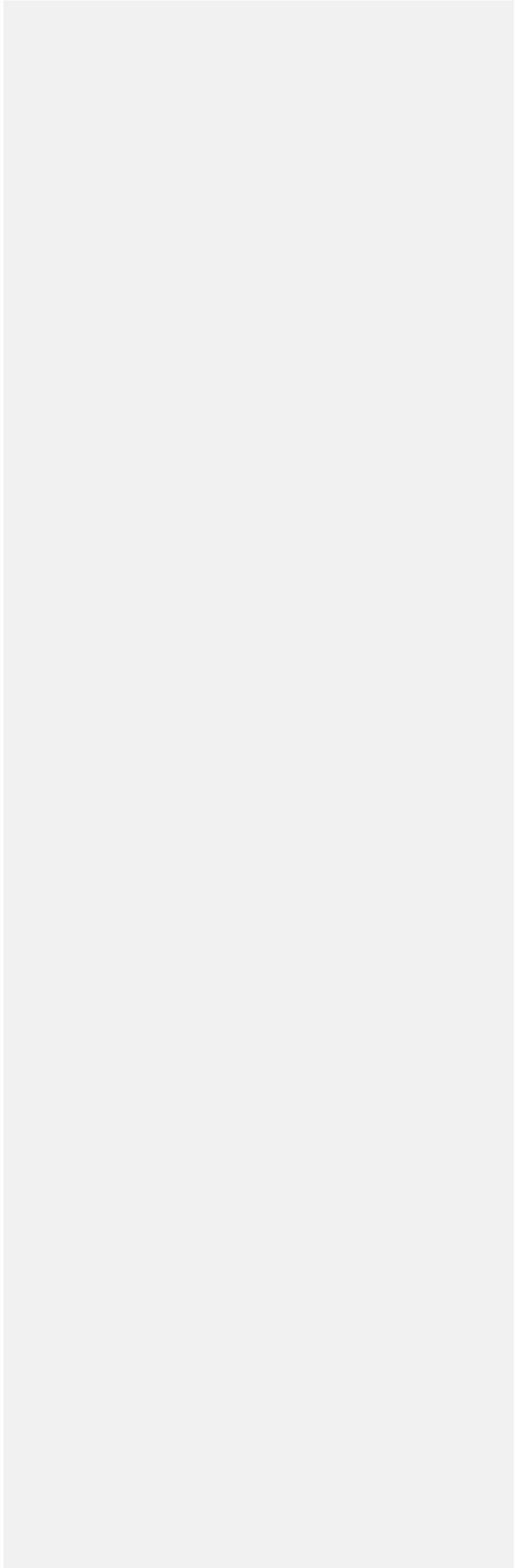
### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Articulate competencies reflecting “legal skills”. Guidance:
  - Competencies serving this objective are those other than the writing, reasoning, and oral communication skills that merit their own objectives (4 and 5)
  - Competencies should be phrased with sufficient generality to capture categories of skills. For example, “taking deposition” is a core legal skill for many practices but is too specific to serve as a competency. The placeholders, “Factual development,” “Finding the law,” and “Cultural competency,” are all promising options that need consideration and improvement.

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
Category of legal skills 1  Project management, moving matters forward, outcome oriented,	Assume leadership Own the client relationship Reach out and show interest Dynamism Proof that they “really want it” Confident leadership Time			

	management			
Category of legal skills 2 [Factual development?] [Finding the law?]	Curiosity, visit the plant, ask the questions Analysis of the problem Study, know client's business Asking questions, interviewing clients, digging deeper, looking around corners to anticipate			
Category of legal skills 3 Interpersonal relationships, empathy, emotional intelligence, and cultural competency	Client relationships Listening skills Interactivity, personability Ability to manage cultural differences, respect different backgrounds Comfortable putting this person in front of clients Projecting confidence			
Business skills	Ability to value a case Ability to see law as a business Ability to comprehend client's business			
Communication, translate law to layperson	Listening skills Analyze problem and			

	communicate solution Provide context for issue			
--	---	--	--	--



### Objective 3

“A McKinney graduate will be prepared to exercise sound professional judgment and fulfill ethical responsibilities.”

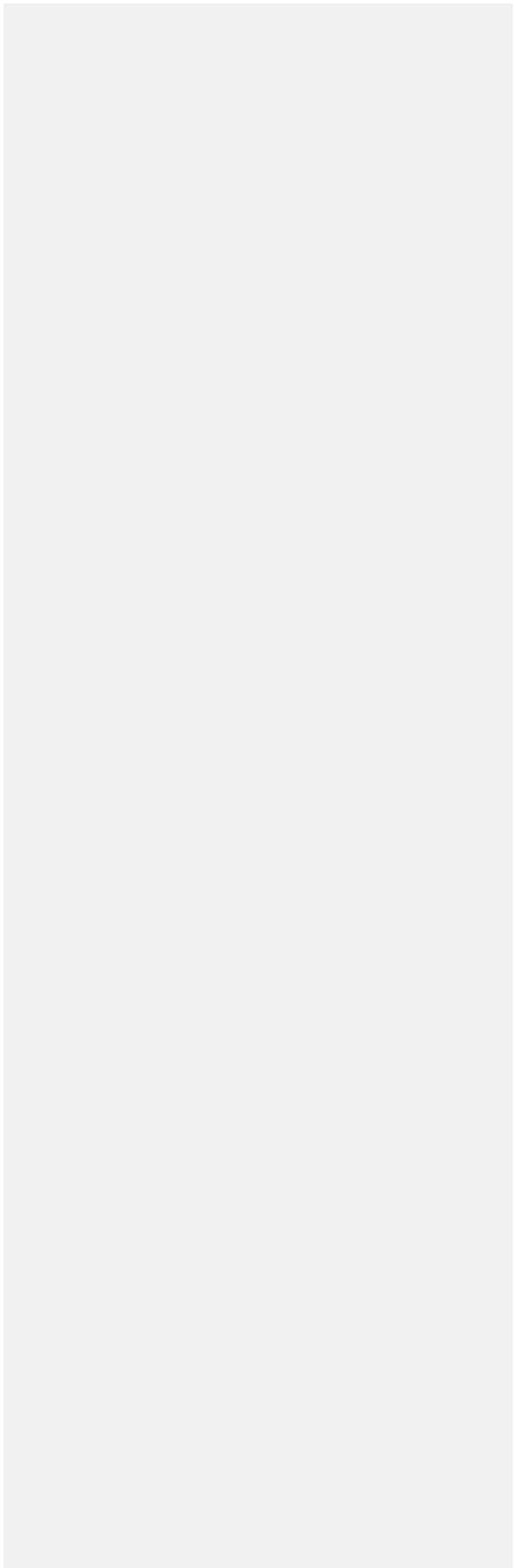
#### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Improve on the language of the competencies and/or articulate additional competencies

Achievement metrics→  Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
· Identify and resolve <b>ethical issues</b> in law or generally	Line between personal and professional  Conscientious attention to ethical obligations  Billing hours  Appropriate use of resources  Knowledge of the difference between professional and ethical responsibility  Knowledge of rules and ethical standards  Recognize that there are no “minor” ethical errors			

<p>· Exhibit <b>passion</b> for a representation and <b>work ethic</b></p>	<p>Organized and detailed</p> <p>Success in class reflects work ethic</p> <p>Recommendations by professionals reflects work ethic</p>			<p>Late to interview</p> <p>Not carrying full load, taking easier classes, earning poor grades</p> <p>Fake resume</p>
<p>· Integrate <b>moral principles and values</b> with a lawyer's professional responsibilities</p>	<p>"Say something" if there is a problem</p> <p>Participate in organizations that reflect values, engage in life experiences that reflect values</p> <p>Strength of character to take correct action</p> <p>Extends beyond pure rules of professional conduct, including harassment (e.g.)</p> <p>Participation in groups that reflect values</p>			<p>Arrest record</p>
<p>Sound <b>professional judgment</b></p>	<p>Idea of "actual practice"</p> <p>Read disciplinary opinions to see pitfalls</p> <p>Self-awareness, knowledge of what you can/cannot handle</p> <p>Display ethical judgment in interviews</p> <p>Respond appropriately when ethics/professionalism tested</p> <p>Understand conflicts between personal values and business</p>			

	judgments Good resolution of ethical hypothetical when asked			
Other?				



## Objective 4

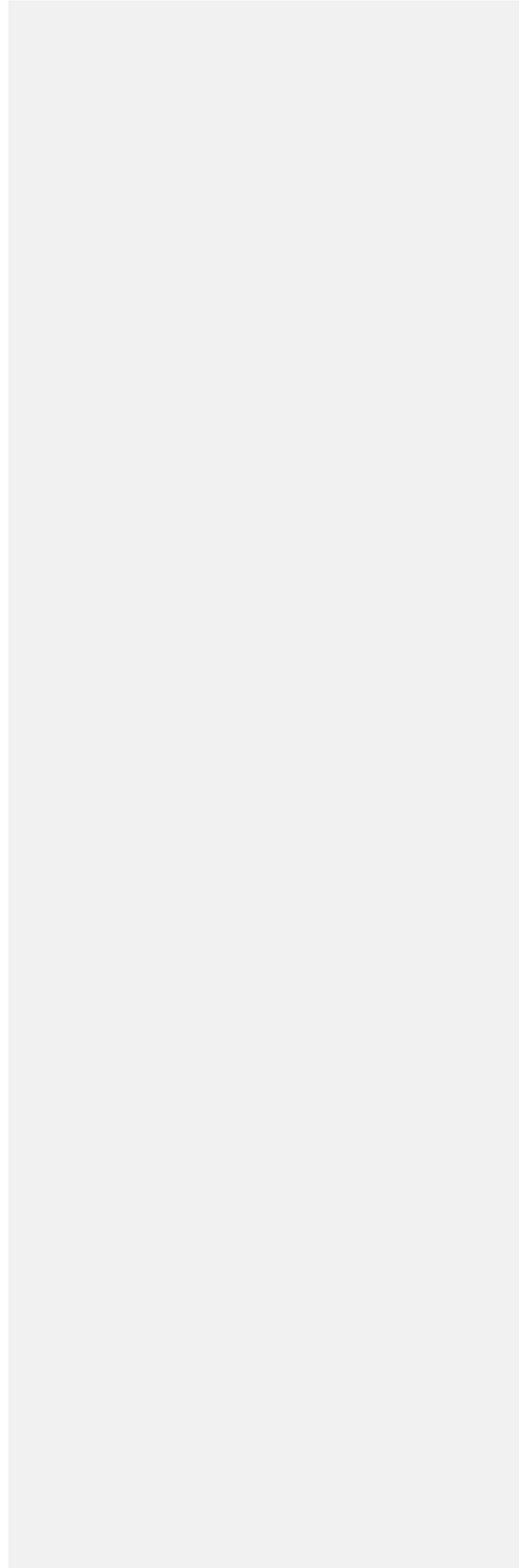
“A McKinney graduate will be prepared to exhibit a high degree of competence in legal analysis, reasoning, research, and writing.”

### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Improve on the language of the competencies and/or articulate additional competencies. Guidance:
  - Competencies serving this objective are skills specific to the categories of reasoning and writing
  - Competencies should be phrased with sufficient generality to capture *categories* of skills. For example, “writing a complaint” is a core legal skill for many practices but is too specific to serve as a competency. The placeholders, “Write polished advocacy documents,” “Write objective legal memoranda,” and “Write core litigation and transactional documents,” are all promising options that need consideration and improvement.

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
Competency 1 [Write polished advocacy documents]				
Competency 2 [Write objective legal memoranda]				
Competency 3 [Write core litigation and transactional documents]				
Other?				

Other?				
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## Objective 5

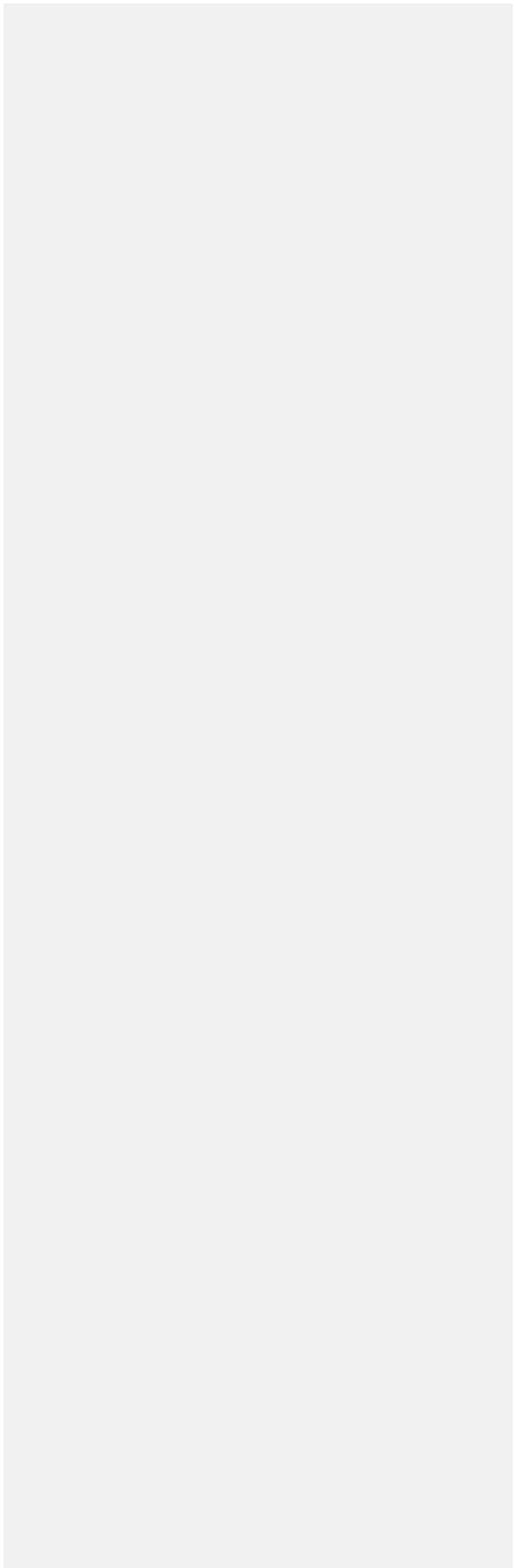
“A McKinney graduate will be prepared to demonstrate acumen in oral communication in the legal context.”

### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Improve on the language of the competencies and/or articulate additional competencies. Guidance:
  - Competencies serving this objective are skills specific to the categories of reasoning and writing
  - Competencies should be phrased with sufficient generality to capture *categories* of skills. For example, “making an appellate argument” is a core legal skill for some practices but is too specific to serve as a competency. The placeholders are promising options that need substantial consideration and improvement.

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
Competency 1  [Explain issues, arguments, and conclusions to other lawyers and to laypersons]				
Competency 2  [Make formal oral presentations to courts, other tribunals, or other audiences]				
Competency 3  [Exhibit professional				

oral skills in front of all audiences ]				
Other?				
Other?				



## Objective 6

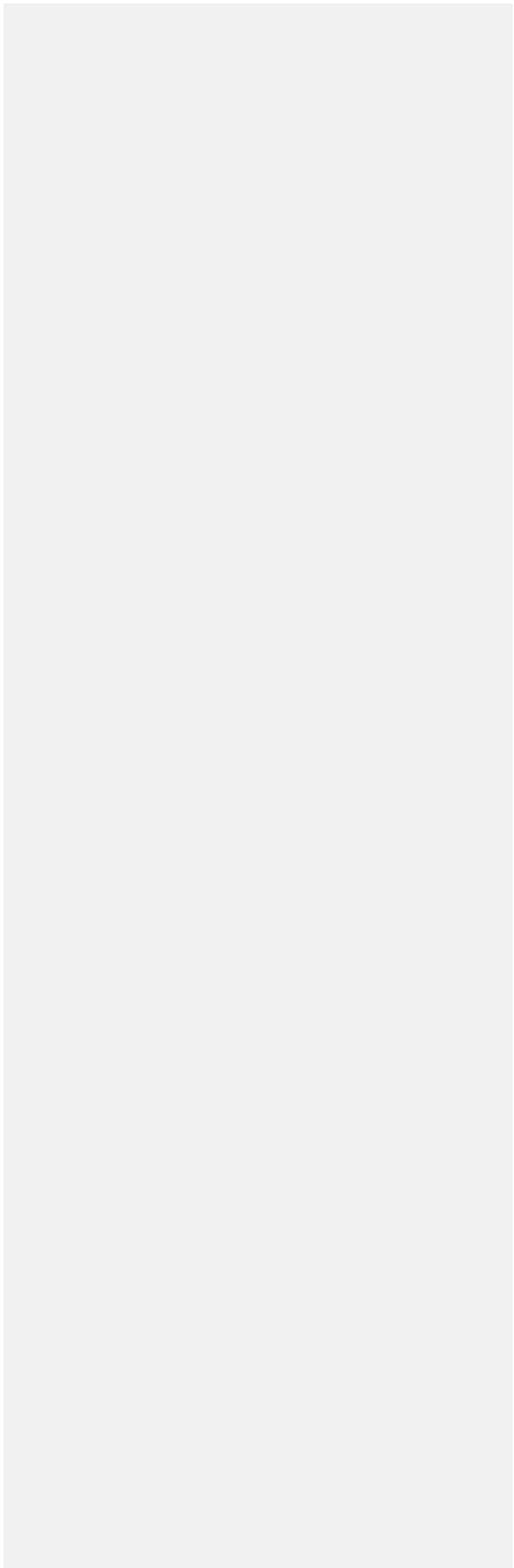
“A McKinney graduate will be prepared to serve as a leader or contributing team member in professional settings.”

### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Articulate competencies reflecting “teamwork”. Guidance:
  - Competencies should be phrased with sufficient generality to capture categories of skills. For example, “managing a litigation team” is something many lawyers may need to do, but one can be a highly successful lawyer without ever doing that. Promising examples (that need improvement) are included as placeholders.

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
Teamwork 1  [Lead a team of lawyers and/or legal support staff to achieve a group outcome]				
Teamwork 2  [Contribute to a legal team led by another in pursuit of a group outcome]				
Teamwork 3  [Drive progress toward a goal in the face of				

opposition from others]				
Other?				
Other?				



## Objective 7

“A McKinney graduate will be prepared to transition readily to law practice or other government, non-profit, or private sector employment.”

### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Articulate competencies reflecting “practice readiness”. Guidance:
  - Competencies serving this objective should differ from those in related categories including skills, knowledge, professionalism and teamwork
  - Competencies should be phrased with sufficient generality to capture categories of skills. For example, “interviewing well” is an important skill for many in entering practice but reflects only one of many ways for lawyers to make the transition.
  - This objective is challenging to articulate in terms of competencies. Promising but imperfect efforts are included below.

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
Transitioning 1 [Awareness of professional opportunities?]				
Transitioning 2 [Understanding of law as a business?]				
Other?				
Other?				

## Objective 8

“A McKinney graduate will be prepared to leverage a network of professional relationships.”

### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Articulate competencies reflecting “networking”. Guidance:
  - Competencies serving this objective should be different from “transitioning to practice”.
  - Competencies should be phrased with sufficient generality to capture categories of skills. For example, “having mentors in law practice” is one way to leverage a network but not every successful lawyer will start that way.

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
Networking 1  [Comfort engaging in unscripted settings among professionals.]				
Networking 2  [Skill in identifying opportunities for mutually beneficial exchange with other professionals.]				
Other?				
Other?				

## Objective 9

“A McKinney graduate will be prepared to appreciate that excellence as a lawyer requires individual, life-long effort.”

### The Projects:

- Articulate definitions of excellence, competency, emerging, and insufficient for each competency. Guidance:
  - Excellence might be what you find in an especially prized new hire coming straight from law school
  - Competency might be an excellent rising 3L who needs more coursework or experiential learning to achieve excellence
  - Emerging might be a rising 2L who has found success in the 1L curriculum but needs substantial additional coursework, mentorship, and experiential learning to achieve excellence
  - Insufficient is what we might expect on many categories from a beginning law student or a student who is struggling across large swaths of the JD program
- Articulate competencies reflecting “life-long learning”. Guidance:
  - This may be uniquely hard to break down into competencies. Likely options include soft skills of humility and inquisitiveness. Credible but imperfect attempts are included below.

Achievement metrics→ Competency↓	Excellence (complete preparedness)	Competency (adequate for a beginning professional)	Emerging (more work required to begin professional practice)	Insufficient (lack of basic achievement)
Life-long learning 1 [Self-directed learning.]				
Life-long learning 2 [Pursuit of extracurricular opportunities]				
Other?				
Other?				

## Appendix D: Curricular Map 2016-2017

Course Title	... base of legal knowledge and skills	Professional judgment and ethics	Legal writing, analysis, reasoning, communication	Legal oral communication	Leader and team player	Transition to work	Network of relationships	Life-long effort
Civil Procedure	3	1	3	1	0	3	1	0
Civil Procedure	0	2	2	1	0	0	0	1
Average across Civ Pro	1.5	1.5	2.5	1	0	1.5	0.5	0.5
Contracts & Sales I	3	2	3	3	3	3	3	3
Average across contracts	3	2	3	3	3	3	3	3
LCA I	2	1	3	1	0	1	0	1
LCA I	2	2	3	2	2	3	0	3
LCA I	3	1	3	0	0	3	0	1
LCA I	3	2	3	3	2	2	0	2
LCA I	3	0	3	0	0	1	0	0
LCA I	3	3	3	2	2	3	1	3
LCA I & II	1	2	3	3	1	1	1	1
Average across writing	2.43	1.57	3.00	1.57	1.00	2.00	0.29	1.57
Legal Research	3	2	3	0	2	3	0	3
Legal Research	2	2	3	0	2	3	0	3
Legal Research	3	3	3	0	2	3	0	3
Legal Research	3	3	3	0	2	3	0	3
Legal Research	2	2	3	0	1	2	0	2
Legal Research Averages	2.6	2.4	3	0	1.8	2.8	0	2.8
Property	2	2	2	2	2	3	2	2
Property Averages	2	2	2	2	2	3	2	2
Torts	1	3	3	3	3	2	3	2
Torts	1	1	3	1	0	0	0	2
Average across torts	1	2	3	2	1.5	1	1.5	2
<b>FALL SEMESTER</b>	<b>12.53</b>	<b>11.47</b>	<b>16.50</b>	<b>9.57</b>	<b>9.30</b>	<b>13.30</b>	<b>7.29</b>	<b>11.87</b>
Civ Pro II	3	1	3	1	0	3	1	0
Civ Pro II Average	3	1	3	1	0	3	1	0
Constitutional Law	3	1	3	3	1	2	1	2
Constitutional Law	3	2	3	2	2	3	0	3
Con Law Average	3	1.5	3	2.5	1.5	2.5	0.5	2.5
Contracts & Sales II	0	3	3	3	0	3	0	3
Contracts and Sales Average	0	3	3	3	0	3	0	3
Criminal Law	2	1	2	2	3	2	2	2
Criminal Law	0	1	3	3	2	1	0	0
Criminal Law Average	1	1	2.5	2.5	2.5	1.5	1	1
LCA II	1	2	3	3	1	1	1	1
LCA II	3	2	3	3	2	3	0	3
LCA II	1	3	3	3	2	3	0	2
LCA II	3	3	3	2	1	3	1	3
LCA II	3	3	3	3	2	3	2	2
LCA II	3	2	3	3	2	3	1	2
LCA II Average	2.33	2.50	3.00	2.83	1.67	2.67	0.83	2.17
Legal Research	3	0	3	0	0	2	0	1
Legal Research	3	2	3	1	1	2	0	3
Legal Research	3	2	3	0	1	3	0	3

Legal Research Averages	3.00	1.33	3.00	0.33	0.67	2.33	0.00	2.33
<b>Totals across 1st Year Courses</b>	<b>21.86</b>	<b>20.47</b>	<b>31.00</b>	<b>21.40</b>	<b>14.97</b>	<b>25.97</b>	<b>10.62</b>	<b>20.54</b>
<b>1L NIGHT PROGRAM</b>								
Contracts & Sales	1	1	3	2	1	1	1	1
Contracts & Sales II	2	2	2	2	2	2	2	2
Torts	3	2	3	2	1	2	1	2
Property	2	2	2	2	2	3	2	2
LCA I Average	2.43	1.57	3.00	1.57	1.00	2.00	0.29	1.57
LCA II	2	2	3	3	1	2	1	2
LCA II	3	3	3	3	3	3	0	3
LCA II Average	2.5	2.5	3	3	2	2.5	0.5	2.5
Con Law - Night	3	1.5	3	2.5	1.5	2.5	0.5	2.5
Civ Pro I - Night	3	3	3	0	1	3	0	1
Civ Pro II - Night	3	3	3	1	1	3	0	2
Crim Law Night	1	1	2.5	2.5	2.5	1.5	1	1
Legal Research - Night	3.00	1.33	3.00	0.33	0.67	2.33	0.00	2.33
<b>Total across 1L Night Program</b>	<b>25.93</b>	<b>20.90</b>	<b>30.50</b>	<b>18.90</b>	<b>15.67</b>	<b>24.83</b>	<b>8.29</b>	<b>19.90</b>
<b>UL Highly Recommended</b>								
PR	3	3	3	0	2	2	0	3
PR	3	3	2	1	2	3	1	3
PR Average	3	3	2.5	0.5	2	2.5	0.5	3
Employment Law	3	3	3	3	3	3	3	3
Employment Law	3	3	3	3	3	3	1	3
Emp. Average	3	3	3	3	3	3	2	3
Evidence	3	2	3	1	0	3	0	0
Evidence	3	2	2	2	0	2	1	3
Evid. Average	3	2	2.5	1.5	0	2.5	0.5	1.5
Administrative Law	3	3	3	3	3	3	1	3
CHBO	3	3	2	3	3	3	0	2
<b>Total across UL Highly Recommended</b>	<b>15</b>	<b>14</b>	<b>13</b>	<b>11</b>	<b>11</b>	<b>14</b>	<b>4</b>	<b>12.5</b>