

2021 IU McKinney School of Law PRAC Report

Submitted by: IU McKinney School of Law Program Teaching, Assessment & Evaluation Committee

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I. Introduction

A. Accreditation, Bar Passage, and Assessment Strategy

The IU Robert H. McKinney School of Law is accredited by the American Bar Association. Traditionally, law schools have used bar passage rates as the primary assessment mechanism for student attainment of program learning outcomes. For this reason, the law school's JD Program Teaching, Assessment, and Evaluation Committee has generally adopted a two-pronged assessment strategy that targets the school's bar passage rates as well as assessment of program learning outcomes.

B. 2020-2021 Covid-19 Related Adjustments and Assessment

Beginning in March 2020, much of the assessment-related work of the Teaching, Assessment, and Evaluation Committee was put on hold and/or had to be altered due to the Covid-19 pandemic and changes in teaching and learning. Nevertheless, the Committee was able to engage in important assessment initiatives throughout 2020-2021 by evaluating online teaching modalities and learning—an opportunity that presented itself given the move of many courses to online formats during the pandemic.

Further, as noted below, all jurisdictions in 2020 changed the format and content of their respective bar exams for July 2020, and this change continued in the February and July 2021 bar exams. Moreover, in November 2020, Indiana announced that it would be adopting the Uniform Bar Exam rather than continuing to use its state-specific bar exam for the essay portions of the exam. This was a major change because the Indiana bar exam is the primary bar exam taken by graduates from the McKinney School of Law. Thus, much of the preparation and work that had gone into bar preparation and passage from prior years has had to be adapted to these significant changes.

2. Bar Passage and Academic Success Programs

In 2021, most states continued with remote administration of the bar exam, including Indiana. As such, support for the February 2021 bar takers was offered in a remote setting. The Practice and Supplemental Strategy (PASS) Program was offered virtually, with students able to participate synchronously via Zoom or independently on their own time. Students were able to submit practice answers for individual feedback and comment.

In November of 2020, the Indiana Supreme Court announced the adoption of the Uniform Bar Exam (UBE), with the first administration in July of 2021. The UBE is a bar exam that consists of three parts: the Multistate Bar Exam (MBE), the Multistate Essay Exam (MEE), and the Multistate Performance Test (MPT). All three exam components are drafted by the National Conference of Bar Examiners. Prior to this, Indiana's state specific bar exam consisted of the MBE, the MPT, and an Indiana-specific essay exam. However, the switch to the UBE is significant (and positive) in two main respects.

First, the cognitive load is lessened with the UBE. The Indiana-specific exam tested eighteen different subjects. The UBE tests twelve. Second, with the UBE, all seven subjects tested on the MBE can also be tested on the MBE. This means that when studying for the bar exam, students can more efficiently and effectively study because when they practice the exam components, they are practicing seven of the twelve subjects in different ways – as multiple choice and as essay. This application of law to fact in multiple types of questions makes it easier for students to commit the law to memory and then recall it later.

This uniformity also means that the bar strategies course offered by the law school, Bar Exam Substance, Strategies, and Tactics, can expand its curriculum to cover all three portions of the bar exam in more detail. While essay strategy was always part of the course, it was challenging to cover it in any detail because up to five different exams might be represented in any given semester (in terms of substance and format of essay). The move to the UBE means that now nearly all students are planning to take that exam, and the MEE can be covered in terms of strategy and substance, allowing students a more comprehensive early bar prep experience. (For example, during this Spring 2022 semester, out of 68 students, all are taking the UBE.)

While the July 2021 exam was also a remote administration, the PASS program returned to in-person sessions, while continuing to offer synchronous Zoom participation and independent participation. Individualized review and feedback continued as well.

Bar passage results for Indiana for July 2020 through July 2021 are as follows:

July 2020 (Comparative)

	Taking (McKinney)	Passing (McKinney)	Passing % (McKinney)	Taking (IN)	Passing % (IN)
1st Time Takers	165	141	85.45%	343	86.01%
Repeat Takers	87	60	68.97%	168	61.31%
Total Takers	252	201	79.76%	511	77.89%

February 2021(Comparative)

	Taking (McKinney)	Passing (McKinney)	Passing % (McKinney)	Taking (IN)	Passing % (IN)
1st Time Takers	33	27	81.82%	82	64.63%
Repeat Takers	31	11	35.48%	64	29.69%
Total Takers	64	38	59.38%	146	49.32%

July 2021 (Comparative)

	Taking (McKinney)	Passing (McKinney)	Passing % (McKinney)	Taking (IN)	Passing % (IN)
1st Time Takers	167	130	77.84%	357	78.43%
Repeat Takers	30	7	23.33%	75	26.67%
Total Takers	197	137	69.54%	432	69.44%

In addition, ultimate bar passage (ABA Standard 316 requires at least 75% of our graduates who sat for a bar exam to have passed within two years of their date of graduation) increased 3.29 percentage points between 2015 and 2018. There are a number of factors that contribute to this, include the implementation of structured academic and bar support for law students throughout their entire law school career, and targeted support for those graduates who were not successful the first time they took the exam. This targeted support includes reviewing their actual answers to the written portion of the exam and providing specific guidance for how to improve based upon prior performance.

In July of 2021, McKinney hired a new Associate Director of Academic and Bar Success. This allowed the Office of Academic and Bar Success to return to in-person skills workshops for the

first-year students. In addition, the Associate Director has taken the lead on creating a weekly newsletter for students that allows for constituent communication regarding academic skill development and programming.

3. JD Program Assessment: JD Learning Outcomes

A. JD Learning Outcomes

As part of the law school's reaccreditation effort six years ago, the faculty adopted a set of eight learning outcomes for the JD program. In 2019, the Teaching, Assessment, and Evaluation Committee recommended that the law school focus its data collection and assessment efforts on four of the eight outcomes. Those outcomes are most directly related to the law school's academic program and include:

1. Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path.
2. Work with others in a variety of legal contexts, and exercise skills as interviewing clients, counseling clients, serving on attorney teams, preparing witnesses, negotiating with adversaries, engaging in alternative dispute resolution, and persuading judicial and other decision-makers.
3. Exhibit a high degree of competence in legal analysis, reasoning, and writing.
4. Exhibit a high degree of competence in legal research.

The Assessment Committee has been working this semester with faculty and administrators who oversee the other programs offered by the law school—the M.J., the L.L.M., and the S.J.D. programs—to develop learning outcomes for those programs.

B. Rubric Development for JD Learning Outcomes

The Teaching, Assessment, and Evaluation Committee has developed rubrics for each of the primary program objectives for the JD program. The rubrics for program objectives 1, 3, and 4 were developed over the course of 2018-2019 and include the following rubrics: 1) Legal Knowledge, Reasoning, and Analysis Rubric, attached as Exhibit A; 2) Legal Research Rubric, attached as Exhibit B; and 3) Legal Writing Rubric, attached as Exhibit C. During Spring and Fall 2020, the committee spent considerable time developing a rubric for assessing program objective 2, which is the Experiential Learning Rubric, attached as Exhibit D.

The Teaching, Assessment and Evaluation Committee is currently working on developing an additional rubric for assessing student learning outcomes for the Advanced Research & Writing Requirement (ARWR). Completion of the ARWR is required for graduation from the J.D. Program. Details regarding the requirement can be viewed here.

<https://mckinneylaw.iu.edu/courses/official-descriptions/legal-writing.html>.

Despite being required for graduation from the JD Program, the ARWR is not “legal writing” in the traditional sense or as assessed by the Legal Writing Rubric, which analyzes writing for law practice, such as written legal memoranda or briefs. But the ARWR instead is a scholarly research and thesis paper, supervised by a faculty member. The Legal Writing Rubric does not assess such writing. Further, it would be of great assistance to students and to supervising professors to have a rubric to assess performance and learning outcomes for the ARWR. The rubric would be helpful for students to understand the expectations and the intended learning outcomes for the ARWR before, during, and after completing it, which is especially true given that a scholarly research paper is so categorically different from the legal writing taught to and performed by students throughout the rest of the JD Program.

C. Implementation of Rubrics

One of the primary goals of the Teaching, Assessment, and Evaluation Committee at the beginning of 2020 and throughout the entirety of 2021 was to work to implement the use of the rubrics that we have developed. Although our committee had successfully created rubrics for assessing attainment of our primary program objectives, these rubrics have only been used by a handful of professors in a couple of classes. We decided to focus on implementation of the rubrics on a broad basis, with the hope of starting meaningful collection of data. Our goals were (and still are, as we have not yet accomplished this initiative) as follows:

- First, to have all students assessed on the Legal Knowledge, Reasoning, & Analysis Rubric at two points of their studies—at the completion of the first year, and then again during a required second or third year course.
- Second, to assess all students on the Legal Research Rubric when taking required Legal Research courses.
- Third, to assess all students taking an externship to be assessed by their externship supervisors on the Experiential Learning Rubric at least once (and perhaps twice—mid-way and upon completion of their externship).
- Fourth, to create a rubric for and assess student Advanced Research & Writing Requirement (ARWR) papers.
- Fifth, to assess student legal writing during their second or third year of the program (perhaps by evaluating student Moot Court briefs) on the Legal Writing Rubric.

While we initially made major headways in early 2020 on these initiatives, the Covid-19 pandemic undermined much of our implementation efforts during 2020-2021. Nevertheless, we have made some headway as to some of these initiatives and are working to undertake the development of an ARWR rubric.

1. Assessment under the Legal Knowledge Rubric for all First Year Students

The Teaching, Assessment, & Evaluation Committee worked with the professors who teach the required first year (1L) law courses to determine if we could get every student in the entire 1L class evaluated on the Legal Knowledge, Reasoning, and Analysis Rubric. Regrettably, due to Covid-19—and the required change of all final exams to an open book, online format—this plan

was undermined and was tabled until a future year. We are currently working on implementing this initiative at the end of Spring 2022, so we can begin gathering data. The committee plans ultimately to evaluate every student on the Legal Knowledge, Reasoning, and Analysis Rubric at the end of the first year and again at a later point in the JD program. The Legal Knowledge, Reasoning, and Analysis Rubric is attached as Exhibit A.

2. Assessment under the Legal Research Rubric in required Legal Research Course

The Legal Research Rubric has been adopted by library faculty teaching legal research courses. In the spring 2022 semester, the rubric will be used to assess final examinations for the first-year Legal Research course. The rubric will also be used to assess written products by students in the upper-level Advanced Legal Research courses in the summer 2022 term. The faculty is also considering using the rubric to assess the research component of the Advanced Research and Writing Requirement until there is a rubric specifically created for the ARWR. These advanced writing projects are generally the last project by students that involve legal research. Once the rubric is used in all these courses, faculty can assess students' legal research skills across their law school careers. The Legal Research Rubric is attached as Exhibit B.

3. Assessment under the Experiential Learning Rubric for All Student Externships

During 2020, the Teaching, Assessment, and Evaluation Committee completed the Experiential Learning Rubric. We worked with Professor Cynthia Baker, who was then the Director of Experiential Learning during 2020-2021, to try to get this rubric implemented as an evaluation tool used in all student externships. Cynthia Baker was later replaced by Carrie Hagan as the Director of Experiential Learning. We worked with Professor Hagan in Fall 2021, and she has agreed to implement the Experiential Learning Rubric into evaluation of student externships. She is giving the rubric to externship supervisors starting in 2022 to evaluate each student and their attainment of the experiential learning outcomes at the completion of their externship. Such assessments would allow our committee to gather data regarding both individual student competencies and, also, over time, the merits of specific externship opportunities. The Experiential Learning Rubric is attached as Exhibit D.

4. Assessment Measures & Findings

A. 3L Learning Outcomes Survey

In August 2021, the Teaching, Evaluation, and Assessment Committee sent out to recent graduates a "3L Student Satisfaction Survey," that asked students to self-assess learning outcomes as to legal knowledge and training they received during their three years of schooling and to identify areas where they felt they had insufficient instruction or opportunity for instruction or experience. Although this is indirect data, it is data that indicates from a student viewpoint whether they achieved specific learning outcomes. From a student perspective, this data indicates that students feel competent in their mastery of issue spotting, legal reasoning

and analysis, and legal writing. Perhaps the most interesting finding from the survey, and consistent with the survey conducted in August 2020, is that 60% of students reported that they did *not* feel they received sufficient training on evaluating appropriate strategies in a matter and helping the client understand and pursue the strategy that legally is the best for them.

Results from the survey are attached hereto as Exhibit E.

B. Online Learning and Teaching Surveys

Given the Covid-19 pandemic, the Teaching, Evaluation, and Assessment Committee recognized a unique opportunity to assess and evaluate online teaching and learning. Nearly all classes during Fall 2020 and Spring 2021 were taught partially or entirely online. Some courses for 2020-21 were fully asynchronous online instruction, some synchronous online instruction, some hybrid instruction (partially in-person and partially online), and some courses were in person with some online components. This movement of instruction from in-person classrooms to online delivery created an opportunity to evaluate the effectiveness of and tools used in online instruction—especially for courses that normally would not be candidates for online instruction in the Law School. Consequently, throughout the Fall 2020 semester, the committee worked on creating two new Qualtrics surveys, which were administered to students and professors at the end of the Fall semester and again, with modifications, at the end of the Spring semester.

Both surveys were aimed at assessing student and professor experiences in teaching and learning online. Additionally, both surveys asked students and professors to evaluate various online teaching tools as to their perceived effectiveness in achieving learning objectives of the class. Both surveys inquired whether more formative assessment was being used in online teaching than had been used for in-person instruction (and encouraged professors to incorporate such formative assessments into their classes when they moved back to in-person instruction). Further, both surveys asked about learning outcomes comparatively between online and in-person instruction—specifically, whether from the respondent’s perspective, students had performed as well, the same, or better with online instruction as when taught in person.

Despite our Committee’s efforts in creating and administering these surveys, the data attained must be considered with the following caveats. Notably, neither students nor professors chose to opt-into online learning/teaching, but were forced by the pandemic to use it. Many of the professors lacked training in online instructional design and/or lacked sufficient time to build a quality online course in advance of the course going live. Similarly, students who did not want to take online courses were required to do so. Some students had Covid-specific circumstances that interfered with their success in online courses. For example, students were often not able to study away from their homes due to quarantining, social distancing, and the closure of public spaces. A student’s home environment (including reliability of internet connection, distractions, etc.) consequently affected ability to succeed. Students with children

were more likely to have children at home during the day also engaging in online instruction rather than attending in-person school or daycare because of Covid-19. If there had not been a pandemic, students could have gone to a library or other quiet environment outside their home to properly participate in online instruction.

1. Findings from the Student Online Learning Survey and the Professor Online Teaching Survey Fall 2020 & Modification of the Surveys for Spring

Response Rate: 196 Students responded to the fall online learning survey, and 40 faculty members responded to the fall online teaching survey. Findings from the Fall 2020 Student Online Learning Survey and Professor Online Teaching Survey were reported and evaluated in the law school's 2019-2020 PRAC report, on pages 7-9 of the report and Exhibits F & G. That report is available here:

<https://planning.iupui.edu/assessment/prac-files/school-reports/2019-20/law1920.pdf>

Key findings from these surveys included that (1) professors used more formative assessment in online instruction than in-person courses and most (61%) found such assessments aided their learning; (2) nearly 3/4 of students believed they performed well in their online classes, while only 10% believed they performed poorly in their online courses; (3) half of the professors reported that, overall, students performed better in the course when taught online than when the professor had taught the same course in person, and only 11% said that students performed worse when the course was taught online; and (4) 45% of professor respondents reported that they would incorporate into their future in-person classes the formative assessments that they created for their online courses during the pandemic.

After discussing the findings from the Fall 2020 survey with the faculty at a Spring 2021 faculty meeting, the Teaching, Assessment, & Evaluation Committee revised the surveys to ask specific questions of interest to professors. These questions included the speed at which students watched pre-recorded lessons, whether students studied for open book exams differently than closed book exams (and if so, how), whether students were interested in taking more online courses and whether teachers were interested in teaching online courses, and whether student performance differed for the top 10% and bottom 10% of a given class when taught online as compared to when it was taught in person. There was a general "impression" from the faculty that students scoring at the bottom of the course performed even worse with an online course delivery than with an in-person delivery of the same course. We readministered the surveys after the completion of the Spring exam period for the student survey, and after Spring grades were due for the professor survey. We again raffled off ten \$25 Amazon tickets to students who took the surveys to encourage participation.

2. Findings from the Student Online Learning Survey Spring 2021

Response Rate: 182 students responded to the Spring online learning survey. The student responses regarding the speed at which students watch pre-recorded videos are interesting, but appear completely class-dependent. In some courses, most students watch pre-recorded lectures at regular speed, while in other courses most students watch at 1.5 and even 2 times speed. Professors were interested in inquiring about this facet of online learning, as they were concerned that watching lectures at faster speeds (something you cannot do in a live course) could interfere with understanding and processing material. The question about open book exams similarly elicited many interesting responses in terms of how students prepare for open book rather than closed book exams. A bare majority of student respondents (51%) indicated that they did prepare for open book exams differently than they prepared for closed book exams. Notably, nearly half the respondents indicated that they did not change their preparation for open book exams. Further, as to those who did change their preparation, they generally provided individualized responses showing that students still prepared for open book exams, they just used differing strategies in their preparation.

Other findings of note include:

- 46% of student respondents reported that they were ambivalent about taking future classes either online or in person
- 30% of respondents reported that they wanted to take more law school online courses
- 24% reported that they did not want to take more online law school courses
- When asked whether there were unique opportunities that students appreciated regarding online courses, 74% noted the flexibility that online courses have as to when students complete course materials, 70% noted the ability to rewatch lecture videos, and 57% noted the increased formative assessments in online courses as opposed to in-person, which helped them gauge their progress
- When asked to assess their performance in online courses as compared to in-person courses at the law school, 12% of students reported that they felt their performance was better in online courses, 43% reported that their performance was about the same as it is for in-person courses, and 39% reported that they felt that their online performance was worse than it is for in-person courses.

Relevant pages from the Qualtrics Report of this Survey are attached hereto as Exhibit F.

3. Findings from the Professor Online Teaching Survey Spring 2021

Response Rate: Only 17 professors took the survey between the grading deadline and two weeks following that deadline. This was a substantial decrease from the 40 professors who responded to the Fall 2020 survey. Consequently, although the responses are of some interest, the response rate is so small to call into question the accuracy of aggregate findings.

Among the interesting findings from the professor survey are the following:

- 70% of professor respondents reported that students overall performed very well or exceptionally well in their online courses; 18 % reported that students did moderately well in their online courses; only 12% reported that student performance overall was not very good in their online courses.
- As to the top 10% of students in the online course:
 - 36% of professor respondents reported that the top 10% of students performed better in an online course delivery than in person;
 - 45% of professor respondents reported that the top 10% of students performed the same in an online course delivery as in person, and
 - 18% of professor respondents reported that the top 10% of students performed worse in an online course delivery than in person.
- As to the bottom 10% of students in the course:
 - 36% of professor respondents reported that the bottom 10% performed better with an online course delivery than in person,
 - 18% of respondents reported that students in the bottom 10% performed the same with an online course delivery as in person, and
 - 45% reported that students in the bottom 10% of the course performed worse with an online course delivery than in person.
- 94% of professor respondents reported that they used formative assessments in their online delivery of their courses.
- 53% of professor respondents reported that they made new formative assessments for their online course.
- 80% of the professor respondents who reported that they made new formative assessments indicated that they would incorporate these assessments into their future in-person delivery of the same course; the remaining 20% indicated that they were unsure whether or not they would incorporate new formative assessments into the in-person delivery of their course.

5. Action Taken in Response to Findings

For both of our primary areas of assessment in normal years (bar passage success and JD learning outcomes), the Covid-19 pandemic undermined moving forward with initiatives. Action was taken, but not in response to findings from surveys, assessments, or prior data, but from the necessities of changing bar exams and altered teaching and learning environments and exigencies.

As to the Online Learning and Teaching surveys, some of the data extracted from the surveys is being used to inform further development and assessment of online programming at IU McKinney. Notably, the data overall shows that students perform well in online courses and that a contingent of students are very interested in taking online courses.

6. Efforts to Expand Collection of Direct Measures

As discussed above, the Teaching, Assessment, and Evaluation Committee has devoted, and is currently devoting, significant effort to actually implement the rubrics for our JD program objectives and thus expand the collection of direct data, including:

1. Assessing all 1L students at the end of their first year under the Legal Knowledge, Reasoning, and Analysis Rubric, which is underway for Spring 2022;
2. Assessing all students taking required legal research courses under the Legal Research Rubric, which is underway for Spring 2022;
3. Assessing all students in externships under the Experiential Learning Rubric, which is underway for Spring or Fall of 2022.

Unfortunately, the Covid-19 pandemic stifled these efforts to collect assessment data of the learning outcomes specified in our program objectives.

Ultimately, the committee would like to expand the collection of assessment data to additionally include assessing students under the Legal Knowledge, Reasoning, and Analysis Rubric not only in the first year, but again in the second and/or third year. Further, the Committee is working on exploring how to implement the Legal Writing Rubric and assess learning outcomes for our program objective of achieving competence in legal writing, which we may do in conjunction with evaluations in the Moot Court Program. Finally, we are working to create a rubric that will assess learning outcomes for scholarly research and writing to be implemented to assist students and professors in understanding and evaluating the Advanced Research and Writing Requirement.

Exhibit A

Exam No. _____

Shorthand	Competency	Practice-Ready	Proficient	Developing	Deficient
Overarching Issue Spotting	Identifying relevant legal issues raised by clients' legal problems	SELECTS and ANALYZES all relevant legal issues and does not select irrelevant legal issues	SELECTS and ANALYZES most relevant legal issues and rarely selects irrelevant legal issues	SELECTS and ANALYZES some relevant legal issues and some irrelevant legal issues	SELECTS and ANALYZES few relevant legal issues and many irrelevant legal issues
Understanding and Analysis of Law	Identifying relevant legal rules applicable to each issue. Synthesizes multiple authorities into a cohesive rule and understands how statutory, common law, and constitutional law interplay and evolve.	FORMULATES/CONSTRUCTS all relevant legal rules. SYNTHESIZES multiple authorities into a cohesive rule. DEMONSTRATES a thorough understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS most relevant legal rules. SYNTHESIZES most authorities into a cohesive rule. DEMONSTRATES an adequate understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS some relevant legal rules. SYNTHESIZES some authorities into a cohesive rule. DEMONSTRATES a partial understanding of how statutory, common law, and constitutional law interact	IDENTIFIES some relevant legal rule. Either fails to SYNTHESIZE authorities or does so in a manner that is not cohesive. Poorly understands how statutory, common law, and constitutional law interact.
Use of Legally Significant Facts and Recognition of Missing Facts	Identifying legally significant facts applicable to each issue; recognizing and identifying relevant missing facts, including demonstrating an understanding of methods for discovering such facts and dealing with factual gaps where facts are unavailable.	CHOOSES all legally significant facts and no legally irrelevant facts. IDENTIFIES all relevant missing facts and DEMONSTRATES an understanding of how to discover such facts or appropriately deal with factual gaps.	CHOOSES most legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES most relevant missing facts and DEMONSTRATES some understanding of how to discover such facts or appropriately deal with factual gaps.	IDENTIFIES many legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES some relevant missing facts and recognizes the need to discover them.	Fails to DIFFERENTIATE between legally significant and insignificant facts. Fails to identify relevant missing facts and/or assumes missing facts into existence.

COMPETENCIES FOR LEGAL KNOWLEDGE, REASONING, AND ANALYSIS: PROGRAM OBJECTIVE ONE

Shorthand	Competency	Practice-Ready	Proficient	Developing	Deficient	N/A
Specific application of law to factual Scenarios	Applying the relevant legal rules to the legally significant facts and, as necessary, analogizing and distinguishing authorities, and responding to counterarguments.	JUSTIFIES selection of legally significant rules and facts. EVALUATES the strength of opposing viewpoints/arguments. SUPPORTS arguments with persuasive analysis.	Mostly JUSTIFIES selection of legally significant rules and facts. Makes some arguments concerning the strength of opposing viewpoints/arguments. SUPPORTS some arguments with persuasive analysis.	Partially JUSTIFIES selection of legally significant rules and facts. Sometimes makes arguments concerning the strength of opposing viewpoints/arguments. Fails to support arguments with persuasive analysis.	Makes a mostly unsupported statement about the relevant law that is largely devoid of critical analysis.	N/A
Selecting an appropriate Strategy	Drawing and presenting appropriate conclusions based on the facts, taking into account the clients' interests, goals, and objectives.	SELECTS an effective strategy and PRESENTS A CONVINCING OPINION to the client to achieve client's realistic objectives and resources.	SELECTS an appropriate strategy and PRESENTS A GOOD OPINION to the client to achieve client's realistic objectives and resources.	SELECTS a plausible strategy and PRESENTS that recommendation to the client.	RECOMMENDS a course of action to the client that is unrealistic or likely to be ineffective.	N/A

COURSES: Doctrinal Courses and any other course focused on legal knowledge, reasoning and analysis.

Definitions:

Practice-Ready: Could be used in practice as written [only minor edits/changes needed]

Proficient: Could be used in practice with some editing by a supervising attorney

Developing: Could be used in practice with substantial editing/re-writing

Deficient: Could not be used in practice

Exhibit B

LEGAL RESEARCH RUBRIC: PROGRAM OBJECTIVE THREE

Competency	Practice-Ready	Proficient	Developing	Deficient
Develop legal research questions and appropriate research strategies	DEVELOPS specific legal research questions and strategies that are very likely to identify relevant sources efficiently.	DEVELOPS specific legal research questions and strategies that are somewhat likely to identify relevant sources efficiently.	DEVELOPS vague research questions and strategies that may lead to relevant sources.	Fails to DEVELOP research questions or research strategies are likely to be fruitless or misleading.
Identify appropriate primary and secondary sources for a legal research question.	SELECTS appropriate primary and secondary sources.	Mostly SELECTS appropriate primary and secondary sources.	Sometimes confuses primary and secondary sources, or sometimes fails to SELECT appropriate sources.	Confuses primary and secondary sources, and fails to SELECT appropriate sources.
Use search tools and finding aids to find materials relevant to legal research question.	UTILIZES search tools and finding aids to effectively and efficiently find relevant materials.	Mostly UTILIZES search tools and finding aids to effectively and efficiently find relevant materials.	Sometimes UTILIZES search tools and finding aids to effectively find relevant materials.	Fails to UTILIZE search tools and finding aids to find relevant materials.
Considering jurisdiction and weight of authority, selects relevant and appropriate sources	SELECTS relevant and appropriate sources, and ANALYZES differences in jurisdiction and weight of authority.	Mostly SELECTS relevant and appropriate sources, and ANALYZES differences in jurisdiction and weight of authority.	Sometimes SELECTS relevant and appropriate sources, but fails to ANALYZE articulates differences in jurisdiction and weight of authority.	Fails to SELECT appropriate or relevant sources, or correctly ANALYZE differences in jurisdiction and weight of authority.
Evaluate a source's validity, currentness, and authority	Correctly EVALUATES a source's validity, currentness, and authority.	Mostly correctly EVALUATES a source's validity, currentness, and authority.	Sometimes correctly EVALUATES a source's validity, currentness, and authority.	Fails to EVALUATE or incorrectly EVALUATES a source's validity, currentness, or authority.
Comments				

COURSES:

Baseline	Advanced	Capstone
1L legal research		Advanced writing requirement

Exhibit C

Competencies for Legal Writing

Competency	Practice-Ready	Proficient	Developing	Deficient
Overarching Issue Spotting	SELECTS and ANALYZES all relevant legal issues and does not select irrelevant legal issues.	SELECTS and ANALYZES most relevant legal issues and rarely selects irrelevant legal issues.	SELECTS and ANALYZES some relevant legal issues and some irrelevant legal issues.	SELECTS and ANALYZES few relevant legal issues and many irrelevant legal issues.
Demonstrates Proper Use of Authority	SELECTS AND UTILIZES all sources wisely and appropriately. Properly ATTRIBUTES all ideas to correct sources.	SELECTS AND UTILIZES most sources wisely and appropriately. Properly ATTRIBUTES most ideas to correct sources.	SELECTS AND UTILIZES some sources wisely and appropriately. Properly ATTRIBUTES some ideas to correct sources.	Fails to UTILIZE sources wisely and appropriately. FAILS to properly ATTRIBUTE ideas to correct sources.
Demonstrates Effective Organization	PRESENTS all ideas and supporting information in logical order. Always UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS most ideas and supporting information in logical order. Mostly UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS some ideas and supporting information in logical order. Somewhat UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS few ideas and supporting information in logical order. Fails to UTILIZE an appropriate paradigm or does so with unnecessary repetition.
Understanding and Analysis of Law	FORMULATES/CONSTRUCTS all relevant legal rules. SYNTHESIZES multiple authorities into a cohesive rule. DEMONSTRATES a thorough understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS most relevant legal rules. SYNTHESIZES most authorities in to a cohesive rule. DEMONSTRATES an adequate understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS some relevant legal rules. SYNTHESIZES some authorities into a cohesive rule. DEMONSTRATES a partial understanding of how statutory, common law, and constitutional law interact.	SUMMARIZES/IDENTIFIES some relevant legal rules. Either fails to SYNTHESIZE authorities or does so in a manner that is not cohesive. Poorly understands how statutory, common law, and constitutional law interact.
Use of Legally Significant Facts and Recognition of Missing Facts	CHOOSES all legally significant facts and no legally irrelevant facts. IDENTIFIES all relevant missing facts and DEMONSTRATES an understanding of how to discover such facts or appropriately deal with factual gaps.	CHOOSES most legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES most relevant missing facts and DEMONSTRATES some understanding of how to discover such facts or appropriately deal with factual gaps.	IDENTIFIES many legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES some relevant missing facts and recognizes the need to discover them.	Fails to DIFFERENTIATE between legally significant and insignificant facts. Fails to identify relevant missing facts and/or assumes missing facts into existence.

Competencies for Legal Writing

<p>Specific Application of Law to Factual Scenarios</p>	<p>JUSTIFIES selection of legally significant rules and facts. EVALUATES the strength of opposing viewpoints/arguments. SUPPORTS arguments with persuasive analysis.</p>	<p>Mostly JUSTIFIES selection of legally significant rules and facts. Makes some arguments concerning the strength of opposing viewpoints/arguments. SUPPORTS some arguments with persuasive analysis.</p>	<p>Partially JUSTIFIES selection of legally significant rules and facts. Sometimes makes arguments concerning the strength of opposing viewpoints/arguments. Fails to support arguments with persuasive analysis.</p>	<p>Makes a mostly unsupported statement about the relevant law that is largely devoid of critical analysis.</p>
<p>Legal Analysis: Policy</p>	<p>Always USES policy arguments where applicable.</p>	<p>Sometimes USES policy arguments when applicable.</p>	<p>Rarely USES applicable policy arguments.</p>	<p>Does not MAKE policy arguments.</p>
<p>Demonstrates Appropriate Tone</p>	<p>Always ADAPTS tone and detail to audience, purpose, and context.</p>	<p>Often ADAPTS tone and detail to audience, purpose, and context.</p>	<p>Sometimes ADAPTS tone and detail to audience, purpose, and context.</p>	<p>Rarely ADAPTS tone and detail to audience, purpose, and context.</p>
<p>Demonstrates Appropriate Style</p>	<p>Always EMPLOYS clear and precise communication tools. Always DEMONSTRATES attention to detail. Always UTILIZES proper citation, language, grammar, punctuation, and/or style convention.</p>	<p>Often EMPLOYS clear and precise communication tools. Often DEMONSTRATES attention to detail. Often UTILIZES proper citation, language, grammar, punctuation, and/or style conventions.</p>	<p>Sometimes EMPLOYS clear and precise communication tools. Often DEMONSTRATES attention to detail. Often UTILIZES proper citation, language, grammar, punctuation, and/or style conventions.</p>	<p>Rarely EMPLOYS clear and precise communication tools. Rarely DEMONSTRATES attention to detail. Rarely UTILIZES proper citation, language, grammar, punctuation, and/or style conventions.</p>
<p>Demonstrates Compliance with Formal Requirements</p>	<p>Always MEETS deadlines. Always FOLLOWS provided instructions. Always OBSERVES applicable rules. Always INCLUDES all relevant components.</p>	<p>Consistently MEETS deadlines. Consistently FOLLOWS provided instructions. Consistently OBSERVES applicable rules. Consistently INCLUDES all relevant components.</p>	<p>Often MEETS deadlines. Often FOLLOWS provided instructions. Often OBSERVES applicable rules. Often INCLUDES all relevant components.</p>	<p>MISSES deadlines. Rarely FOLLOWS provided instructions. Rarely OBSERVES applicable rules. Rarely INCLUDES all relevant components.</p>

Competencies for Legal Writing

COURSES: 1L Legal Communication and Analysis, Contract Drafting, Clinics

Definitions:

Practice-Ready: Could be used in practice as written [only minor edits/changes needed]

Proficient: Could be used in practice with some editing by a supervising attorney

Developing: Could be used in practice with substantial editing/re-writing

Deficient: Could not be used in practice

Exhibit D

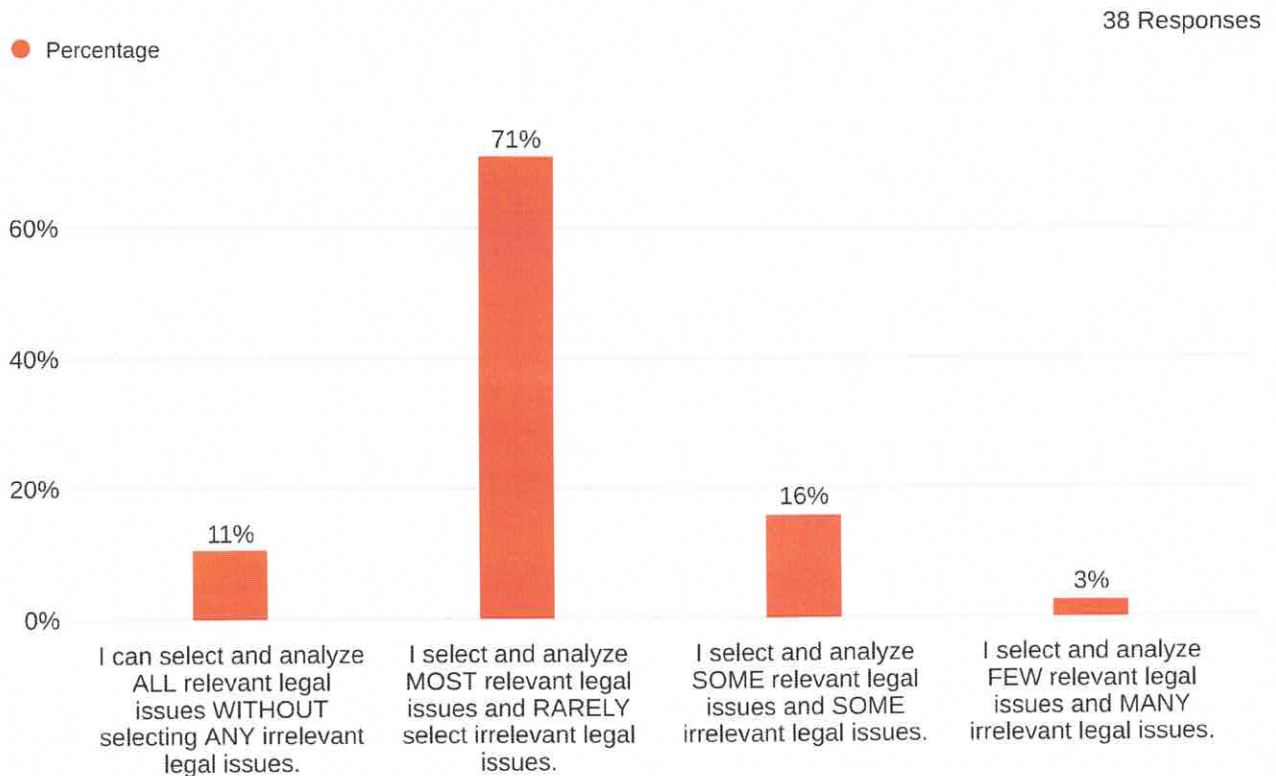
Experiential Learning Rubric

Basic Legal Skills	Level 1: Needs considerable development of this competency	Level 2: Needs substantial direction from faculty member or supervising attorney	Level 3: Needs some direction from faculty member or supervising attorney	Level 4: Needs minimal or no direction	N/A
Legal Knowledge, Analysis, and Reasoning: Identifies relevant legal issues; synthesizes multiple authorities; identifies legally significant facts and applies law thereto, analogizing to and distinguishing authorities.	RARELY demonstrates appropriate legal knowledge, analysis, and reasoning.	SOMETIMES demonstrates appropriate legal knowledge, analysis, and reasoning.	OFTEN demonstrates appropriate legal knowledge, analysis, and reasoning.	CONSISTENTLY demonstrates appropriate legal knowledge, analysis, and reasoning.	N/A
Legal Research: Uses research tools effectively and efficiently to find relevant materials and evaluates a source's relevance, validity, currentness, and authority.	RARELY uses research tools effectively to find necessary legal authority.	SOMETIMES uses research tools effectively to find necessary legal authority.	OFTEN uses research tools effectively to find necessary legal authority.	CONSISTENTLY uses research tools effectively to find necessary legal authority.	N/A
Legal Writing: Writes clearly and persuasively, relying on relevant law and fact; follows provided instructions; understands and observes applicable rules, formats, and conventions; includes all relevant components; employs appropriate tone.	RARELY writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.	SOMETIMES writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.	OFTEN writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.	CONSISTENTLY writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.	N/A
Ethical Knowledge and Behavior: Understands and able to fulfill core fiduciary duties to clients and ethical responsibilities; identifies and analyzes ethical issues and informs supervisor of such.	RARELY demonstrates ethical knowledge and behavior.	SOMETIMES demonstrates ethical knowledge and behavior.	OFTEN demonstrates ethical knowledge and behavior.	CONSISTENTLY demonstrates ethical knowledge and behavior.	N/A
Problem Solving: Accurately assesses client and/or legal problem; identifies alternative solution strategies; develops and implements workable plan of action and assesses and revises plan as needed.	RARELY exhibits effective problem solving.	SOMETIMES exhibits effective problem solving.	OFTEN exhibits effective problem solving.	CONSISTENTLY exhibits effective problem solving.	N/A
Professional Communication: Interacts effectively and respectfully when speaking, listening, and/or writing to lawyers, clients, staff, adversaries, judges, and others.	RARELY interacts with others in a professional manner.	SOMETIMES interacts with others in a professional manner.	OFTEN interacts with others in a professional manner.	CONSISTENTLY interacts with others in a professional manner.	N/A

Basic Legal Skills	Level 1: Needs considerable development of this competency	Level 2: Needs substantial direction from faculty member or supervising attorney	Level 3: Needs some direction from faculty member or supervising attorney	Level 4: Needs minimal or no direction	N/A
Active Listening: Listens and responds appropriately during group and individual exchanges by articulating thoughtful responses to questions and discussions.	RARELY employs active listening.	SOMETIMES employs active listening.	OFTEN employs active listening.	CONSISTENTLY employs active listening.	N/A
Time Management: Meets deadlines; keeps regular and dependable hours; is punctual; implements and communicates clear and efficient timelines.	RARELY exhibits ability to manage time.	SOMETIMES exhibits ability to manage time.	OFTEN exhibits ability to manage time.	CONSISTENTLY exhibits ability to manage time.	N/A
Teamwork: Keeps team members informed; listens to others ideas; contributes ideas; accepts feedback; demonstrates self-motivation; substantially contributes to the final work product.	RARELY contributes to team.	SOMETIMES contributes to team.	OFTEN contributes to team.	CONSISTENTLY contributes to team.	N/A
Fact Investigation: Evaluates known facts and applies law to develop legal strategy; effectively obtains, records, and organizes discovery; reassesses strategy and conclusions based on investigation.	RARELY able to perform effective fact investigation.	SOMETIMES performs effective fact investigation.	OFTEN performs effective fact investigation.	CONSISTENTLY performs effective fact investigation.	N/A
Negotiation: Effectively assesses strengths and weaknesses of case; able to leverage strengths to effectively advance client's interests; understands and utilizes various negotiation strategies.	RARELY able to engage in effective negotiation.	SOMETIMES engages in effective negotiation.	OFTEN engages in effective negotiation.	CONSISTENTLY engages in effective negotiation.	N/A

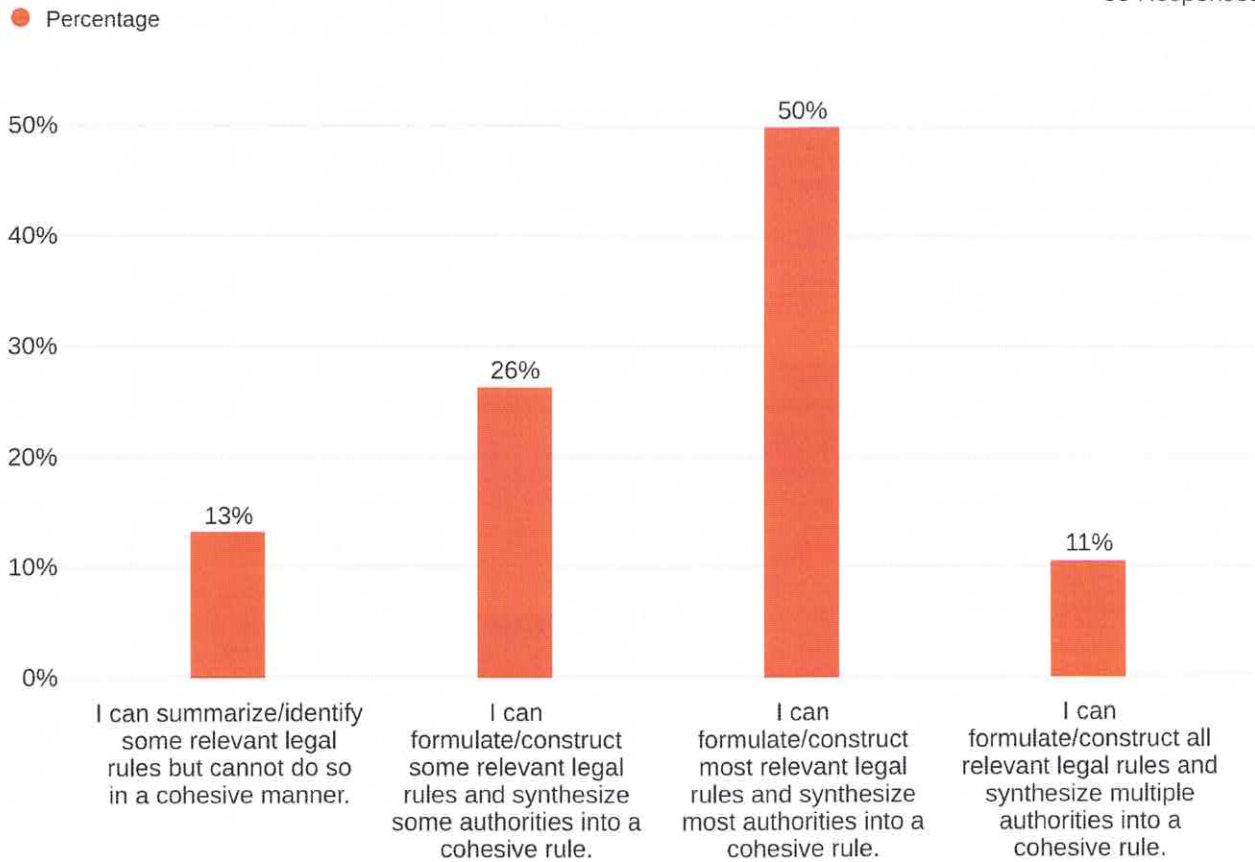
Exhibit E

One of the goals of the JD program is to improve students' ability to identify relevant legal issues in a factual scenario. Thinking across the courses, clinics, and externships you completed during law school, which of the following statements BEST describes your proficiency level with respect to "issue spotting?"



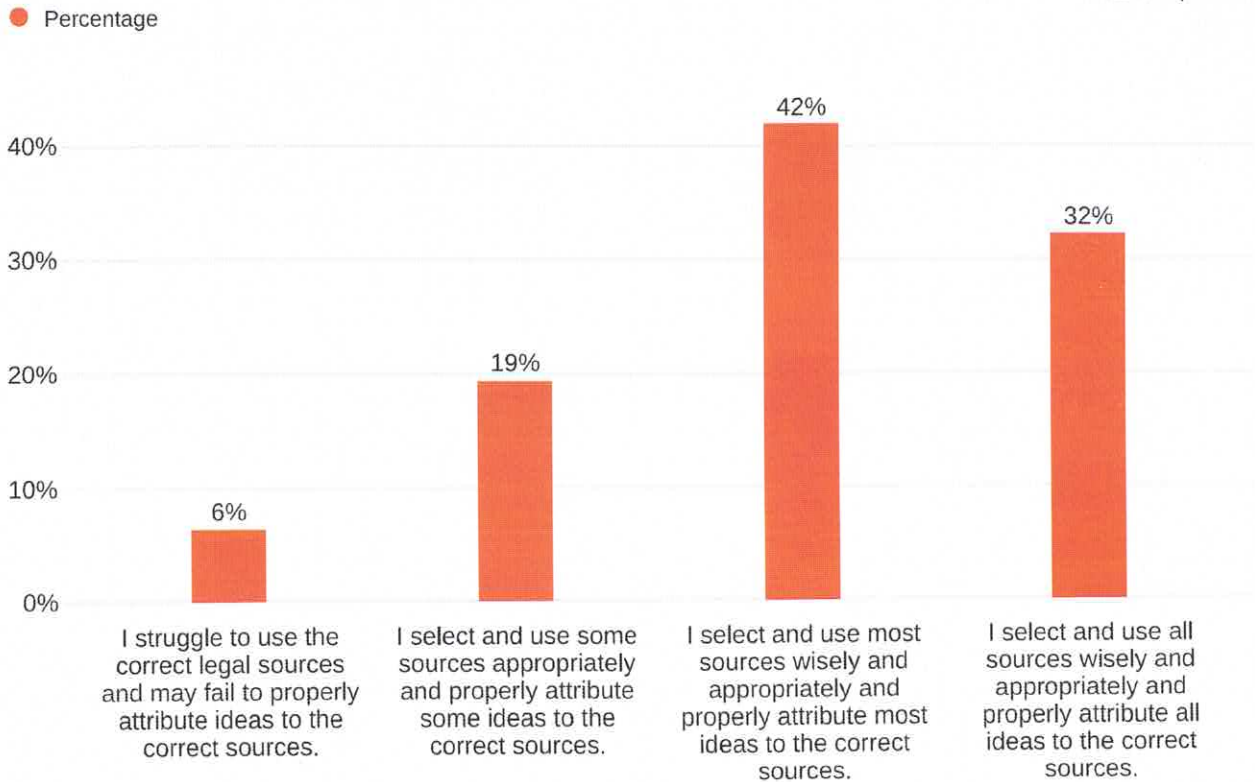
Another goal of the JD program is to train students to identify relevant legal rules raised by an issue and to be able to synthesize multiple authorities of law into a cohesive rule. Which of the following statements BEST describes your ability to understand and analyze law?

38 Responses

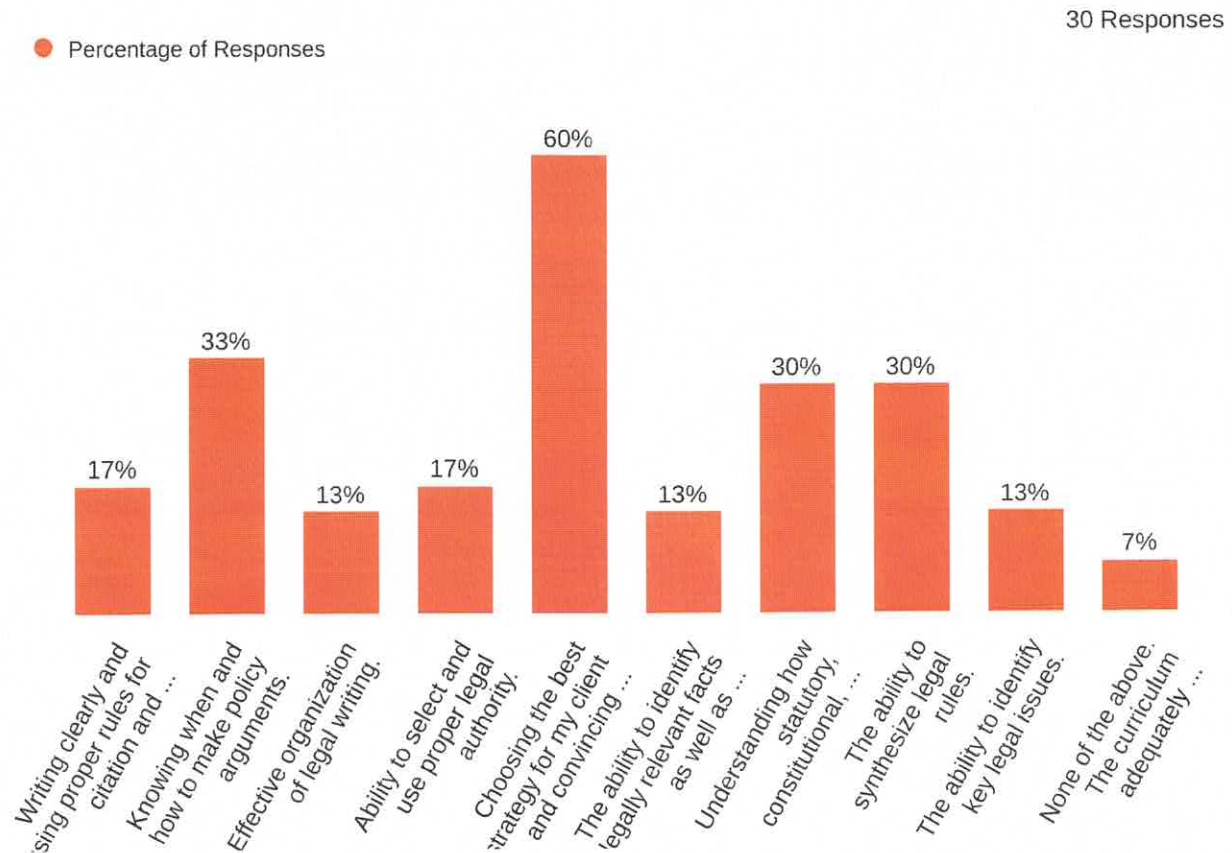


A key legal writing skill is the ability to select and use the proper legal authority. Which of the following phrases best describes your current ability to find and use legal authorities?

31 Responses



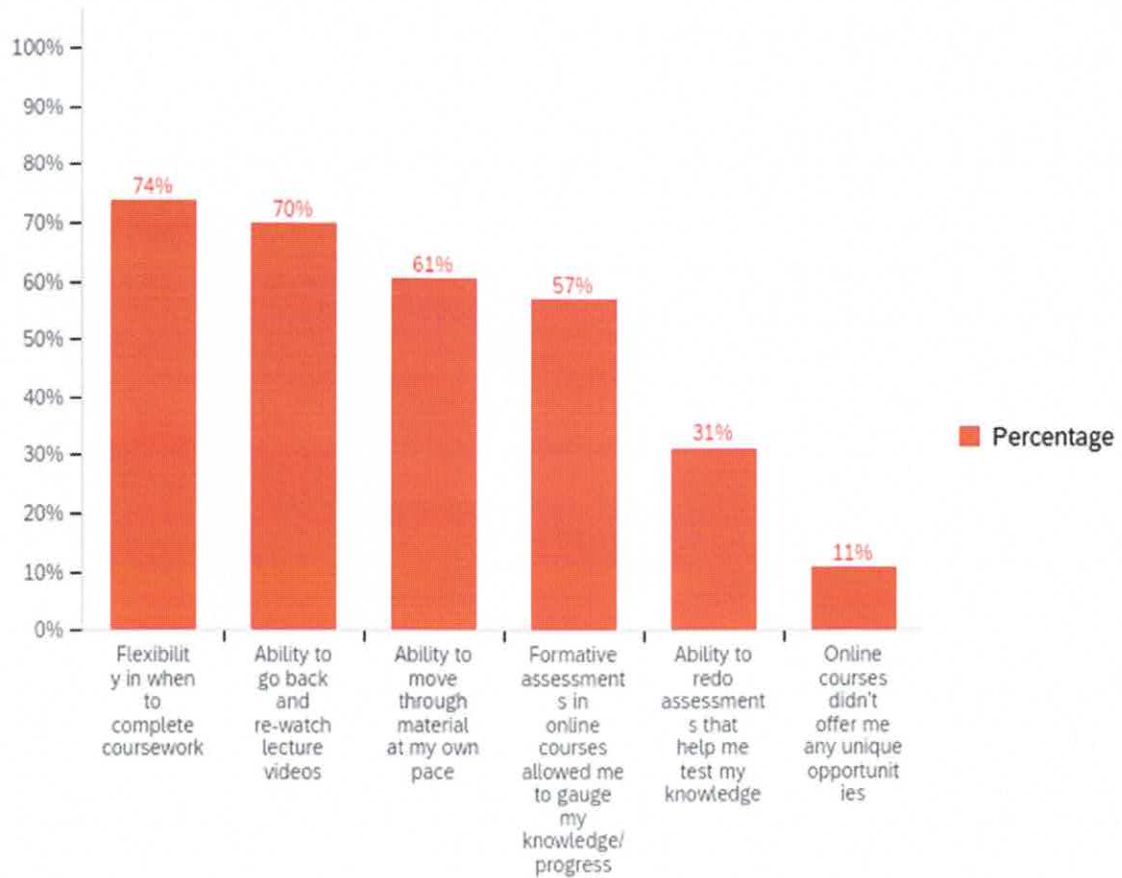
Consider the legal education you received at IU McKinney. Which of the skills mentioned in this survey do you feel that the curriculum DID NOT adequately address? (select all that apply)



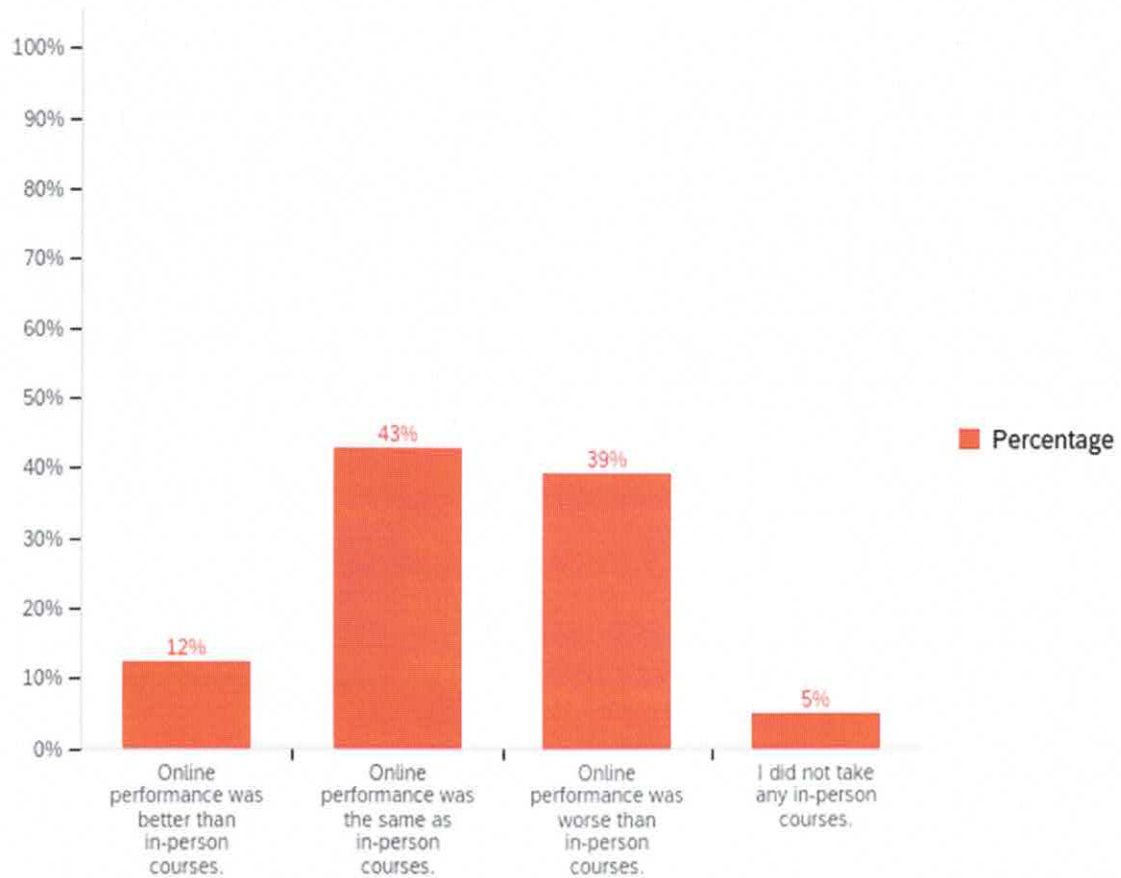
- Writing clearly and using proper rules for citation and grammar.
- Knowing when and how to make policy arguments.
- Effective organization of legal writing.
- Ability to select and use proper legal authority.
- Choosing the best strategy for my client and convincing my client to agree to use that strategy.
- The ability to identify legally relevant facts as well as missing facts.
- Understanding how statutory, constitutional, and common law interact.
- The ability to synthesize legal rules.
- The ability to identify key legal issues.
- None of the above. The curriculum adequately addressed all aforementioned skills.

Exhibit F

What unique opportunities did online courses present for you? (select all that apply)



Overall, do you think you performed better or worse in your online courses than in-person courses during the Spring 2021 semester?



Based on your experience during the 2020-2021 academic year, how likely are you to intentionally seek out an online law school class in the future?

