

THOMAS JEFFERSON SCHOOL OF LAW

STATEMENT OF LEARNING OUTCOMES FOR THE J.D. PROGRAM

January 2016

Thomas Jefferson School of Law's curriculum provides an outstanding legal education for a nationally based, diverse student body, enabling its graduates to pursue a variety of career paths in private law practice, business, public service, public policy, and other law-related endeavors. The J.D. curriculum is designed so that graduates will achieve the following:

I. Knowledge And Understanding Of Substantive And Procedural Law

- A.** Graduates will understand the substantive doctrine and theory necessary to effectively apply the law of business associations, civil procedure, constitutional law, contracts, criminal law, criminal procedure, evidence, professional responsibility, property, torts and remedies. They will be able to identify legal rules, concepts, and theories arising in these areas, and to effectively apply the substantive law in these areas to factual situations.
- B.** Graduates will understand the substantive doctrine and theory necessary to effectively apply the law in other areas of law so as to enter the practice appreciating the breadth and diversity of legal doctrine and the problems and circumstances to which law may be productively applied.

II. Legal Analysis and Reasoning

- A.** Graduates will demonstrate competency in fundamental skills in legal analysis and reasoning including identifying legal issues and pertinent facts as well as parsing legal rules from cases and statutes. Graduates will be able to synthesize and apply complex rules to relevant facts to support a clear conclusion, drawing on an understanding of analogizing and distinguishing cases as well as relevant policy reasoning. In addition to mastering the basic analytic process, graduates will be able to construct and evaluate legal arguments.

III. Legal Research

- A.** Graduates will demonstrate competency in conducting legal research, including knowing and accessing primary and secondary resources in print and online, developing and revising research plans, tracking research results, updating research as appropriate, and verifying the validity of research materials through cite-checking.

IV. Problem Solving

- A.** Graduates will demonstrate competency in anticipating and recognizing problems, identifying causes and other relevant considerations, and overcoming obstacles to develop effective solutions. Graduates will be able to distinguish problems amenable to resolution through the legal system from those that are not, and they will be able to generate proposed courses of action.

V. Written and Oral Legal Communication

- A.** Graduates will demonstrate competency in legal communication, identifying and explaining relevant legal issue(s) and the corresponding legally significant facts, articulating relevant rule(s) of law, explaining the application of identified rules of law to the particular matter, and effectively tailoring communications to audience and purpose.
- B.** Graduates will demonstrate competency in a variety of objective and persuasive legal writing formats, using effective organization and rhetoric, and clear, precise writing that conforms to standard English grammar and citation conventions.
- C.** Graduates will demonstrate competency in oral legal communication in a variety of contexts, including articulating their ideas in a clear and organized manner, listening attentively, responding to alternative perspectives, and engaging others with civility.

VI. Exercise Of Proper Professional And Ethical Responsibilities To Clients And The Legal System

- A.** Graduates will be able to exercise proper professional and ethical responsibilities to clients and the legal system. They will understand the fiduciary duties owed by lawyers to their clients, the role played by lawyers in the American justice system and the special role that lawyers play in advancing the administration of justice and promoting the public interest, and principles of professionalism and civility as they apply to the practice of law. Graduates will demonstrate thorough knowledge and understanding of the ABA Model Rules of Professional Conduct and the relationship between those rules and specific federal and state professional responsibility rules.

VII. Other Professional Skills Needed For Competent And Ethical Participation As A Member Of The Legal Profession

- A.** Graduates will demonstrate competency in an array of other professional skills needed for competent and ethical participation as a member of the legal profession, including two or more of the skills contained in any of the following categories.

1. Client Interaction, including skills selected from among the following:
 - a. *Interviewing*, including client and witness interviews, questioning techniques, confidentiality and conflicts of interest, non-verbal communication, communication with difficult clients, and empathetic understanding;
 - b. *Counseling*, including managing client expectations, setting realistic goals, generating and assessing legal and non-legal alternatives to achieve goals, engaging productively with diverse clients, educating clients, and understanding different approaches to counseling; or
 - c. *Cultural Competency*, including understanding diverse cultures, recognizing explicit and implicit bias, engaging appropriately across differences in race, ethnicity, gender, class, religion, or sexual orientation/identity.

2. Litigation and Alternatives to Litigation, including skills selected from among the following:
 - a. *Fact Development and Analysis*, including investigation planning, basic formal (disclosure and discovery) and informal fact investigation techniques, evidentiary implications of different fact investigation techniques, and analysis of information obtained;
 - b. *Negotiation*, including competitive and problem-solving approaches, conventions and ethics of negotiations, questioning and blocking techniques, flexibility in negotiations, and effective communication during and after negotiation;
 - c. *Trial Practice*, including voir dire, opening statements, questioning witnesses (direct and cross examination), leading and open ended questions, witness preparation, making and preserving evidentiary objections, introducing evidence, and closing arguments;
 - d. *Drafting Litigation Documents*, including pleadings, discovery documents, motions, briefs, memoranda, administrative filings, demand, opinion, client and action letters; or
 - e. *Conflict Resolution*, including adversarial and collaborative approaches to dispute resolution; negotiation, mediation, and arbitration; roles of mediators and arbitrators; and educating clients.

3. Transactional Practice, including skills selected from among the following:
 - a. *Drafting Transaction Documents*, including administrative filings, contracts, wills and trusts, demand, opinion, client and action letters; or
 - b. *Negotiation in Transactional Settings*, including negotiating contract terms, agreements, and various business deals.

4. Business of Law, including skills selected from among the following:
 - a. *Organization and Management of Legal Work*, including law office management, client agreements, malpractice insurance, property/trust accounting, and law practice organization/partnership agreements; or
 - b. *Collaboration*, including working effectively with clients, mentors, supervisors, peers, support staff, court staff, and third-parties.

5. Self-Evaluation & Reflection, including developing the capacity for self- and group-reflection, and critically assessing work product and interactions with other participants in the legal system.