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Leadership as a Law School Class: Understanding What It Is and What It Is Not

Teaching leadership requires the instructor to define the characteristic of a good leader. Barton has taught classes on leadership in the past where she has always asked the students to articulate characteristics and traits of good leadership.

By **Peter Vaira** | November 08, 2021



Duquesne University Law School now offers a full school year class in leadership. There is no particular law subject involved, just the concept of leadership. This class is comparable to courses taught in the Army, Navy, and Air Force military academies. The student attendees are referred to as Leadership Fellows. The class may very well be the only annual class on leadership in any law school in the country. The class was first included in the law school's curriculum in 2019 by Dean April Barton in her first year as dean. Reaction from the bar has been very supportive. James M. Brogan of the DLA Piper office in Philadelphia said, "I endorse the idea of adding leadership to the curriculum. I had many jobs before I became a lawyer (including being an army officer in an engineer battalion) and lots of experience since, and most of these put me in a position to witness some brilliant, and some not so brilliant, displays of leadership. I think leadership can take many forms, it is a core requirement for success as a lawyer—we must lead clients to the right decisions, lead other lawyers in many contexts, lead judges and jurors to the right result."

Members of the bar, upon learning of the class, usually ask, "What is it that they teach and how do they do it?" Military veterans understand. I served as a navy officer for five years after graduating from law school and leadership was a major factor in my daily operation. In a military officer's annual performance evaluation, leadership is usually 20% of the required report by the supervising officer. This requirement applied to all officers including judge advocates, medical officers, and chaplains. Business schools at major universities also offer leadership programs. So, how does this concept translate to law school and the law profession.

Barton explained the concept of teaching leadership in law school in an article published in the *Baylor Law Review*, Vol 73, No. 1, 2021. She said, "The old saying that students go to law school to learn to think like lawyers ... we must also teach our law students to think like *leaders*." Barton noted that law school education was long devoted to the "case method" of study which was introduced by the dean of the Harvard Law School in the early 19th century, and dominated law school education until law schools began teaching other skills." Barton also said, "The legal academy must work together to reimagine our academic programs and indicate significant opportunities for leadership and character development." Prof. Anthony Thompson, professor of law at New York University said, "By not focusing hard on leadership education, law schools are creating "dangerous leaders." See, Thompson, "Dangerous Leaders, How and Why Lawyers Must be Taught to Lead," Stanford University Press, 2018. These statements are a far cry from my own law school's curriculum (Duquesne University) when I attended. It was a typical curriculum in most law schools of that era. It required reading several thousand cases, passing a tough bar exam, and then learning about actually practicing law from the experienced attorneys who hired us.

Teaching leadership requires the instructor to define the characteristic of a good leader. Barton has taught classes on leadership in the past where she has always asked the students to articulate characteristics and traits of good leadership. She has never assigned any reading material ahead of time to enable the instructor to get the student's view of a good leader. She listed the following eight characteristic of a leader as suggested by her past students: competence (be knowledgeable in your field), poised (be calm under pressure), inspiring (to those around them), honest (displaying integrity), visionary (having goals), resilient (steadfast in the face of adversity), inclusive (creating an atmosphere where all participants can flourish), and focused on others (give attention to those they are to lead). These eight characteristics selected by law students are remarkably similar to the "Ten Attributes of a Leader Who Can be Trusted in Combat," prepared by a leadership professor at West Point Military Academy after a survey of 72 combat troops. See, "Leadership Lessons from West Point," Chapter 14, Josey Bass Books, 2007.

Barton emphasized that the class must also understand what leadership is not. She said, "Leadership is not a position. ... It is not authority nor power based. ... Leadership is not a static concept, a destination that one reaches and calls it a day. ... Leadership is not about proving you are the smartest person in the room."

In a memo to me, Doris Brogan, professor of law at Villanova Law School, cautioned, "We must examine bad leaders, as well as good, and the lessons bad leadership offers. And we must explore the essential relationship between leadership and fellowship, especially how bad followers enable bad leaders." She pointed out that "lawyers been at the vortex of spectacular failures of leadership including Enron, the Flint water crises, and the General Motors ignition cartridge scandal."

The instructors of the Duquesne course are law school faculty members and practicing lawyers. Shanicka Kennedy, a 2001 Duquesne Law graduate, a former Assistant U.S. Attorney, and currently an assistant general counsel of FedEx in Pittsburgh, is one of the instructors. Kennedy said that the instructors use a study manual, "26 Lawyering Effective Factors," published in the American Bar Foundation in 2011 as a central part of the program. She said that the students are very enthusiastic about the course and seek ways to perfect their leadership skills as students.

Anyone who has been in law practice for a length of time has been a witness to examples of the lack of leadership in the profession. The massive mergers of law firms have often resulted in odd combinations of talent and goals of various practice groups and department heads. I was a partner in several large firms and personally witnessed many examples. In many instances the concept of centralized leadership and direction is fragmented. New practice groups established to be overseen by persons who have had little leadership training or skills. These new firm structures offer many opportunities for attorneys with leadership and management skills.

A disturbing trend is the diminishing opportunities for trial lawyers. Over 90% of civil cases settle. This means there is less of a need to train trial lawyers which cost both time and money, and is not billable. Trial lawyers have always tended to be leaders in their firms. In the growing momentum to teach leadership, there should also be an effort in law schools and firms to train lawyers who can take a case to trial. Most of those trial lawyers will find leadership positions in their firms.

The leadership class at Duquesne is a great step forward and has been long overdue. Ken Gormley, Duquesne's president and former law school dean, said, "Helping law graduates understand the nuances of skillful leadership can bring about significant levels of success for their own careers, while serving our organizations, government and society."

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