NEW YORK STATE BAR ADMISSION
SKILLS AND VALUES COMPETENCY REQUIREMENT
LAW SCHOOL PLANS and PROPOSALS

Part I: Albany - Fordham

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Learning Outcomes, Assessment Plans, and NYS Certifications

Introduction

The Law School's learning outcomes describe the foundational lawyering competencies that each student will develop by graduation. Every course in the Law School's curriculum is designed to achieve some, but not necessarily all, of the student learning outcomes below, with each course emphasizing different outcomes and each student pursuing different career goals.

- Institutional Learning Outcomes
- Learning Outcomes for J.D. Graduates
- Learning Outcomes for International LL.M. Graduates
- Learning Outcomes for LL.M. Graduates in Advanced Legal Studies
- Learning Outcomes for M.S. in Legal Studies Graduates
- Learning Outcomes for the Certificate Program
- Aspirational Goals for Our Graduates as Emerging Professionals
- Assessment Plan

New York State Skills Competency Requirements

In December 2015, the Court of Appeals adopted a Skills and Values Requirement (https://www.nybarexam.org/Skills/skills.htm) ("Skills Requirement") for admission to the bar in New York, which is in effect for J.D. students who commenced their law school studies in August 2016 or later and LL.M. students who commenced their studies in August 2018 or later. This Skills Requirement offers applicants a choice among five different "Pathways" to establish that they have acquired the skills and are familiar with the professional values necessary to practice law competently. These Pathways represent requirements for admission solely to the New York bar; they are not additional graduation requirements. For more information see 22 NYCRR 520.18 at the following link: https://www.nycourts.gov/ctapps/520rules10.htm#B18 (https://www.nycourts.gov/ctapps/520rules10.htm#B18)

The five Pathways are described below:

- Pathway #1
- Pathway #2
- Pathway #3

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Skills and Values Competency Requirement:
Pathway #1 Certification of Competency for the International LLM Program

LL.M. students commencing study after August 1, 2018 who plan to apply for admission to the New York State Bar must satisfy one of five pathways under Section 520.18 of the Court of Appeal's Rules for the Admission of Attorneys and Counselors at Law regarding skills competency and professional values.

For Pathway 1, the Law School will certify a student as having basic competence and the ability to participate ethically in the legal profession if the student successfully completes the following classes:

- Legal Profession or Professional Responsibility Seminar
- LLM Legal Research and Writing
- At least one of the following:
    - U.S. Constitutional Law I
    - U.S. Constitutional Law II
    - Federal Civil Procedure
- Advanced Legal Analysis II (bar preparation course)

In addition to the required courses set out above, at least six credit hours must be successfully completed from the following bar courses:

- Criminal Procedure: Investigation
- Criminal Procedure: Adjudication
- Constitutional Law I
- Constitutional Law II
- Contracts I
- Contracts II (Contracts I is a prerequisite)
- Commercial Law Survey
- Federal Civil Procedure
- Torts
- Evidence
- Business Organizations
- Property I and/or II
- Trusts & Estates
- Criminal Law

Experiential Requirement:

Students must complete at least six credits from the menu of experiential courses, one of which must be a clinic or field placement. (A student who has been authorized to practice law in another country, or territory or commonwealth outside the continental United States may waive this requirement by establishing and submitting proof that the student has been in good standing and practiced law in that jurisdiction full-time for at least one year or half-time for two years following the student's authorization to practice.)

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Skills and Values Competency Requirement: Pathway #1 Certification of Competency for the JD Program

I. Skills Competency Requirement for Admission to the Bar

Students who began their legal education after August 1, 2016 have an additional requirement in order to be admitted to the New York State Bar. The new requirement, provides that students demonstrate that they possess the skills and values necessary to provide effective and ethical representation. One of the ways that students can demonstrate competence is through law school certification. The criteria are set out below:

22 NYCRR 520.18 provides as follows:

(a) General. Every applicant for admission to practice, other than applicants for admission without examination pursuant to section 520.10 of this Part, or applicants who qualify for the bar examination under section 520.4 or 520.5 of this Part, shall demonstrate that the applicant possesses the skills and values necessary to provide effective, ethical and responsible legal services in this State. An applicant may satisfy this requirement by submitting proof of compliance with one of the following five subdivisions.

(1) Law school certification of competence in skills and professional values.

(i) An applicant may submit from an American Bar Association-approved law school a certification confirming that:

> (a) the law school has developed a plan identifying and incorporating into its curriculum the skills and professional values that, in the school's judgment, are required for its graduates' basic competence and ethical participation in the legal profession, as required by American Bar Association Standards and Rules of Procedure for the Approval of Law Schools Standard 302(b), (c) and (d), and has made this plan publicly available on the law school's website; and
>
> (b) the applicant has acquired sufficient competency in those skills and sufficient familiarity with those values.

(ii) For purposes of this subdivision, a school may certify that an applicant has attained the required skill level if the graduate received a grade that the school considers sufficient to demonstrate competence in courses the school has designated as teaching the skills and professional values needed for basic competence and ethical participation in the legal profession.

(iii) A law school may adopt such other means of assessing its students' achievement of the required skills for purposes of this subdivision, provided the school receives the prior approval of the Court of Appeals.

II. Learning Outcomes: Basic Skills and Values

Albany Law School's learning outcomes describe the foundational lawyering competencies that each student will develop by graduation. The Law School's curriculum is designed to ensure that every student who graduates from Albany Law School will have achieved basic competence in the following skills and values at the time they graduate from the law school:

- Demonstrate foundational knowledge and understanding of substantive and procedural law.
- Demonstrate ability to effectively communicate in the legal context, in writing and orally.
- Demonstrate basic legal research, legal analysis, legal reasoning and problem-solving skills.
- Demonstrate the ability to exercise proper professional and ethical responsibilities to clients and to the legal system.
- Demonstrate knowledge and understanding of the Lawyer's professional responsibility to advance the mission of service to the underrepresented so that all individuals have equal access to the privileges of our justice system.
- Demonstrate an awareness and understanding of the knowledge, skills, and values necessary to be competent and effective lawyers in a multicultural world.

III. Our Plan for Incorporating and Assessing These Skills and Values

The following describes how the skills and values that make up our learning outcomes are incorporated across our curriculum and how we can assess and certify that our students, upon graduation, are competent to ethically conduct themselves in the practice of law:

A. Demonstrate foundational knowledge and understanding of substantive and procedural law

First year Foundation:

All students are required to take the following foundational law courses: Contracts (5 credits), Federal Civil Procedure (4 credits), Property (6 credits), Torts (4 credits), Criminal Law (3 credits), Constitutional Law (4 credits), and Introduction to Lawyering (6 credits). Students must receive a passing grade in each course. If a student does not receive a passing grade, the student must repeat the course until he or she receives a passing grade. Students who do not

receive at least a "C" average at the end of their first year are academically dismissed. Students who have successfully completed their first year of studies have demonstrated basic competence in these foundational courses

Upper Division:

In their second year, students are required to continue their study of Constitutional Law by taking an additional 2 credits focused on First Amendment rights. Additionally, students are required to take Evidence (4 credits) and Legal Profession or Professional Responsibility Seminar (3 credits). Because these courses are required, students must receive a passing grade or must retake the course until they achieve a passing grade in order to demonstrate foundational knowledge.

Recognizing several years ago that traditional legal education did not completely prepare students for practice in the modern world because of its focus on a common law curriculum, Albany Law School made three changes that reflect the need for new lawyers to understand the impact of globalization, the development of the regulatory state, and the need to place law practice in a meaningful social context. Upper division students are now required to take and receive a passing grade in at least one course from a menu of courses that fulfill an Administrative Law requirement. This is to ensure that every student has exposure to and an understanding of the substance and procedural aspects of our administrative law system.

Upper division students are also required to take and receive a passing grade for at least one international law course to ensure that they are exposed to the impact of globalization.

All upper division students are required to take and earn a passing grade in at least one clinical course through the Albany Law Clinic and Justice Center. Students must enroll and receive a passing grade in one of our in-house clinics or Field Placements in order to fulfill this requirement. Clinical courses reinforce substantive and procedural law in a real-world context to help students understand the law and its application to real clients.

Foundations for Professional Success Program:

In order to ensure that we are able to certify students as having basic competence, we recognize that students whose grade point average places them in the bottom 25% of their class at the end of the second semester need to strengthen their knowledge if they are to compete effectively and perform competently both in law school and as practicing attorneys. At the end of the second semester of law school, students whose grade point average places them in the bottom 25% of their class are required to take and pass Advanced Legal Analysis II, and are also required to take and receive a passing grade in five (5) additional courses from the list below in addition to all other graduation requirements:

1) Criminal Procedure: Investigation or Criminal Procedure: Adjudication
2) Business Organizations
3) Conflicts of Laws

4) Trusts & Estates
5) Family Law or Matrimonial Law or Family Law Practicum
6) Sales
7) Secured Transactions

B. Demonstrate ability to effectively communicate in the legal context, in writing and orally

First Year Foundation:

All students are required to take Introduction to Lawyering in their first year and that course forms the foundation for teaching students how to communicate effectively in the legal context both in writing and orally. Introduction to Lawyering challenges students to think like professionals from the first day of law school. Students are assigned to "firms" representing parties in a year-long simulated legal dispute and are introduced to the legal system, ethics, and the skills and values of the profession.

In the course of representing a client throughout two semesters, students begin fact development by interviewing clients, exploring the statutes and cases relevant to the client's situation, and learning analytical and writing skills by producing legal documents needed to represent the client.

The skills introduced through highly structured research and writing assignments in the first semester are honed in the second semester as students engage in fact development on a second issue through a discovery process that emphasizes the relationship between law and facts, conduct independent legal research, and write and re-write the relevant legal analysis first in a trial court memorandum and then in an appellate brief. Through this process, students receive a thorough grounding in statutory analysis, rule synthesis, and analytical legal writing. By participating in settlement negotiations and appellate arguments, students also develop their analytical skills through oral communication exercises that reinforce the written assignments.

Albany Law School has long recognized that by placing legal writing exercises in the context of legal problem solving and learning through experience, students are better prepared and practice ready. Students must receive a passing grade in two semesters of Introduction to Lawyering in order to demonstrate basic competency in the ability to communicate in the legal context

Upper Division Continuation of Skill Development: Upper Level Writing Requirement

As a requirement for graduation, and by the end of his or her penultimate semester of law school, a student must produce a substantial legal research paper and must receive a grade of B or higher. A student may satisfy this requirement in one of the following ways:

1) By successfully completing a legal research paper under the supervision of a full-time faculty member;
2) By producing a publishable work as a member of one of the Law School's eligible student-edited journals;
3) By successfully completing a course taught by a full-time faculty member and designated as requiring for its completion production of a paper that satisfies the

writing requirement;

4) By producing a research paper in connection with any course taught by a full-time faculty member, if the faculty member determines that the paper is sufficient to satisfy the requirement.
5) By producing a work product resulting from such substantial research and writing in a clinical course that the product is the equivalent of a legal research paper.
6) By producing a research report resulting from such substantial research and writing as a Sandman Fellow that the report is the equivalent of a legal research paper.

The stated objectives of the upper class writing requirements are as follow:

1) To demonstrate the student's specialized knowledge of a particular area of law;
2) To develop critical thinking, writing, and analytical skills;
3) To extend and improve research skills;
4) To improve writing skills; and
5) To ensure basic competency in research and writing in a legal context

All faculty use the following grading criteria for the Upper Level Research Paper:

A. Content

1) well-defined approach to topic and important points covered
2) material chosen appropriately and analysed rather than reproduced
3) adequate support for arguments made
4) each point clearly related to the argument/direction of the paper
5) accurate use of research material
6) proper and complete citation to all sources

B. Argument/Analysis

1) thorough understanding of the issues
2) critical and original analysis of the material
3) suggestions for change where appropriate
4) interdisciplinary perspective where appropriate
5) arguments are logical and well-organized - ideas linked coherently
6) arguments support opposing points of view addressed
7) well-reasoned conclusions

C. Research

1) research covering primary and secondary materials
2) thorough coverage of potential sources
3) good organization of sources
4) use of theoretical material where appropriate

D. Reflection

1) evidence of close consideration of the question and the research materials drawn on
2) ability to synthesise all the research materials used
3) originality of arguments/approach/ideas/questions raised

E. Writing Skills/Style

1) appropriate use of structure, section headings, and paragraphs
2) clarity and conciseness of expression
3) use of appropriate terminology and correct grammar, syntax, and spelling
4) full and accurate footnotes

F. Adherence to Deadlines: Faculty will set deadlines for the following:

1) Topic Proposal: One-page description of the problem or case that will be the focus of your paper.
2) Proposed Plan for Research
3) Thesis Statement, Outline, and Revised Research Plan
4) First Draft (including citations to authority in footnotes or endnotes).
5) Second Draft
6) Subsequent Drafts as Required by Faculty Supervisor

Upper Division Continuation of Skill Development: Clinical Courses

As stated previously, every student is required to take at least one clinical course. Clinical courses include our in-house clinics (Health Law Clinic, Family Violence Clinic, Domestic Violence Prosecution Hybrid Clinic, Community Development Clinic, and Immigration Clinic – all 5 – 6 credits), one of our many Field Placements (4 credits), Summer in Government Placement Program (6 credits), Semester in Practice Program (12 credits), the Attorney General's Litigation Bureau Apprenticeship (5 credits), and our Mediation Apprenticeship Program (4 credits).

Clinical courses intentionally expose students to real-world lawyering challenges by immersing them in the practice of law. Clinical courses use faculty supervision to guide the student along a path of self-discovery, development of professional values, and refinement of judgment and decision-making. All clinical courses provide opportunities for students to hone their writing skills and their oral advocacy skills in a variety of ways. All courses have a classroom component that ensures that students have an additional experience in drafting legal documents and oral communication. Students are assessed on these skills and must receiving a passing grade in the course in order to graduate and be certified that they possess the skills and values necessary to provide effective and ethical representation.

C. Demonstrate basic legal research, legal analysis, legal reasoning and problem-solving skills

First Year Foundation

The year-long Introduction to Lawyering course, as described above, lays the foundation for students to demonstrate competency in basic legal research, legal analysis, legal reasoning and problem-solving. As stated above, these skills are individually assessed by faculty and students must receive a passing grade in the course which indicates basic competence at the first-year level.

Upper Division Continuation of Skill Development: Upper Level Writing Requirement

In the upper division, competency in the skills of legal research, legal analysis, legal reasoning and problem-solving are enhanced and reinforced through the Upper Level Writing Requirement, also described above. The specific criteria for assessment of the Upper Level Writing Requirement includes assessment of the legal research, legal analysis, and legal reasoning demonstrated in the paper. All students must receive a B or better on their paper as a graduation requirement and to demonstrate competency in basic legal research. Legal analysis, legal reasoning, and problem-solving.

Upper Division Continuation of Skill Development: Clinical Courses

Albany Law School Clinic and Justice Center is uniquely positioned to consistently deliver on each of these skills, irrespective of which course a student ultimately chooses. As stated above, every student is required to take and receive a passing grade in at least one clinical course in which they earn at least 4 academic credits. Students are allowed to take up to 30 clinical credits and are encouraged to take more than the minimum required. Clinical courses use faculty supervision to focus the student on refinement of their professional judgment, problem-solving, and decision-making.

Each of the clinical courses engages the students in self-evaluation and reflection on a wide variety of subjects including legal analysis and problem-solving. Students create goals Including legal analysis and problem-solving at the beginning of each course and, with faculty guidance, regularly revisit their goals in light of their performance. In addition, each clinical course uses the tool of reflection to encourage students to establish a habit of lifelong learning, self-evaluation and continuous professional improvement. This is accomplished not only in the reflections and assessments assigned to students and assessed by faculty in each course, but also in the methodology employed by professors in providing feedback that is comprehensive and focused not only on the skills demonstrated by the student, but on uncovering the value-laden context in which those skills were brought to bear. Students are assessed and given regular feedback on legal reasoning, legal analysis, and problem-solving throughout the clinical course and must receive a passing grade in the clinical course as a graduation and certification requirement.

D. **Demonstrate the ability to exercise proper professional and ethical responsibilities to clients and to the legal system**

E. **Demonstrate knowledge and understanding of the Lawyer's professional responsibility to advance the mission of service to the underrepresented so that all individuals have equal access to the privileges of our justice system.**

F. **Demonstrate an awareness and understanding of the knowledge, skills, and values necessary to be competent and effective lawyers in a multicultural world.**

First Year Foundation:

As described above, the first year students receive a rich and rigorous foundation for understanding professional values and ethical responsibilities through our Introduction to Lawyering course which challenges students to think like professionals from the first day of law school. Students are assigned to "firms" representing parties in a year-long simulated legal dispute and are introduced to the legal system, ethics, and the skills and values of the profession. Students continue representing their "clients" throughout the year during which faculty intentionally design ethical dilemmas associated with the mock problems. Students are assessed on these skills and must receive a passing grade in the course.

Upper Division: Legal Profession or Professional Responsibility Seminar

All students are required to take and receive a passing grade in one of two three-credit courses, Legal Profession or Professional Responsibility Seminar. Both courses are designed to give rigorous instruction regarding the Code of Professional Conduct and other laws and regulations pertaining to the professional obligations for the ethical representation of clients. These courses are problem-based so that students are constantly placed in the role of a lawyer for purposes of small group work and class discussion. Students must receive a passing grade in the course to graduate and be certified that they possess values necessary to provide effective and ethical representation.

Upper Division: Clinical Courses

As described above, all students are also required to take at least one semester where they participate in a clinic for a minimum of 4 credits. Clinical courses intentionally expose students to real-world lawyering challenges by immersing them in the practice of law. Clinical courses use faculty supervision to guide the student along a path of self-discovery, development of professional values and judgment.

Each of the clinical courses engages the students in self-evaluation and reflection on a wide variety of subjects including professional excellence. Students create goals at the beginning of each course and, with faculty guidance, regularly revisit their goals in light of their

performance. In addition, each clinical course uses the tool of reflection to encourage students to establish a habit of lifelong learning, self-evaluation and continuous professional improvement. This is accomplished not only in the reflections and assessments assigned to students in each course, but also in the methodology employed by professors in providing feedback that is comprehensive and focused not only on the skills demonstrated by the student, but on uncovering the value-laden context in which those skills were brought to bear. In both modeling best practices and allowing students to develop their own through simulation and real-world practice, clinical courses both establish benchmarks for excellence in the profession and provide students with the tools to create their own roadmap to pursue those benchmarks in their careers.

Each of the clinical courses also involves an element of public service, whether it be serving the underserved through direct representation or teaching multicultural awareness and the politics of difference in a supplementary seminar. The focus on access to justice is consistent and clear across all clinical programs as the cornerstone of our obligations to our students and to our community. In the rare instance when a student's field placement or practical experience does not lend itself naturally to an inquiry of equal access and privilege, faculty members supplement through reflection prompts or in-class assignments in deliberate and intentional ways to provide that context. Across the clinical courses, students are challenged to embrace professional habits that center on service to the underrepresented and access to justice.

All of the clinical courses maintain a focus on ethical decision-making, including acknowledging, identifying and combatting implicit bias. Other professional dilemmas are a regular topic of both seminar, practice and reflection, either naturally arising in the casework or intentionally prompted by the supervising faculty member. Issues of multicultural lawyering, diversity and inclusion are also among the professional competencies consistently addressed across the clinical curriculum. Finally, through situating individual cases and controversies within the student's broader career path and further within the legal profession as a whole, faculty who teach clinical courses consistently challenge students to examine their professional choices from a multitude of perspectives and through myriad frameworks.

Students are assessed and given regular feedback on these skills throughout the clinical course and must receive a passing grade in the clinical course as a graduation requirement and to certify that they can competently provide effective and ethical representation.

Upper Division: Skills Courses

Students are required to take at least two courses that offer substantial skills instruction. Many students fulfill this graduation requirement through the clinical program, but some students additionally take one or more of the following courses. These courses are simulation courses that all place the students in the role of a lawyer and provide intentional opportunities for students to refine and improve their professional judgment and understanding of their obligation for ethical representation of their client. The following courses assess these skills and

a passing grade demonstrates that they have basic understanding and competency in these skills and values:

1) Alternative Dispute Resolution
2) Advanced Legal Writing
3) Appellate Practice
4) Applied Health Policy
5) Art & Entertainment Law
6) Client Interviewing & Counseling
7) Court of Appeals Intensive
8) Drafting
9) Entrepreneurship, Law & Emerging Technology
10) Estate Planning II
11) Fact Investigation
12) Family Law Practicum
13) Judicial Opinion Writing
14) Law and Social Innovation
15) Legal Issues in Medicine
16) Mediation
17) Negotiating for Lawyers
18) New York Practice II Module
19) Overview of Trial Advocacy
20) Trial Practice I – Civil
21) Trial Practice I – Criminal
22) Trial Practice II – Civil
23) Trial Practice II – Criminal

Conclusion

In addition to the above, Albany Law School offers many other opportunities for students to develop and perfect the skills and values reflected in our learning outcomes. Participation in our moot court program, participation in the many pro bono opportunities available through our Pro Bono Program, and participation on one of three journals all provide additional experiences that will help students hone their abilities in each of the areas we have determined are necessary for the ethical and competent practice of law in New York. Even without this additional participation, however, the skills and values set out in our learning outcomes are incorporated across the required curriculum, and are intentionally assessed to ensure students who graduate from Albany Law School have demonstrated foundational knowledge and understanding of substantive and procedural law, can effectively communicate orally and in writing, have demonstrated basic competence in legal research, legal analysis, legal reasoning, and problem-solving, and are prepared to exercise proper professional judgement for the ethical and competent representation of clients.

NY Court of Appeals Skilled Competency Pathways

Topics

The Law School's Certification of its Graduates for Satisfying the NYS Skills Competency Requirement for Admission

The New York Court of Appeals requires that every applicant for admission to practice (with exceptions specified in Section 520.10 or 520.5 or 520.5) shall demonstrate that the applicant possesses the skills and values necessary to provide effective, ethical and responsible legal services in this State. Please

At Brooklyn Law School, all **JD** students beginning their studies after **August 1, 2016** and all **LLM** students beginning their studies after **August 1, 2018**, who plan to apply for admission to the New York State Bar must certify that they have achieved basic competence in the skills and values of the legal profession. Brooklyn Law School is committed to preparing effective, ethical and responsible members of the legal profession and will certify compliance under **Pathway 1** as follows:

Pathway 1: for JD students beginning their studies as of August 1, 2016

Students will be certified under Pathway 1 as having basic lawyering competence and the ability to practice ethically if the student satisfactorily completes the requirements below. Satisfactory completion is achieving a grade of C or higher in a graded course or a Pass in a course graded on a Pass/Fail basis.

- The Law School's orientation program for entering students which introduces students to the legal profession and values necessary for ethical practice and the skills required to be an effective attorney.
- The following classes:
    - At least four-credits in a course or courses during the first year of law school that teach fundamentals of legal research, legal writing and lawyering skills including negotiation and oral argument.
    - Six additional credits in experiential courses of which at least one course must be a clinic or externship that will expose students to oral and written communication, problem solving, fact investigation, research and writing and case theory/planning.
    - A professional responsibility course.
- Opportunities and encouragement to engage in pro bono service in excess of the 50 hours required which exposes students to oral and written communication, problem solving, fact investigation, research and writing and case theory/planning.

Pathway 1: for JD students beginning their studies as of May 1, 2019

Students will be certified under Pathway 1 as having basic lawyering competence and the ability to practice ethically if the student satisfactorily completes the requirements below. Satisfactory completion is achieving a grade of C or higher in a graded course or a Pass in a course graded on a Pass/Fail basis.

- The Law School's orientation program for entering students which introduces students to the legal profession and values necessary for ethical practice and the skills required to be an effective attorney.
- The following classes:
    - At least seven credits in a course or courses during the first year of law school that teach fundamentals of legal research, legal writing and lawyering skills including negotiation and oral argument.

- A professional responsibility course.

- Opportunities and encouragement to engage in pro bono service in excess of the 50 hours required for NYS bar admission which exposes students to oral and written communication, problem solving, fact investigation, research and writing and case theory/planning.

This is the form that must be completed for certification of completion of Pathway 1.

Pathway 1: for LL.M. students beginning their studies as of August 1, 2018

LL.M. students will be certified under Pathway 1 as having basic lawyering competence and the ability to practice ethically if the student satisfactorily completes the requirements below. Satisfactory completion is achieving a Pass.

- The Law School's orientation program for incoming LL.M. students.
- The following classes:
  - At least five-credits in a course or courses during the first semester that teach fundamentals of U.S. law, legal research, legal writing, legal analysis and reasoning, problem-solving, written and oral communication in the legal context, and lawyering skills including negotiation and oral argument.
  - Faculty-taught skills workshops scheduled throughout the academic year that focus on document drafting, interviewing, counseling and fact development and analysis.
  - A professional responsibility course.

- Opportunities and encouragement to engage in pro bono service in excess of the 50 hours required which exposes students to oral and written communication, problem solving, fact investigation, research and writing and case theory/planning.

LLM students who cannot satisfy the requirements of Pathway 1 also should consider completing the requirements of either **Pathway 4 or 5** neither of which necessitate certification by the Law School. [See below]

Pathway 2: for JD students beginning their studies as of August 1, 2016

Students will be certified under Pathway 2 upon completion of fifteen [15] credits of experiential coursework, of which

- Up to six academic credits **must** come from experiential courses of which at least one course must be a clinic or externship that will expose students to oral and written communication, problem solving, fact investigation, research and writing and case theory/planning.
- Up to six "credits" **may** come from a paid or unpaid non-credit bearing summer employment supervised by an attorney in good standing in any state or territory of the United States or the District of Columbia.

maximum of three (3) summer employment credits may be obtained in a single summer. Fifty (50) hours of work constitutes one summer employment credit.

This is the form that must be completed by both the student and the supervising attorney in order to ensure that summer legal employment counts toward Pathway 2. It is recommended that you alert the supervisor about this form and the supervision requirements during the first week of summer employment. Please submit all completed form(s) to the Registrar's office.

Pathway 3:

Any student who satisfactorily completes the **NYS Pro Bono Scholars** Program is eligible for certification under Pathway 3.

Pathway 4:

Any applicant, **both JD and LL.M**, may complete a six-month full-time paid or unpaid apprenticeship in a law office in the United States, under the supervision of one or more attorneys who have, for at least two years, been admitted to practice and in good standing in the jurisdiction where the apprenticeship occurs. For an applicant who is unable to secure an apprenticeship in the United States, the applicant may complete the apprenticeship in a law office in another country, territory or commonwealth outside the continental United States, under the supervision of one or more attorneys who have, for at least two years, been in good standing and authorized to practice law in that country, territory or commonwealth. The apprenticeship shall be continuous for the six-month period, and shall commence after the conclusion of the applicant's law studies, except that an applicant who is required to complete an LL.M. program at an approved law school pursuant to section 520.6(b) of this Part may complete the apprenticeship before commencing the LL.M. program. The apprenticeship must be completed in its totality within the three-year application filing deadline provided in section 520.12(d) of this Part.

Pathway 5:

An applicant who has been authorized to practice law in another United States jurisdiction or any other country, territory or commonwealth outside the continental United States may satisfy the skills competency requirement by establishing and submitting proof that the applicant has been in good standing and practiced law in that jurisdiction full-time for at least one year or half-time for two years following the applicant's authorization to practice. Prior legal practice may qualify even if it occurred

was for at least one year of full-time for two years, in full compliance with the jurisdiction's rules.

Contact

For additional information, please consult the NY Court of Appeals website.

Frequently Asked Questions, available at here

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New York State Pro Bono Scholars Program

New York State Pro Bono Scholars Program

The New York State Pro Bono Scholars Program (PBSP) is a statewide program established by the New York Court of Appeals that allows 3L students to sit for the February Uniform Bar Exam and complete 520 hours of qualifying pro bono work constituting direct client services or advocacy for those who would not otherwise have access to justice.

Previous classes of Pro Bono Scholars have completed placements at Legal Services NYC, Brooklyn Defender Services, Shearman & Sterling LLP, the New Jersey Public Defender, the Brooklyn Volunteer Lawyers Project, Sussman & Watkins, and the New York City Housing Development Corporation among many other organizations, in areas ranging from immigration to indigent defense to community development.

Resources

Pro Bono Scholars Program Guide

Our lives begin to end the day we become silent about things that matter.

Requirements

From late February to late May, the Scholars will complete 500 hours of qualifying pro bono work constituting direct client services or advocacy. Students must also complete the requirements of the law school's academic component. During the spring semester, the Scholars will be enrolled at the law school, paying per credit tuition for no more than 12 credits.

Upon certification of the Scholars' successful completion of both of these components, the Scholars will be eligible to officially graduate. If a Scholar does not satisfactorily complete all of the work of both components, s/he will not be allowed to graduate officially. (Note: Scholars will be allowed to walk with their graduating class in late May/early June even if they have not completed their 500 hours by the date of the graduation ceremony).

Brooklyn Law School's Pro Bono Scholars will receive 11 clinical non-classroom credits relating to the 500 hours of work and 1 seminar credits corresponding to the academic component. Scholars will be able to obtain appropriate placements either by independently securing a qualifying placement that is approved by the law school (with the assistance of the Public Service Office) or by applying to the Court for placement.

Students are strongly advised to take the August or November Multistate Professional Responsibility Exam (MPRE) so that they are able to be admitted to the New York State Bar promptly upon passage of the Bar Exam and law school graduation.

http://www.law.buffalo.edu/current/barExam/nys-skills-requirements.html

University of Buffalo School of Law

New York State Skills and Values Requirements

To be admitted to practice in the state of New York, the NY Court of Appeals will require you to comply with its Skills Competency Requirement and Professional Values Bar Admission Requirement.

This requirement applies to all J.D. students who started law school in August 2016 or later. The University at Buffalo School of Law faculty adopted academic requirements to ensure that all students like you graduating from the law school would be able to comply with this requirement.

To meet the requirement that bar applicants establish acquisition of necessary skills and familiarity with professional values necessary to practice law competently, applicants can demonstrate compliance with New York's Skills Requirement through five different "Pathways." Please note that these requirements are not specifically required for graduation from the School of Law, although some of UB's graduation requirements may assist bar applicants in meeting the admission Skills Requirement.

We anticipate that School of Law J.D. students will use one of three Pathways to seek admission. The law school is prepared to provide documentation to the Court of Appeals to assist in the admission process, if you comply with all Pathway requirements.

Pathway 1 can be satisfied if you successfully complete your graduation requirements, including Legal Analysis, Writing and Research courses, an ethics class, and six experiential course credits. You must achieve grades of C or above in the experiential courses. The faculty who teach these law courses have designed learning outcomes and assessment methods that will ensure you emerge with the necessary skills and values training to meet the New York Skills Requirement.

Pathway 2 can be satisfied with fifteen credits of experiential coursework. University at Buffalo School of Law's experiential courses are presented on a list which is updated every semester and can be found on the Registrar's website. This pathway allows applicants to include up to six (6) "credits" from paid or unpaid "non-credit bearing summer employment supervised by an attorney in good standing in any state or territory of the United States or the District of Columbia." Applicable employment "credits" are used solely for the purpose of meeting the Skills Requirement. If you use this Pathway, employment-based credits **will not** appear on your transcript **nor** count towards your overall graduation requirements. A maximum of three (3) summer employment credits may be obtained in a single summer. Fifty (50) hours of work constitutes one summer employment credit. Special forms must be submitted by you and your supervising attorney if you elect to use outside employment to satisfy a portion of this pathway, and if coordinated with the Registrar's office.

Pathway 3 can be satisfied if you are accepted into and complete the School of Law's Pro Bono Scholars Program during the spring of your last year. UB's Pro Bono Scholars Program is highly selective and applicants are not guaranteed acceptance.

Two additional Pathways allow applicants to fulfill NY's Skills Requirement. The requirements for Pathway 4 and Pathway 5, however, can only be fulfilled outside of your law school course of study. For more information on using those Pathways, refer to the Court of Appeal's website.

The New York Court of Appeals has created a thorough Frequently Asked Questions Download pdf document designed to answer your questions about the Skills Requirement. If you still have further questions, feel free to reach out to UB's Vice Dean for Advocacy and Experiential Learning, Professor Kim Diana Connolly.

Our website for students is available here: http://www.law.buffalo.edu/current/barExam/nys-skills-requirements.html.

Please note that we offer meetings on this topic to all students, but engage in individual planning for each of our LL.M. students, since their needs vary so greatly.

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BRINGING LAW TO LIFE

CARDOZO LAW

BENJAMIN N. CARDOZO SCHOOL OF LAW • YESHIVA UNIVERSITY

NEW YORK STATE SKILLS AND VALUES REQUIREMENTS

In 2015, the Court of Appeals adopted a requirement that applicants to the bar demonstrate that they have had essential practical skills training and gained sufficient understanding of professional values for admission to practice in New York. The purpose of this separate admission requirement is to ensure that prospective attorneys possess the requisite skills and are familiar with the professional values required for effective, ethical and responsible practice in this state.

When applying for admission to the New York State Bar, Cardozo JD students must certify that they have satisfied this requirement in one or more of the following ways:

Pathway 1. Applicant has:

a. Attended professionalism panel during 1L orientation;

b. Completed the 6 required "skills" credits for graduation;

c. Participated in the mandatory Professional Values workshops sponsored by the

Office of Career Services;

d. Completed Advanced Legal Research;

e. Completed Professional Responsibility Requirement;

f. Completed mandatory Legal Writing and Research sessions.

Pathway 2. Applicant has submitted proof that he/she has completed 15 credits of practice-based experiential coursework designed to foster professional competency training.

Pathway 3. Applicant completed the Pro Bono Scholars Program.

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NY STATE BAR EXAM FOR FOREIGNERS

The New York State Board of Law Examiners on Foreign Legal Education (22 NYCRR 520.6)

Anyone who has received a first degree in law from a foreign country and wishes to sit for the New York Bar Exam should first understand the rules for Bar Exam eligibility for foreign-educated attorneys and obtain an evaluation of his/her foreign credentials directly from the Board of Law Examiners (http://www.nybarexam.org/foreign/foreignlegaleducation.htm).

An applicant must submit credentials and necessary supporting documents for evaluation by the Board of Law Examiners through the Foreign Evaluation On-line Form (https://www.nybarevaluation.org/Intro.aspx).

The Board will not commence review of any request for an evaluation until it is in receipt of all required documentation. Please allow at least six months from the date of the Board's receipt of all of the necessary documentation for a decision to be made.

New York State Board of Law Examiners
Corporate Plaza- Building 3
254 Washington Avenue Extension
Albany, NY 12203-5195
518/452-8700 (tel)
800/342-3335 (tel)

518/452-5729 (fax)
http://www.nybarexam.org
(http://www.nybarexam.org/)

If you must establish eligibility for the New York Bar Exam based on an LLM degree from an ABA-accredited law school in the United States, we have provided course selection guidelines (/sites/default/files/courseselectionguidelines.pdf) that show which Cardozo courses fulfill the Bar Exam requirements.

Cardozo School of Law makes no representation or assurance that students who complete the LL.M. program will qualify for the New York State Bar Exam or the bar examination of any other jurisdiction.

Skills Competency and Professional Values Requirement

New York's Skills Competency and Professional Values Bar Admission Requirement [Rule 520.18(a)(1)]

Pathway 1 (Approval by the New York Court of Appeals pending):

Cardozo's LL.M. program requires students to complete 24 credits of coursework. For students who cannot satisfy any of the other pathways for satisfaction of the skills and competency and professional values requirement, we will require students to complete the following program in order to satisfy Pathway 1:

- 8 required credits in coursework designed especially for foreign lawyers seeking to develop competency and skills peculiar to the American legal system;
- 2 or 3 credits of Professional Responsibility; and
- 6 credits from among an array of skills courses, some of which we have designed

specifically for LL.M. students, and some of which are open both to J.D. and LL.M. students.

This pathway would require students to take at least 16 of the 24 required credits in non-traditional, non-doctrinal courses designed to enhance their readiness to practice law in New York. Students are advised that in order to provide sufficient coursework to satisfy Pathway 1, they would likely need to complete many more credits than the 24 required on the Rule 520.6(b)(3).

FAQ

For more information:
http://www.nycourts.gov/ctapps/news/skills.pdf
(http://www.nycourts.gov/ctapps/news/skills.pdf)

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The Cardozo Office of Admissions
lawinfo@yu.edu (mailto:lawinfo@yu.edu)
212.790.0274

https://www.law.columbia.edu/registration/bar-certification/NewYorkStateBar
https://www.law.columbia.edu/registration/bar-certification/NewYorkStateBar#Seat%20assignments

COLUMBIA LAW SCHOOL

(NEW) Skills Competency Requirement for Admission to the Bar:
The New York Court of Appeals has identified five pathways through which applicants for admission to practice may satisfy the requirement to 'demonstrate that the applicant possesses the skills and values necessary to provide effective, ethical and responsible legal services in this State'.

This requirement applies to

- JD students commencing their studies after August 1, 2016
- LLM students commencing their studies after August 1, 2018.

Prior to applying to the New York Bar, all students should review carefully the information provided by the New York Court of Appeals as well as the FAQs.

Skills Competency Requirement for JD candidates

Pathway 1

Pathway 1 allows applicants to satisfy the skills competency requirement by submitting a certification from their law school confirming that (1) the school's curriculum incorporates the teaching of skills and professional values required for participation in the legal profession, and (2) that the applicant has acquired sufficient competency in those skills and sufficient familiarity with those values.

Fulfillment of Requirement: Columbia Law School J.D. students are introduced to a core set of skills and professional values as part of the standard required curriculum. In order to satisfy Pathway I, students must complete the educational program described below.
Students' training begins in the first year of the J.D. program with the foundational Legal Methods course, which provides an introduction to legal institutions and processes and the skills necessary in the professional use of case law and legislation. Students learn about the sources, forms, and development of Anglo-American law, the analysis and synthesis of judicial precedents, the interpretation of statutes, the coordination of judge-made and statute law, and the uses of legal reasoning.

Starting with the Class of 2021, Legal Methods will be divided into intensive components. Building on the extant Legal Methods course, Legal Methods II is taught over five, three-hour sessions in January, continues this methodological approach but broadens it to give students a menu of choices, reflecting methods employed by lawyers in different professional contexts. Students obtain a background in the principles, theories, and history underpinning the methods being examined. In addition, students engage in experiential work, in which they actively use and reflect upon these methods. Current offerings include Financial Methods for Lawyers, Methods of Persuasion, Methods of Statutory Drafting and Persuasion, Social Justice Advocacy, and Transnational Law and Legal Process.

In addition, students receive training in a range of professional skills and values as part of the required first-year Legal Practice Workshop. The list of skills covered includes:

- Legal analysis
- Legal research
- Written communication, including
    1. organization of legal writing
    2. persuasion and legal rhetoric
    3. reflection, editing, and revision
    4. proper documentation of and citation to research sourcesl appellate brief writing
- Collaboration and teamwork
- Oral communication and advocacy
- Client Communication
- Negotiation
- Professionalism

Note: LL.M. students who plan to sit for the New York Bar are required to take a similar two-credit Legal Research and Writing course in the fall semester. The skills and professional values acquired by the LL.M. students in the Legal Research and Writing course are equivalent to those acquired by the J.D. students in the fall component of the Legal Practice Workshop.

Finally, students acquire the following analytical skills in their other required first-year Foundation courses (Contracts, Civil Procedure, Torts, Criminal Law, Property, and Constitutional Law):

1. Understanding of and facility in the influences of political institutions in law
2. Understanding of and facility in a specific body of law, including major policy concerns
3. Understanding of and facility in doctrinal analysis, including close reading of cases and precedents, and application to facts

In their upper years, students must satisfy the following additional requirements:

- at least one course in legal ethics and professional responsibility, selecting from a menu of general offerings or courses set in different practice contexts
- two faculty-supervised writing and research projects
- no fewer than six credits of experiential learning as defined in revised ABA Standard 303(a)(3)
- the Class of 2021 and thereafter will also complete a course in Legislation and Regulation.

Students in the upper years can choose among a variety of experiential offerings that range across the varieties of legal practice and that build upon the skills introduced in the first-year and immerse students in an additional set of core skills and professional values. Students select from a menu of clinics, externships, simulations, policy and social justice labs, and faculty supervised independent experiential projects. Columbia's experiential offerings provide instruction in one or more of the following core skills and values:

- Effective approaches to problem solving: gathering facts, developing options, assessing the range of possible outcomes, and making decisions
- Collaborating in teams
- Critiquing one's own professional performance
- Professionalism in the representation of clients, identification of personal goals related to development as a lawyer and ability to take advantage of opportunities to make progress on them
- Drafting legal documents and professional correspondence
- Continued development of basic skills and values acquired in the first year, including:
    - o Research skills and strategies; document review and analysis
    - o Analytical thinking; time management; information management o Interviewing and counseling
    - o Oral presentation

In addition, students are provided with myriad opportunities and guidance from counselors to help them define their particular intellectual and professional goals and choose courses that will provide them with opportunities to acquire additional skills and values tailored to these aspirations. Depending on the specific courses the students select, the skills and values they acquire will include some or all of the following:

- Litigation skills, including crafting a theory of the case, communicating a client's goals effectively to a judicial or administrative tribunal, and use of important litigation tools, such as interviewing, motions practice, examination of lay and expert witnesses, oral argument, and briefing
- Negotiation
- Using information transfer and technologies in law and the legal profession
- Applying other disciplines in the analysis and solution of legal problems and in institutional design, including cultural studies, economics, philosophy, political science, psychology, and sociology
- Applying values-based considerations in law-making and legal problem-solving
- Understanding the dynamics and strategies of multi-level systems change
- Developing strategies for addressing structural inequality

- Addressing differences between lawyers' and clients' cultural and economic backgrounds in the process of forming effective attorney-client relationships
- Public administrative skills, including the structuring and restructuring of local, state, federal, and international institutions
- Transactional lawyering, including
    1. Value creation, transactional procedures, and design of strategy for deals
    2. Analyzing, negotiating, and drafting deal terms
    3. Drafting and interpreting important documents used by practitioners in key substantive practice areas
    4. Communicating with and counseling individual and organizational clients on strategy and deal terms
- Understanding principles of accounting and business finance
    1. Statistical reasoning
    2. Working effectively in cross-professional teams to solve multi-dimensional problems
    3. Written, oral, digital, and public communication and data display
- Leadership and management

Pathway 2

Pathway 2 allows applicants to satisfy the requirement through certification of credit acquisition which confirms that the applicant enrolled in and successfully completed 15 credit hours, as defined by American Bar Association Standards for the Approval of Law Schools, of practice-based experiential coursework designed to foster the development of professional competencies.

Fulfillment of Requirement: J.D. candidates who have successfully completed 15 points of experiential credit can demonstrate satisfaction of the requirement through Pathway 2, in addition to Pathway 1.

Skills Competency Requirement for LLM Candidates

Pathway 5

Pathway 5 allows an applicant who has been authorized to practice law in another state, or in a commonwealth, territory or country outside the United States, to meet the skills competency requirement by establishing that the applicant has been in good standing and practiced law full-time for one year or part-time for two years.

Fulfillment of Requirement: The majority of LLM students will fulfill the skills requirement through Pathway 5.

Skills Competency for Pro Bono Scholars

Pathway 3

Pathway 3 provides that any applicant who has successfully completed the Pro Bono Scholars Program ("PBSP") will be deemed to have satisfied the skills competency requirement. The Pro Bono Scholars Program, implemented in New York in 2014, gives law students the option to take the bar examination early and spend their final semester of study performing pro bono work.

Fulfillment of Requirement: Students who elect to follow the Pro Bono Scholars program will be able to demonstrate the necessary skills and values required for legal practice and qualify for admission to the New York Bar under Pathway 3 in addition to Pathway 1.

Skills Competency Requirement for Social Justice Pathways Fellows

Pathway 4

Pathway 4 allows applicants to complete a post-graduation six-month apprenticeship in the United States, or in a commonwealth, territory or country outside the United States, under the supervision of an attorney authorized to practice and in good standing in the jurisdiction where the work is performed. The apprenticeship can be paid or unpaid.

Fulfillment of Requirement: Students who participate in the Social Justice Pathways Fellowship, which enables JD graduates obtain positions in public interest organizations under the supervision of licensed attorneys, will be able to demonstrate their skills and values competency through Pathway 4, as well as Pathway 1."

Cornell Law School

Lawyers in the Best Sense

New York State Skills Competency Requirement

for Admission of Attorneys and Counselors at Law

Pathway One Plan

https://www.lawschool.cornell.edu/about/upload/CLS-Skills-Plan-for-web-page-final-11-01-2016.pdf

In December of 2015, the New York Court of Appeals adopted Rule 520.18, modifying the requirements for admission to the New York Bar, by creating a Skills Competency Requirement.[1] The requirement, which is applicable to all students who begin their J.D. studies in August of 2016 or thereafter, establishes five pathways by which law students can qualify for admission to the New York Bar. Because we anticipate that the majority of our J.D. students will be certified for admission through Pathway 1, which requires each school to identify and incorporate into its curriculum the "skills and professional values" necessary for its graduates' "basic competence and ethical participation in the legal profession," we will first set forth those skills and professional values.

Taking into account a number of factors, including: the career paths of the large majority of our students following graduation; the fact that 90% of our students participate in public interest and government internships in the summer following their first year of law school, and almost all of our students are employed at large corporate firms, smaller private firms, government agencies or public interest organizations in the summer following their second year of law school; the fact that approximately 70% of our students currently take at least one clinic or participate in one externship program in their second or third years; and, the fact that all of our students will be required to take a minimum of 6 credits of experiential learning courses, Cornell Law School has identified in Column A below the skills and professional values which are required for our graduates' "basic competence and ethical participation in the legal profession." Column B designates where in the curriculum those skills and professional values are taught and assessed.

[1] Students also are required to satisfy ABA Standard 303(a)(3), which requires that all J.D. students complete at least 6 credit hours of experiential learning classes.

A	B
Skill	**Classes Where Skill Is Taught and Assessed**[2]
Problem Solving	All doctrinal, clinical and skills classes
Legal Analysis and Reasoning	All doctrinal, clinical and skills classes
Legal Research including Use of Technology	Lawyering
Factual Investigation	Lawyering
Communication (Written and Oral)	Lawyering Upper-Level Writing Requirement Professional Development Program
Counseling	Lawyering and other 1L classes
Negotiation	Contracts
Litigation Procedures	Lawyering Civil Procedure
Recognizing and Resolving Ethical Dilemmas	Lawyering Professional Responsibility Required Course Professional Development Program
Collaboration	Lawyering Professional Development Program
Competent Representation	Lawyering Professional Responsibility Required Course
Cultural Competence	Lawyering Professional Development Program

[2] Cornell Law School requires all students to take the following courses in their first year: Lawyering, Contracts, Civil Procedure, Torts, Criminal Law, Constitutional Law, and Property. Students are also required to take one upper-level writing course and a class in Professional Responsibility.

Value	Classes Where Value is Taught and Assessed
Provision of Competent Representation	All doctrinal, clinical and skills classes Professional Responsibility Required Course
Striving to Promote Justice, Fairness, and Morality	Lawyering Professional Responsibility Required Course Constitutional Law The NYS Pro Bono Requirement is also instrumental in promoting this value.
Striving to Improve the Profession	Professional Responsibility Required Course Respect at Cornell (required university program)
Professional Self-Development	Lawyering 1L classes with feedback component Professional Development Program Career-related programming and counseling

Cornell University
Law School

Lawyers in the Best Sense

EDUARDO M. PEÑALVER '94
Allan R. Tessler Dean and Professor of Law

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MEMORANDUM

TO: The Honorable Jenny Rivera, New York Court of Appeals

FROM: Eduardo M. Peñalver, Allen R. Tessler Dean and Professor of Law

RE: Cornell Law School's Plan for Implementing Rule 520.18

DATE: April 14, 2016

On February 4, 2016 you asked all deans of New York law schools to provide you with descriptions of their plans for satisfying the Court of Appeals' new Rule 520.18, modifying the requirements for admission to the New York Bar. This memorandum describes Cornell Law School's plan, the process by which it was developed and how it will be implemented.

I. Introduction.

For several years prior to the Court of Appeals' new rule, Cornell Law School was already engaged in an evaluation of the skills and values that our students would need to succeed in today's legal environment. In 2011, then Dean Stewart Schwab – at the recommendation of a committee tasked with evaluating the law school's clinical skills offerings – created the position of Director of Clinical, Advocacy and Skills Programs. The Director was given the responsibility of overseeing and expanding the quantity and quality of experiential learning at Cornell Law School. Over the last five years, the number of such courses has increased significantly.[1] In 2014, I established a Professional Development working group, which resulted in the creation of a new administrative position of Assistant Dean for Professional Development.[2] In 2015, we expanded our orientation program to include introductions to skills and values, such as problem solving in a collaborative environment that we believe are essential to any

[1] For example, new clinical offerings include the LGBT Clinic, the Juvenile Justice Clinic, the New York Attorney General's Clinic, the Family Law Clinic, the Farmworker Legal Assistance Clinic, the Legal Research Clinic and the Estate Planning Clinic. A complete list of our clinical courses is set forth in Appendix 1 to this memorandum. The number of externship opportunities has also expanded, a complete list of which is detailed in Appendix 2. New skills offerings include Client Counseling, Deposition Skills, Federal Appellate Practice, Legal Drafting, Oral Presentation Skills and Mediation Skills. A complete list of our skills offerings can be found in Appendix 3. As will be discussed in section III, in developing this plan we expanded, and are continuing to expand, the range of skills addressed in the 1L Lawyering class and in other mandatory 1L classes. We have also modified our orientation and professional development programming to include skills and values education.

[2] The 2014 Professional Development working group drafted Cornell Law School's Professional Development Mission Statement: "Cornell Law School is fully committed to providing our students with the analytical, reasoning and practical skills that are fundamental to exceptional lawyering. We further believe that the best lawyers – lawyers who have the strongest positive impact on their clients, organizations, and communities – are those who are able to combine these skills with self-awareness, clear, guiding ethical values and strong interpersonal and leadership skills. Professional development at the law school, therefore, takes as its central mission the development of students who will not only be skillful problem solvers and effective client advocates, but who will also flourish in law school and throughout their careers becoming high-impact leaders in the organizations and communities of which they will be a part. In other words, Lawyers in the Best Sense."

values, such as problem solving in a collaborative environment that we believe are essential to any lawyer's success. During orientation in 2016, we plan to add a cultural competence component to the programming. Other committees have also been working to implement the ABA's new six-credit experiential learning requirement that goes into effect for students graduating in 2019.

Most recently, I designated a committee[3] to respond to the Court of Appeals' new "Skills Competency Requirement" for admission to the New York bar, set forth in part 520 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law. So that our graduates may qualify for admission to the New York Bar, we have endeavored to develop a plan consistent with part 520.18 (1), known as Pathway 1.[4] The committee met five times and reviewed and discussed various studies, including the MacCrate Report, detailing the essential skills and values that new law graduates should have. The committee's work was also informed by the career paths of our graduates, 70% of whom will go to work upon graduation for law firms that employ more than 100 lawyers.[5]

Taking all of these factors into account, including the efforts to enhance our students' skills competency prior to the new rules established by the Court of Appeals, the committee identified the skills and values set forth in Column A below as those in which graduates of Cornell Law School should be minimally competent. Similarly, the committee identified in Column B the courses in which those skills and values are currently addressed and assessed, or which will be modified to do so. The committee then provided Cornell Law School's plan for Pathway 1 to me. After reviewing the plan, discussing it with the chair of the committee and making some minor modifications, I submitted the plan to the full faculty for its approval on April 13, 2016. It was unanimously approved by the faculty that same date.

II. Cornell Law School Skills and Values.

Cornell Law School has identified the skills and professional values set forth below as those which are required for our graduates' "basic competence and ethical participation in the legal profession." We have also identified below the places in the curriculum and other programming that students will obtain those skills and professional values.

---

[3] The members of the committee were Joel Atlas (Clinical Professor of Law and Director of the Lawyering Program); Celia Bigoness (Assistant Clinical Professor of Law (Lawyering)); John Blume (Chair) (Samuel F. Leibowitz Professor of Trial Techniques & Director of Clinical, Advocacy and Skills Programs); Elizabeth Peck (Assistant Dean for Professional Development and Clerkships); Stewart Schwab (Jonathan and Ruby Zhu Professor of Law); and Charles Whitehead (Myron C. Taylor Alumni Professor of Business Law and Director, Law, Technology and Entrepreneurship Program).

[4] Part 520.18(a)(1)(i) states that "[a]n applicant may submit from an American Bar Association-approved law school a certification confirming that . . . the law school has developed a plan identifying and incorporating into its curriculum the skills and professional values that are required, in the school's judgment, for its graduates' basic competence and ethical participation in the legal profession." Pursuant to the new rules, a law school is also required to certify that an applicant to the New York Bar has attained "sufficient competence in those skills and sufficient familiarity with those values." (520.18 (a)(1)(i)(b)).

[5] The percentage is actually somewhat higher than 70% because that does not include students who have accepted offers at firms but are deferring employment due to a federal or state judicial clerkship.

A	B
Skill	**Classes Where Skill Is Taught and Assessed**[6]
Problem Solving	All doctrinal, clinical and skills classes
Legal Analysis and Reasoning	All doctrinal, clinical and skills classes
Legal Research including Use of Technology	Lawyering
Factual Investigation	Lawyering
Communication (Written and Oral)	Lawyering Upper-Level Writing Requirement Professional Development Program
Counseling	Professional Responsibility Required Course Lawyering and other 1L classes
Negotiation	Contracts
Litigation Procedures	Lawyering Civil Procedure
Recognizing and Resolving Ethical Dilemmas	Lawyering Professional Responsibility Required Course Professional Development Program
Collaboration	Lawyering Professional Development Program
Competent Representation	Lawyering Professional Responsibility Required Course
Cultural Competence	Lawyering Professional Development Program

[6] Cornell Law School requires all students to take the following courses in their first year: Lawyering, Contracts, Civil Procedure, Torts, Criminal Law, Constitutional Law, and Property. Starting in the 2016-17 Academic Year students will also be able to take an elective in the 1L year. In the 2L or 3L year, students must take one upper-level writing course and a Professional Responsibility class (several courses meet this requirement).

Value	Classes Where Value is Taught and Assessed
Provision of Competent Representation	All doctrinal, clinical and skills classes Professional Responsibility Required Course
Striving to Promote Justice, Fairness, and Morality	Lawyering Professional Responsibility Required Course Constitutional Law The NYS Pro Bono Requirement is also instrumental in promoting this value.
Striving to Improve the Profession	Professional Responsibility Required Course Respect at Cornell (required university program)
Professional Self-Development	Lawyering 1L classes with feedback component Professional Development Program Career-related programming and counseling

III. Development and Implementation.

As discussed in section I, our plan was developed bearing in mind that prior to this Court's adoption of Rule 520.18, Cornell Law School had already begun the process of integrating more skills and values training into our 1L and upper level Curriculum. For example, our four credit Lawyering Class is much more than a class on legal research and writing. The Lawyering Faculty, all of whom are full time members of the faculty who teach Lawyering and upper-level skills classes, provide students with training and competence in a variety of different areas. While there was some variation in the skills covered by each member of the Lawyering faculty (e.g., some faculty covered cultural competence and others did not), the Director of the Lawyering Program will now require that each section adequately cover the skills identified in column A in the chart in section II. Additionally, we made modifications to other classes as well. For example, all of our Contracts faculty taught negotiation skills, but not all faculty members had incorporated specific negotiation simulation exercises requiring students to negotiate a contract. As part of this plan, we are now requiring all faculty teaching Contracts to do so.

This plan was also developed with the awareness that our students will also now have to satisfy new ABA Standard 303(a)(3), which requires that all J.D. students complete at least 6 credit hours of experiential learning classes. The additional 6 experiential learning credits our students will obtain in clinical, simulation or externship classes to satisfy Standard 303(a)(3) will build upon the skills and values in which our students will attain minimal competence pursuant to this plan.[7] Another factor in the overall plan development is that most (approximately 90%) of our students work in the public sector (either for public interest organizations, federal or state government, state or federal judges) or for a law

[7] At present, more than 70% or our students already take a clinical and/or externship class prior to graduation. We are currently exploring whether to make it mandatory for all students to do so.

firm or in-house counsel after the completion of their first year, and all of our students are employed following their second year at large corporate firms (approximately 75% of the class), smaller firms, or in the public sector. Our students thus obtain additional practical skills and values training during their two summer work experiences.

Finally, let me briefly touch on the issue of transfer and LLM students. Compared to our peer schools, Cornell accepts a relatively small number of transfer students. Although our plan for non-transfer students relies in part on the Lawyering program to satisfy Pathway 1, that course is not available to transfer students. We may be able to certify some transfer students under Pathway 1 by relying in part on the strength of the first-year curriculum at their sending institution. Cornell Law School may in the future explore the creation of a specialized skills course for transfer students to enable them to take advantage of Pathway 1. But for most transfer students in the short term, we plan to have them work to satisfy Pathway 2. LLM students at Cornell who wish to be admitted in New York will be required to satisfy Pathway 4 or Pathway 5.

IV. Conclusion.

As detailed in Section I, Cornell Law School takes seriously its mission to train lawyers who have the skills and professional values to competently participate and succeed in, as well as meaningfully contribute to, the legal profession in the State of New York and all the other states in which our students will practice. The founding vision for Cornell Law School was to be a school that would produce, in the words of Cornell's first president, Andrew Dickson White, "well trained, large minded and morally based lawyers." The plan set forth in this memo reflects our longstanding commitment to that vision.

Eduardo M. Peñalver
Allen R. Tessler Dean and Professor of Law
Cornell Law School

CUNY School of Law

https://www.law.cuny.edu/academics/learning-outcomes/

The Student Learning Outcomes below are designed to further CUNY School of Law's dual educational missions of preparing outstanding social justice attorneys and diversifying the legal profession. CUNY School of Law, a leader in progressive legal education has developed a curriculum that threads doctrine, theory, and practice through the curriculum.

The law school's outcomes are listed under the headings provided by ABA Standard 302. Listed under each outcome are examples of the type of work that may be used to determine competency. See our learning outcomes.

In addition, the Law School complies with 22 N.Y.C.R.R. § 520.18 through the second pathway, which requires the Law School to submit proof that each student completed 15 credits of practice-based experiential coursework designed to foster professional competency training, and the third pathway under the Pro Bono Scholars program.

CUNY Law School Learning Outcomes

Prefatory Note:

The Student Learning Outcomes below are designed to further CUNY School of Law's dual educational missions of preparing outstanding social justice attorneys and diversifying the legal profession. CUNY School of Law, a leader in progressive legal education has developed a curriculum that threads doctrine, theory, and practice through the curriculum. The law school's outcomes are listed under the headings provided by ABA Standard 302. Listed under each outcome are examples of the type of work that may be used to determine competency.

Standard 302. Learning Outcomes

a) Knowledge & Understanding of Substantive and Procedural Law

1. Graduates will be able to identify, explain, and apply basic concepts, theories, procedures, and rules of law.

Competency may be assessed through demonstrated:

- Understanding of core doctrine and procedure;
- Understanding of critical perspectives on the law's impact on the lives of individuals and society.

b) Legal analysis and reasoning including legal research, problem solving and written and oral communication in a legal context

2. Graduates will be able to identify legal issues and key facts, and to develop sound legal and policy arguments to address the issues.

Competency may be assessed through demonstrated:

- Issue spotting based on a set of facts;
- Ability to select the appropriate doctrine and apply it to relevant facts;
- Development and assessment of competing legal and policy arguments, informed by critical legal and social perspectives.

3. Graduates will be able to conduct fact investigation tailored to a particular legal or social problem.

Competency may be assessed through demonstrated:

- Recognition of the need for fact investigation;
- Ability to develop and implement an organized strategy for factual investigation.
- Ability to evaluate and modify strategies when necessary.

4. Graduates will be able to critically analyze the social context in which a legal issue arises.

Competency may be assessed through demonstrated:

- Formation of individualized and independent judgments supported by legal doctrine;
- Ability to reflect on and reassess judgments based on new information;
- Recognition of the effects of the social and political context in which legal issues arise;

- Recognition of the role of law in social change.

5. Graduates will be able to create efficient and productive research strategies, to organize their research, to review and alter their strategies as required.

Competency may be assessed through demonstrated:

- Understanding of the structures of the U.S. legal system;
- Creation of productive, effective, and ethical research strategies using both free and fee-based databases;
- Evaluation and modification of research strategies when necessary;
- Ability to distinguish between types and relevance of primary and secondary legal authority.

6. Graduates will be able to work effectively to engage in and assist others in problem solving, including resolving uncertain, indeterminate, and unstructured situations.

Competency may be assessed through demonstrated:

- Ability to listen to client concerns to effectively assess the problem(s) a client is seeking to have addressed;
- Development of both legal and non-legal strategies to address problems;
- Review and reassessment of selected strategies;
- Work and collaboration with others.

7. Graduates will be able to draft basic legal and other documents that are accurate, organized, audience appropriate and responsive to the legal issue presented.

Competency may be assessed through demonstrated:

- Ability to draft litigation, legislative, planning and other documents;
- Understanding of the impact of audience and context in legal writing;
- Ability to incorporate and learn from feedback.

8. Graduates will be able to orally communicate in a professional manner that is audience appropriate.

Competency may be assessed through demonstrated:

- Ability to convey accurate legal analysis in an organized, accurate, and persuasive manner;
- Active listening skills;
- Ability to formulate plans for and to conduct effective interviewing, counseling and negotiations;
- Advocacy in legal and other settings.

c) <u>Exercise of proper professional and ethical responsibilities to clients and the legal system</u>

9. Graduates will be able to articulate and apply the core ethical and professional responsibilities of attorneys.

Competency may be assessed through demonstrated:

- Recognition of the ethical issues that arise in practice, including the obligation to maintain a level of competence and to engage in appropriate lawyer, client and institutional relationships;

- Identification and consultation of relevant resources to formulate professional responses to ethical concerns so they can fulfill an attorney's commitment to competence, integrity, and accountability.

10. Graduates will understand the specific responsibilities and potential issues that arise when working with clients, including, among others, disempowered individuals, organizations, or when representing government entities.

Competency may be assessed through demonstrated:

- Understanding of lawyers' responsibilities to provide legal services to those unable to afford them;
- Engagement in identifying and challenging bias in the legal profession.

d) Other professional skills needed for competent and ethical participation as a member of the legal profession

11. Graduates will demonstrate basic competency in conflict resolution skills in litigation- and non-litigation-based contexts.

Competency may be assessed through demonstrated:

- Trial and pre-trial, administrative and appellate advocacy skills;
- Recognition of the role of mediation and negotiation along with litigation-based conflict resolution mechanisms;
- Ability to proactively advise and counsel clients to strategically address conflicts.

12. Graduates will demonstrate an ability to work across difference.

Competency may be assessed through demonstrated:

- Recognition of the potential for structural inequality to negatively impact relationships with clients and others;
- Active listening and engagement with multiple perspectives;
- Incorporation of theoretical perspectives in practice.

13. Graduates will be able to collaborate with others, to organize and plan their efforts, and to reflect and reassess their work on an ongoing basis.

Competency may be assessed through demonstrated:

- Ability to work in teams;
- Project management skills, including planning, careful resource allocation, time management and ability to reassess and alter planning as necessary;
- Ability to incorporate feedback from and to provide feedback to others in a professional manner.

14. Graduates will demonstrate the fundamental skills of reflection and independent learning.

Competency may be assessed through demonstrated:

- Understanding of individual learning preferences;
- Reflection on and ability to learn from experience;
- Willingness to learn from others.

15. Graduates will be able to incorporate social justice lawyering into their practice. Competency may be assessed through demonstrated:
    - Understanding of the impact the law has on access to justice;
    - Understanding of the role allocation of resources has on access to justice;
    - Familiarity with critical theoretical perspectives and how those perspectives may be incorporated into a social justice practice.

New York State Skills and Values Requirements

In December 2015, the Court of Appeals adopted a Skills and Values Requirement (https://www.nybarexam.org/Skills/skills.htm) ("Skills Requirement") for admission to the bar in New York, which is in effect for J.D. students who commenced their law school studies in August 2016 or later and LL.M. students who commenced their studies in August 2018 or later. This Skills Requirement offers applicants a choice among five different "Pathways" to establish that they have acquired the skills and are familiar with the professional values necessary to practice law competently. These Pathways represent requirements for admission solely to the New York bar; they are not additional requirements for a Fordham legal education.

Three Pathways are relevant to your law school study:

Pathway 1

Pathway 1 is satisfied if you complete your graduation requirements, which include six experiential course credits, but you satisfy three of those experiential course credits by taking Fundamental Lawyering Skills (https://www.fordham.edu/info/23697/fundamental_lawyering_skills).

Here is the language of the Law School's certification plan under Pathway 1. J.D. (https://www.fordham.edu/downloads/file/8311/certification_of_competency_in_skills_and_professional_values) | LL.M. (https://www.fordham.edu/downloads/file/10862/llm_pathway_1_law_school_certification)

Pathway 2

Pathway 2 is satisfied if you complete fifteen credits of experiential coursework, of which up to six "credits" can come from paid or unpaid "non-credit bearing summer employment supervised by an attorney in good standing in any state or territory of the United States or the District of Columbia."

The employment "credits" are used solely for the purpose of meeting the Skills Requirement. They will not appear on your transcript and will not count towards your overall graduation requirements. A max of three (3) summer employment credits may be obtained in a single summer, and fifty (50) hours of work constitutes one summer employment credit.

This is the form (https://www.fordham.edu/downloads/file/8312/new_york_skills_requirement_form_affidavit) that must be completed by you and your supervising attorney if you want to ensure that your summer legal employment counts toward Pathway 2. It is recommended that you alert your supervisor about this form and the supervision requirements during your first week of summer employment. Please submit your completed form(s) to the Registrar's office.

Pathway 3

Pathway 3 is satisfied if you are accepted into and complete the Pro Bono Scholars Program (https://www.fordham.edu/info/23688/the_pro_bono_scholars_program) in the spring of your last year.

Note: The Pro Bono Scholars Program is highly selective and all applicants are not guaranteed acceptance.

The requirements for Pathway 4 and Pathway 5 are fulfilled outside of your law school study. For more information, refer to the Skills Requirement on the Court of Appeal's website (https://www.nybarexam.org/Skills/skills.htm). The Court of Appeals has also created a thorough FAQ document (http://www.nycourts.gov/ctapps/news/skills.pdf) that answers many questions about the Skills Requirement. If you still have questions, feel free to reach out to the Director of our Clinical Program, Professor Michael W. Martin (mailto:mwmartin@law.fordham.edu).

The Law School's Certification of its J.D. Graduates for Satisfying Pathway 1 of the New York State Bar's Skills and Values Requirement

J.D. students commencing study after August 1, 2016 who plan to apply for admission to the New York State Bar must satisfy one of five pathways under Section 520.18 of the Court of Appeal's Rules for the Admission of Attorneys and Counselors at Law regarding skills competency and professional values. (The section is attached below.)

For pathway 1, the Law School will certify a student as having basic competence and the ability to participate ethically in the legal profession if the student:

- Completes the Law School's orientation program for first year students;
- Completes the following classes:
  - (a) The three-credit 1L Legal Writing and Research, a course that includes simulations in interviewing, negotiation and oral advocacy;
  - (b) Six additional credits of Experiential courses,[1] designated as such by the Registrar, of which three credits must be Fundamental Lawyering Skills, a course that covers fact analysis, interviewing, counseling, negotiation, problem solving, case theory and planning; and
  - (c) At least three credits of a professional responsibility-focused course.

The Law School will certify transfer students if they have completed at least three credits of legal writing and research courses prior to coming to the Law School, successfully complete the Law School's orientation program for transfer students, and completes (b)-(c) above.

The Law School faculty is committed to ensuring that the intent of Pathway 1 of the NY skills competency requirement is met, and has developed learning outcomes that guide the curriculum from which each law student will be choosing courses that meet the above requirements.

[1] Courses that the Law School has designated as Experiential meet all of the requirements of the American Bar Association Standards and Rules of Procedure for the Approval of Law Schools Standard 303(a)(3).

Attachment

§520.18 Skills Competency Requirement for Admission.

(a) General. Every applicant for admission to practice, other than applicants for admission without examination pursuant to section 520.10 of this Part, or applicants who qualify for the bar examination under section 520.4 or 520.5 of this Part, shall demonstrate that the applicant possesses the skills and values necessary to provide effective, ethical and responsible legal services in this State. An applicant may satisfy this requirement by submitting proof of compliance with one of the following five subdivisions.

(1) Law school certification of competence in skills and professional values.

(i) An applicant may submit from an American Bar Association-approved law school a certification confirming that:

(a) the law school has developed a plan identifying and incorporating into its curriculum the skills and professional values that, in the school's judgment, are required for its graduates' basic competence and ethical participation in the legal profession, as required by American Bar Association Standards and Rules of Procedure for the Approval of Law Schools Standard 302(b), (c) and (d), and has made this plan publicly available on the law school's website; and (b) the applicant has acquired sufficient competency in those skills and sufficient familiarity with those values.

(ii) For purposes of this subdivision, a school may certify that an applicant has attained the required skill level if the graduate received a grade that the school considers sufficient to demonstrate competence in courses the school has designated as teaching the skills and professional values needed for basic competence and ethical participation in the legal profession.

(iii) A law school may adopt such other means of assessing its students' achievement of the required skills for purposes of this subdivision, provided the school receives the prior approval of the Court of Appeals.

(2) Law school certification of credit acquisition. An applicant may submit a certification from the applicant's approved law school confirming that the applicant enrolled in and successfully completed 15 credit hours, as defined by American Bar Association Standards for the Approval of Law Schools, of practice-based experiential coursework designed to foster the development of professional competencies. The 15 credits may be earned in whole or half credits.

(i) For purposes of this subdivision, practice-based experiential coursework is coursework that:

(a) develops the concepts underlying the practice competencies being taught;

(b) provides opportunities for performance by the student other than traditional classroom discussion;

(c) provides for regular individualized student feedback from a faculty member; and

(d) provides opportunities for student self-reflection.

(ii) Practice-based, experiential coursework includes, but is not limited to, those courses designated by a school as "experiential courses" under American Bar Association Standards for the Approval of Law Schools.

(iii) A law school may not count toward this requirement the first four credits earned in an introductory first-year legal research and writing class, first-year moot court class, or any combination thereof.

(iv) A student may earn up to six of the fifteen required credits through law school certified non-credit bearing summer employment supervised by an attorney in good standing in any state or territory of the United States or the District of Columbia. The supervising attorney must certify to the law school the beginning and ending dates of the employment, that the student satisfactorily completed the employment, and that the work experience: provided the student with an initial orientation session; implemented a system for assignments that assured that the student was actually engaged in the performance of legal work, including a diversity of tasks, as part of the ongoing practical work of the law office during normal business hours and throughout the required period; provided the student with experience and guidance in the skills and values required for basic competence and ethical participation in the legal profession; gave the student timely oral and written feedback; and engaged the student in reflection on his/her experiences and learning during the employment. At least 50 hours of full-time employment is required for each substituted credit under this subdivision.

(v) Certification. The certification of an applicant's compliance with this paragraph shall list the courses or parts of courses in the law school curriculum and, if applicable, the work experiences completed by the applicant that meet the 15-credit requirement as set forth herein.

(vi) Alternative method of compliance. If the law school does not submit the certification as required in paragraph (v), the applicant may submit evidence to the Court of Appeals that the requirements of this subdivision have been met by providing a list of the practice-based experiential courses taken by the applicant, the credits awarded, and the course descriptions and/or other information demonstrating that each course meets the requirements of this subdivision. Upon concluding that the applicant has submitted sufficient proof of compliance with this subdivision, the Court shall issue a determination to that effect.

(3) Pro Bono Scholars Program. An applicant who has successfully completed the Pro Bono Scholars Program as prescribed in section 520.16 of this Part shall be deemed to have met the skills competency requirement.

(4) Apprenticeship. An applicant may complete a six-month full-time paid or unpaid apprenticeship in a law office in the United States, under the supervision of one or more attorneys who have, for at least two years, been admitted to practice and in good standing in the jurisdiction where the apprenticeship occurs. For an applicant who is unable to secure an apprenticeship in the United States, the applicant may complete the apprenticeship in a law office in another country, territory or commonwealth outside the continental United States, under the supervision of one or more attorneys who have, for at least two years, been in good standing and authorized to practice law in that country, territory or commonwealth. In countries, territories or commonwealths that permit the practice of law without formal admission, supervision by a law graduate who has not been formally admitted to the bar may suffice as long as the supervisor is authorized to engage in the relevant practice under the jurisdiction's

rules, is in full compliance with the jurisdiction's rules, and has had at least two years of experience in the relevant practice.

(i) Timing. The apprenticeship shall be continuous for the six-month period, and shall commence after the conclusion of the applicant's law studies, except that an applicant who is required to complete an LL.M. program at an approved law school pursuant to section 520.6(b) of this Part may complete the apprenticeship before commencing the LL.M. program. The apprenticeship must be completed in its totality within the three-year application filing deadline provided in section 520.12(d) of this Part.

(ii) Supervisor responsibilities. Apprenticeship supervisors are responsible for (1) certifying the beginning and ending dates of the apprenticeship; (2) providing the applicant with an initial orientation session; (3) implementing a system for assignment that assures that the applicant is actually engaged in the performance of legal work, including a diversity of tasks, as part of the ongoing practical work of the law office during normal business hours and throughout the required period; (4) providing the applicant with experience and guidance in the skills and values required for basic competence and ethical participation in the legal profession; (5) giving timely oral and written feedback to the applicant; (6) engaging the applicant in reflection on his/her experiences and learning during the apprenticeship; and (7) certifying that the preceding elements have been complied with, and that the applicant has satisfactorily completed the apprenticeship.

(iii) Any apprenticeship completed under this paragraph shall be conducted in compliance with all applicable federal, state and local laws and regulations.

(5) Practice in another jurisdiction. An applicant who has been authorized to practice law in another United States jurisdiction or any other country, territory or commonwealth outside the continental United States may satisfy the skills competency requirement by establishing and submitting proof that the applicant has been in good standing and practiced law in that jurisdiction full-time for at least one year or half-time for two years following the applicant's authorization to practice. Prior legal practice may qualify even if it occurred without formal admission to the bar if the applicant engaged in lawful practice in a country, territory or commonwealth that permits legal practice without formal admission to the bar, and if the prior practice was for at least one year or half-time for two years, in full compliance with the jurisdiction's rules. For an applicant who qualifies for the bar exam after completion of an LL.M. degree pursuant to section 520.6 of this Part, the applicant's practice may occur before or after commencement of the LL.M. program.

(b) Proof required. An applicant shall submit to the appropriate Appellate Division department of Supreme Court an Affidavit of Compliance with the Skills Competency Requirement. The Appellate Division may, in its discretion, require the applicant to submit any additional proof it deems necessary to ensure compliance with this section.

(c) Implementation. For applicants who qualify for the bar examination under section 520.3 of this Part, and for applicants who qualify for the bar examination under section 520.6 of this Part on the basis of their foreign legal education alone, the requirements of this section shall first apply to those commencing their law study after August 1, 2016. For applicants who qualify for the bar examination under section 520.6 of this Part after the completion of a qualifying LL.M. program, the requirements of this section shall first apply to those commencing their LL.M. program after August 1, 2018.

FORDHAM

The Law School's Certification of its LL.M. Graduates for Satisfying Pathway 1 of the New York State Bar's Skills and Values Requirement

LL.M. students commencing study after August 1, 2018 who plan to apply for admission to the New York State Bar must satisfy one of five pathways under Section 520.18 of the Court of Appeal's Rules for the Admission of Attorneys and Counselors at Law regarding skills competency and professional values. (The section is attached below.)

For pathway 1, the Law School will certify a student as having basic competence and the ability to participate ethically in the legal profession if the student completes the following classes:

(a) Quantitative Methods for Graduate Students (1 credit).
(b) Introduction to the U.S. Legal System and Process (3 credits).
(c) Legal Writing and Research for LL.M. Students (2 credits).
(d) Five additional credits of Experiential courses,[1] designated as such by the Registrar, of which three credits must be Fundamental Lawyering Skills for LLM Students, a course that covers fact analysis, interviewing, counseling, negotiation, problem solving, case theory and planning; and
(e) At least two credits of a professional responsibility-focused course.

[1] Courses that the Law School has designated as Experiential meet all of the requirements of the American Bar Association Standards and Rules of Procedure for the Approval of Law Schools Standard 303(a)(3).

Attachment

§520.18 Skills Competency Requirement for Admission.

(a) General. Every applicant for admission to practice, other than applicants for admission without examination pursuant to section 520.10 of this Part, or applicants who qualify for the bar examination under section 520.4 or 520.5 of this Part, shall demonstrate that the applicant possesses the skills and values necessary to provide effective, ethical and responsible legal services in this State. An applicant may satisfy this requirement by submitting proof of compliance with one of the following five subdivisions.

(1) Law school certification of competence in skills and professional values.

(i) An applicant may submit from an American Bar Association-approved law school a certification confirming that:

(a) the law school has developed a plan identifying and incorporating into its curriculum the skills and professional values that, in the school's judgment, are required for its graduates' basic competence and ethical participation in the legal profession, as required by American Bar Association Standards and Rules of Procedure for the Approval of Law Schools Standard 302(b), (c) and (d), and has made this plan publicly available on the law school's website; and (b) the applicant has acquired sufficient competency in those skills and sufficient familiarity with those values.

(ii) For purposes of this subdivision, a school may certify that an applicant has attained the required skill level if the graduate received a grade that the school considers sufficient to demonstrate competence in courses the school has designated as teaching the skills and professional values needed for basic competence and ethical participation in the legal profession.

(iii) A law school may adopt such other means of assessing its students' achievement of the required skills for purposes of this subdivision, provided the school receives the prior approval of the Court of Appeals.

(2) Law school certification of credit acquisition. An applicant may submit a certification from the applicant's approved law school confirming that the applicant enrolled in and successfully completed 15 credit hours, as defined by American Bar Association Standards for the Approval of Law Schools, of practice-based experiential coursework designed to foster the development of professional competencies. The 15 credits may be earned in whole or half credits.

(i) For purposes of this subdivision, practice-based experiential coursework is coursework that:

(a) develops the concepts underlying the practice competencies being taught;

(b) provides opportunities for performance by the student other than traditional classroom discussion;

(c) provides for regular individualized student feedback from a faculty member; and

(d) provides opportunities for student self-reflection.

(ii) Practice-based, experiential coursework includes, but is not limited to, those courses designated by a school as "experiential courses" under American Bar Association Standards for the Approval of Law Schools.

(iii) A law school may not count toward this requirement the first four credits earned in an introductory first-year legal research and writing class, first-year moot court class, or any combination thereof.

(iv) A student may earn up to six of the fifteen required credits through law school certified non-credit bearing summer employment supervised by an attorney in good standing in any state or territory of the United States or the District of Columbia. The supervising attorney must certify to the law school the beginning and ending dates of the employment, that the student satisfactorily completed the employment, and that the work experience: provided the student with an initial orientation session; implemented a system for assignments that assured that the student was actually engaged in the performance of legal work, including a diversity of tasks, as part of the ongoing practical work of the law office during normal business hours and throughout the required period; provided the student with experience and guidance in the skills and values required for basic competence and ethical participation in the legal profession; gave the student timely oral and written feedback; and engaged the student in reflection on his/her experiences and learning during the employment. At least 50 hours of full-time employment is required for each substituted credit under this subdivision.

(v) Certification. The certification of an applicant's compliance with this paragraph shall list the courses or parts of courses in the law school curriculum and, if applicable, the work experiences completed by the applicant that meet the 15-credit requirement as set forth herein.

(vi) Alternative method of compliance. If the law school does not submit the certification as required in paragraph (v), the applicant may submit evidence to the Court of Appeals that the requirements of this subdivision have been met by providing a list of the practice-based experiential courses taken by the applicant, the credits awarded, and the course descriptions and/or other information demonstrating that each course meets the requirements of this subdivision. Upon concluding that the applicant has submitted sufficient proof of compliance with this subdivision, the Court shall issue a determination to that effect.

(3) Pro Bono Scholars Program. An applicant who has successfully completed the Pro Bono Scholars Program as prescribed in section 520.16 of this Part shall be deemed to have met the skills competency requirement.

(4) Apprenticeship. An applicant may complete a six-month full-time paid or unpaid apprenticeship in a law office in the United States, under the supervision of one or more attorneys who have, for at least two years, been admitted to practice and in good standing in the jurisdiction where the apprenticeship occurs. For an applicant who is unable to secure an apprenticeship in the United States, the applicant may complete the apprenticeship in a law office in another country, territory or commonwealth outside the continental United States, under the supervision of one or more attorneys who have, for at least two years, been in good standing and authorized to practice law in that country, territory or commonwealth. In countries, territories or commonwealths that permit the practice of law without formal admission, supervision by a law graduate who has not been

formally admitted to the bar may suffice as long as the supervisor is authorized to engage in the relevant practice under the jurisdiction's rules, is in full compliance with the jurisdiction's rules, and has had at least two years of experience in the relevant practice.

(i) Timing. The apprenticeship shall be continuous for the six-month period, and shall commence after the conclusion of the applicant's law studies, except that an applicant who is required to complete an LL.M. program at an approved law school pursuant to section 520.6(b) of this Part may complete the apprenticeship before commencing the LL.M. program. The apprenticeship must be completed in its totality within the three-year application filing deadline provided in section 520.12(d) of this Part.

(ii) Supervisor responsibilities. Apprenticeship supervisors are responsible for (1) certifying the beginning and ending dates of the apprenticeship; (2) providing the applicant with an initial orientation session; (3) implementing a system for assignment that assures that the applicant is actually engaged in the performance of legal work, including a diversity of tasks, as part of the ongoing practical work of the law office during normal business hours and throughout the required period; (4) providing the applicant with experience and guidance in the skills and values required for basic competence and ethical participation in the legal profession; (5) giving timely oral and written feedback to the applicant; (6) engaging the applicant in reflection on his/her experiences and learning during the apprenticeship; and (7) certifying that the preceding elements have been complied with, and that the applicant has satisfactorily completed the apprenticeship.

(iii) Any apprenticeship completed under this paragraph shall be conducted in compliance with all applicable federal, state and local laws and regulations.

(5) Practice in another jurisdiction. An applicant who has been authorized to practice law in another United States jurisdiction or any other country, territory or commonwealth outside the continental United States may satisfy the skills competency requirement by establishing and submitting proof that the applicant has been in good standing and practiced law in that jurisdiction full-time for at least one year or half-time for two years following the applicant's authorization to practice. Prior legal practice may qualify even if it occurred without formal admission to the bar if the applicant engaged in lawful practice in a country, territory or commonwealth that permits legal practice without formal admission to the bar, and if the prior practice was for at least one year or half-time for two years, in full compliance with the jurisdiction's rules. For an applicant who qualifies for the bar exam after completion of an LL.M. degree pursuant to section 520.6 of this Part, the applicant's practice may occur before or after commencement of the LL.M. program.

(b) Proof required. An applicant shall submit to the appropriate Appellate Division department of Supreme Court an Affidavit of Compliance with the Skills Competency Requirement. The Appellate Division may, in its discretion, require the applicant to submit any additional proof it deems necessary to ensure compliance with this section.

(c) Implementation. For applicants who qualify for the bar examination under section 520.3 of this Part, and for applicants who qualify for the bar examination under section 520.6 of this Part on the basis of their foreign legal education alone, the requirements of this section shall first apply to those commencing their law study after August 1, 2016. For applicants who qualify for the bar examination under section 520.6 of this Part after the completion of a qualifying LL.M. program, the

requirements of this section shall first apply to those commencing their LL.M. program after August 1, 2018.

The Pro Bono Scholars Program

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While you help others, you'll also be helping yourself get a jump-start on your legal career. The program allows you to take the New York bar exam early: in February of your final year of study. Once you pass, you'll be admitted to practice right after graduation.

Visit the New York Unified Court System website (http://www.nycourts.gov/) for general information about the program.

Contact The Pro Bono Scholars Program

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