

A Primer on Professional Identity Formation

By Melissa Berry

What kind of lawyer am I? While many would answer with their practice area, through the lens of professional identity formation, the answer might be “ethical” or “empathetic.” Professional identity formation is a term of art that refers to the internalization of the knowledge, skills, norms, behaviors, and values of one’s chosen profession. As their professional identities are forming, individuals attain clarity of purpose and meaning for themselves and how they contribute to society.

Taking a cue from the medical and social work professions, the legal profession has imported this idea into its vernacular. Law schools have begun to use this concept to describe how students are developing into lawyers outside of learning substantive law in the classroom. As schools seek to comply with the ABA’s learning outcomes requirement, the concept has become increasingly prominent. For example, numerous schools now have courses geared to fostering professional identity formation. Some of these courses are professional development courses and programs developed by our NALP colleagues at law schools. The Holloran Center for Ethical Leadership in the Profession at the University of St. Thomas in Minneapolis, a pioneer in the field of legal professional identity formation, maintains online databases of law school learning outcomes and professional development courses. (See “Law School Required PD Courses” by Jerome Organ, *PD Quarterly*, February 2020.)

This brief article does not attempt a deep dive into the growing body of literature around professional identity formation. Instead, it seeks to raise awareness of the concept and explain why it matters to NALP members: professional identity is forming both in law school and in practice, and your interactions, programming, and coaching can contribute positively. This framework of-

fers the opportunity to see formation as a continuum and connect the dots between professional development efforts in law schools and law firms. Although the concept can seem theoretical, here are five key takeaways to support you in guiding students and lawyers on their journeys.

“A more well-formed sense of professional identity protects against unethical and uncivil behavior.”

Competence Is at the Core

At the center of professional identity formation is competence. Students and junior lawyers work toward competence in different areas through developmental stages from beginner to mastery. Led by Professors Neil Hamilton and Jerry Organ, who wrote companion articles in the February 2020 edition of *PD Quarterly* (see Resources), the Holloran Center is generating stage development rubrics — “Holloran Competency Milestones” — for some of the most common professional formation learning outcomes identified by law schools across the country. The center organized two rounds of work groups consisting of faculty and staff from multiple law schools and assigned one work group to each of the following competencies: cultural competency, self-directedness, teamwork/collaboration, integrity, honoring commitments (as an aspect of professionalism), active listening, commitment to pro bono, leadership, and professional communication. The second round of work groups — which include NALP members — is targeting the completion of work in May 2020. This work mirrors the efforts of law firms

on core competencies, and the Holloran Center welcomes input from law firm development professionals. This is a fantastic opportunity for collaboration across schools and firms!

The Process Doesn't End at Graduation

Professional identity formation is an iterative process that continues well into one's career. Junior lawyers continue forming their professional identities as they face new challenges and establish themselves in the workplace and the community. Moreover, the Millennial mindset of seeking meaningful work means today's young lawyers think critically about how their personal and professional identities overlap. Professional identities also adapt and evolve as lawyers pivot to new roles, like moving in-house or from government to private practice.

Intentionality and Ownership Are Key

Self-reflection and seeking feedback are intentional strategies to cultivate formation. But the fast-paced environment of practice, coupled with fear of failure, may interfere with or limit these efforts. Although as an individual you must own your professional development, you can foster formation through check-ins, reflection exercises, mentorship, coaching, and self-awareness tools like assessments. These learning opportunities have the added benefit of promoting growth mindset, grit, and resilience, which are linked to career success.

Broader Than Professionalism

Professionalism is an important component of professional identity and goes to the heart of professional responsibility — integrity. Indeed, a more well-formed sense of professional identity protects against unethical and uncivil behavior. As the profession has



changed over time, incivility has become alarmingly more common. Civility is now taught in law schools and explicitly addressed in the bar through professional responsibility oaths and rules. We can reinforce professionalism and encourage professional identity formation through clarifying expectations and helping students and new lawyers develop a habit of honoring commitments and responsibly managing their workload and time.

Public Spiritedness in Professional Identity

One aspect of professional identity formation is recognizing how your work contributes to society. Many students who come to law school with the intent of serving the public end up in private practice. Pro bono work can play a role in helping these students and lawyers form a more integrated conception of their professional identity by instilling a connection to society and the community. Pro bono work is an outstanding way to sustain connection, network, and develop skills. Bar association and affinity group roles also serve to fill the public service aspect of formation.

Well-Being's Impact on Performance

Well-being, professional identity, and performance are interrelated. Science supports what we all see: the culture of speed in our society and the legal profession has negative effects on physical and mental well-being. Personal problems, mental and physical illness, and substance abuse all interfere with professional identity formation and have a negative impact on it. Recent research has revealed the links between well-being, professional identity, and performance. In your roles, you can raise awareness about these relationships. By encouraging your students and lawyers to commit to self-care, self-compassion, and wellness, you are helping them to become more effective students and lawyers. Many law firms and law schools have signed on to the ABA Wellness Pledge or launched wellness initiatives, and NALP has created a Lawyer and Law Student Well-Being Interest Group.

Want to learn more or get involved? NALP's Law Student Professional Development and Lawyer Professional Development Sections both have Professional Identity Formation Work Groups. These Work Groups are collaborating with each other and the Holloran Center to bring value to NALP members. We invite you to join the conversation! Contact me for more details or additional resources.

Resources

Holloran Center: www.stthomas.edu/hollorancenter

Bliss, John, *The Practice, The Professional Identity Formation of Lawyers*, Vol. 2, Issue 3 (March/April 2016), published by Center on the Legal Profession, Harvard Law School.

Hamilton, Neil W., "The Competency Continuum on Teamwork and Team Leadership," *PD Quarterly*, February 2020 edition.

Krieger, Lawrence S. and Sheldon, Kennon L., *What Makes Lawyers Happy?: A Data-Driven Prescription to Redefine Professional Success*, 83 *George Washington Law Review* 554 (2015).

Longan, Patrick, Floyd, Daisy Hurst and Floyd, Timothy W., *The Formation of Professional Identity: The Path from Student to Lawyer* (Rutledge 2019).

Organ, Jerome M., "Law School Required Professional Development Courses," *PD Quarterly*, February 2020.

About the Author

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