

2015

Teamwork

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Recommended Citation

Morton, Linda H. and Weinstein, Janet, "Teamwork" (2015). *Faculty Scholarship*. Paper 162.
<http://scholarlycommons.law.cwsl.edu/fs/162>

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D. TEAMWORK

By Linda Morton & Janet Weinstein¹

1. Introduction

Teamwork requires: 1) individuals working together, 2) towards a shared objective, 3) to which they are accountable. The knowledge, skills, and values of teamwork are essential in today's law practice. The more conscious the process of teamwork is, the more dedicated the participants are to the group's success, and the more effective the results will be. The ability to understand and work in teams not only leads to greater success, but also greater career satisfaction. It is critical that law schools incorporate teamwork theory, skills, and values in their curricula. Moreover, in the clinical context, where students naturally work in teams on more extensive projects, teamwork should be taught explicitly, and where possible, in interprofessional settings.²

BEST PRACTICES FOR LEGAL EDUCATION urged law teachers to encourage collaboration among students, including team projects and group assignments.³ Acknowledging that lawyers often work in teams, the section discussed the benefits of collaboration as producing better outcomes, improved learning, broader pro bono ethic, and healthier student relationships.⁴ However, the text was not explicit as to how pervasive teamwork should be in a law school's curriculum, or how law teachers might teach it. This section explores those ideas.

2. The Expanded Role of Teamwork in the Legal Profession

Taking a lesson from the business sector, the legal profession has recognized that collaborative approaches to most work are more efficient and produce better results.⁵ Whether in the context of litigation or transactional work, lawyers often find themselves working with other lawyers and with experts from other disciplines. Effective teamwork requires lawyers to communicate clearly, share both the responsibility and the acknowledgment, understand how and when to lead, and value the work of others.

¹ The reader for this section was C. Benjie Louis.

² Portions of this section are drawn from the chapter, *Collaboration and Teamwork*, by Linda Morton & Janet Weinstein, in *LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS* (Leah Wortham, Alexander Scherr, Nancy Maurer & Susan Brooks eds., 3d ed.) (forthcoming 2015).

³ ROY STUCKEY AND OTHERS, *BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROADMAP* (2007), text at notes 358-74 [hereinafter *BEST PRACTICES*]. For further discussion of the importance of teaching collaboration, see Susan Bryant, *Collaboration in Law Practice, A Satisfying and Productive Process for a Diverse Profession*, 17 *Vt. L. Rev.* 459 (1992-1993).

⁴ *BEST PRACTICES*, text at footnotes 358-74.

⁵ For empirical data on the notion that well-functioning teams produce "higher value" and "more sophisticated" work, see Heidi K. Gardner, *Effective Teamwork and Collaboration*, in *MANAGING TALENT FOR SUCCESS: TALENT DEVELOPMENT IN LAW FIRMS* 150-54 (R. Normand-Hochman, ed., 2013) [hereinafter Gardner, *Effective Teamwork and Collaboration*].

This set of knowledge, skills, and values, sometimes labeled “Collaborative Intelligence,” results in more efficient, more effective client outcomes, and an overall better experience for those engaged in it. Thanks to new collaborative online tools, such as Legal OnRamp, teamwork is more possible, as well as more efficient. With law practice developing in such areas as project management, unbundled legal services, multi-sourcing, and collaborative practice,⁶ knowledge of and comfort with the teamwork process is essential. In a well-functioning team, the outcome of a team with collaborative intelligence is superior to the sum of its individual members’ attributes.⁷

In addition to improved results and efficiency, teamwork adds to the enjoyment of work by offering a shared sense of accomplishment. The teamwork process also enhances individuals’ self-awareness, career satisfaction, and relations with others. Partners who collaborate create a more harmonious environment. In the context of today’s practice, it is not surprising that hiring attorneys are looking for good team players.⁸

3. Developing an Institutional Culture of Teamwork

Although the legal profession has acknowledged the importance of teamwork skills, law schools have been slow to incorporate collaborative knowledge, skills, and values in their curricula. Moreover, teaching teamwork skills to law students can be difficult in the law school environment, which has traditionally emphasized individual work and competition. Due in part to stringent grading systems and curves, most law students quickly acclimate to this culture of competition. Teamwork is inapposite to these values, in that it requires group accountability, candid interpersonal communication, goal setting, and cooperation. Because these skills and values contrast sharply with more traditional law school values, both law teachers and students have difficulty incorporating them in their teaching and learning.

As a result, teamwork concepts must be taught more pervasively to gain acceptance, rather than only introduced in an experiential course. First-year law teachers, both doctrinally- and experientially-focused, must teach and have students apply basic principles of teamwork. Such principles include the personal traits that are conducive to teamwork, the stages that teams usually pass through, and processes for helping to ensure a successful team experience.⁹ Law teachers can then assign students to team activities, so that students can experience and apply these principles.

⁶ See Chapter 6, Section G, Subsection 1, *Teaching Students to Be Healers: The Comprehensive Law Movement*, below.

⁷ See Gardner, *Effective Teamwork and Collaboration*.

⁸ The Ultimate Law Guide lists teamwork first among 15 skills identified (other than academic credentials) that are required to be a lawyer. *What skills are required to become a lawyer?* ULTIMATE LAW GUIDE, <http://www.ultimatelawguide.com/careers/articles/what-skills-are-required-to-become-a-lawyer.html>, archived at <http://perma.cc/SW36-EWAZ>.

⁹ For more detailed discussion of these principles, see EILEEN SCALLEN, SOPHIE SPARROW & CLIFF ZIMMERMAN, *WORKING TOGETHER IN LAW: TEAMWORK AND SMALL GROUP SKILLS FOR LEGAL PROFESSIONALS* (2014); Janet Weinstein, Linda Morton, Howard Taras & Vivian Reznik, *Teaching Teamwork to Law Students*, 63 J. LEGAL EDUC. 36 (2013). For more detailed discussion of teaching these principles, see Linda Morton & Janet Weinstein, *Collaboration and Teamwork*, in *LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT*

Frequent opportunities to work in groups for a shared result (product and grade) will help convey the messages that lawyers work on teams and that it is important to be an effective team player. For collaboration to become part of the law school culture, law teachers should model teamwork in their teaching, as well as in their interactions with others. When possible, institutional outcomes and assessments should focus on group, rather than individual, work. As legal educators increase their own knowledge of and experience with more collaborative skills and values, a culture of teamwork within law schools can grow.

4. Reinforcing Teamwork Knowledge, Skills, and Values in Experiential Courses

When students are assigned to a “real world” problem-solving task, they become much more invested in the outcome. In-house clinical courses provide a natural environment for students to work in teams. It is particularly rewarding for students in each team to work on projects designed by an entity outside of the school, and to have each team report its results to members of the entity with which it is working.

The open-ended nature of “real world” work brings forth situations that challenge the team in a way that usually necessitates candid discussion, self-awareness, and consideration of process. With more extensive, long-term projects, students experience the stages of team development, as well as their individual strengths and weaknesses in teamwork. They can improve in necessary lawyering skills such as peer feedback, leadership,¹⁰ and communication.

Externships also provide a wonderful opportunity for students to reflect upon teamwork in law practice. In their journals and in class, students can discuss their observation of and participation in teamwork in their field placements. Extern students can also work in teams as part of their classroom component for the course. Simulation courses also provide clear opportunities for students to work in teams. Although the simulated scenario may have fewer surprises, the experience of working in a team on a long-term project for a grade makes the experience of necessary collaboration very real to students.

5. The Importance of Interprofessional Teamwork

Lawyers frequently work in teams with experts and consultants from other disciplines. Students who experience positive outcomes in working with other professions ultimately become more collaborative team players in their careers.

Creating interprofessional student teams with other degree programs, such as social work or medicine, is optimal.¹¹ Although interprofessional teams can present more complicated logistics for law teachers, the student experience is both richer and deeper. Through such experience, law students broaden their knowledge of different

TEXT FOR LEGAL EXTERNS, TEACHER’S MANUAL (Leah Wortham, Alexander Scherr, Nancy Maurer & Susan Brooks, eds., 3rd ed., forthcoming 2015).

¹⁰ See, Chapter 6, Section A, Subsection 4, *Teaching Leadership*, above.

¹¹ See, Chapter 6, Section H, *Interprofessional Education*, below.

types of professional training and learn to value the input of varied professional disciplines. As law students gain perspective on the limits of their legal training, they realize that most problems cannot be solved merely through knowledge of the law.

6. Conclusion

Law schools must infuse teamwork into their institutional culture in order to train students for today's practice. Impediments can be overcome when law teachers adopt a more collaborative approach in their own objectives, interactions, and thinking. Early, explicit training in teamwork for every student can provide a foundation for teamwork experiences across the curriculum, ensuring that all students graduate with skills and appreciation for collaborative work.