

Quinnipiac University School of Law Institutional Learning Outcomes

I. Introduction

The School of Law has organized its institutional learning outcomes into two general categories: “first tier” learning outcomes and “second tier” learning outcomes.

- **First Tier Learning Outcomes** are outcomes that *all* students should achieve by graduation, regardless of the practice area(s) in which they expect to focus in post-law school employment.
- **Second Tier Learning Outcomes** are tailored to particular areas of the law in which students plan to focus in post-law school employment. For that reason, the law school does not expect that *all* students will achieve *all* of these second tier outcomes.

Students who have not yet settled upon a particular focus for post-law school employment should achieve *at least* the first tier learning outcomes, and they should also aspire to achieve those second tier learning outcomes that relate to their likely future practice focuses.

II. First Tier Learning Outcomes

Outcome 1: Graduates are expected to demonstrate competency in legal analysis and reasoning and legal problem solving.

Specific Criteria

Graduates are expected to demonstrate competency in the following:

1. Reading cases, statutes and regulations effectively to glean rules and—if in play—the developmental history and policies underlying the rules.
2. Recognizing issues and possible rules implicated in new and unfamiliar factual situations.
3. Applying applicable rules effectively to understand potential arguments and counter-arguments in new and unfamiliar factual situations.
4. Assessing what additional facts may need to be gathered for appropriate analysis of a legal issue.
5. Assessing the relative strength of arguments and predicting likely outcomes effectively for legal issues.
6. Analyzing applicable rules and facts to formulate and evaluate potential solutions to legal problems.

Outcome 2: Graduates are expected to demonstrate knowledge and understanding of legal theory, systems and doctrine, including core areas of substantive and procedural law and alternative methods for resolving disputes.

Specific Criteria

Graduates are expected to demonstrate knowledge and understanding of the following:

1. The American federal and state legal systems, including their structures of rulemaking and governance and their historical background.
2. Core doctrine and theory in “foundation” areas, including those that will be tested on the bar examination.
3. The range of dispute resolution processes and the ability to advise clients and others on choices of process/forum.
4. Appellate review standards and practices.
5. The impact of law and legal rules on society and its various sub-groups.

Outcome 3: Graduates are expected to demonstrate competency in oral and written communication in the legal context.

Specific Criteria

Graduates are expected to demonstrate the following:

1. Competency in cogently communicating analysis and advice orally in a range of settings and contexts.
2. Competency in listening effectively to clients and others.
3. Competency in cogently communicating analysis and advice in writing across a range of types of writings (e.g., memos, briefs and client letters).
4. At least a basic understanding of principles of logic and rhetoric.
5. At least novice-level understanding of and competency in a spectrum of advocacy skills.

Outcome 4: Graduates are expected to demonstrate competency in legal research and understanding of the factual research needed to solve legal problems.

Specific Criteria

Graduates are expected to demonstrate the following:

1. Competency in legal research, including effective use of technology for that research.
2. Understanding of factual investigation, including an understanding of effective strategies and practices for gathering the facts needed to evaluate legal issues or problems.

Outcome 5: Graduates are expected to demonstrate knowledge and understanding of the attorney's professional and ethical responsibilities to clients and the legal system.

Specific Criteria

Graduates are expected to demonstrate the following:

1. Knowledge and understanding of the professional rules and the ability to recognize and resolve ethical dilemmas in a range of practice settings.
2. Knowledge and understanding of the attorney's ethical obligation to represent clients diligently and competently.
3. Knowledge and understanding of the attorney's ethical obligation to behave professionally and civilly.
4. Knowledge and understanding of the attorney's ethical obligation to behave in accordance with the rules governing confidentiality and conflicts of interest.
5. Knowledge and understanding of the attorney's ethical obligation to strive to promote justice (including access to justice) and fairness and to assist the profession in providing legal services to those who cannot afford to pay for them.

Outcome 6: Graduates are expected to demonstrate at least novice-level competency in other professional skills needed for competent, effective and ethical participation as a member of the legal profession.

Specific Criteria

Graduates are expected to demonstrate the following:

1. At least novice-level understanding of and competency in approaches for managing conflict for effective problem solving.
2. At least novice-level competency in collaborative work approaches.
3. At least novice-level understanding of and competency in effective approaches for client interviewing and counseling.
4. At least novice-level understanding of and competency in effective negotiation practices.
5. At least novice-level understanding of and competency in "learning how to learn" (techniques for finding guidance for unfamiliar tasks).
6. Competency in interviewing for employment and planning for long-term career development.

III. Second Tier Learning Outcomes (Approved December 5, 2018)

SECOND TIER LEARNING OUTCOMES FOR ALL GRADUATES EARNING CIVIL ADVOCACY AND DISPUTE RESOLUTION CONCENTRATION

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/CADR Learning Outcome 1: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, conflict management.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of, and competency in, managing relationships with clients, other parties, and with counterparts.
2. Competency in managing conflict for effective problem-solving.
3. Competency in listening and in communication modes and skills in different settings.
4. Competency in the ability to self-evaluate, by reflecting on and learning from past performances in order to improve effectiveness.
5. Competency in giving and receiving feedback.

Second Tier/CADR Learning Outcome 2: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, negotiation.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of negotiation theory and terminology.
2. Understanding of, and competency in, the use of both cooperative and competitive negotiation strategies.
3. Understanding of the psychology of decision-making.
4. Understanding of the ethical issues in negotiation.
5. Competency in planning for and conducting effective negotiation, both with and without an ongoing relationship between the parties.
6. Competency in conducting negotiation in presence of mediator, by interacting with the mediator effectively.

Second Tier/CADR Learning Outcome 3: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, mediation.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of mediation theory and terminology, including the fundamental principles of mediation and the range of possible mediator approaches.
2. Understanding of the Standards of Conduct for Mediators.
3. Understanding of the current controversies and issues in the use of mediation as a dispute resolution process.
4. Understanding of effectiveness as a consumer of mediation.
5. Competency as an advocate in the mediation context.
6. Competency in participating in a mediation in accordance with the fundamental principles of mediation, including the appropriate use of joint and caucus sessions, and the ability to encourage the creative generation of potential solutions.

Second Tier/CADR Learning Outcome 4: Concentration graduates are expected to demonstrate at least a novice-level understanding of the nature of arbitration.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the rules and regulation of arbitration.
2. Understanding of the contractual issues and framework of arbitration.
3. Understanding of the current controversies and issues in the use of arbitration as a dispute resolution process.
4. Understanding of, and competence in, advocating for clients in arbitration.

Second Tier/CADR Learning Outcome 5: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, trial advocacy.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the litigation process, and the current issues and controversies in the use of trial as a dispute resolution process.
2. Understanding of the elements of effective advocacy in litigation, including pretrial and trial phases.
3. Understanding of, and competency in, the application of the rules of evidence, including presenting evidence through witness testimony, introduction of documentary evidence, and the making of and defending objections.
4. Understanding of, and competency in, direct and cross examination techniques.
5. Understanding of, and competency in, delivering persuasive argument, including opening and closing arguments.

**SECOND TIER LEARNING OUTCOMES
FOR ALL GRADUATES EARNING
CRIMINAL LAW AND ADVOCACY
CONCENTRATION**

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/CLA Learning Outcome 1: Concentration graduates are expected to demonstrate at least a novice-level understanding of criminal law and criminal procedure.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the substantive law of crimes including the construction of criminal statutes, elements of crimes, and defenses to crimes, as well as the concepts of causation, criminal responsibility and capacity, justification and excuse.
2. Understanding of the investigative stage of the criminal justice process including the constitutional limitations on law enforcement—and the means of enforcing those limitations—with respect to arrest, stop and frisk, search and seizure, eavesdropping, wiretapping, identification procedures, and questioning of suspects.
3. Understanding of the adjudicative stage of the criminal justice process including the initial appearance following arrest, the decision to prosecute, the preliminary hearing, bail, indictment, pleas and plea bargaining, the trial, double jeopardy, and the constitutional limitations on the adjudication of criminal matters.
4. Understanding of the role and impact of the criminal justice system in the United States including current debates and controversies relating to criminal justice policies and practices.

Second Tier/CLA Learning Outcome 2: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, pretrial, trial, and sentencing advocacy.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the pretrial, trial, and sentencing phases of criminal cases.
2. Understanding of the elements of effective advocacy in criminal cases including the pretrial, trial, and sentencing phases.
3. Understanding of, and competency in, the application of the rules of evidence, including presenting evidence through witness testimony, introduction of documentary evidence, and the making of and defending objections.
4. Understanding of, and competency in, direct and cross examination techniques.

5. Understanding of, and competency in, delivering persuasive argument, including opening and closing arguments.
6. Understanding of, and competency in, developing and using mitigating evidence in sentencing advocacy.

Second Tier/CLA Learning Outcome 3: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, conflict and relationship management.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of, and competency in, managing relationships with clients, other parties, and with counterparts.
2. Competency in managing conflict for effective problem-solving.
3. Competency in listening and in communication modes and skills in different settings.
4. Competency in the ability to self-evaluate, by reflecting on and learning from past performances in order to improve effectiveness.
5. Competency in giving and receiving feedback.

Second Tier/CLA Learning Outcome 4: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, negotiation.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of negotiation theory and terminology.
2. Understanding of the psychology of decision-making.
3. Understanding of the ethical issues in negotiation and plea bargaining in criminal cases.
4. Competency in planning for and conducting effective negotiations in criminal cases.

**SECOND TIER LEARNING OUTCOMES
FOR ALL GRADUATES EARNING
FAMILY LAW
CONCENTRATION**

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/FAMILY Learning Outcome 1: Concentration graduates are expected to demonstrate at least a novice-level understanding of doctrine and related topics in family law.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of topics in family law such as marriage, divorce, jurisdiction, spousal and child support, property division, and custody and parenting issues.
2. Understanding of the emotional and psychological impact of divorce on family members.
3. Understanding of child development principles and how parental separation and conflict affects child development.
4. Understanding of the dynamics of domestic violence, including child abuse, and the array of criminal and civil responses to it.
5. Understanding of the financial and property aspects of divorce, including the tax implications.

Second Tier/FAMILY Learning Outcome 2: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, working with professionals from other disciplines and navigating the ethical aspects of the practice of family law.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of, and competency in, working with mental health professionals, as treating professionals, consultants, witnesses, and expert witnesses.
2. Understanding of, and competency in, working with financial professionals, such as divorce financial planners, business evaluators, and tax advisors.
3. Understanding of, and competency in, the special ethical challenges of serving as an advocate and an advisor for clients in family law, particularly when there are children in the family.
4. Understanding of, and competency in, providing for the physical and emotional safety in the lives of clients.
5. Understanding of, and competency in, educating clients about the need for reducing conflict and enhancing the ability of parents to co-parent children.

Second Tier/FAMILY Learning Outcome 3: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, conflict management, managing relationships, and on-going self-improvement of dispute resolution skills.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in managing relationships with clients, other parties, and with counterparts.
2. Understanding of, and competency in, interviewing and counseling family law clients.
3. Competency in managing conflict for effective problem-solving.
4. Competency in listening, and in using effective communication skills.
5. Competency in the ability to self-evaluate, by reflecting on and learning from past performances in order to improve effectiveness.

Second Tier/FAMILY Learning Outcome 4: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, negotiation and mediation in the family law context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of negotiation and mediation theory and terminology.
2. Competency in planning for and conducting effective negotiation, especially cooperative strategies for clients with an ongoing relationship.
3. Understanding of the ethical and negotiation principles in Collaborative Practice.
4. Understanding of the psychology of decision-making.
5. Understanding of the ethical issues in negotiation and mediation.
6. Understanding of how to conduct negotiation in the presence of mediator, by preparing clients for mediation and interacting with the mediator effectively.

Second Tier/FAMILY Learning Outcome 5: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, trial advocacy in the family law context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the litigation process, and current issues and controversies in the use of trial as a dispute resolution process in family law.
2. Understanding of the elements of effective advocacy in litigation, including pretrial and trial phases.
3. Understanding of, and competency in, the application of the rules of evidence, including presenting evidence through witness testimony and expert witnesses, introduction of documentary evidence, and the making of and defending objections.
4. Understanding of, and competency in, direct and cross examination techniques.
5. Understanding of, and competency in, delivering persuasive argument, including opening and closing arguments.
6. Understanding of, and competency in, working with child advocates in court.

**SECOND TIER LEARNING OUTCOMES
FOR ALL GRADUATES EARNING
HEALTH LAW
CONCENTRATION**

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/HEALTH Learning Outcome 1: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, business and financial activities and transactions relating to health care organizations.

Specific Criteria:

Concentration graduates are expected to demonstrate the following:

1. Competency in negotiating, drafting, and interpreting contracts related to commercial enterprises in the healthcare industry.
2. Competency in reading and interpreting financial reports, profit and loss statements, and budget documents.
3. Understanding of how insurance reimbursement policies affect the healthcare delivery system.
4. Understanding of the federal and state tax implications associated with for-profit and not-for-profit corporations.
5. Competency in demonstrating the necessary personal integrity, sound judgment, and commitment to accountability in negotiating healthcare-related transactions.

Second Tier/HEALTH Learning Outcome 2: Concentration graduates are expected to demonstrate at least a novice-level of understanding of, and competency in, health care regulation including federal, state, and local laws impacting the delivery of healthcare.

Specific Criteria:

Concentration graduates are expected to demonstrate the following:

1. Understanding of the major health law statutes including, but not limited to:
 - Medicare
 - Medicaid
 - Patient Protection and Affordable Care Act
 - Health Information and Technology for Economic and Clinical Health Act (HITECH)
 - Emergency Medical Treatment and Active Labor Act (EMTALA)
 - Health Insurance Portability and Accountability Act (HIPAA)

The Antitrust Statutes (Sherman Act, Clayton Act, Federal Trade Commission Act, Robinson Patman Act)

Fraud and Abuse Statute

Ethics in Patient Referrals Act (Stark Act)

2. Understanding of the connection between the legislative process and regulatory agency rulemaking.
3. Competency in conducting research and drafting correspondence that interprets statutory and regulatory requirements related to a client's particular circumstances.
4. Understanding of federal and state regulations affecting labor relations, institutional and professional licensing, not for profit and for profit organizations, and patients' rights.

Second Tier/HEALTH Learning Outcome 3: Concentration graduates are expected to demonstrate at least a novice-level of understanding of the evolving nature of health care policy and competency in health law practices.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in analyzing the financial, antitrust and patient care-related issues associated with hospital acquisition of physicians' practices.
2. Understanding of the shift in the focus of patient care from inpatient-centric, sick care to outpatient, technology-centric, preventive well care.
3. Understanding of the key policy questions relating to public health insurance.
4. Understanding of the negative impact on patient care caused by lack of coordination within the United States healthcare system.
5. Understanding of the statutory and historical basis for the peer review process for disciplining physicians.
6. Understanding of the policy and political forces driving a shift away from a fee-for-service payment system to a value-based care payment system.

Second Tier/HEALTH Learning Outcome 4: Concentration graduates are expected to demonstrate at least a novice-level of understanding of, and competency in examining, the connection between health, healthcare, healthcare inequities and social determinants of health.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in describing and analyzing the connection between the practice of medicine, the practice of health law, and the impact of law on medicine.
2. Understanding of, and competency in, examining and discussing the question of whether or not there is a "right" to health care for both citizens and immigrants.
3. Competency in analyzing and discussing the connection between the formation of the doctor-patient relationship and medical malpractice.
4. Understanding of the tension between the ethical expectations and the legal obligations of physicians.
5. Competency in analyzing the police powers of the states to restrict private autonomy in the name of public health promotion and protection.
6. Understanding that shifting legislative priorities in response to political changes have resulted in creation of new health-related rights.

**SECOND TIER LEARNING OUTCOMES
FOR ALL GRADUATES EARNING
INTERNATIONAL LAW
CONCENTRATION**

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/IL Learning Outcome 1: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, using the foundational international law sources.

Specific Criteria

Concentration graduates are expected to demonstrate competency in the following:

1. Competency in reading and understanding treaties, other dual nation and multilateral accords, international customs, generally recognized principles of international law, and international judicial decisions and juristic writings.
2. Competency in recognizing issues and possible rules implicated in new and unfamiliar factual situations in the international context.
3. Competency in applying applicable rules effectively to understand potential arguments and counter arguments in new and unfamiliar factual situations in the international context.
4. Competency in analyzing applicable rules and facts to formulate and evaluate potential solutions to legal problems in the international context.

Second Tier/IL Learning Outcome 2: Concentration graduates are expected to demonstrate at least novice-level understating of, and competency in, oral and written communication and advocacy in the international legal context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in cogently communicating analysis and advice orally in a range of settings in the international context.
2. Competency in cogently communicating analysis and advice in written form in a range of settings in the international context.
3. Competency in listening effectively to clients and others in the international context.
4. Understanding of, and competency in, use of the principles of logic and rhetoric as they apply in the international context.
5. Understanding of, and competency in, use of a spectrum of advocacy skills as they apply in the international context.

Second Tier/IL Learning Outcome 3: Concentration graduates are expected to demonstrate at least novice-level competency in legal research and understanding of the factual research needed to solve legal problems in the international context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in legal research, including effective use of technology for that research, in the international context.
2. Understanding of, and competency in, factual investigation, including an understanding of effective strategies and practices for gathering the facts needed to evaluate legal issues or problems in the international context.

Second Tier/IL Learning Outcome 4: Concentration graduates are expected to demonstrate at least a novice-level understanding of the attorney’s professional and ethical responsibilities to clients and the legal system in the international context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the ethical implications of differing political systems.
2. Understanding of the ethical implications of differing legal systems.
3. Understanding of the ethical implications of differing levels of economic development.

SECOND TIER LEARNING OUTCOMES FOR ALL GRADUATES EARNING INTELLECTUAL PROPERTY CONCENTRATION

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/IP Learning Outcome 1: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, the substantive and procedural law of intellectual property, and legal analysis, reasoning and legal problem solving in the context of intellectual property.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the law of patents, trademarks, copyrights, and trade secrets.
2. Competency in reading cases, statutes, and regulations effectively to glean rules, and understand the developmental history and policies underlying the rules in the context of IP matters.
3. Competency in analyzing applicable rules and facts to formulate and evaluate potential solutions to clients’ IP problems.
4. Understanding of the structures of rulemaking and governance and their historical background with respect to patents, trademarks, copyrights and trade secrets.

Second Tier/IP Learning Outcome 2: Concentration graduates are expected to demonstrate at least a novice-level competency in oral and written communication in the legal context as relates to intellectual property matters.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in listening effectively to clients and others in order to understand and address clients' IP matters.
2. Understanding of, and competency in, a spectrum of oral and written advocacy skills on behalf of IP clients.
3. Competency in listening and in oral and written communication modes.

Second Tier/IP Learning Outcome 3: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, factual and legal research in intellectual property matters.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in IP legal research, including effective use of specialized resources for IP matters.
2. Understanding of, and competency in, effective strategies and practices for gathering the facts needed to evaluate legal issues relating to IP matters.

Second Tier/IP Learning Outcome 4: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, conflict and relationship management and dispute resolution skills in the context of intellectual property matters.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of, and competency in, managing relationships with clients, other parties, and with counterparts.
2. Competency in managing conflict for effective problem-solving.
3. Competency in advising clients on choices of process/forum in the context of the specific IP problem.
4. Understanding of, and competency in, the use of both cooperative and competitive negotiation strategies as a means to resolve IP disputes.

Second Tier/IP Learning Outcome 5: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, trial advocacy in the intellectual property context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of, and competency in, the litigation process in validity and enforcement proceedings in one or more of trademark, copyright, or patent matters.
2. Understanding of the current issues and controversies in the use of trial as a dispute resolution process in the context of patent, trademark, and copyright validity and enforceability matters.

**SECOND TIER LEARNING OUTCOMES
FOR ALL GRADUATES EARNING
TAX
CONCENTRATION**

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/TAX Learning Outcome 1: Concentration graduates are expected to demonstrate at least novice-level understanding of, and competency in, reading and engaging with the sources of tax law.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in reading and comprehending case law related to tax law.
2. Competency in reading and comprehending the Internal Revenue Code and Regulations.
3. Competency in reading and comprehending various other sources of tax law, such as Private Letter Rulings and other administrative pronouncements, legislative histories, tax treaties, and major secondary sources/compilations of tax law.
4. Understanding of the relative importance, and legal weight of authority, of these various sources of tax law.
5. Understanding of major administrative procedures related to the enactment and enforcement of tax law.

Second Tier/TAX Learning Outcome 2: Concentration graduates are expected to demonstrate at least novice-level understanding of, and competency in, applying tax law to specific problems faced by tax clients.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Competency in identifying relevant facts presented by a client and identifying the tax principles implicated by those facts.
2. Competency in determining which provisions of the Internal Revenue Code are relevant to a given factual situation.
3. Competency in assessing the likely tax implications of actions of a client.
4. Competency in communicating analysis and advice regarding tax matters, both orally and in writing.

Second Tier/TAX Learning Outcome 3: Concentration graduates are expected to demonstrate at least novice-level understanding of, and competency in, engaging in in-depth study of specific issues in tax law.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of tax law, policy, and procedure.
2. Competency in tax research.
3. Competency in written analysis of issues in tax law.

**SECOND TIER LEARNING OUTCOMES
FOR ALL GRADUATES EARNING
WORKPLACE LAW
CONCENTRATION**

All graduates are expected to achieve all of the First Tier Learning Outcomes. In addition, all students who earn a concentration are expected to achieve additional learning outcomes specific to the particular concentration.

For the outcomes and specific criteria we describe below, we use the term “understanding” to refer to knowledge and the term “competency” to refer to skills. We expect graduates to attain at least a “novice-level” understanding and competence. By “novice-level,” we mean a level of knowledge or skill expected of a very junior lawyer (e.g., a lawyer in the first or second year of practice) in that area of practice.

Second Tier/WP Learning Outcome 1: Concentration graduates are expected to demonstrate at least a novice-level understanding of the legal theory, systems, and doctrine in the law involving the workplace.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of the substantive law of public and private labor law in union and non-union-settings, employment law, employment discrimination, disability, worker compensation, and benefits.
2. Understanding of administrative law and procedures, and the role of administrative agencies in the investigative stage of employment discrimination matters.
3. Understanding of the federal and state laws and regulations governing labor law.
4. Understanding of the role and impact of employment and labor law in the United States including current debates and controversies relating to workplace policies and practices.

Second Tier/WP Learning Outcome 2: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, conflict management, and managing relationships in the workplace law context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of, and competency in, managing relationships with clients, other parties, and with counterparts.
2. Competency in interviewing and counseling clients in workplace cases.
3. Competency in managing conflict for effective problem-solving.
4. Competency in listening and in communication modes and skills in different settings in the workplace law context.

Second Tier/WP Learning Outcome 3: Concentration graduates are expected to demonstrate at least a novice-level understanding of, and competency in, negotiation, arbitration, and litigation in the workplace context.

Specific Criteria

Concentration graduates are expected to demonstrate the following:

1. Understanding of negotiation theory and terminology.
2. Understanding of the role and practice of arbitration in the labor and employment context.
3. Understanding of the ethical issues in employment negotiation, labor bargaining, arbitration, and trial practice.
4. Competency in planning for and conducting effective negotiations in labor and employment cases, both with and without a mediator.
5. Understanding of how to plan for and conduct effective arbitrations in labor and employment cases.
6. Understanding of how to plan for and conduct effective litigation in labor and employment cases.