Report on 2010-11 Academic Year

The Center’s Fifth Year

Executive Summary
Mission Statement

The Holloran Center's mission is to provide innovative interdisciplinary research, curriculum development, and programs focusing holistically on the formation of both students and practicing professionals into ethical leaders in their communities.
Executive Summary

The Holloran Center had an exceptional fifth year in addressing the most compelling ethical issue facing education in the professions and business: How can higher education most effectively foster the ethical professional formation and ethical leadership of each student and practicing professional? The Carnegie Foundation for the Advancement of Teaching, based on multi-year empirical studies of higher education for clergy, lawyers, engineers, nurses, and physicians, finds that, “In every field we studied, we concluded that the most overlooked aspect of professional preparation was the formation of a professional identity with a moral core of service and responsibility around which the habits of mind and practice could be organized” (Carnegie 2010). The Center’s interdisciplinary research, and program and curriculum development focus on helping the next generation to form professional identities with a moral core of service and responsibility.

One of the Holloran Center’s national collaborators is William M. Sullivan, Senior Scholar with Carnegie Foundation for the Advancement of Teaching, co-director of Carnegie’s Project on Higher Education for the Professions, author of Work and Integrity: The Crisis and Promise of Professionalism in America and a co-author of Educating Lawyers: Preparation for the Profession of Law and Habits of the Heart: Individualism and Commitment in American Life. Sullivan recently commented on the work of the Center:
The Holloran Center stands out for its expertise in bringing social science into productive dialogue with the experience of educators from a variety of fields around the key question of professional formation. This collaboration points the way toward deeper knowledge and more effective practice in higher education in the professions, particularly business and law.

Scholarship

The Center, through its research, seeks to change the existing paradigm and culture both of higher education in the professions and business and among practicing professionals to put greater emphasis on ethical professional formation. In 2010-11, the Center’s Director and Fellows published 22 longer articles and chapters and 8 shorter articles on ethical leadership and ethical professional identity topics. The Center is providing particularly strong national leadership on empirical research to address which pedagogies are most effective to help students grow toward an internalized moral core and ethical leadership.

The Holloran Center’s research contributes substantially to a growing body of scholarship and empirical studies on the formation of an ethical professional identity in the professions and business. This research shows that an ethical professional identity based less on short-term self-interest and more on awareness of and responsibility for the consequences of one’s decisions for others and to society is not simply a matter of personality, innate traits, or virtues learned in childhood. Ethical professional formation can occur over a career span, and higher education can foster each student’s growth.
Center Publications in 2010-11

Neil Hamilton, Director


**Co-Authored with Research Fellow Verna Monson**

• *Answering the Skeptics on Fostering Ethical Professional Formation (Professionalism)*, 20 PROF. LAW. No. 4, 3-9 (2011).

**Short Essays**

• & Sarah Gillaspey, *Diversity and the Changing Relationship Between Corporate Clients and Law Firms*, MINN. LAWYER. (June 21, 2010).
• & Emily Semo, *A Happy Client Can Make a Happy Lawyer*, MINN. LAWYER. (Dec. 20, 2010).
• *A Sporting Theory of Justice*, MINN. LAW. (Feb. 11, 2011).
• The Link Between Effectiveness and Ethical Professional Identity, U. of ST. THOMAS ALUMNI MAG. 22-25 (Summer, 2010).

Jerry Organ, Associate Director

• The Impact of Scholarship Programs on the Culture of Law School, J. LEG. EDUC. (forthcoming 2011).

Tom Holloran, Senior Distinguished Fellow


Verna Monson, Research Fellow

In addition to the five articles co-authored with Hamilton listed above:

• & M.J. Bebeau, Authorship in the Social Sciences: Ethical and Historical Perspectives on Definitions, Criteria, and Emerging Issues, J. SCI. ENGINEERING ETHICS, Special Sec. (2011).
Lyman Johnson, Fellow

- *Re-Enchanting the Corporation*, 1 Wm. & Mary Bus. L. Rev. 83 (2010).

Susan Stabile, Fellow

Our Programming and Courses

A. National and Regional Speaking Engagements

In 2010-11, Center Fellow Hank Shea gave 27 national and regional presentations on learning from others’ ethical mistakes to over 3000 students and practicing professionals, including presentations at Harvard Law School, Boston College Law, University of Arizona Law, Washington University Law in St. Louis, and the University of San Francisco Business School. The Director and the other Fellows gave 30 additional national and regional presentations related to the Center’s mission reaching approximately 2000 students and practicing professionals.

B. Medtronic Business and Law Roundtables

The Center hosted five Medtronic Business and Law Roundtables with attendance averaging 200 per roundtable together with media coverage.

- September 9, 2010 - WHAT ARE THE LEGAL AND ETHICAL BOUNDARIES FOR DEALING WITH IMMIGRATION: IS THE ARIZONA LAW AN APPROPRIATE RESPONSE?
  A panel discussion featuring two nationally known advocates for and against Arizona’s new legislation.

  Forum participants included Prof. Gabriel Chin (Univ. of Ariz. Rogers), Michael Hethmon (Gen. Counsel, Immig. Reform Law Inst.), Thomas Saenz (Pres. and Gen. Counsel, Mexican Am. Leg. Def. & Educ. Fund), Prof. Katherine Fennelly (Univ. of Minn.), Jessica Vaughan (Dir. of Policy Stud., Ctr. for Immig. Stud. in D.C.), and Archbishop Harry Flynn (Archdiocese of St. Paul and Minneapolis).

  Co-sponsor: Center for Ethical Business Cultures
• **September 14 - THE MORAL RESPONSIBILITY OF INVESTMENT BANKERS**
  University of St Thomas Law Journal
  Speakers included Prof. Richard Painter (Univ. of Minnesota) and Prof. Lyman Johnson (Univ. of St Thomas).
  **Co-sponsor**: UST Law Journal and Center for Ethical Business Cultures. This was the annual Law Journal lecture.

• **November 6 - CONFERENCE ON EMPIRICAL PROFESSIONAL ETHICS**
  St. Thomas Law Journal ethics symposium with presentations on empirical research concerning professionalism, ethical professional identity, law firm or department ethical culture, rules compliance, preventive law, and risk management.

  The Holloran Center sent reprints of the symposium to a mailing list of 1,000 ethics professors.

  Speakers included:

  • **Prof. Steven Boutcher** (Univ. of Mass. Amherst) – *Rethinking Law Firm Culture: Organized Pro Bono, Large Law Firms, and the External Origins of Culture*
  • **Prof. Daisy Floyd** (Mercer) – *Empirical Professional Ethics Symposium of St. Thomas Law Journal* (foreword)
  • **Prof. Neil Hamilton & Dr. Verna Monson**, (Univ. of St. Thomas) – *Ethical Professional (Trans)formation: Lawyers Five Years After Graduation Make Sense of Professionalism*
  • **Prof. Kimberly Kirkland** (Franklin Pierce) - *Self-Deception and the Pursuit of Ethical Practice: The Challenge Faced by Large-Firm General Counsel*
  • **Prof. Larry Krieger** (Fla. St.) – *The Most Ethical of People, the Least Ethical of People: Proposing Self-Determination Theory to Measure Professional Character Formation*
  • **Prof. Leslie Levin** (Univ. of Conn.) – *Specialty Bars as a Site of Professionalism: The Immigration Bar Example*
  • **Prof. Lynn Mather** (Univ. of Buffalo) – *Lawyers’ Ethical Conduct Across Different Areas of Practice*
• **Prof. Jerry Organ** (Univ. of St. Thomas) – *What Do We Know About the Satisfaction/Dissatisfaction of Lawyers? A Meta-Analysis of Research on Lawyer Satisfaction and Well-Being*

• **Prof. Christine Parker** (Univ. of Melbourne) and **Prof. Susan Fortney** (Tex. Tech.) – *The Pressures of Billable Hours: Lessons from a Survey of Billing Practices Inside Law Firms*

• **November 10 - UNWEAVING A TANGLED WEB: INSIDE THE PETTERS PONZI SCHEME**
  **Co-sponsors:** UST Student Chapter of the Federal Bar Association, UST Criminal Law Society, UST Business and Corporate Law Society, and Center for Ethical Business Cultures

• **February 8 - THE EPIDEMIC OF LYING IN AMERICA FROM MARTHA STEWART TO BERNIE MADOFF**
  Speaker Prof. James B. Stewart (Columbia Univ., Pulitzer Prize Winner) lectured on the breakdown in ethics in the judicial system, academia, and business.
  **Co-sponsors:** Annual Fredrikson and Byron law firm lecture in honor of John Byron, and Center for Ethical Business Cultures

C. **Trusted Advisor Luncheons**

In 2010-11, the Holloran Center organized and hosted three Trusted Advisor Programs for law and business students. The Center provides lunch for students at these programs.

**Co-sponsor:** UST Business and Corporate Law Society

• **September 4 - AS AN IN-HOUSE LAWYER: FINDING YOUR FAITH IN THE WORKPLACE**
  Speakers Marschall Smith (Senior VP for Leg. Affairs and Gen. Counsel of 3M) and Thomas Boardman (Partner at Barnes &
Thornburg LLP and Former VP and Dep. Gen. Counsel of 3M) discussed faith and the practice of law.

• **November 4 - OBSERVATIONS FROM EXPERIENCE AS OUTSIDE COUNSEL, GENERAL COUNSEL, AND CEO**
  Speaker Daniel Pennie (CEO of Bluestem Holding LP) discussed his experiences in transitioning from a corporate practice to general counsel of Ceridian Corporation and running his own business.

• **April 12 – IMPORTANCE OF ETHICAL CULTURE**
  Speaker Jan Symchych (Vice President, Deputy General Counsel, Medtronic, Inc.) shared her thoughts on the difficult ethical calls of private practice and the importance of ethical culture.

• **April 19 - HEALTHPARTNERS CEO MARY BRAINERD: THE HEALTH CARE INDUSTRY IN A DYNAMIC LEGAL ENVIRONMENT**
  Speaker Mary Brainerd (Pres. and CEO of HealthPartners) discussed both the impact of the recent health care reform law on the health-care industry and gender issues in the profession.

**D. Retreats**

Professors Susan Stabile and Jerry Organ conducted 13 retreats and multiple other programs on spiritual formation to approximately 250 students, faculty, staff, and alumni. Their efforts included:

• **VOCATION RETREAT WEEKENDS**
  Two student retreat weekends designed to help students uncover their vocation as students and in the legal profession.

• **MID-DAY REFLECTIONS**
  Three programs of prayer and reflection for students, faculty, staff, and alumni on themes of Living with Purpose, Spirituality Across Faith Traditions, and Assessing the Value of Creeds.

• **FALL PRAYER SERIES**
Five-week retreat program for students, faculty, and staff inviting reflection on various teachings of Christ.

- **ADVENT RETREAT IN DAILY LIVING**
  Four-week retreat in daily living on Advent themes.

- **LENTEN RETREAT IN DAILY LIVING**
  Eight-week retreat in daily living using traditional devotions as a framework for Lenten prayer.

### E. Other Public Programs

- **February 1 - DEVELOPMENTS IN JUDICIAL SELECTION**
  A lecture for judges in Minnesota by the Honorable Frank Sullivan, Jr., Chief Justice, Indiana Supreme Court

- **February 14 – ETHICAL LEADERSHIP IN SOCIAL JUSTICE**, special lecture by Dr. Josie Johnson, former member of the Board of Regents and Associate Vice-President for Academic Affairs at the University of Minnesota. Dr. Johnson discussed social change over her lifetime, and about the nature of bias and prejudice in society.
  **Co-sponsor:** Black Law Student Association.

- **February 28 - THREE GENERATIONS OF U.S. LAWYERS: GENERALISTS, SPECIALISTS, AND PROJECT MANAGERS**
  Speaker Prof. William D. Henderson (Indiana University)

- **April 29 - May 1: NATIONAL INSTITUTE FOR TEACHING ETHICS AND PROFESSIONALISM (NIFTEP)**
  The University of St. Thomas hosted NIFTEP’s Spring 2011 workshop. The three-day conference featured multiple speakers, including several Holloran Center faculty, focusing on what law teachers and practitioners in Canada and the United States can learn from each other both to develop effective ways of teaching ethics and professionalism, and how teaching ethics and professionalism can address practicing law in an increasingly global context. UST Law, along with Stanford, Fordham, Indiana
(Bloomington), South Carolina, Georgia State, and Mercer are members of NIFTEP.

**Curriculum Development**

**Ethical Leadership Courses**

Professors Tom Holloran and Neil Hamilton taught Ethical Leadership in Corporate Practice in fall 2010 where students heard from 15 exemplary business and law leaders and discussed case studies.

Professor Hank Shea and Minnesota Court of Appeals Judge Wilhelmina Wright created and offered a new course, Ethical Leadership in Social Justice in the spring of 2011 where students heard from 15 exemplary social justice leaders and discussed case studies.

**Website Development**

The Center also tracks activity on the Holloran Center’s website. In 2010-11 the website saw an increase in hits of 35 percent, from 8,200 to 11,000. We are improving the format to increase overall traffic to the website.

**Service**

Fellows Tom Holloran and Hank Shea continue to give their time pro bono to the Center.
With Gratitude

The Holloran Center would like to acknowledge the generous contributions of our organizational and individual donors. Without their support, our scholarship and programming would not be possible.

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