Course Description: Capstone Project (culminating experience)\textsuperscript{71}

The Third-Year Capstone Projects Program (Capstone Projects) will enable third-year students to develop foundational skills for a smoother transition from law school to the practice of law or the pursuit of some other law-related career. The concept of the Projects is to provide a flexible mechanism for two or more students to have a clinical-type experience, in the absence of a permanent clinic in the area of the student’s substantive interest, or as a continuation of an interest developed in a clinic. Students will be permitted collaboratively to design and implement a project under the supervision of a member of the governing faculty, and, in some cases, with the assistance of outside mentors who will be experts in the substantive area of the project. In a sense, these projects will function as ad hoc clinics.

The primary purpose of Capstone projects will be to introduce students to complex legal problem-solving, through projects that will require the kind of sustained and highly motivated effort expected of young scholars, associates at law firms, and young lawyers at public interest law firms or regulatory agencies. To more effectively prepare for the practice of law, law students need to experience the demands, constraints, and methods of analyzing and dealing with unstructured situations in which issues are not identified in advance.\textsuperscript{72} Otherwise, their problem-solving skills do not readily mature. Providing some exposure during law school that simulates skills required in the actual practice of law is not only important for helping students develop well-rounded and more realistic perspectives about the legal profession, it also helps students appreciate the importance of other subjects taught in law schools.\textsuperscript{73} The Capstone Project program will serve these goals, along with the law school clinical programs.

Although the precise parameters of each individual project will be flexible, the program will have core requirements applicable to all projects, including the requirement of a substantial final written product that reflected the process of planning, analysis, implementation, and evaluation.

In practice, students will spend a substantial portion of time over the academic year (for example, up to 14 credits) engaged in intensive legal work in an area of professional interest. Ideally, Capstone Projects will allow third-year law students to translate what they have learned during the first two years of law school into practical legal skills through an in-depth exploration of a particular area of law or public policy, while expanding their problem solving and team-building skills. The projects can involve any substantive area of law in which the students undertaking it are interested. The projects can be associated with a course in which the students are concurrently enrolled; they can be a continuation of a course or clinic that the students previously took; or they can be free-standing projects, designed entirely by the students and their advisor and outside mentor, and unconnected to a particular course.

Students ordinarily will recruit to supervise their projects a member of the law

\textsuperscript{71} This capstone experience is adapted from a report drafted for the Curriculum Committee at Duke University School of Law by Erwin Chemerinsky.


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school faculty who teaches or writes in the substantive area of the project. When that is not possible, however, students can recruit a mentor in the substantive area of the project from outside the law school, who will work with the faculty advisor. These outside mentors can be alumni of the law school or legal professionals with no prior relationship with the law school. In addition, interdisciplinary projects also will require students to work with experts outside the field of law.

Capstone Projects will identify students who undertake them as particularly well prepared to make a relatively smooth transition from law school to the practice of law. Prospective students also accord considerable weight to innovative legal curriculum models when choosing which law school to attend, and likely will find this program attractive.

**Development of Capstone Projects**

Students can design Capstone Projects as add-ons to existing courses and clinics, or they can design their projects independently of the existing curriculum, within specifically defined parameters and requirements. The scope and requirements of each project will be commensurate with the number of course credits sought. For example, Projects can be focused topically, such as on philosophy and legal theory; around intensive clinical, trial practice or ADR experiences; combined with relevant interdisciplinary study elsewhere in the University; as components of internships with judges, legislators, other government offices, public-interest law offices, or international entities (such as the law school’s current international externship programs); or as a track for students interested in pursuing academic careers.

Capstone Projects will be designed to provide students with opportunities to conduct in-depth analyses of real world policy issues. The proposed program will allow law students to narrow the even wider gap that exists between legal education and the practice of law.

**Criteria for Capstone Projects**

Capstone Projects are intended to be intensive, active learning projects, requiring significant effort in the planning and implementation, and resulting in a final written product. At a minimum, the projects will require interested students to submit a written proposal (ideally during the spring of the 2L year), detailing the specific area of study (including topical area, core courses, additional materials to be consulted, etc.), faculty or mentor involvement needed, the number of students involved in the project, the time-frame for the different phases of the project, the number of credits sought, and the final written product to be produced. This proposal will be the first phase of all projects. (Conceivably, a student could enroll in a one-credit independent study to develop the project proposal.)

The faculty advisor or other person appointed to administer the program (in consultation with the faculty advisor) will review a project proposal to ensure that it met the requirements for the program and that the credit proposed was warranted. Once this interactive process is completed, and the project approved, the faculty advisor will serve as the primary mentor for the project during the students' third year. At a minimum, a
single law school professor will serve as the law school advisor; but, additional
advisors/mentors can be professors from other schools within the university, practicing
lawyers, judges, legislators, and other relevant professionals, as appropriate to the
particular project.

Each project proposal will designate the academic curriculum for the project. 
Students will designate courses will be components of their projects, forcing them to 
think more critically about their course selections, and to be thoughtful about their
planned course of studies in the second and third years.

Specific courses that the students already have completed can be designated for 
the project, as well as courses that will be taken in the third-year, concurrently with the
beginning of the Capstone Project. The final written work can be in the form of a
scholarly work of publishable quality, model legislation and the supporting report, the
documents required for a corporate transaction, with an explanatory memorandum to the
client; a brief; comments filed with a regulatory agency on a proposed rule-making; etc.

The number of academic credits awarded for the entire project will be determined
by the courses taken in conjunction with the project, the scope of the project, the
estimated timeframe (one or two semesters) and the number of hours expected to be
devoted to the project; and the complexity of the final written project. The project credits
will be on a pass-fail basis (perhaps with the possibility of earning distinction for some
projects). The courses taken as part of the project will be subject to the usual law-school
grading system.

A critical component of the project, and one that will further differentiate it from
the existing law school model, will be the substantial and individualized feedback
provided to the students. The faculty advisors and mentors will be expected to provide
students with on-going regular feedback, throughout the duration of the project. The
advisors and mentors will expect that subsequent drafts or documents and actions of the
students will reflect feedback given. Students will be expected to provide regular status
reports to the advisor. And the advisor and students will be expected to hold periodic
review sessions (the frequency of which will depend upon the project) to discuss progress
on the project. Finally, students will be required to prepare a post-performance critique,
noting their accomplishments, and offering suggestions for improving the program.
Students also will be expected at the conclusion of the project to provide candid
assessments of each other’s effort and contributions.

Conclusion

Capstone Projects will be an innovative program that distinguishes the third-year
curriculum at the Donald Bren School of Law from those of its peer institutions.
Students at other institutions may engage in a significant legal research project during
their Third-Year, but the majority of schools do not offer third-year students an intensive
program designed to expose them to and challenge them with “real-world” problems, or
to equip them with the practical skills necessary for the practice of law in the kinds of
jobs that our students typically take after graduating.