Internationalization and Post-J.D. Executive Education – The Bucerius Model.
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What is the shape of the future market—or markets—for legal education? What are the most promising models for delivering education and training in those markets? And how do we get there from here? These are the crucial questions raised at this conference. We do not need a crystal ball to predict that the legal profession is internationalizing and becoming more business-oriented, competitive and cost-conscious, especially for legal professionals working in large and medium-sized business law firms.

How does this affect legal education and what does this mean for law schools and their business model? I would like to share some thoughts on the challenges and opportunities for law schools in this context.


One of the main challenges for legal practitioners around the world today is the increasingly international context that they have to work and succeed in. Their clients and their clients’ business ventures transcend borders. Lawyers have to advise and represent their clients in these increasingly complex and international multi-jurisdictional ventures. For this reason, legal advice has to not only be based on sound legal knowledge, but also on a well-founded understanding of the national and foreign legal and economic context of the business sector in which the law firm’s clients operate.¹

With more and more law firms merging with international counterparts, the immediate professional environment of lawyers is also internationalizing². At the same time, their work is

facing enormous competition and cost pressure. The need for law firms to devise a solid business development plan with a strategic vision for the firm, based on effective marketing tools and a sound financial structure, is becoming ever more evident. In order to implement this, lawyers need systematic business and management skills to successfully lead their teams and their firm.³

These three areas – internationalization, business knowledge and management skills – represent a challenge and an opportunity for law schools.

Internationalization in terms of curriculum reform is well underway at most law schools in the US and Europe, as they have understood that they need to offer students international and comparative law courses and to strengthen students’ intercultural awareness and competence. It is in this context that Georgetown Law Center implemented the “Week One: Law in a Global Context” Program, Stanford Law School is setting up its “Transforming Legal Education” Program, and Harvard Law School finalized a discussion process initiated in 2006 about curriculum reform, which seeks to ensure “systematic attention to international and comparative law and economic systems” by requiring students to take one of three specially-designed courses that introduce global legal systems and concerns.

Learning about other jurisdictions is an important initial step⁴. Personally experiencing a foreign jurisdiction, however, brings a far deeper understanding of the varying concepts involved. This is the reason why foreign trained lawyers flock to LL.M. programs abroad. In some states in the US they are even allowed to sit the bar, which enables them to earn a dual qualification. The need to document international experience when applying for a job has led to considerable mobility of law students: the number of foreign students studying in LL.M. Programs in the US has increased constantly over the past years, triggering a process at the ABA to consider accreditation of LL.M. programs more in-depth.⁵ On the other side of the Atlantic, students in the EU are encouraged to spend at least a semester abroad at a university in one of its member states. In Germany today, 20% of law students spent a semester or year abroad, and the numbers are increasing every year.⁶

Given the importance of international exposure, my plea for law schools in the US and around the world is to increase the possibilities for their students to study abroad for a semester or a year. Some law schools have already gone a step further by offering double- or even triple

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⁶ Statistical Data available at Bundesrechtsanwaltskammer (www.brak.de) and Hochschulektorenkonferenz (www.hrk.de).
degree programs, integrating international competence as an inherent part of the program, e.g. Columbia Law School, which has two double-degree programs – one with France, one with the UK – and Humboldt European Law School which offers a triple qualification – for Germany, the United Kingdom and France.

My suggestion for a measure to be implemented by April 2011 is for law schools to define a strategic plan to increase international mobility among its students and to assess whether a semester abroad can be made a mandatory requirement. This encompasses defining a strategic plan for internationalization, implementing an understanding among the faculty and student body of the importance of an international experience, finding adequate partner schools abroad, making the study abroad options visible, adjusting the law school’s curriculum by integrating international and comparative law courses in preparation for the semester abroad, defining how the credits earned abroad will be integrated into the J.D. credit system and assisting the students in preparing for their semester abroad. With a strategic plan for internationalization, law schools will be able to strengthen their profile when competing for the best students.

2. Post-J.D. Executive Education: A New Business Model for Law Schools
The two other competences legal professionals need today – business knowledge and management skills – constitute an opportunity for a new business model for law schools that will also help law schools to keep their leading edge.

Just like any other professional – be it an engineer, a biologist or a chemist – legal professionals need to add business knowledge, managerial competence and leadership skills to their set of competences when moving up the professional ladder. The growing size of law firms and the increasingly (international) competitive environment in which they operate call for a refinement of management skills.

What is the role of law schools in this context?
Law and ethics are the key to pass the bar exam, business and management skills are not. Therefore, in their J.D. programs law schools should put their emphasis on providing an excellent legal education. Business and management skills become relevant once the graduates have entered the job market and proved that they possess the adequate functional skills to succeed in their profession. Thus, these skills can be imparted at the post-J.D. level and in short-term executive education programs. An increasing number of law schools are offering dual J.D./MBA Programs. However, law schools should not leave this area and source of income to business schools. Law schools should develop and design their own executive education programs – if need be in cooperation with the business schools – but these programs should be located and taught at the law school.

Law schools can fill a niche in executive education by offering specially-designed business and management courses for lawyers in law firms. These courses need to offer content that cannot
be obtained in general management programs, i.e. information on the development of the legal market, management skills to lead a partnership, client development for lawyers, etc. The aim of these programs should be to complement the lawyer’s education with the professional skills that lead a lawyer to become a legal entrepreneur or an entrepreneurial lawyer, i.e. a legal professional that not only knows the law, but also thinks and acts as an entrepreneur.

Why should law schools enter this field? Because they have the reputation and the credibility to offer such courses. The first law schools are heading in this direction: Harvard has set up its programs for leadership in law firms and for leadership for corporate counsel. In Germany, the University of Münster has set up its JurGrad Program to offer, among other options, business courses for lawyers. And last but not least, in the UK, the Moeller Professional Service Firms Group in cooperation with the Judge Business School in Cambridge offers The Law Firm Partner-Program.

A well-rounded, well-structured program designed exclusively for the professional development needs of legal professionals is the niche that law schools can fill. It is a new market for educating legal professionals and it constitutes a new business model for law schools.

3. A possible role model: Bucerius Law School’s Executive Education Program

As an example, I would like to briefly sketch the model of the executive education program for legal professionals that has been set up by Bucerius Law School’s Executive Education.

Bucerius Law School is the first private law school in Germany, founded in October 2000 and located in Hamburg. The hallmarks of its curriculum include an integrated and mandatory semester abroad, introductory courses in business and economics and comparative law courses, to name a few. Out of 42 law faculties in Germany, it is constantly ranked among the top three.

Bucerius recognized the need for life-long learning and development and decided to create an Executive Education Program for legal practitioners. The program offers business courses and management and leadership courses specifically designed for the needs of practicing lawyers and for corporate counsel. In order to generate its very own, distinctive profile with course content not available in general management programs elsewhere, Bucerius recently founded the Center on the Legal Profession. Based on the latest developments of the German and international legal market, the Center will analyze its strategic and economic impact on law firms and its consequence for law firm management. The findings will be converted into case studies and seminars offered to law firms and legal departments, thus giving its participants the specialized management and leadership skills they need for the successful management of their firm or department.

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7 Bucerius Center on the Legal Profession: www.bucerius-clp.de
And the response from the market and the target groups? The growing awareness for the need to professionalize in these areas leads practitioners to seek out adequate courses, which results in a growing demand for the Bucerius in-house and open enrollment courses. The development is also leading to stronger strategic partnerships between Bucerius and major law firms in the expansion of their in-house academies.

Just as with LL.M. and MBA programs at US universities, the Bucerius Executive Education programs help finance Bucerius Law School. At the same time, Bucerius Executive Education is the strategic unit of Bucerius Law School, able to constantly look out for new needs and developments in legal education and to translate these into new programs.

4. The future of legal education: Suggestions for implementing change

Coming back to the requirements of the proposals of this conference, my suggestion for a component that can be implemented by April 2011 is to initiate a process in which the law school sits down with a handful of its most devoted alumni, interested law firms and the business school to discuss the interest and the needs and demands for specifically tailored in-house or open enrollment training programs for lawyers, to develop a first lawyer development program and to work out a business plan between the law school, the business school and other involved stakeholders. A good start might be a program that covers the four key principles of management: strategy, finance, marketing and leadership, adapted to the situation of law firms and legal departments.

A further thought for developing a law school’s executive education program, would be to target those that do not have a legal background, but who need a legal understanding in their daily business. Just as MBA Programs teach non-economists business and management skills, professionals working in the top management of their firms often need a general understanding of specific legal areas, such as labor law, tax law, public procurement law, etc. Why not draw from the law school’s resources and set up business law courses for non-legal professionals? Here again, some law schools are already entering this field, e.g. St. Gallen and Bucerius.

In conclusion, law schools can gain economically and in profile if they offer (post-J.D.) Executive Education Programs for lawyers and non-lawyers. They need to foster an understanding among their students: a sound legal education is the basis for a successful legal career, but one needs more to become an exceptional legal professional – international expertise and competence, a thorough understanding of the economic and business environment in which they and their clients operate and excellent managerial skills to lead their teams and the firm into a successful future.