

FOREWORD: THE PROFESSIONAL SOCIALIZATION OF LAWYERS

*Matthew Diller**

In 2022, the American Bar Association's (ABA) Council of the Section of Legal Education and Admissions to the Bar adopted a new accreditation standard requiring law schools to provide substantial opportunities to students for the development of professional identity.¹ The ABA's accompanying interpretation of the new requirement explains:

Professional identity focuses on what it means to be a lawyer and the special obligations lawyers have to their clients and society. The development of professional identity should involve an intentional exploration of the values, guiding principles, and well-being practices considered foundational to successful legal practice. Because developing a professional identity requires reflection and growth over time, students should have frequent opportunities for such development during each year of law school and in a variety of courses and co-curricular and professional development activities.²

This new requirement reflects a growing focus in legal education and the legal profession on the process that shapes law students and new lawyers' perceptions of what it means to be a lawyer and, most importantly, how

* Dean Emeritus and Professor of Law, Fordham University School of Law and Co-Senior Counsel, John D. Feerick Center for Social Justice. Many thanks to Professor Bruce Green for his comments on this foreword and for sharing his insights about lawyers and lawyering with me over many years. I am also grateful to Professor Linda Sugin, Marta Ricardo, Maya Fitzgerald, and Jordana Confino, who have created and led Fordham Law School's Office of Professionalism, from whom I have learned much about helping students transform into lawyers.

This foreword was prepared for the Stein Colloquium titled *The Professional Socialization of Lawyers*, cohosted by the *Fordham Law Review* and the Stein Center for Law and Ethics on October 24, 2025, at the Fordham University School of Law.

1. A.B.A. SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR ACCREDITATION PROJECT, STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 22–23 (2025–2026) [hereinafter A.B.A. STANDARDS], https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2025-2026/2025-2026-standards-and-rules-of-procedure-for-approval-of-law-schools.pdf [https://perma.cc/9B H6-XBCG].

2. *Id.* at 24. At the same time, the ABA also added a requirement that law schools “provide education to law students on bias, cross-cultural competency, and racism.” *Id.* at 23.

individuals can come to terms with their own roles as lawyers.³ Moving beyond traditional professional responsibility courses, which often focus on the ground rules, the emphasis on “professionalism” seeks to identify and implement ways in which law schools and law firms can help new lawyers in this process. The goal is not simply to inculcate new lawyers in the practices and norms of the legal profession. Rather, this new requirement seeks to help individuals develop their own identities as lawyers so they can find roles and approaches to lawyering that suit their needs and their strengths. The result, hopefully, is that lawyers are more fulfilled and more effective in their work.⁴

It is against this backdrop that the Louis Stein Center for Law and Ethics and the *Fordham Law Review* teed up this year’s annual colloquium: *The Professional Socialization of Lawyers*. Participants were invited to consider “the unenforced norms for lawyers, or subcultures of lawyers, and how . . . they [are] developed, communicated and enforced.”⁵ The organizers also asked participants to consider:

[W]hat role do law schools, employers, local bars, courts and others play in socializing lawyers such as by informally introducing and enforcing expectations and norms that are not necessarily enforceable by discipline, sanctions and other formal legal means? How successful are the various efforts at professional socialization and can they be improved as the profession transitions into virtual and hybrid practice environments?⁶

We are indeed fortunate that the prompt has generated ten thoughtful and insightful responses to these questions. While the essays cover a lot of ground, several themes emerge. These themes suggest that the project of promoting a vision of professionalism that leads to more fulfilled and effective attorneys has a long way to go. Taken together, the essays portray a system in which conformity to an oppressive, skewed dominant culture is inculcated early and maintained in both subtle and obvious ways, yielding a legal culture that serves society poorly.

3. See generally Marni Goldstein Caputo & Kathleen Luz, *Beyond “Hard” Skills: Teaching Outward- and Inward-Facing Character Based Skills to 1Ls in Light of ABA Standard 303(B)(3)’s Professional Identity Requirement*, 89 BROOK. L. REV. 809, 809–10 (2024); Harmony Decosimo, *A Taxonomy of Professional Identity Formation*, 67 ST. LOUIS U. L.J. 1, 21–22 (2022); Martin J. Katz, *Teaching Professional Identity in Law School*, COLO. LAW., Oct. 2013, at 45, 45–46; Neil Hamilton, Jerome M. Organ, David Grenardo, Louis D. Bilonis & Barbara Glesner Fines, *Standard 303 and the Development of Student Professional Identity: A Framework for the Intentional Exploration of the Profession’s Core Values*, 20 U. ST. THOMAS L.J. 1001, 1006–08 (2024).

4. Standard 303(b)(3) grew out of a movement to urge law schools “to address gaps and shortcomings” in legal education and “to do more to support student development on a wider range of values and competencies.” Louis D. Bilonis & Neil W. Hamilton, *Professional Identity Formation as Theory and as Practice for the Education of a Lawyer*, 74 J. LEGAL EDUC. (forthcoming 2025) (manuscript at 4–5) (on file with the *Fordham Law Review*).

5. *Stein Colloquium 2025*, FORDHAM L., <https://go.activecalendar.com/FordhamUniversity/site/law/event/stein-colloquium/> [<https://perma.cc/X4NN-Y69M>] (last visited Jan. 25, 2026).

6. *Id.* Professor Bruce Green, the Stein Center Director, played a central role in framing the topic and in advising the editors in developing this colloquium.

Professor Sarah J. Schendel lambasts legal education for producing obedience and compliance rather than critical thought or creative action.⁷ She argues that “what law schools call *professionalism* is too often . . . the socialization of compliance” and “[s]tudents learn that success means anticipating authority, modulating emotion, and avoiding open dissent.”⁸ In their essays, Professors Verónica C. Gonzales and Luz E. Herrera follow with analyses of how law school graduates feed into a profession where the behavioral norms and expectations are shaped by generations of White male dominance—placing women and people of color at a disadvantage and exacting a powerful emotional toll.⁹ The papers together form a powerful critique of the harms inflicted on Latina lawyers by the dominant culture in the legal profession. As Professor Gonzales puts it, “Latina lawyers navigate professional socialization through racialized and gendered expectations of ‘professionalism.’”¹⁰ In seeking to conform to the dominant social norms, “Latinas often engage in chronic acts of accommodation and assimilation that drain identity and obscure merit.”¹¹ Professor Herrera focuses on the generational gap between older and younger Chicana/Latina lawyers, as younger generations “increasingly question the cultural compromises that professionalism demands.”¹²

The extent to which professional norms reflect racial and gender biases and hierarchies is also the focus of two other essays in this issue. The essay coauthored by Meghan Dawe and Professor Ronit Dinovitzer on the career aspirations of lawyers in Canada and the United States examines this dynamic from another perspective.¹³ It documents disparities in career aspirations along racial and gender lines, informed by the recognition that career aspirations are not simply individual goals that people set for themselves but are shaped by structural constraints on access to opportunities and by experiences of exclusion.¹⁴ Professor Pilar Margarita Hernández Escontrías focuses on the racialized nature of lawyer disciplinary proceedings.¹⁵ Hernández Escontrías notes that while the legal profession prides itself on its tradition of self-governance, it in fact operates as an arm of the state, imbued with the power to grant and retract licenses to practice

7. See generally Sarah J. Schendel, “No Further Discussion Necessary”: *Compliance as Professionalism in Legal Education*, 94 FORDHAM L. REV. 1435 (2026).

8. *Id.* at 1436.

9. See generally Verónica C. Gonzales, *Winging It: Convergence, Convivencia, and Belonging of Latina Lawyers*, 94 FORDHAM L. REV. 1357 (2026); Luz E. Herrera, *Chicana Professionalism: Embracing Greñas, Glitter & Boots*, 94 FORDHAM L. REV. 1377 (2026).

10. Gonzales, *supra* note 9, at 1357.

11. *Id.* at 1375.

12. Herrera, *supra* note 9, at 1389.

13. See generally Meghan Dawe & Ronit Dinovitzer, *Lawyers’ Career Aspirations in Canada and the United States*, 94 FORDHAM L. REV. 1297 (2026).

14. *Id.* at 1299–300.

15. See generally Pilar Margarita Hernández Escontrías, *Law’s Penal-Professional World Order*, 94 FORDHAM L. REV. 1321 (2026).

law.¹⁶ Seen in this light, racialized disciplinary systems appear as a means by which the state maintains and fuels racial hierarchy and inequality in our society.

A number of authors focus on the implications of these rigid and slanted social norms for lawyers as public citizens—standing up for the values, processes, and institutions vital to our democracy. Professor Rebecca Aviel examines the law firms that reached agreements with the administration of President Donald J. Trump in 2025, arguing that their acquiescence to blatantly illegal government action betrays a lack of faith in the legal system.¹⁷ Aviel asserts that these firms' inability or unwillingness to protect themselves undermines their implicit claims that they can defend their clients.¹⁸ Professor Katrina Lee discusses law firms' failure to denounce the Trump administration's executive orders targeting law firms and, more generally, the culture of law firm silence on major issues of justice.¹⁹

In sum, the obedient law students that Schendel discusses join law firms which, as Gonzales and Herrera describe, require conformity and the erasure of identity. The result, as Aviel and Lee explicate, is law firms that are themselves obedient and passive in the face of government overreach.

Although read as a whole, these essays might seem like a fatal indictment of the legal profession's culture, the authors in this collection offer paths forward for law schools, students, lawyers, and the profession. Indeed, Herrera identifies an emerging "new vision for professionalism" that makes room for "context, community, and personal conscience."²⁰ Gonzales calls for reconfiguring legal institutions so they are no longer instruments that reward conformity and, instead, become sites that "prepare the profession and its members to recognize, reward, and retain excellence in all its forms."²¹ Other authors further identify ways to build positive means of socializing new lawyers. Professor Casey Faucon describes the techniques she has developed in her clinical teaching to cultivate law students into wise counselors, rather than legal technicians.²² Dean Raymond Brescia explains how lawyer socialization must adapt to enable legal institutions to develop cultures that embrace and use emerging technologies effectively.²³

Finally, Professor Jayanth Krishnan and Kunle Ajagbe discuss the project of building a culture that supports and nurtures the development of an immigration law bar in Nigeria.²⁴ They bring us back to two important truths.

16. *Id.* at 1329–30.

17. See generally Rebecca Aviel, *All the King's Lawyers*, 94 FORDHAM L. REV. 1261 (2026).

18. *Id.* at 1270–71.

19. See generally Katrina Lee, *Law Firm Silence*, 94 FORDHAM L. REV. 1415 (2026).

20. Herrera, *supra* note 9, at 1393.

21. Gonzales, *supra* note 9, at 1375.

22. See generally Casey E. Faucon, *Socializing the Rule 2.1 Lawyer-Advisor*, 94 FORDHAM L. REV. 1339 (2026).

23. See generally Raymond H. Brescia, *Training to the Tech: Ethical Adaptation to Emerging Technologies in the Practice of Law*, 94 FORDHAM L. REV. 1279 (2026).

24. See generally Jayanth K. Krishnan & Kunle Ajagbe, *Building a Professionally Socialized Immigration Bar: A Comparative Case Study*, 94 FORDHAM L. REV. 1395 (2026).

First, a robust culture is essential to building a legal profession that serves clients and the public effectively. And second, planning and coordination can and should play a key role in deliberately shaping culture to reach positive ends. All too often, socialization processes that are taken for granted yield cultures with substantial pathologies, which are then assumed to be “natural.”

The authors in this colloquium have made significant strides toward the goal of setting lawyer socialization on positive pathways, both by identifying the deficits and costs of prevailing legal culture and by laying the groundwork for positive change. This brings us back to Standard 303(b) of the ABA’s Standards and Rules of Procedure for Approval of Law Schools, which reinforces the role of law schools as sites where the socialization of lawyers begins.²⁵ The authors offer much that law schools can draw on in responding to the ABA’s call for schools to be thoughtful and deliberate in how they engage in this process. Taken together, the essays drive home the important point that the quest to produce “practice ready” graduates who will be attractive to employers must not be the sole focus of professionalism programming.

To be sure, a core part of socialization is instilling in law students the Copernican notion that the world does not revolve around them.²⁶ Law students have often spent most of their lives at educational institutions that place students at the center of their missions. Legal employers, however, place clients at the center of their mission, and new attorneys are principally a vehicle for delivering services. Professional socialization necessarily includes inculcating students and new lawyers into the ethos of client service while working as a colleague within the framework of an institutional setting, such as a law office or government agency.

At the same time, law school professional identity programming needs to ensure that, as students graduate, they retain a sense of agency that is critical to building their careers and essential to finding fulfillment in their professional lives. As lawyers, it is vital that they do not set their sights on conformity with the environment around them but instead take responsibility for the impact they can have in shaping their careers, workplaces, communities, and the legal profession. This sense of agency is essential to the independent judgment that effective lawyering demands and to fulfilling lawyers’ obligations as public citizens. Further, by working to ensure that graduates develop and retain a sense of agency, law school programs can play important roles in both shaping the profession and responding to it so that future generations do not face the challenges identified in these essays.

The tension between socializing new lawyers into the profession while also enabling them to be in control of their own careers and to impact the

25. A.B.A. STANDARDS, *supra* note 1, at 22–23.

26. *Copernican*, MERRIAM-WEBSTER, <https://www.merriam-webster.com/dictionary/Copernican> [https://perma.cc/DDZ8-8VVB] (last visited Feb. 6, 2026).

culture of the offices in which they work calls for law schools to develop programs that equip students with the knowledge to examine legal culture critically. Law schools should teach students to distinguish practices that are essential to the work itself from those that principally serve to reinforce hierarchy and inculcate conformity. Professional identity programs should focus on enabling students to identify the conditions that are essential to their success and development, recognizing that we all have different values and needs. Law school professional identity programs should provide students with tools to manage the gaps between their own needs and the expectations of employers, helping them navigate environments that offer benefits but also have shortcomings. These tools include ways to address and remedy deficiencies, rather than endure them. Finally, programs should help students recognize that others also face challenges in navigating professional culture and expectations—in some instances, challenges much greater than their own. Such awareness will help students become empathetic colleagues and positive contributors to workplace culture.

Professionalism programs that take this approach can go one step further by focusing students on their roles as public citizens. The critical skills that can help new lawyers positively impact the culture of law offices are valuable in broader settings as well: they can spur students and new lawyers to think critically and creatively about the culture and fairness of communities, the legal system, and society in general. They can help new lawyers become the empathetic problem solvers that our society needs.

These essays do not provide a blueprint, as there is no single answer to how we can best nurture students to become fulfilled, successful professionals. But they offer powerful insights to which educators and practitioners should pay close attention.