

A Judicial Perspective: Technological Competence and the Law Schools

By John M. Facciola. 2015 J. Prof. Law. 119 (2015).

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Reviewer's Summary:

Judge Facciola, a D.C. federal magistrate judge, begins this short piece by offering several anecdotes highlighting the problematic deficiencies in technological competence exhibited by many practicing attorneys, and describing the bar's belated (and somewhat inadequate) efforts to impose obligations on attorneys to maintain a basic understanding of current technologies. He notes that new attorneys typically gain an understanding of how technology operates in the context of litigation "on the job," and that since students primarily read law journal articles and appellate court opinions during law school, they are not exposed to lower court decisions discussing technology issues arising during discovery, or more practice-oriented writing reflecting on these issues. He then describes several models for effective law school technology instruction, acknowledging that all of them require a substantial commitment on behalf of the institution, the faculty (ideally practitioners themselves), and the students in order to be meaningful and effective.

Summarized by: Meredith Capps, Vanderbilt University Law School, in 2021.