

EMPIRICAL STUDY OF DEVELOPMENT OF LEGAL REASONING SKILLS

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1. For the past fifteen years, Vimla Patel, Professor of Medical Informatics and Psychiatry at Columbia University and David Kaufman, Associate Research Scientist in Medical Informatics and Psychiatry at Columbia, have been conducting empirical research on the cognitive processes of doctors and the training of medical students in Canada and the United States.
 - A. From these studies, Professor Patel and her associates have made a number of tentative findings about the development of expertise in physicians and the effectiveness of different medical school curricula in training physicians.
 - B. A review of Professor Patel's studies is contained in my recent article, *Domain Knowledge and the Teaching of Creative Legal Problem Solving*, 11 CLINICAL L. REV. 149 (2004).
2. In the present study, I am collaborating with Professor Patel and Dr. Kaufman to replicate one of Patel's early studies of medical students focusing on the effects of training in legal doctrine and reasoning on a law student's development from novice to more expert practitioner.
 - A. Unlike medical training, very little empirical research has ever been conducted in the field of legal education.
 - B. The purpose of this study is examine the development of legal reasoning skills in law students through their law school careers and to make some preliminary findings comparing the cognitive development of medical and law students.
3. The study was conducted with Hofstra Law School students during the 2003-2004 academic year.
 - A. The study focused on three different groups of subjects: (1) incoming law students; (2) students completing their first semester of their second year; and (3) students who have reached graduation.
 - B. A basic consumer fraud problem was used as stimulus material.
 - C. After each subject examined the problem for five minutes, one of my research assistants conducted a "think aloud" interview with him/her.
 - D. Based on the transcriptions of these recordings, we coded all data using a technique developed by Dr. Patel and her colleagues called "propositional analysis."
 - E. After coding the interviews for each subject, we are using standard statistical methods to identify patterns in the reasoning process used by subjects in each group.
4. Our preliminary findings in this study indicate that the development of reasoning skills in law students is

similar to that found in medical students by Professor Patel and her associates in their study of medical education.

1. Empirical research, such as the Patel studies and the current project, have much potential in helping law schools assess the effectiveness of their curricula and their instructors' pedagogy.