Millennial Academics, and Gen Z Students: How the Generational Change will Affect Legal Education



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The past two decades have seen a generational change come to universities along with one of a technological nature; the very first digital natives in the form of Millennials with Gen Z soon following. The purpose of this paper

1 This article was completed before the COVID-19 epidemic which forced schools and universities around the globe to close and introduce remote pedagogy. Academia should embrace this difficult time as a possibility to develop and introduce innovative techniques. As outlined below, there is much more to teaching using technology than simply sharing a presentation. Hopefully, the positive effects of the current situation will be here to stay. It should also be noted that the article was written from the viewpoint of generalization, while keeping in mind that all individuals are different. It needs to be acknowledged as well that any meaningful change requires cooperation between students and academia - just as students are required to adapt when they arrive

is to analyse the two somewhat similar, but often different generations and place them within the context of Polish and North American universities, with law faculties in particular, in order to answer the following question: What does this shift of generations mean for the future of legal education? In the first part of the paper the author introduces the two generations, contrasting them with previous ones. The second part of the paper is devoted to the issue of Millennials and Gen Z at university, particularly law school. In the final part of the paper the author applies the findings of two previous sections to the question of the future of legal education. Arguing that law faculties are unique entities within universities, he proposes a number of changes to the teaching of law which should be introduced if Millennials and Gen Zs are to truly find their place

> at university, in the present day, academia needs to adapt as well.

within academia and be able to live up to their full potential as lawyers, be they practitioners or academics.

Introduction

The advance of new technologies, globalisation, and in the times of post-truth and fake news, education, and higher education in particular, has to confront a plethora of new challenges. In the meantime, often going unnoticed in the sea of changes, two new gen"yes, we are." Being the first "digital natives," Millennials grew up being told that since they have greater access to education and innovative learning methods than any age group before them,6 they are destined to be a generation of success. The "American dream" was supposed to be at their fingertips. However, the reality of the 21st century soon caught up with us, and the "American dream" started to seem less of a possibility, and more of a "fallacy, a scam, [...] a fragile



"Are we really that different?" - is a question that Millennials are often asked.

erations have arrived ante universities' portas: Millennials and Gen Z.2 Born between 1980 and 2010, the two groups today constitute the majority of students and PhD students all around the world, with older Millennials already fully engaged in their academic careers. The purpose of this article is to investigate the two groups from the perspective of law school and identifying those traits which distinguish them from other generations and may seem at odds with the traditional rigour of academia in order to propose a number of changes which law schools can introduce in order to fully exploit the potential of the Millennials and Gen Zs.

Part One: Sketching out Millennials and Gen Zs

"Are we really that different?" - is a question that Millennials are often asked.3 The answer, of course, is

- 2 There are no clear boundaries between the Millennials and Gen Z: throughout the article the author maintains the 1980-1999, 2000-2010 distinction, as proposed in various sources (see adequate references below). It should also be noted that when speaking about students, the author focuses on those who study below the PhD level, as these are the programs in need of a change what with PhD studies being highly individualised and focused on research.
- 3 Gallup, "How Millennials Want to Work and Live", Gallup News, p. 1, news.gallup.com/reports/189830/millennials-work-live.aspx (04.03.2020).

island, ready to break up any second by the enormous challenges"7 of our times.

This chasm between the Millennials' expectations and the reality they have to face is perhaps one of the reasons why, as has been noted, "Millennials are altering the very social fabric of America and the world," and they "will change the world decisively more than any other generation. [They] will continue to disrupt how the world communicates - [...] they will soon radically change higher education."8

Millennials, Gen Y, digital natives9 - these are the three most popular expressions used to designate those born between 1980 and 1999. In their everyday lives, Millennials encounter Baby Boomers, i.e. people born between 1946 and 1964, and generation X, or Yuppies, i.e. those born between 1965 and 1979 on the one hand, and Gen Zs, i.e. those born between year 2000 and

- 4 The author of this article is a Millennial.
- 5 C. Celi, "Millennials or Digital Natives. Consuming and Producing News from Activism", p. 1, academia.edu/12446952/ Millenials_or_Digital_Natives_Consuming_and_producing_news_from_activism (04.03.2020).
- 6 B. Goldberg, "Re-Thinking the American Dream for the Millennial Generation", barrygoldenberg.com/blog/2014/5/20/ re-thinking-the-american-dream-for-the-millennial-generation (04.03.2020).
- 7 B. Goldberg, "Re-Thinking the American Dream...".
- 8 Gallup, "How Millennials Want to Work and Live", p. 1.
- 9 C. Celi, "Millennials or Digital Natives...", p. 1.

early 2010s,10 and Generation Alpha, i.e. those born from 2011 and 2015,11 on the other. Millennials make up the largest population group in the history of the world, constituting about 1/3 of the total number of us.12 And, just as every other generation, they share some common traits.

increasing gender equality in many parts of the world, and a strong pro-child disposition.14

Of these three, the most important factor clearly is technology. Millennials are neither 'Digital Settlers' more related to the 'analogue world' nor are they 'Digital Immigrants' who "learned how to email and use

Millennials are 'Digital Natives'.

As noted by Seppanen and Gualtieri:13

"If each generation has a personality, you may say that the baby boomer is the idealist, shaped by Woodstock, JFK, RFK, and MLK. Generation X is the sceptical independent, shaped by latchkeys, Watergate, and the PC. Generation Y is the connected, diverse collaborator, shaped by 9/11, texting, and the recession. It is therefore understandable that the stereotypical ambitious boomer workaholic may be critical of one who does not share the same ethics and values. The independent Gen Xer may not appreciate the team orientation and desire for seemingly constant feedback. At the same time, the social-minded Millennial may not understand the priorities of other generations."

To this brief description of the Millennials, several highly influential factors need to be added; increasingly widespread technology, a 'live' witnessing of significant global events such as terrorism, natural disasters, global warming, and political and economic problems, immersion in a culture that included working mothers,

- 10 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, Washington DC 2012, p. 2.
- 11 D. Lavelle, "Move over, Millennials and Gen Z here comes Generation Alpha", theguardian.com/society/shortcuts/2019/ jan/04/move-over-millennials-and-gen-z-here-comes-generation-alpha (10.12.2020).
- 12 T. Erickson, Plugged In. The Generation Y Guide to Thriving at Work, Cambridge MA 2008, p. 7.
- 13 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 2.

social networks late in life,"15 but rather are 'Digital Natives' who "relate to information differently than their parents"16 as few of them regard newspapers, magazines, or television as primary source of information, with 71% choosing the Internet as their main source.17

Large-scale research conducted by Gallup shows that Millennials use the Internet for a myriad of other activities, from managing finances to shopping and to taking classes. 18 Smartphones are, of course, extremely popular, and 80% of Millennials admit they "sleep with their cell phone next to their beds."19

The researchers stress that growing up with omnipresent technology has influenced the Millennial set of traits - so different than that of the previous generations. While, on the one hand, they are great at multitasking, i.e. they are "apt to switching tasks quickly enough to appear to be doing them simultaneously,"20 on the other they are less engaged at work compared to other generations,21 with most of them feeling 'indifferent' (but not entitled) to their job or company, looking for a position which makes them feel 'worthwhile'.22

- 14 T. Erickson, Plugged In..., p. 25.
- 15 J. Palfrey & U. Gasser, Born Digital. Understanding the First Generation of Digital Natives, New York 2008, p. 4.
- 16 J. Palfrey & U. Gasser, Born Digital..., p. 4.
- 17 Gallup, "How Millennials Want to Work and Live", p. 12.
- 18 Gallup, "How Millennials Want to Work and Live", p. 11.
- 19 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 6.
- 20 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 5.
- 21 Gallup, "How Millennials Want to Work and Live", p. 6.
- 22 Gallup, "How Millennials Want to Work and Live", p. 7.

Interestingly, perhaps due to the amount of (usually conflicting) information available, and also due to the 'parental support and encouragement' widely-acknowledged by Millennials, 61% of them cite their parents as the most influential entities in their lives, far in advance of public leaders (19%), the media

than just salary; self-development over mere job satisfaction; the need for tutoring, being taught in a partner-like way by those higher in the hierarchy, instead of being simply told what to do or controlled; the need for a permanent, and not ad hoc assessment of the result, along with showing what should be improved;



Millennials seem socially liberal.

(12%), and faith leaders and celebrities, who ranked as having minimal or the least influence.²³ Millennials are also less religious than the previous generations,24 prefer to be regarded as politically independent from the typical liberal/conservative distinctions,25 and are "much more tolerant of races and groups than older generations."26

Also, while Millennials seem socially liberal, they generally have fewer sexual relations and are more likely to be sexually abstinent than older generations.²⁷ On the other hand, their economic views are similar to those of their elders.²⁸ This may be related to the fact that the Millennials are "more interested in extrinsic life goals and less concerned for others and civic engagement. They are described as overly self-confident and self-absorbed."29

The particularity of the Millennials may also be noticed in the way they work. The aforementioned Gallup research study identified five traits characteristic of the Millennials; the search for a deeper motivation

- 23 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 6.
- 24 Gallup, "How Millennials Want to Work and Live", p. 13-14.
- 25 Gallup, "How Millennials Want to Work and Live", p. 15-16.
- 26 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 4.
- 27 B. Duffy, H. Shrimpton & M. Clemence, Ipsos Mori thinks Millennial. Myths and Realities. Summary Report, London 2017, p. 26.
- 28 P. Levine, "Talking about this Generation", Extensions Summer, 2015, p. 7, 25.
- 29 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 5.

and regarding work as more than a simple job, but rather an important part of one's life, which cannot be reduced to a salary or working schedule.30

This often leads to clashes between Millennials and their employers, with the rise of the expression 'OK, Boomer' in recent years only one (albeit the most noticeable) manifestation of the many underlying intergenerational differences. To quote several of the remarks on Millennials made by those who employ Millennials, "working on a Friday night or Saturday is completely unappealing. [...] Other generations may not have liked working evenings or weekends but they understood that it was required and did not question the expectation."31 Millennials "are different in that they expect that if they do a good job they should be able to take time off. By contrast, older generations see the work-life balance as a privilege;"32 moreover, they think that more flexibility should be given as to "where, when, and how they get work done. They expect that if they are getting all their work done, they should not necessarily have to be at their desk for the standard working hours."33 As the authors of the report for the U.S. Chamber of Commerce's National Chamber Foundation wittingly remarked, "Gen Xers tried to achieve work-life balance; Millennials demand it."34

³⁰ Gallup, "How Millennials Want to Work and Live", p. 2-3.

³¹ J. Diaz et al., "Managing Millennials. Engaging with the Newest Generation of Workers", ExecBlueprints 2014, p. 3-4.

³² J. Diaz et al., "Managing Millennials...", p. 8-9.

³³ J. Diaz et al., "Managing Millennials...", p. 12-13.

³⁴ S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 25.

Generation Z, known also as Gen I and Gen Next,35 consists of people born between 2000 and 2010, directly following Millennials. They are the first post 9/11 generation and who do not consciously remember the times before the 2008 financial crisis.36 They share a number of similarities, but are also different than their predecessors. Gen Zs have been characterised by four distinct traits: integrity, tenacity, openness and care.37 They particularly value humour, kindness, honesty and positive judgement,38 and regard themselves as determined, driven and motivated.39 They are also thought to be able to quickly process data, and are smarter and "more self-directed" than the previous generations, 40 valuing connection, stimulation and information.41

They are the most diverse generation to date, with 49% of them living in the US identifying as non-White, 52% of them seeing themselves as (at least) not-exclusively heterosexual and 81% arguing that gender distinctions have lost some of their influence. 42 This shift has been linked to the fact of Gen Z growing up in an increasingly diverse world, whereby people of various backgrounds and genders can be found in different positions and places.43

Technological advances play an even greater role in Gen Z's personal lives than they did with regards to the Millennials. They are second-generation digital natives, being born in the times of the smartphone

- 35 C. Igel & V. Urquhart, "Generation Z, Meet Cooperative Learning", Middle School Journal 4(43), 2012, p. 16.
- 36 K. Moore, C. Jones & R.S. Frazier, "Engineering Education for Generation Z", American Journal of Engineering Education 2(8), 2017, p. 113.
- 37 C. Seemiller & M. Grace, Generation Z. A Century in the Making, Oxon 2019, p. 30.
- 38 C. Seemiller & M. Grace, Generation Z..., p. 29.
- 39 C. Seemiller & M. Grace, Generation Z..., p. 32.
- 40 C. Igel & V. Urquhart, "Generation Z, Meet Cooperative Learning", p. 16.
- 41 E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials. Engaging Generation Z in Business Law Classes", Journal of Legal Studies Education 2(34), 2017, p. 318.
- 42 C. Seemiller & M. Grace, Generation Z..., p. 30.
- 43 K. Moore, C. Jones & R.S. Frazier, "Engineering Education for Generation Z", p. 113.

and social media revolutions,44 and since existing in the digital realm is as easy today as existing in the real world (and is perhaps even easier), many members of Generation Z cultivate two identities, one digital, another interpersonal,45 with virtual communication often taking priority over that of face-to-face: as it has been noted, the former is used daily by 63% of Gen Zs, while the latter by a mere 35%.46 This everyday dichotomy that Gen Zs live in is perhaps one of the reasons why they are not good at teamwork⁴⁷ and may also foster feelings of loneliness and alienation in the real, analogue world, ultimately leading to issues with interpersonal relations.

When it comes to their values and motivations, Gen Zs stress the need for financial stability, followed by meaningful work, family and relationships and happiness.⁴⁸ They want to do what is expected of them, while also making difference. 49 Contrary to Millennials, who preferred being recognised for the effort made, Gen Zs, who also value constant feedback, "find motivation through achievement," looking at successes as milestones for future goals which has been linked to their larger exposure to video games.⁵⁰ This attitude has its drawbacks, however, with Gen Zs prioritising what is useful for them over what might be needed.51

Gen Zs share the Millennials' ability to multitask but they seem, however, to have short attention spans, seemingly fully evolving into so-called 'clip-thinking', i.e. seeing the world and processing the information "not as a whole and logically coherent, but as a series of fragments, images, facts and isolated events,"52 akin

- 44 K. Moore, C. Jones & R.S. Frazier, "Engineering Education for Generation Z", p. 113.
- 45 C. Seemiller & M. Grace, Generation Z..., p. 31-32.
- 46 O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", Information 9A(20), 2017, p. 6315.
- 47 C. Igel & V. Urquhart, "Generation Z, Meet Cooperative Learning", p. 16.
- 48 C. Seemiller & M. Grace, Generation Z..., p. 32.
- 49 C. Seemiller & M. Grace, Generation Z..., p. 33.
- 50 C. Seemiller & M. Grace, Generation Z..., p. 33.
- 51 O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6316.
- 52 O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6316.

to one's Twitter feed. It has been noted that this generation "takes in information instantaneously [but] loses interest just as fast."53 This gives them the ability to quickly sift through and analyse large quantities of facts,54 but also poses a significant challenge in their higher education, the legal sphere in particular, which I will remark on further in this paper.

Part Two: Millennials and Gen Zs at Law School

Having analysed who Millennials and Gen Zs actually are and how they work, I would like focus to on examining their relationship with academia in general and law school in particular.

self-liking, high expectations, and assertiveness.57 While these may prove to be useful at university, since most Millennials regard themselves as 'special',58 and 2/3 of them think they will have one of the top jobs once they graduate, most of them are clearly bound for disappointment, resulting in stress, anxiety, even depression, and ultimately lower self-reliance.⁵⁹

A significant shift in the skills required by prospective employers may also be observed, as basic skills have become "those of rapidly searching, browsing, assessing quality, and synthesizing the vast quantities of information [...] In contrast, the ability to read one thing and think hard about it for hours will [...] be

Millennials are going to be the most educated age group in world history.

To begin with, it has to be noted that Millennials are going to be the most educated age group in world history.55 In the UK, for example, around 40% of Millennials are expected to graduate, compared with around 34% of Generation X. In emerging markets, the intergenerational differences are even bigger, with China tripling their number of higher-educated citizens in the 2000s. As a result, the Millennials' impact on higher education will be greater than that of previous generations. Also, the current average age of university professors is 50, but since one in five Millennials go on to become educators, this is bound to change soon.⁵⁶

Studies conducted at the early stages of their education have shown that Millennials score highly in IQ tests, displaying such traits as extroversion, self-esteem,

of far less consequence for most people."60 This issue will have to be addressed by universities, particularly law schools.

It may be also observed that Millennials have a 'transactional' attitude to higher education, regarding it as a "necessary and expensive customer good." As a result, they expect professors to be "accessible and approachable," more akin to instructors or tutors than teachers, ready to answer precise questions about exams, and prepared to be challenged on the relevance of awarded grades. Such attitudes also result in the Millennials' expectations of a less formal aca-

⁵³ E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...", p. 318.

⁵⁴ E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...",

⁵⁵ B. Duffy, H. Shrimpton & M. Clemence, Ipsos Mori thinks Millennial..., p. 10.

⁵⁶ B. Duffy, H. Shrimpton & M. Clemence, Ipsos Mori thinks Millennial..., p. 10.

⁵⁷ S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 9.

⁵⁸ J.S. Palmer, "'The Millennials Are Coming!'. Improving Self-Efficacy in Law Students Through Universal Design in Learning", Cleveland State Law Review 3(63), 2015, p. 680.

⁵⁹ S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 9.

⁶⁰ J. Anderson & L. Rainie, "Millennials Will Benefit and Suffer Due to Their Hyperconnected Lives", Pew Internet, pewinternet.org/2012/02/29/millennials-will-benefit-and-suffer-due-to-their-hyperconnected-lives (04.03.2020).

demic environment, one where there is also a place for their parents.61

Parents play a vital role in the lives of Millennial students. Whether or not we regard the accusations of 'sheltering' their Millennial children62 as the truth, it has to be noticed that the parents of present-day students are highly involved in their offspring's lives; they regularly communicate with their children, often attend university orientation, and they take active interest not only in the financial but also the acafurther development.⁶⁷ Various studies have confirmed that while online learning may be as effective as faceto-face methods, "the deficient technological ability of a large percentage of faculty" members makes any attempts to implement it unsuccessful.68

On the other hand, technology may pose certain dangers to the Millennials themselves. Library attendance has faltered in the last twenty years, as has the use of textbooks, since students find using online sources easier despite the fact that those sources are

Millennials expect professors to be "accessible and approachable."

demic challenges their children face and by doing so, help them along the way.⁶³ This results in Millennials responding to grading and constructive criticism differently than previous generations;64 seeing the professor as their partner, they expect him or her to positively inspire them to change, not shut their expectations with a bad grade.65

The biggest change to education, with regard to legal education in particular, is, however, caused by technology. The so-called soft skills, or "the ability to communicate effectively both orally and in writing, [...] will become more valuable as technology intensifies the significant role of messages in the workplace"66 and thus universities must respond and focus on their

oftentimes unreliable.⁶⁹ Some of the researchers argue that the Millennials' brains have become 'rewired', with memories becoming "hyperlinks to information triggered by keywords and URLs [...], as our brains are storing the keywords to get back to those memories and not the full memories themselves."70 As noted above, Gen Zs are a step ahead with their 'clip thinking'.

It has also been found that students no longer pay attention solely to their lecturer and multitask during classes. Activities range from text messaging, instant messaging, to checking Facebook and email. As a result, they "disengage from the lecture creating a shift in focus that is oriented more towards an individual focus compared to a group focus maintained by class interaction by both students and professor."71

- 61 S. Seppanen & W. Gualtieri, The Millennial Generation. Research Review, p. 9.
- 62 J.S. Palmer, "'The Millennials Are Coming!'...", p. 683.
- 63 J.S. Palmer, "'The Millennials Are Coming!'...", p. 687.
- 64 J.S. Palmer, "The Millennials Are Coming!", p. 683.
- 65 The partner-like communication between Millennials and their parents may also be one of the reasons why more law graduates today choose a career path different than a typical legal profession (see below for more information on this question), as they feel less pressured by their parents to do SO.
- 66 B. Stevens, "What Communication Skills Do Employers Want? Silicon Valley Recruiters Respond", Journal of Employment Consulting 1(42), 2005, p. 2.

- 67 L.A. Gibson & W.A. Sodeman, "Millennials and Technology. Addressing the Communication Gap in Education and Practice", Organization Development Journal 4(32), 2014,
- 68 L.A. Gibson & W.A. Sodeman, "Millennials and Technology...", p. 68-69.
- 69 K. Blackburn, L. LeFebvre & E. Richardson, "Technological Task Interruptions in the Classroom", The Florida Communication Journal 41, 2013, p. 111.
- 70 J. Anderson & L. Rainie, "Millennials Will Benefit and Suffer Due to Their Hyperconnected Lives".
- 71 K. Blackburn, L. LeFebvre & E. Richardson, "Technological Task Interruptions in the Classroom", p. 112.

Law school is a particular space within the university. Oriented at more than simply the passing of knowledge, but also at inculcating hierarchy⁷² and shaping young minds so that they start thinking differently, indeed, 'like a lawyer',73 it seems to be a particularly challenging place for Millennials and Gen Zs.

the realities of the job market. 76 It has to be noted that the study, while conducted in Poland, seems to resonate well internationally - when replicated during a class of Legal Education at McGill University (albeit on a significantly smaller scale), the results were strikingly similar.77

Some of the researchers argue that the Millennials' brains have become 'rewired', with memories becoming hyperlinks to information triggered by keywords.

As a study conducted by CLEST⁷⁴ shows, present-day students regard law studies as being too theoretical (73.73%); requiring too much learning by heart (72.13%); unable to teach creative thinking (60.54%); and as leaving them ill-prepared for a future job as a lawyer (53.46%).75 Importantly, the study seems to confirm the Millennial traits, i.e. the need for self-development - 84.72% of the student respondents say they chose law studies because of an earlier interest in law, and 72.67% say it was because they want to help others - as well as the aforementioned high levels of self-awareness and aspirations of getting top jobs - the prestige of being a lawyer was noted as a motivation to begin law studies by 81.17% of the students. On the other hand, the possibilities of finding work were motivation only for 47.74% of the students, and were not for 42% - which seems to confirm the existence of a peculiar dichotomy between self-development and

- 72 D. Kennedy, "Legal Education as Training for Hierarchy", in: D. Kairys (ed.), The Politics of Law. A Progressive Critique, New York 1990, p. 42-43.
- 73 E. Mertz, The Language of Law School. Learning to "Think Like a Lawyer", Oxford 2007, p. 97-99.
- 74 Centre for Legal Education and Social Theory at the Faculty of Law, Administration and Economics conducts in legal education research. For more information see: http://clest. pl/research (08.07.2020).
- 75 A. Czarnota, M. Paździora & M. Stambulski (eds.), Tiresome Necessity. Reasons for Starting The Law Studies in WPAE UWr and Their Assessment, Wrocław 2017, p. 45.

Gen Zs are only at the beginning of their academic road - the first of them are doing undergraduate studies at the moment - thus lack a proper assessment of their peculiarities at law school. However, the characteristics of this generation identified above will clearly play a major role in Gen Zs' interactions with higher education. Their clip thinking results in the need for explicit, step-by-step instructions⁷⁸ and high-volume verbal communication.79 Technology is bound to remain the way Gen Zs communicate, learn and engage with each other - which poses a considerable

- 76 A. Czarnota, M. Paździora & M. Stambulski (eds.), Tiresome Necessity..., p. 43.
- 77 Study conducted by the author and Azar Mahmoudi on 13 graduate (LLM and DCL) students, coming from different backgrounds (Canada, US, Poland, Italy, Denmark, UK, Iceland, China, India, Iran, Indonesia, Brazil) in legal education, taking the Legal Education class during the Winter semester 2019/2020 at McGill University's Faculty of Law. The study consisted of asking the students several of the questions from the CLEST study, whereby students had to choose from the same answers available to those surveyed by CLEST. Apart from one question, their replies corresponded with those given by students from WPAE. The results are available on request to the author.
- 78 O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6317.
- 79 O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6317.

threat in the times of fake news. 80 How they properly engage with sources will have to be stressed in their education. Unlike Millennials, Gen Zs learn in the most effective way "by doing and creating,"81 posing further challenges to legal education.

Part Three: Why Law schools Need to Adapt - and How They Can Do It

Academics, with a focus on law professors in particular, often ask why should they adapt to the new generations. After all, whether in Europe or in North America, the methods of teaching law have been perfected by successions of scholars.82 The very way this question is posed is symptomatic of the problem; times

further away from established hierarchical frameworks of the past.

The way legal knowledge is organised and taught at law faculties is also connected to the question of hierarchy; the passing of knowledge as if it was some mysterious, magical wisdom, available only to the select few,84 a general lack of student engagement in the educational process and85 the requirement of memorising large numbers of provisions (in the case of Europe)86 or cases (in the case of North America)87 and reading various materials as the principal source only magnify the general lack of understanding of the present day when on the one hand the law changes rapidly, but on the other, legal texts may be verified at any moment with the help

The traditional hierarchical structure of the law school, which, in the 21st century seems anachronistic within most universities, needs to adapt.

change, people change, and law faculties have to change with them. The traditional hierarchical structure83 of the law school, which, in the 21st century seems anachronistic within most universities, needs to adapt. Neither Millennials nor Gen Zs will be able to fully live up to their potential in such institutions. New forms of governance, ones that include all interested students and not only those selected as representatives, should be pursued. Introducing online referenda, or at least opinion polls which would give an anonymous voice to many, could help encourage more students to speak up and bring law schools closer to their pupils and

of various online databases. It has also been highlighted that present-day students may not have the "necessary skills to engage with the volume of information made available to them"88 and need their professors' help in order to create meaningful connections and construct viable frameworks.89 As Lidia Rodak and Michał Kiełb

- 84 A. Czarnota, M. Paździora & M. Stambulski, "The Hidden Curriculum in Legal Education", Krytyka Prawa 2(10), 2018, p. 117.
- 85 A. Czarnota, M. Paździora & M. Stambulski (eds.), Tiresome Necessity..., p. 31.
- 86 L. Rodak & M. Kiełb, "Pamięciowa nauka prawa. W poszukiwaniu straconego czasu [Learning law by heart. In the search of lost time]", Prawo i Więź 4(2), 2013, p. 73.
- 87 P. Schlag, "Ten Thousand Cases Maybe More. An Essay on Centrism in Legal Education", Stanford Agora, pdfs. semanticscholar.org/82a1/3fd77b898450731e9229d8c-7cc3390f3dd84.pdf (03.03.2020).
- 88 K. Blackburn, L. LeFebvre & E. Richardson, "Technological Task Interruptions in the Classroom", p. 114.
- 89 K. Moore, C. Jones & R.S. Frazier, "Engineering Education for Generation Z", p. 122.

⁸⁰ O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6319.

⁸¹ E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...", p. 319.

⁸² T.C. Brickhouse & N.D. Smith, "Socratic Teaching and Socratic Method", in: H. Siegel (ed.), The Oxford Handbook of Philosophy of Education, Oxford 2009, p. 186-187.

⁸³ D. Kennedy, "Legal Education as Training for Hierarchy", p. 40.

ironically observed, the contemporary legal education model "not only does not take the fact that we are living in the times of the Internet and legal databases into account, but also seems to ignore the invention of the printing press,"90 which means it is completely incompatible with the digital natives' generation.

Technology is another area in which law schools are at odds with their present-day students. While learning through the use of the Internet is often not broadly used by academics due to their lack of necessary skills,91 the

norm now. Educators should teach the management of multiple information streams, emphasizing the skills of filtering, analysing, and synthesizing information."94 A good lawyer needs these skills anyway, and they could prove particularly useful in the present-day.

One of the possible suggestions is the introduction of the so-called 'flipped classroom'. Instead of giving a lecture, the professor either records it, or prepares a presentation to post online, and the time spent in the classroom is devoted to "student collaboration

The contemporary legal education model is completely incompatible with the digital natives' generation.

most common form of the legal teaching remains the lecture92 which leaves two generations of multitaskers in search of other stimuli - thus the students can be found checking their emails, sending messages or checking their accounts on social media during class.

Quite often the only aspect of law schools' digitalisation are PowerPoint presentations, usually distributed later by the lecturers online which, in turn, results in an even further disengagement of students from the class: if all the materials can be downloaded later, and the notes from a professor's course are also easily disponible, what is the point of listening?

Academia needs to realise that "the mere presence of the technology will not enhance the learning process unless used appropriately by instructors, and by students." Thus, "there is a need to rethink approaches to pedagogy, and the space in which teaching and learning take place."93

What can law schools do to adapt? First of all, they need to recognise "that distractions of all kinds are the and problem-solving assignments."95 Also, since simulations and games "help learners visualize complex systems",96 the concept of 'gamification', i.e. taking the game-like elements and integrating them into traditional frameworks has been created,97 along with the idea of "providing authentic learning experiences instead of lecturing the facts"98 in order to enhance student participation in classroom.

Another concept, in the form of the idea of virtual mentoring, whereby students may pose questions and "anyone with the specific knowledge may respond," might be implemented, as present-day generations of students tend to "see mentorship as a method of learning rather than career advancement."99 Likewise,

- 94 J. Anderson & L. Rainie, "Millennials Will Benefit and Suffer Due to Their Hyperconnected Lives", p. 59.
- 95 L.A. Gibson & W.A. Sodeman, "Millennials and Technology...", p. 69.
- 96 Northern Illinois University, Faculty Development and Instructional Design Center, "Millennials. Our Newest Generation in Higher Education", Northern Illinois University, niu.edu/facdev/_pdf/guide/students/millennials_our_newest_generation_in_higher_education.pdf (04.03.2020).
- 97 L.A. Gibson & W.A. Sodeman, "Millennials and Technology...", p. 69.
- 98 Northern Illinois University, "Millennials...", p. 93.
- 99 L.A. Gibson & W.A. Sodeman, "Millennials and Technology...", p. 70.

⁹⁰ L. Rodak & M. Kiełb, "Pamięciowa nauka prawa...", p. 73-74.

⁹¹ L.A. Gibson & W.A. Sodeman, "Millennials and Technology...", p. 68-69.

⁹² A. Czarnota, M. Paździora & M. Stambulski (eds.), Tiresome Necessity..., p. 31-33.

⁹³ K. Blackburn, L. LeFebvre & E. Richardson, "Technological Task Interruptions in the Classroom", p. 114.

the idea of shared knowledge could be introduced, one where not only an older individual 'imparts knowledge' on a younger individual, but also when "a younger individual teaches an older organizational member specific skills, such as utilizing social media or technology."100 Classes conducted by students on the basis of the materials provided, at least in a part, by the professor, would encourage cross-generational relationships, and also demonstrate a university's 'flexibility and mobility', 101 providing the emotional connection highly valued by contemporary generations. 102 Also, since emails are regarded as old-hat technology by present-day students,103 universities should find new and props, 106 the creation of an academic version of a Ted Talk or carpool karaoke, 107 or even asking students to present short scenes posing and informing on such legal questions as "assault and battery, false imprisonment, trespass to land, etc."108

Moreover, the way students are assessed needs to change. The majority of students regard exams as things which do not verify their knowledge accurately.109 What the universities should do is replace end-of-the-term exams with a wide variety of forms of assessment, in such a way which provides constant feedback and gives the student a greater opportunity for self-development110 while maintaining high stan-



Since emails are regarded as old-hat technology by present-day students, universities should find new ways to communicate with those students.

ways to communicate with those students. Creating groups on instant communicators such as Messenger or WhatsApp which professors are a part of might help establish the 'here and now' communication channels that present-day students need. 104 The simple task of asking students to Google something during class may be a good way to diversify one's teaching methods, 105 as well as shift attention back to the matter in hand.

Another idea which may be used to better connect with present-day students is using basic tools which connect digital technology and tangible elements in the classroom, such as adequately chosen videos, pictures

- 100 L.A. Gibson & W.A. Sodeman, "Millennials and Technology...", p. 70.
- 101 L.A. Gibson & W.A. Sodeman, "Millennials and Technology...", p. 70.
- 102 E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...", p. 323-324.
- 103 O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6318.
- 104 O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6318-6319.
- 105 E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...", p. 324.

dards and considerable time investment required by legal education.111 It also has to be noted that due to contemporary changes in the education system, many Gen Zs are already used to being systematically assessed112 and it might be particularly difficult for them to adapt to the old law-school system.

Some of the universities have already ventured into adapting to the changing educational environment by taking a variety of approaches such as mobile learning

- 106 E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...", p. 321.
- 107 E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...",
- 108 E.A. Cameron & M.A. Pagnatarro, "Beyond Millennials...", p. 323.
- 109 A. Czarnota, M. Paździora & M. Stambulski (eds.), Tiresome Necessity..., p. 45.
- 110 J.S. Palmer, "'The Millennials Are Coming!'...", 57 at 706.
- 111 S.I. Friedland, "Rescuing Pluto from the Cold. Creating an Assessment-Centered Legal Education", Journal of Legal Education 2(67), 2017, p. 609.
- 112 K. Moore, C. Jones & R.S. Frazier, "Engineering Education for Generation Z", p. 115-116.

programs and special learning apps for example.113 These attempts have often failed, however, as the students today often "perceive a sharp contrast between their comfort level of technology and the technology comfort level of their teachers"114 with some professors still 'resistant' towards the students using mobile devices in the classroom.

On the other hand, the use of various existing programmes and apps (such as Dropbox, Google Drive, Whiteboard HD, Quizlet, YouTube, ShowMe, Notability, Slack, Kahoot, Poll Everywhere, and Zoom among others) for creating, sharing and storing information, grading, or providing commentary by academics have been met by extremely positive responses from contemporary students.115

changes to legal regulations, have to understand the technological shift as well.

A final problem that law schools face in the present day which I would like to highlight in this paper is the question of the present-day's law students' future. The universities - and bar associations - need to realise that not everybody who leaves a law faculty's walls wants to be a lawyer. Last year in Poland, a thousand fewer candidates applied for various bar exams than the year before. 117 While a large majority of students surveyed in the CLEST study replied that they want to become lawyers after law school, many of them were also open to a career outside of the traditional realms of law: academia, opening one's own business, NGOs, public administration, politics, international organ-

What law schools need to keep in mind is that the key to success in teaching using new technologies has been linked to the concept of fluid learning.

What law schools need to keep in mind is that the key to success in teaching using new technologies has been linked to the concept of fluid learning. It is based on four points: interactivity; neutrality and portability - the accessibility of content on various platforms and the possibility of transferring it between them; breadcrumbs-like content - the creation of a variety of short content, e. g. two and a half minute videos which may be watched by students while queuing; and ubiquity - taking the students 'beyond traditional learning boundaries', e.g. to workplaces and museums, with the help of mobile devices. 116 Putting them to use requires a lot of effort from scholars, but is necessary to fully engage with present-day students. Law schools and law professors, so adept at keeping up with the

isations and corporations¹¹⁸ were all entertained as career options by present-day law students.

This trend is not only limited to Poland; in the US, 44% of JD students surveyed echo their Central European counterparts in seeing law school as "a pathway for career in politics, government, or public service."119 Also in this country, the number of corporate lawyers who ultimately choose a different career is on the rise

117 S. Cydzik, "Spada liczba chętnych na aplikacje prawnicze.

Tysiąc mniej kandydatów niż w zeszłym roku [The num-

- ber of those who want to apply to bar courses is declining. A thousand candidates less than last year]", Gazeta Prawna, serwisy.gazetaprawna.pl/aplikacje/artykuly/1426689,aplikacje-prawnicze-adwokaci-radcowie-prawni-komornicy-egzamin-wstepny.html (03.03.2020).
- 118 A. Czarnota, M. Paździora & M. Stambulski (eds.), Tiresome Necessity..., p. 29-30.
- 119 Association of American Law Schools/Gallup, "Highlights from Before the JD. Undergraduate Views on Law School", The Association of American Law Schools, p. 3, aals.org/ wp-content/uploads/2018/09/BJDReportsHghlights.pdf (03.03.2020).

¹¹³ B. Fang, "Creating a Fluid Learning Environment", Educause Review, er.educause.edu/articles/2014/10/creating-a-fluid-learning-environment (04.03.2020).

¹¹⁴ Northern Illinois University, "Millennials...", p. 93.

¹¹⁵ B. Fang, "Creating a Fluid Learning Environment", p. 110.

¹¹⁶ B. Fang, "Creating a Fluid Learning Environment", p. 110.

and has resulted in the creation of a new position: people who help lawyers in their transition. Interestingly, just like in the case of students, some of the new jobs former lawyers undertake are in public administration, while others choose to set up their own companies. 120 The American Bar Association had already noticed

as one third of them earns less than the minimum wage. 123 Moreover, since bar courses are increasingly seen as being unable to prepare its takers well-enough for a future job as a lawyer, 124 many graduates might ask themselves: why bother becoming a lawyer in the traditional sense?

The universities - and bar associations need to realise that not everybody who leaves a law faculty's walls wants to be a lawyer.

this trend and in 2015 went on to publish a manual for lawyers who want to put their knowledge to a different use than practice.121

There are several reasons for this change. One of the major ones is, of course, the market; there are fewer jobs at law firms available then there used to be with 10% of law graduates less able to find work as a lawyer in the 2010s than in 2000s. 122 But it also needs to be said that the traditional law firm environment does not seem to be fully compatible with most of the Millennials (nor will it be compatible with Gen Zs in the future) due to the long hours, the lack of flexibility regarding one's schedule, and the distinct lack of any work/life balance do not seem particularly alluring to present-day generations, who tend to value their own well-being more than a big pay check. In addition, the salaries at the beginning of a legal career are also somewhat repellent; in Poland most of the people taking the bar course have to rely on familial financial help,

- 120 L. McMullan Abramson, "The Only Job With an Industry Devoted to Helping People Quit", The Atlantic, theatlantic. com/business/archive/2014/07/the-only-job-with-an-industry-devoted-to-helping-people-quit/375199 (03.03.2020).
- 121 A. Impellizzeri, Lawyer Interrupted. Successfully Transitioning from the Practice of Law - and Back Again, Chicago
- 122 P. Hoey & M. Hoey, "An Expensive Law Degree, and No Place to Use It", The New York Times, nytimes.com/2016/06/19/ business/dealbook/an-expensive-law-degree-and-no-placeto-use-it.html (03.03.2020).

Law schools, while often advertising themselves through the highlighting of the wide possibilities one has after completing a law degree, 125 do not adapt their curricula to reflect these changes and still focus mostly on preparing their students for a future bar exam. They usually propose only makeshift provisions such as reducing the number of students which not only endangers the very existence of some law schools,126 but also leaves the main problem at hand unsolved in that the aspirations of many a law graduate have changed significantly. The faculties need to amend their curricula in such a way as to reflect these changes in the form of new courses, providing a broader application of legal knowledge as well as teaching how to use 'thinking like a lawyer' in other instances than 'working like a lawyer'. A larger number of creative projects during a law student's time in law school, as well as having meetings with graduates who have chosen a different-than-traditional path might also be a part of the law schools' response to this issue. 127

¹²³ M. Stambulski & W. Zomerski, Tiresome Rite. Advocate and Legal Counsel Application in Poland, Wrocław 2019, p. 64.

¹²⁴ M. Stambulski & W. Zomerski, Tiresome rite..., p. 68.

¹²⁵ P. Hoey & M. Hoey, "An Expensive Law Degree, and No Place to Use It", p. 119.

¹²⁶ P. Hoey & M. Hoey, "An Expensive Law Degree, and No Place to Use It", p. 119.

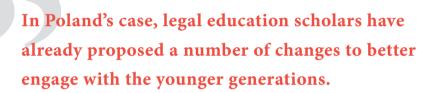
¹²⁷ O. Vikhrova, "On Some Generation Z Teaching Techniques and Methods in Higher Education", p. 6320.

Conclusion

While no one knows what the future holds, one thing is certain: universities have already changed due to technological shifts and they are bound to change further in the future due to Millennials and Gen Zs. What needs to happen at law schools today is for them to realise that the changes they need to make have to take place now, not only in academia, but also within the lawyers' associations - only then it will be possible to wholly reform the system of legal education in a way that accommodates both Millennials and Gen Zs. Academia already has great potential for change due to it being affected by young people - students and early-career researchers namely - on a daily basis. It needs to find a way, however, to tap into this resource and use it in a meaningful way.

new competences - not to mention that the Socratic method might not be the best way to engage with the Millennials and Gen Zs. 132 They are, however, a step in the right direction.

American research into legal education has also argued for changes to the teaching and evaluation methods in law schools, centred around fostering the idea of self-efficacy, i.e. a belief in one's capabilities to succeed in a given assignment,133 and the universal design theory which advocates teaching using not only verbal, aural and visual, but also tactile and kinaesthetic techniques. 134 The proposals include: changes to the grading system, 135 restructuring the way students are assessed, 136 employing various, 137 more flexible 138 teaching methods, providing students with necessary organisation skills139 and effective ways of learning,140



In Poland's case, legal education scholars have already proposed a number of changes to better engage with the younger generations; making a wider introduction of the Socratic method in teaching, 128 offering more interdisciplinary courses, 129 promoting moral competences among students130 and the teaching of the critical thinking towards one's own and others' actions within the realm of law.131 While all of these proposals merit wider discussion, they also fail in that the necessary changes should be structural and profound, and cannot be reduced to a simple introduction of new courses and the teaching of

as well as meeting with the students on a regular basis for the purposes of evaluation.141 Those who put forward these proposals, while encouraging, have to keep in mind that the main issue is to adapt law schools in such a way as to accommodate Millennial and Gen Z students, and not the other way around; faculties

¹²⁸ L. Rodak & M. Kiełb, "Pamięciowa nauka prawa...", p. 74-75;

¹²⁹ L. Rodak & M. Kiełb, "Pamięciowa nauka prawa...", p. 80-81.

¹³⁰ A. Czarnota, M. Paździora & M. Stambulski, "The Hidden Curriculum in Legal Education", p. 120.

¹³¹ A. Czarnota, M. Paździora & M. Stambulski, "The Hidden Curriculum in Legal Education", p. 122-123.

¹³² Introduction of the Socratic method in European teaching also raises the question of its suitability for teaching in civil law systems, whereby law studies require more theoretical and less practical knowledge from students.

¹³³ J.S. Palmer, "The Millennials Are Coming!"...", p. 690.

¹³⁴ J.S. Palmer, "The Millennials Are Coming!"...", p. 701.

¹³⁵ J.S. Palmer, "The Millennials Are Coming!"...", p. 704.

¹³⁶ S.I. Friedland, "Rescuing Pluto from the Cold...", 108 at 606-613.

¹³⁷ J.S. Palmer, "'The Millennials Are Coming!'...", p. 698-702.

¹³⁸ J.S. Palmer, "'The Millennials Are Coming!'...", p. 702.

¹³⁹ J.S. Palmer, "'The Millennials Are Coming!'...", p. 695.

¹⁴⁰ J.S. Palmer, "'The Millennials Are Coming!'...", p. 696.

¹⁴¹ J.S. Palmer, "'The Millennials Are Coming!'...", p. 703.

should142 remind students of deadlines, as well as be available and reachable at most hours of the day.143 Also, simply advocating the use of PowerPoint and

they instigate change from within. After all, we are the future of legal education.



American research into legal education has also argued for changes to the teaching and evaluation methods in law schools.

other visual aids in the classroom144 as valid examples of new teaching methods cannot be regarded as such. Law schools need to think bigger.

Two hopeful examples of successful implementation of a more pro-Millennial/Gen Z approach to legal education have seen the use of wikis as a way of mobilising students to write and correct class notes as a group, taking turns in creating course outlines, which, once printed, may be later used by them during an exam, 145 and the introduction of a semi-flipped classroom whereby traditional teaching methods are enhanced by short videos created by academics for students who then may spend their classes engaging in various stimulating individual or group activities and are later assessed in the form of a quiz on an app. 146

Whether academia chooses to change consciously or not, whether it decides to implement the ideas mentioned above, and create some solutions of its own or stagnate instead, its future will ultimately be determined by Millennials and Gen Zs. This is because they certainly are not going anywhere else; a large number of Millennials are professors already. And knowing Millennials, it will be sooner rather than later when

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¹⁴² Emphasis added by the author.

¹⁴³ J.S. Palmer, "The Millennials Are Coming!"...", p. 696.

¹⁴⁴ J.S. Palmer, "'The Millennials Are Coming!'...", p. 701.

¹⁴⁵ E.E. Johnson, "A Populist Manifesto for Learning Law", Journal of Legal Education 1(60), 2010, p. 54-55.

¹⁴⁶ M. Castan & R. Hyams, "Blended Learning in the Law Classroom. Design, Implementation and Evaluation of an Intervention in the First Year Curriculum Design", Legal Education Review 1(27), 2017, p. 9-12.

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