

Bond University
Research Repository



Embodying life-long learning: Transition and capstone experiences

Butler, Des; Coe, Sandra; Field, Rachael; McNamara, Judith; Kift, Sally; Brown, Catherine

Published in:
Oxford Review of Education

DOI:
[10.1080/03054985.2016.1270199](https://doi.org/10.1080/03054985.2016.1270199)

Licence:
Other

[Link to output in Bond University research repository.](#)

Recommended citation(APA):
Butler, D., Coe, S., Field, R., McNamara, J., Kift, S., & Brown, C. (2017). Embodying life-long learning: Transition and capstone experiences. *Oxford Review of Education*, 43(2), 194-208.
<https://doi.org/10.1080/03054985.2016.1270199>

General rights

Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

For more information, or if you believe that this document breaches copyright, please contact the Bond University research repository coordinator.

Embodying life-long learning: *Transition* and capstone experiences

Des Butler, Sandra Coe, Rachael Field, Judith McNamara, Sally Kift and Catherine Brown*

This paper discusses the principle of Transition as it has been conceptualised by the Curriculum Renewal in Legal Education project. The project sought to develop a principled framework for renewing the final year of tertiary legal education in Australia. Capstone experiences were chosen as the most appropriate mechanism for assisting final year students to manage the transition process. Thoughtfully designed capstones assist students to integrate and synthesize their learning over their entire degree program, facilitate closure on the undergraduate experience, and assist students to transition from student to emerging professional. We discuss the importance of addressing final year students' transitional needs and explain how the principle facilitates this process. Although the framework has been developed specifically for legal education in Australia its approach enables transferability across disciplines and institutions. The framework addresses criticisms that universities and law schools are not meeting the needs of final year students by preparing them for the transition to graduate life in a complex and uncertain world.

Keywords: capstone experiences; transition; curriculum design; legal education; transferability; professional development

I. Introduction

For more than a decade there has been increasing awareness that universities need to change the way they educate their undergraduate students, especially law students. In the United States, Sullivan et al. argue the legal profession is 'suffering from varying degrees of confusion and demoralization,' with legal professionals experiencing high rates of poor psychological well-being (Sullivan et al. 2007, 3). This challenge to well-being is mirrored in law students as they struggle with the pressures of legal education; a condition that is paralleled in Australian legal education (O'Brien, Tang and Hall 2011; Hall, Molly and Tang 2010; Field, Duffy and Huggins 2014). To overcome this problem, Sullivan et al. argue it is important that a 'revitalizing' of legal preparation occurs (Sullivan et al. 2007, 3). Demands for change to legal education 'from both within academic law and without, pose a new challenge to' universities and law schools as they transition to a new way of thinking about law curriculum (Sullivan et al. 2007, 8).

These demands for change have generated awareness within the Australian legal education sector of the importance of providing students with culminating experiences that cap-off their

* Des Butler is a Professor of Law, Faculty of Law, Queensland University of Technology (QUT), 2 George Street, Brisbane, Queensland 4000, Australia, email: d.butler@qut.edu.au. Sandra Coe is a Research Associate, Law & Justice Research Centre, Queensland University of Technology (QUT). Rachael Field is an Professor of Law, Faculty of Law, Bond University. Judith McNamara is an Associate Professor and acting Head of School in the School of Law, Queensland University of Technology (QUT). Sally Kift is Professor of Law and Deputy Vice-Chancellor (Academic) at James Cook University, Townsville, Australia. Catherine Brown is a senior lecturer, Department of Accounting, Finance and Economics, Griffith Business School, Nathan Campus, Griffith University, Queensland, Australia.

university education and assist them to make the transition from student to emerging professional. The move into a new regulatory and quality environment, with its focus on academic standards and the demonstration of student acquisition of program learning outcomes, has caused a shift in the Australian higher education sector which has brought capstone experiences into focus (Kift et al. 2013; Kift, Field and Wells 2008). A capstone experience is ‘a crowning [subject] or experience coming at the end of a sequence of [subjects] with the specific objective of integrating a body of relatively fragmented knowledge into a unified whole’ (Durel, 1993, 223). However the integration of final year capstone programs has been slow in Australian law schools despite a long tradition in the United States.

Building on the momentum of curriculum change occurring within Australian universities, the authors designed a project to provide a blueprint for final year law curricula with capstones central to this framework (Kift et al. 2013, 15). The project, *Curriculum Renewal in Legal Education*, developed six inter-related principles identified as key to good curriculum design. The six principles are *Transition, Integration and Closure, Diversity, Engagement, Assessment, and Evaluation*. The project bridges the gap between curriculum theorising and practice by identifying these design principles and bookends undergraduate curriculum with Kift’s first year transition principles (Kift and Nelson 2005). It synthesises final year curriculum innovations from other disciplines nationally and internationally and applies a principled approach to capstone design in legal education with widely transferable approaches outlined in its Toolkit (Kift et al. 2013, 15).

This paper focuses on the single curriculum design principle of *Transition*. It is the first of the six key principles due to the immediacy of the issue for final year students – they are *students in transition* as they prepare to move from undergraduate students to university alumni and emerging professionals. The principle of *Transition* is designed to help students develop the necessary skills to successfully navigate their way out of university and into the professional world. It in itself consists of a number of separate components, or sub-principles, essential to this process. These are: assisting students to draw on their self-management and other skills to cope with uncertainty, complexity and change; initiating the process of students’ development of a sense of professional identity; and helping students to think about and manage their careers through planning and development. Through this process it is expected students will build on their understanding of themselves as life-long learners and recognise that they have the confidence and ability to cope with the uncertainties and complexities of life in the 21st Century. Therefore a well-designed capstone experience will help to bridge the divide between a degree program that provides the intellectual requirements for admission to legal practice and the demands that many students will encounter in legal practice or other occupational settings.

For the purposes of this paper, the term ‘principle’ refers to the principle of *Transition* only (including its separate components), and the term ‘principles’ refers to all six principles of curriculum renewal as a comprehensive framework for capstone design. The first section of the paper discusses more generally the notion of transition in higher education, including the idea that final year students are students in transition. It also discusses how Kift’s Transition Pedagogy, developed for first year students, informs this final year principle. The second section uses comments from final year students and recent graduates to argue the necessity of a final year experience designed to support students with transition.

II. What is transition and why does it matter?

It is often thought that transition means ‘change,’ with the two terms used interchangeably, but they are actually different concepts (Nortier 1995). Change is often ‘understood and accepted on an intellectual and rational basis,’ and ‘happens when something starts or stops, or when something that used to happen in one way starts happening in another.’ (Nortier 1995; Genep 1960, 25). According to Nortier:

In order to change, one must start out from something ... to head towards something else, which may or may not be defined at the start. This move may be intentional and provoked, natural and spontaneous, or forced and undergone (Nortier 1995, 33).

Nortier suggests change is a process through which we are ‘dragged’ along by events, and is therefore event generated and often experienced at the physical or environmental level (Nortier 1995, 33). ‘As such, change may be easily demarcated in time, scheduled, structured in steps and presented in terms of results or achievements.’ (Nortier 1995, 33). While it is frequently change that triggers the process of transition, not all change results in transition (Kralik, Visentin and Loon 2006, 327).

If change is a process that is experienced at the physical or environmental level, transition is a process that is experienced at the subjective or feeling level. Unlike change, transition is an internal process of ‘the individual, slow and progressive, not demarcated in time and directly related to what the individual is living through,’ and ‘is related directly to the individual’s perception of the daily impact’ that the change is having (Nortier 1995; Scholssberg 1981). Therefore transition is ‘the movement and adaptation to change’ as it requires people to ‘gradually disengage from old behaviours and ways of defining self,’ and is a process through which they ‘become introspective and “take stock”’ of the events or non-events that have given rise to the transition they are currently experiencing (Kralik, Visentin and Loon 2006, 326; Sargent and Scholssberg 1988, 59).

The impacts of transition are many and varied. Generally, however, transition will impact an individuals’ psychological state, their behaviours, and their relationships (Nortier 1995, 35). Even the way they speak, perceive and sort information can be affected by transition (Nortier 1995, 35). Therefore transition impacts on how individuals see themselves and how they relate to others and their environment. The more the event or non-event alters their ‘roles, routines, assumptions, and relationships’ the more they will be ‘affected by the transition.’ (Sargent and Scholssberg 1988, 58). Hence, transition ‘connotes the psychological processes involved in adapting to the change event or disruption.’ (Kralik, Visentin and Loon 2006, 322). After the transition process has been completed, ‘only the change obtained remains’ and the transition is forgotten (Nortier 1995, 45). Therefore transitions result in personal changes to our own sense of self, our behaviours, and our relationships.

A transition is said to have occurred when a person’s reality has been disrupted causing them to ‘construct a new reality.’ (Kralik, Visentin and Loon 2006, 323). Consequently, successful transitions necessitate a degree of awareness from the individual about what is taking place. From awareness, engagement develops. A person is said to be engaged in their transition when they are immersed in the process. This immersion is apparent when they actively seek information or support for the process they are going through, identify ‘new ways of living and

being,' and modify 'former activities' in order to 'make sense of the circumstances' they are now experiencing (Kralik, Visentin and Loon 2006, 323). Kralik, Visentin and von Loon (2006, 323) argue a lack of awareness suggests that the individual 'may not be ready for [the] transition' they are experiencing. As awareness is important to successful transition processes, transition has been closely linked to self-identity.

Regardless of the trigger for the transition, the end state of the process is 'usually marked by a stable new life organization and by a stable new identity (Sargent and Scholssberg 1988, 58).' If the individual does not reach this state then they are either still in transition or the transition process was unsuccessful. Therefore assisting people to successfully navigate the transitions in their lives, especially those they experience earlier in life, provides them with useful skills to navigate the uncertainties and complexities of later life.

III. Transition Pedagogy

The idea of transition has been a part of Australian educational discourses for some time, recognizing the changes young people experience as they advance through the education system. Kift and Nelson (2005) argue first year students in particular have special needs as they accustom themselves to the strange new world of university. Understanding that students' success in tertiary education 'is largely determined by student experiences during the first year' drives the move for change to the design of the first year experience (Kift, Nelson and Clarke 2010, 123). Transition pedagogy has become the conceptualisation of the optimal 'integrated and holistic' first year experience where the curriculum is intentionally designed 'to mediate the learning experiences of diverse commencing cohorts.' (Kift, Nelson and Clarke 2010, 125). In Australia, it is gaining traction as a 'guiding philosophy' for designing first year experiences in tertiary education.

IV. Final year students and transition

Although there has been widespread acknowledgement of the transitional needs of first year students, relatively little attention had been paid to the needs of final year students until fairly recently. Gardner and Van der Veer (1998) first drew serious attention to final year students' transitional needs in their book *The Senior Year*, where they argue universities should provide final year students with support that helps them to navigate the changes that occur as they complete their university studies and begin post-university life. The challenges students face as graduates moving from university and into the world of work are understood to be as significant as those facing students transitioning from school to university (Jervis and Hartley 2005). Kift, Field and Wells (2008, 146) extend the work of Gardner and Van der Veer (1998) and draw parallels between the first year experience and the needs of final year students. In doing so, they extend transition pedagogy to encompass all the transitions students experience throughout their entire tertiary education, particularly those of the final year. Their work provides the foundation for conceptualising the curriculum renewal project.

Although it is acknowledged there are challenges both in transitioning to the workplace or further study, Jervis and Hartley argue the transition issues faced by students joining the professional workforce are particularly significant (Jervis and Hartley 2005). Therefore there is a pressing need for the intentional design and implementation of carefully designed programs that enhance students' career readiness in order to ease their transition into the professional

world beyond university (Kift et al. 2013, 43). In legal education this need is particularly urgent due to the often disjointed approach given to the final year of law within many law schools comprising the final year curriculum with electives. Without a more structured approach to the final year curriculum, law graduates risk entering practice without adequate understanding of their ethical and professional obligations and without a strong base for future professional learning and development. The project fills this void in final year law with its model for effective and intentional curriculum design.

The project addresses the needs of final year law students, and its structure enables transferability across institutions and disciplines broadening its reach and usefulness. The principles of curriculum renewal are supported by a set of favourable conditions, with both developed through an iterative process including consultations with educational experts, recent graduates and final year students. Recent graduates and final year students were canvassed at three Australian universities (Queensland University of Technology (Australia's largest law school), Griffith University and University of Western Australia) by way of six focus groups and an online survey. The expert reference group comprised authorities in legal education both nationally and internationally and made invaluable contributions to both the development of the project and its outcomes (Kift et al. 2013, Appendix E). Reference group feedback on the principles was initiated via a forum where students' transition needs were debated. The outcome was that the group stressed the importance of the *Transition* principle taking into account the diversity of student career destinations, the nurturing of a professional identity, and the development of life-long learning skills - hence the three sub-components of this principle.

V. Students in transition

The acknowledgement of final year students as students *in transition* recognises that as such, 'they have a unique set of needs that require specific attention to assist this transitional phrase.' (Kift et al. 2013, 15). Although there are many authorities that discuss the challenges final year and recent graduates face, we choose to draw on comments by students and graduates to highlight these issues (Kift, Field and Wells 2008, 4; Heinemann 1997, 5; Gardner and Veer 1998, 32; Gardner 1999; Shea 1988/99). Comments are interspersed throughout the remainder of this paper to support our claim that capstones can provide students with invaluable and effective experiences as they navigate the transition out of university if they are designed thoughtfully to facilitate this process in a safe and supportive environment.

With final year students and recent graduates being at the two ends of this transition process we have treated their comments separately. In the discussion that follows we show how final year students appear to be overwhelmed by their impending change as they enter transition. We then follow with the separate components of the *Transition* principle interspersed with graduate comments to highlight the importance of this principle to assist students to navigate transition and emerge as novice professionals.

Comments from final year students suggest an overwhelming sense of anxiety about what is to come (the uncertainty factor), and that their level of stress is elevated by their sense of being ill-equipped to cope with the pressures of their future professional roles:

I'm actually feeling a bit overwhelmed about it at the moment (Student, QUT).

It is generally accepted by students that doing law is stressful:

I think everybody in a law degree would experience stress overall. ... I don't think there's anything that can be done to alleviate it. It comes with, it is an accepted perception, it's just accepted that it comes with Law, if you do Law, you're stressed (Student, QUT).

By accepting stress as inherent to the study of law, students appear to also accept that it will impact their life beyond university:

It affects my relationship with my boyfriend, he's finding it hard to understand why I'm doing at least twelve hours a day, six days a week on this degree. I'm lucky I'm in my last year but he's almost at his wits end and I'm like, "I've got to do what I've got to do to get done. I'm sorry but ..." (Student, QUT).

These comments support research findings attesting to the high levels of psychological distress experienced by law students both in Australia and internationally (O'Brien, Tang and Hall 2011; Field, Duffy and Huggins 2014; Sullivan et al. 2007, 3). It also shows that as final year students enter the transition process already from a place of heightened anxiety, the process itself may add to the stress they are experiencing.

The massification of higher education and the opening of places within a traditionally closed field of study have resulted in a rapid increase in law graduates in Australia. The outcome of this process is a highly competitive market for graduate positions within law firms and other common graduate destinations. As a consequence, final year students reveal high levels of stress and anxiety about their career prospects:

I'm just saying if you're good at maths and whatever you do engineering or if you're good at science you do medicine whatever. Law is the English, language, social justice-y kind of clever students' path. But we're kind of stuck. Because you go to medicine, you get a job. You go into optometry, you get a job. You do some sort of science thing, you get a job. You do engineering, you're going to be a millionaire. You do law and it's just who you know. It doesn't matter how well you do, doesn't matter how hard you do, you've got to try over and above what everyone else does ... (Student, QUT).

This sense of stress and feeling of being overwhelmed appears to erode students' self-efficacy as they project a worst-case scenario to their future professional lives:

Yeah if I get a job because I'm only really a pass/credit average, if I do get a job I'm worried about I'm not going to be smart enough to keep it or know enough, I'm worried I'm going to, no one will insure me because I'll keep stuffing up and people will keep suing me, that's a massive anxiety for me at the moment (Student, QUT).

These comments demonstrate that transitions impact individuals' psychological state, their behaviours and their relationships, particularly how they see themselves and how they relate to others and their environment (Nortier 1995, 35). Consequently, the need for law schools to assist final year students with this transition process is apparent – especially in light of the impact of this stress and anxiety on students' well-being. Like Gardiner (1999) and Cord, Sykes and Clements (2011) before us, we argue law schools and universities have a duty of care to their students to ensure they provide support for their well-being at this crucial point in their professional development.

Final year students, being on the precipice of transition, have awareness of what they are about to enter but often not the experience. Therefore, to a large extent, they are reliant on feedback from those who have gone before them (recent graduates). With law being a highly-competitive profession, it would appear not all information that filters back to them is accurate or helpful.

In particular, student comments suggest their high levels of anxiety are, to some degree, inflamed by anecdotal evidence that may not accurately reflect the reality of the situation, as the following comments illustrate:

From what you hear from people who have finished university and gone straight out into the real world it's a big jump apparently. You hear a lot of stories and things like that so you think "ooh, it's going to be a big jump" (Student, GU).

When asked what the 'rumours' were about, participants responded:

I've had several people say to me that you basically feel like you're starting again in terms of, I mean you've acquired a whole heap of knowledge at law school but then when you get out there you basically forget it all and start again with your knowledge base (Student, GU).

You hear of people who are like, their partners are like "can you just pop down to court and do this" and they've never [been to court before] (Student, GU).

I've heard it's like just being thrown into deep water (Student, GU).

It is unclear from this data whether such students' expectations were later matched by their experiences. Comments from recent graduates provide some insight into this experience and are discussed below.

Comments made within the focus groups indicate the stress and anxiety of the students from the two Queensland institutions are not matched by their peers in Western Australia. The students from University of Western Australia appear to have an expectation that their future employers accept their lack of knowledge and experience:

You learn that stuff yeah again, all over again on the job as an articled clerk. ... Well I just think that they're [employers] cautious about us. All your work is going to be checked before you [submit anything] ... when you're an articled clerk ... (Student, UWA).

They are skills that we're expected to need assistance with in our first year of practise (Student, UWA).

The practice of articled clerkship in Western Australia appears to moderate the stress and anxiety final year students experience as they reflect employers' expectations that they will need guidance and assistance in their professional roles, as the following extract of conversation demonstrates (Silverii 2004, 18):

Different firms have different practices in the firms itself (Student four, UWA).

I agree but I think that they all have, like the same level of expectation that the graduate's work is going to need to be you know they're going to need to be assisted with [it] ... there's a lot of training that goes on in the first couple of months of your graduate year ... (Student five, UWA).

You kind of learn that on the fly. I mean when you start work (Student four, UWA).

In some respects, the articled clerkship in WA performs a similar role to that of a capstone – it provides a vehicle for graduates to transition from student to emerging professional and represents the apprenticeship model of becoming a legal professional. With this practice no longer operating in other Australian states such as Queensland, where the other two institutions are situated, the need for a final year capstone experience is essential. In addition, research into the moderating effects of articled clerkships on students' well-being is recommended.

With Queensland students experiencing stress as they move closer to the transition from university to work, comments from recent graduates can provide insight into the reality of the experience from the other end of the process. These graduates acknowledge the stress and anxiety that builds in the final year and attribute some of this to employer expectations about the level of preparedness of graduates:

What I've found in certain private practice, this has been my experience, they kind of expect you to know things. And I think this is what the problem is, there is not sufficient mentoring happening in practice. So they're kind of expecting "well okay you're a [law graduate] you should know how we do this already" ... (Graduate, QUT).

I was thrown straight onto private practice, like straight into the deep end and either you know you swim or you drown. (Graduate, QUT).

I thought if I'm not equipped to deal with the pressures of all and practices of all [professional role] ...but you know it's still not enough I don't think [undergraduate preparation], I don't know what can be done to actually change that or make it better ... Yeah you learn on the job (Graduate, QUT).

A participant articulated the need for a more mentoring role from the legal profession to support emerging graduates and assist the transition process:

It maybe it's something that the law firms kind of have to, it's kind of like a collaborative effort, it's not just at the universities, it's also at the law firms. It's the way their culture is set up for you know for mentoring the young lawyers. I think that's also lacking as well ... I don't expect the law schools to do everything but there has to be some from industry they also have to come to the table as well to make the transition for a young graduate easier. ... the support network is not there for a young solicitor (Graduate, QUT).

Further comments from recent graduates indicate they are able to find their feet and build confidence in their abilities after some initial hesitation and uncertainty following graduation. However the above comments highlight the importance of addressing final year students' transition needs.

While ideally the best approach to ensuring an effective transition for students would involve collaboration with the profession, even in the absence of such a collaboration law schools alone can make a valuable contribution to facilitate the process. The following sections outline the importance of the sub-components of the *Transition* principle by drawing on comments from both recent graduates and final year students.

VI. The principle of *Transition*

A. *Helping students' to manage uncertainty, complexity and change*

The principle of *Transition* emphasises the need for capstone experiences to draw on students' self-management and other legal skills to deal with uncertainty, complexity and change. This component reflects the life-long learning skills that are increasingly recognised as important graduate outcomes in today's fast changing globalised world with uncertainty, complexity, and change features of graduates' futures (Tang and Foley 2014). Graduates are now likely to experience many changing roles throughout their careers, so it is vital students develop the skills to adapt to future transitions (Holton 1998, 98). Therefore adaptability and flexibility

should be recognised as important graduate outcomes as their success as practitioners may hinge on their ability to adjust their approach to accord with the changing needs of their profession (Heinemann 1997, 5).

Teaching students to effectively manage the challenges of modern life is essential to their success in their future professional lives. In particular, developing and managing their cognitive capacities can assist their recall of past experiences, help them to interpret given situations accurately, and apply their learning to new and varying contexts (Heinemann 1997, 5). The following comment shows how a graduate draws on their learning experience from practical legal training (PLT) to provide the confidence to manage uncertainty:

It gave me confidence just because I knew I could survive the PLT intensive course, I knew I had the skills to build on that and so that gave me confidence to make the transition. ... Once I made the choice to do full time PLT that made it a bit easier because I felt that the support network was there (Graduate, QUT).

Further comments highlight how graduates draw on their cognitive abilities to help them manage the uncertainty they face as they transition to novice professionals:

I knew the basics, I just had to apply it from the basics it's kind of like you have to teach yourself "okay I already know the basics, how do I build on that." Usually when you're given, ... a contract and like "okay there should be basic elements that this contract should have ..." and that's all coming from Contract Law ... So yes they are very, those basic contract core subjects are still very useful because in order to learn what's going on you need to know the basics that was useful. ... You needed to build, build. And I think that this is what it is. The transition has to build, you already have good basics but there's no building in between to transition out into practice (Graduate, QUT).

Not only does their emerging professional identity cause uncertainty for recent graduates, but the nature of legal work itself contributes to this state. Legal practice generally takes place in the grey areas of law where there is no single correct answer:

... what I've found and I haven't been working for that long, six to eight months, a lot of the, even the research stuff you do you get to a stage where you don't have a concrete answer at the end, you are basically there to just weigh up [the options]. "Here are the risks on this hand, here are the risks on this hand, this is how I interpret it." This piece of legislation or whatever it is. ... that was something that I found myself needing to develop to not just say "oh excellent I've found this answer it's section 355 and you know problem solved." A lot of the time you're just going down this route and saying "it could be this, it could be this possibly this" you know that sort of thing. So being able to say that in a way that doesn't make you look like an idiot ... I found that quite useful (Graduate, QUT).

That's a big point because especially with the larger firms the clients will only ask you questions that are quite difficult because there could be in house things and all the simple questions they'll find answers [themselves] ... But you should know how to synthesise the law and weigh up arguments and there's no definitive answer ... (Graduate, QUT).

As these comments demonstrate, an important process of transition to legal professional is recognition that there are no 'definite answers' to legal problems and a legal professionals' role is often to provide options and recommendations to clients. Therefore uncertainty, especially

the management of uncertainty, is a crucial aspect of legal preparation, and hence, a sub-component of the *Transition* principle.

Resilience has long been a topic of professional consideration. However, much of this work has occurred in professions other than law, such as nursing and medicine (Kjeldstadli et al. 2006, 48). Resilience is ‘the ability of the individual to adjust to adversity, maintain equilibrium, retain some sense of control over their environment, and continue to move on in a positive manner.’ (Jackson, Firtko and Edenborough 2007, 3). Therefore a key aspect of resilience is the ability to deal with change (Jackson, Firtko and Edenborough 2007, 3; McAllister and McKinnon 2009, 272). However, rather than promoting resilience, legal education often does much to undermine students’ self-efficacy (Kift et al. 2013, 45). The competitiveness of law schools sends ‘negative messages to students about their competence and self-worth.’ (Stuckey et al. 2007). Hall, O’Brien and Tang (2011, 48) suggest resilience skills should be thought of as ‘self-righting’ skills as they provide individuals with the capacity for ‘healthy growth and development, even in the face of challenges.’

Capstone experiences can address multiple and diverse needs due to the broad range and flexible manner in which they can be designed. As such, they are a suitable means for assisting final year students to develop essential life-long learning skills such as managing uncertainty and increasing resilience. Thoughtfully designed capstones can promote holistic thinking, self-confidence and self-efficacy, better equipping students with the skills to deal with the challenge and change of the workplace. Through the provision of these experiences, law schools can fulfil their responsibility ‘to prepare the whole student for the process of leaving the institution,’ and equip them with invaluable life-long learning skills (Shea 1998/99)

B. Assisting students to develop a professional identity

The *Transition* principle also assists students to develop their professional identity. Transition and self-identity are closely linked as the latter is affected by disruptive experiences, such as transitions (Kralik Visentin and Loon 2006, 326). Kralik, Visentin and Loon (2006, 326) observe that ‘[s]elf-identity is threatened during disruption and there is a need for reconstruction of identity based on new roles and responsibilities’ that come into play with the change. Recommendation 2 from the Boyer Report stresses the importance of preparing ‘undergraduates for the expectations and standards of graduate work and the professional workplace.’ (Boyer Commission 1998, 28). It is therefore important that transitioning experiences accommodate the need to develop a professional identity.

Over the course of the law school experience, students should develop an awareness of what it means to be a graduate of their discipline. They should also be encouraged and assisted in the formation of an emerging sense of professional identity which continues to develop past their university studies (Durel 1993; Hovorka 2010):

Going out to work is always going to be a bit of a learning curve ... when it comes to talking about that connecting bridge between what you’ve learnt in uni as opposed to how you’re going to apply it in the real world, then you’ve got what the uni can give to you ... ideally I guess there should also be a combination between [that and] ... your own experience that you pick up ... it probably would be a bit unreasonable for the university to try and you know predict and foresee every single possible [career] scenario. So in

the end probably the final responsibility would probably always be on the student to you know I guess learn from experience (Graduate, QUT).

The Carnegie Report observes the development of a professional identity assists emerging professionals to answer ‘questions such as: Who am I as a member of this profession? What am I like, and what do I want to be like in my professional role? and What place do ethical-social values have in my core sense of professional identity?’ (Sullivan et al. 2007, 135). The above graduate quote shows this process in action. The broad range of practices that can be implemented via a capstone program aid this identity shift for final year students.

Although the literature acknowledges the role capstone learning experiences play in assisting students to develop a professional identity as they transition out of university, it is less clear on how this objective is achieved (Branch 2000; Kift et al. 2013, 46). Capstone programs operating in disciplines with long established histories of these learning experiences (such as medicine and engineering) may have, over time, developed ways to address this issue. However, for disciplines such as law where capstones are a fairly new learning approach (especially in Australia), careful thought needs to be given to how these programs will contribute to the development of law students’ professional identity across the entire degree course. We do however propose that reflective practice should play a large role in the capstone program as it is through reflection that students can become more aware and intentional about their own professional identities.

Reflective practice facilitates both personal and professional development by encouraging individuals to give thoughtful consideration to contexts, themselves, and their roles. It contributes to the acquisition and development of higher order cognitive skills like critical thinking. Reflective practice promotes self-awareness and can facilitate personal transformation, a sense of purpose, and a sense of citizenship (Havorka 2010). For law students, reflective practice is essential to assist them to develop professional identities that are ethical and socially responsible (McNamara, Field and Brown 2009). It is therefore crucial capstones provide opportunities for students to reflect on their learning, on the profession, and their future roles in order to develop their professional identities.

C. Supporting students with career planning and development

Closely linked to professional identity is career planning and development. Students need a level of understanding about their professional identity in order to reflect on career planning and development aspirations. This is an important component of the transition principle as the ‘world of work is so fundamentally different from the world of education that it requires an almost total transformation on the part of the new graduate.’ (Holton 1999, 100). Furthermore, career planning and development need to take into account the ‘diverse range of potential career destinations’ many graduates will take (Armstrong and McNamara 2011, 224). In addition to career planning, employment preparation skills such as resume writing, interviewing skills and business etiquette are also useful to enhance students’ career development learning (Kift et al. 2013, 47; Cuseo 1998, 28). Hence the principle is designed purposely to address these specific aspects of final year students’ transition needs.

As a transition experience, a capstone program utilises a forward-looking perspective to facilitate career planning and development processes. This issue of broadening students’

perspectives and initiating career planning early into the degree program was raised by students in the project focus groups:

I think that could be another thing, it's kind of expanded broader than the education experience but I know a lot of students, they get to their final year and say they haven't been successful in clerkships and they go "well where do we go from here?" And there are a whole variety of job opportunities that students don't know about (Student, GU).

The fact that that's a pathway everyone goes, a lot of you will go down, it's not necessarily the best pathway from the beginning. Like even though if you haven't been successful before and you go to the stage of applying, this isn't the only option to apply this way, there's this whole broad range of things you can apply for (Student, GU).

The above comments highlight the lack of information available to students about their options for employment opportunities – a sentiment echoed in the following conversation extract:

I remember being told in first year that if we didn't finish our degree with a six point GPA or higher, no top twenty law firm would even look at us ... (Student, GU).

yeah but it's not what you want to hear. Like you're seventeen years old, I mean there's five years of your life (Student, GU).

People don't even want to work in the top firms (Student, GU).

That's what they've sold, is the commercial side (Student, GU).

It's very heavily marketed down that particular path and there's so much else. ... it's not really promoted beyond "well here's your top two firms, go for it" (Student, GU).

For a capstone program to address the needs of final year students, career development must be addressed from a broad aspect rather than the traditional funnel into commercial law in top tier firms. Career development planning such as supplying students with information about the graduate destinations of previous students enables them to consider potential career paths they may not have otherwise considered (Myers and Richmond 1998). It also shows them their likely career path based on their abilities, the current employment market, and economic climate.

Internships and work experiences such as Work Integrated Learning (WIL) and Problem Based Learning (PBL) are also excellent mechanisms for assisting students' career development and fit comfortably within the capstone model. Combining learning and work experiences in programs like internships, especially if the programs are designed with career development in mind and utilise the capstone design principles, can provide important feedback to students about workplace cultures and employability 'fit' for particular fields as the following comment indicates:

It helped me to rethink about I think the way I kind of was a bit different because I wasn't just making a transition into law, I was trying to make a transition into my second career ... I suppose in a way I did have an added pressure because I already kind of had an idea where I wanted to end up and I wasn't sure of the avenues to get there, that wasn't very clear. And I didn't have a lot of people who had the same experience like me ... reflective practice helped because it made me think "okay what is important?" I knew the sort of culture that I would probably better suit, they're the sort of things [that are important] ... it made me think [about] the sort of culture I would be best working [in]. And at that point I knew I wasn't suited to ... go into government ... it made me think about the sort of values and the sort of culture I want to be part of (Graduate, QUT).

It is incumbent on law schools to consider the diverse destinations of their graduates and tailor experiences accordingly. This can be achieved by using the principles of curriculum renewal to design thoughtful learning experiences that address students' transition needs.

VII. Conclusion

The principle of *Transition* for curriculum design emphasises the needs of students as they move out of university and into their careers in order to better equip them for this move and furnish them with life-long learning skills. The final year is a critical period for students in higher education as they often have to deal with the stresses and frustrations associated with differences between academic life and workplace cultures. Capstones designed with students' transitions in mind bridge the divide between a degree program focused on legal practice and the career diversity the 21st Century law graduate will experience. By designing curriculum in accordance with the principle of *Transition*, universities have the potential to play a vital and unique role in facilitating this change.

Regardless of their future destinations, transition is an unavoidable process every higher education student faces upon graduation. The acquisition of life-long learning skills has been shown to smooth the transition from university to post-university life (Gardner and Veer 1998). Attaining these essential life skills can enhance motivation, initiative and creativity in the workplace (Kift et al. 2013). Reflective practice has been recognised as an essential life-long learning skill, and is essential to this process as it contributes to the acquisition and refinement of higher order cognitive skills, including critical thinking (Kift et al. 2013; Brockbank and McGill 1998; McNamara and Field 2007). Students therefore need to be provided with opportunities which encourage them to consider and reflect on what they have learnt, and to contemplate how their knowledge is or could be used in a professional context (Dunlap 2005). Authentic experiential learning programs like capstones provide students with invaluable learning experiences and prepare them for professional careers (Castles and Hewitt 2011, 90). Accordingly any carefully designed capstone experience, should count *Transition* as one of its six design principles

Acknowledgements:

This work was supported by the Australian Government Office for Learning and Teaching under Grant [number PP - 1374]. The views expressed in this article do not necessarily reflect the views of the Australian Government Office for Learning and Teaching.

Reference List

- Boyer Commission. 1998. "Reinventing undergraduate education: A blueprint for America's research universities." In *Boyer Commission on Educating Undergraduates in the Research University*, 28. Stoney Brook.
- Branch, S. 2000. "Who will I be when I leave university? The development of professional identity." In *Effective Teaching and Learning Conference*. Brisbane.
- Brockbank A. and I McGill. 1998. *Facilitating reflective learning in higher education*. 1st ed. Buckingham: SRHE/Open University Press.

- Castles, Margaret and Anna Hewitt. 2011. "Can a law school help develop skilled legal professionals? Situation learning to the rescue!" *Alternative Law Journal* 36(2): 90–95.
- Cord, Bonnie, Chris Sykes and Michael Clements. 2011. "Who cares wins: Owning the learning transition." *Development and Learning in Organizations: An International Journal* 25(4): 20–22.
- Cuseo, Joseph B. 1998. "Objectives and benefits of senior year programs." In *The senior year experience. Facilitating integration, reflection, closure, and transition*, edited by John N. Gardner and Gretchen Van der Veer, 21–36. San Francisco: Jossey-Bass Publishers.
- Dunlap, Joanna C. 2005. "Problem-based learning and self-efficacy: How a capstone course prepares students for a profession." *Educational Technology, Research and Development* 53(1): 65–85.
- Durel, Robert J. 1993. "The capstone course: a rite of passage." *Teaching Sociology* 21(3): 223–225.
- Field, Rachel M., James Duffy and Anna L. Huggins. 2014. *Lawyering and positive professional identities*. 1st ed. Chatswood: Butterworths.
- Gardner, John N. 1999. "The senior year." *About Campus*: 5–11.
- Gardner, John N. and Gretchen Van der Veer. 1998. *The senior year experience. Facilitating integration, reflection, closure, and transition*. 1st ed. San Fransisco: Jossey-Bass Publishers.
- Heinemann, Robert L. 1997. "The senior capstone, dome or spire." In *83rd Annual Meeting of the National Communication Association*.
- Holton III, Elwood F. 1998. "Preparing students for life beyond the classroom." In *The senior year experience. Facilitating integration, reflection, closure, and transition*, edited by John N. Gardner and Gretchen Van der Veer, 95–105. San Fransisco: Jossey-Bass Publishers.
- Hovorka, AJ. 2009. "A capstone course of 'geographic' ideas." *Journal of Geography* 108(6): 252– 258.
- Jackson, Debra, Angela Firtko and Michael Edenborough. 2007. "Personal resilience as a strategy for surviving and thriving in the face of workplace adversity: a literature review." *Journal of Advanced Nursing* 60(1): 1–9.
- Jervis, Kathryn J. and Carol A. Hartley. 2005. "Learning to design and teach an accounting capstone." *Issues in Accounting Education* 20(4): 311–339.
- Kift, Sally and Karen Nelson. 2005. "Beyond Curriculum Reform: Embedding the Transition Experience." *Proceedings HERDSA* 28: 225–235.

- Kift, Sally M., Karen J. Nelson and John A. Clarke. 2010. "Transition pedagogy: a third generation approach to FYE: a case study of policy and practice for the higher education sector." *The International Journal of the First Year in Higher Education* 1(1): 1–20.
- Kift, Sally M., Rachel M. Field, Ian B. Wells. 2008. "Promoting sustainable professional futures for law graduates through curriculum renewal in legal education." *eLaw Journal* 15(2): 145–158.
- Kjeldstadli, Kari, Reidar Tyssen, Arnstein Finset, Erlend Hem, Tore Gude, Nina T. Gronvold, Oivind Ekeberg and Per Vaglum. 2006. "Life satisfaction and resilience in medical school – a six-year longitudinal, nationwide and comparative study." *British Medical Journal* 6: 48.
- Kralik, Debbie, Kate Visentin and Antonia von Loon. 2006. "Transition: a literature review." *Journal of Advanced Nursing* 55(3): 320–329.
- McAllister, M. and McKinnon J. 2009. "The importance of teaching and learning resilience in the health disciplines: A critical review of the literature." *Nurse Education Today* 29(4): 371–379.
- McNamara, Judith and Rachel Field. 2007. "Designing for reflective practice in legal education." *Journal of Learning Design* 2(1): 66–76.
- McNamara, Judith and Susan Armstrong. 2011. "Transition pedagogy in first and final year law programs." In *Excellence and Innovation in Legal Education*, edited by Sally M. Kift, Jill Cowley, Michelle Sanson and Penelope Watson, 207–238. New South Wales: LexisNexis.
- McNamara, Judith, Rachel Field and Catherine Brown. 2009. "Learning to Reflect in the First Year of Legal Education: The Key to Surviving Legal Education and Legal Practice." In *12th Pacific Rim First Year in Higher Education Conference*. Townsville.
- Meyers, Scott A. and Virginia P. Richmond. 1998. "Developing the capstone course in communication: Nine essential questions." *The Southern Communication Journal* 64(1); 59–64.
- Nortier, Frederic. 1995. "A new angle on coping with change: managing transition!" *Journal of Management Development* 14(4): 32–46.
- O'Brien, Molly T., Stephen Tang and Kath Hall. 2011. "Changing our thinking: empirical research on law student wellbeing, thinking styles and the law curriculum." *Legal Education Review* 21 (1&2): 21–51.
- Office for Learning and Teaching. 2013. *Curriculum renewal in legal education. Final report*. Accessed 22 April, 2015. [http://eprints.qut.edu.au/64249/1/Final_Reports/SAHE/JOURNAL2/1999/Senior.htm.rt\[1\].pdf](http://eprints.qut.edu.au/64249/1/Final_Reports/SAHE/JOURNAL2/1999/Senior.htm.rt[1].pdf).
- Sargent, Alice G. and Nancy K. Schlossberg. 1988. "Managing adult transitions." *Training and Development Journal* 42(12): 58–60.

- Schlossberg, Nancy K. 1981. "A model of analysing human adaptation to transition." *The Counseling Psychologist* 9(2): 2–18.
- Shea, Heather D. 1998–1999. "Senior Year Transitions: From College to Career and from Undergraduate to Graduate School." Accessed 22 April, 2016. <http://colostate.edu/Depts/SAHE/JOURNAL2/1999/Senior.htm>
- Silverii, Jason. 2004. "The finished article?" *Law Institute of Victoria* 78(3): 18.
- Stuckey, Roy T., M. Bary, R. B. Dinerstein, J. C. Dubin, R. Engler, J. S. Elson. 2007. *Best practices for legal education: A vision and a road map*. 1st ed. Columbia: Clinical Legal Education Association.
- Sullivan, William M., Anne Colby, Judith W. Wegner, Lloyd Bond and Lee S. Shulman. 2007. *Educating lawyers. Preparation for the profession of law*. 1st ed. Stanford: The Carnegie Foundation for the Advancement of Teaching.
- Tang, Stephen and Tony Foley. 2014. "The practice of law and the intolerance of certainty." *University of New South Wales Law Journal* 37(3): 1198–1225.
- Wells, Ian, Sally Kift and Rachel Field. 2008. "FYE2: recognising and acting on the synergies between the first and final year experiences in legal education." In *11th Pacific Rim First Year in Higher Education Conference 2008*. Hobart.

Note:

The Version of Record of this manuscript has been published and is available at

<http://www.tandfonline.com/doi/abs/10.1080/03054985.2016.1270199?journalCode=core>
20