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Executive Interview: Karen Thornton

Karen Thornton

George Washington University Law School

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Consistent with this issue's focus on professional development, we sought out educators to discuss the ways professional development can be taught through experiential learning. We sat down with **The George Washington University's Karen Thornton**, director of the Government Procurement Law and Master of Science in Government Contracts programs, to learn more about their mission to educate, develop, and expand the acquisition community.

EXECUTIVE INTERVIEW

aren Thornton

Director, Government Procurement Law and Master of Science in Government Contracts Programs, The George Washington University Law School

EDITED BY RYAN BURKE

Contract Management Does the government procurement program at GW have a mission statement?

Karen Thornton

Not formally, but since 1960, when Professors Ralph Nash and John Cibinic founded GWLaw's Government Procurement Law Program and forged a new academic discipline, we have committed ourselves to being a place of rigorous education and thought leadership. In addition to our law offerings, we have a thriving partnership with the GW School of Business to offer a masters degree designed for ambitious acquisition professionals, combining business and analytical training with legal study. Our diverse course offerings and expert full-time and adjunct faculty influence the way people read, think, and react to government procurement policies and trends. We are creating and empowering the future leaders and policy-makers in our community.

CM Tell us more about the courses that make up your Government Procurement curriculum.

KT

We offer everything from a three-credit "tasting" of government contracts law for JD students, taught by my colleague Professor Joshua Schwartz, to a seminar on "State & Local Procurement," in which students participate in a mock bid protest hearing. Most students gain their foundation in "Formation of Government Contracts"¹ and "Performance of Government Contracts."² That gives us room to ensure comprehension of the elements that form knowledge (think *CMBOK*³), while also analyzing the reasoning behind the policy-making. We're able to deepen that knowledge and critical thinking in advanced courses like "Federal Grants Law,"⁴ "Government Procurement of Intellectual Property,"⁵ "Interagency Acquisition,"⁶ and "Foreign Government Procurement."⁷ These

In September 2017, Prog. Dir. Karen Thornton (far l) and Asst. Dean Jessica Tillipman (far r) launched the GWLaw Women in Government Contracts group. At their kickoff luncheon, alumna and former NCMA president, Karen Wilson (center l), served as keynote speaker and alumna Judge Ruth Burg (ret.) (center r) provided inspiring remarks based on her years of commitment to mentoring women in the field of government contracts law.





(From l to r): Jessica Berrada, winner of this year's Public Contract Law Journal writing competition, joined alumni Sati Harutyunyan, Adjunct Professor Collin Swan, John Fletcher, Program Director Karen Thornton, and Nathaniel Castellano at the annual Alumni & Friends Luncheon at the Government Contracts Year in Review Conference.

courses integrate active listening, persuasive speaking and writing, negotiating, and teamwork to achieve the learning objectives.

We also have courses that build leadership skills by putting the students in charge of their learning. As home to one of our field's leading journals, the *Public Contract Law Journal*,⁸ we offer a scholarly writing course to the students who produce and edit the *Journal*. Student members produce topical research papers and learn from practitioners how to work as a team to meet deadlines and provide feedback. We also host the Dentons "Gilbert A. Cuneo" Government Contracts Moot Court competition,⁹ which we now offer as a course where students learn more than the adversarial techniques of advocacy. Under the supervision of our adjunct professor, Chief Judge Jeri Somers of the Civilian Board of Contract Appeals, students practice the professional skills of collaborating with co-counsel, negotiating with opposing counsel, and demonstrating civility in the courtroom.

CM
The traditional school of thought concerning professional skills is that they are best-learned through experience. Can you really teach professional skills in a classroom?

KT
We recognize that an individual's career success pivots on their professional skills, so we make sure our students are engaged in experiential learning. Beyond technical mastery of the rules and policies that govern the acquisition process, our teaching goals are focused on building the skills of communication, self-awareness, empathy, cultural awareness, and wisdom.

Much of this professional skills-building happens in the classroom, and in exciting new ways in the online space. The traditional graduate-school model of lecture-based courses culminating in a single, final exam is not the best way to measure learning. That's why in our online courses we have students write weekly essays, implement faculty feedback, make oral presentations, and provide peer review. In some classes, they also keep a journal for self-reflection. As humans, we have a cognitive bias about the proficiency of our communication skills, but learning to journal and receive constructive feedback can motivate us to grow and reach our next professional goal.

My colleague, Assistant Dean Jessica Tillipman, runs the Law School's "Field Placement Program," which provides students with the opportunity to go off campus to learn from judges or government contracts practitioners as legal externs in governmental, judicial, and nonprofit organizations while earning academic credit. Students gain exceptional practical experience in the field while building on their law school education with supervision by the on-site attorney and instructional guidance from faculty in a co-requisite course.

We are also fortunate to have expert alumni, practitioners, and academic colleagues who come to campus to share their unique perspectives with our students. Throughout the academic year, we host a series of speaker presentations, panels, and colloquia on a wide array of topics from best practices in government procurement, to international perspectives on corruption in public procurement, to personal narratives about remarkable professional journeys. We've begun live-streaming the presentations so that our distance learners can engage, too. After an event, students often tell me they feel privileged to have been part of such a fascinating conversation. I tell them it is their responsibility to continue the conversation when they leave.

CM
You mentioned “cultural awareness” as a professional skill. What does that mean?

KT
 Our program plays an important role in improving procurement systems around the world. Our law faculty are members of a global community of procurement experts, and their collaboration reinforces international cooperation in procurement law teaching. Their international work also brings new perspectives to the classroom and builds a sense of respect for diversity in the practice of procurement law.

My colleague, Professor Chris Yukins, spends much of the summer teaching in China and throughout Europe, forging lasting relationships with foreign practitioners and academic faculty. These experiences then become part of his students’ pedagogical experience in his “Comparative Public Procurement” seminar.

Our faculty is also actively engaged with the World Bank,¹⁰ World Trade Organization,¹¹ and the U.S. Trade & Development Agency¹² to improve anticorruption efforts and implement best-value contracting worldwide. This creates exciting new opportunities for students to intern and work with multinational firms and international institutions. As a result, our faculty and students are bringing an increasingly global perspective to procurement issues here and abroad.

CM
How does online learning change what you can offer students at a traditional educational institution?

KT
 GW has always attracted talented students, and the exciting thing about online learning is we can reach out to talent beyond Foggy Bottom. Technology allows us to create a virtual laboratory of learning where we can foster dialogue among acquisition professionals and lawyers from government, industry, and the private bar. In class discussions about the policy drivers behind a new piece of reform legislation, our students openly share their agency’s or industry’s motivators and business processes. Appreciating that diversity of perspectives is the first step toward improving our government procurement system.

Another exciting aspect of online technology is that we can provide our distance learners with access to the same research resources as our in-residence students. Our library boasts the best government contracts collection in the world. Our wide array of online databases opens exciting new doors for students. And the training they receive from our research librarian, Mary Kate Hunter, empowers them to reach further and think more deeply. It’s wonderful to hear our Business School students describe the confidence they gain when they learn advanced research skills.

CM
Do you support your students becoming involved and taking advantage of professional development opportunities through NCMA or other similar organizations?

KT
 Absolutely! We view NCMA as a partner for building students’ essential networking skills. When I attend local NCMA chapter dinners,¹³ I’m generally accompanied by at least two or three students, who are always warmly received. The NCMA members immediately put the students at ease, generously share career advice, and welcome follow-up conversations.

One skills-building opportunity that I’d recommend to other chapters is the DC Chapter’s tradition of having students provide a five-minute “newsreel” of current events. This is a unique opportunity for a student to sift through the month’s procurement-related headlines, produce a script for a knowledgeable audience, and then present from the podium. I arrange to moot each student before they perform in front of what might feel like an intimidating audience. When I listen to our students give their polished presentations, I’m reminded how much we gain as teachers by recognizing that we have a lot to learn from our students.

CM
You’re an alumna of the program you now manage. What experiences shaped you professionally all those years ago?

KT
 I feel very fortunate that my first employer, the U.S. Army Corps of Engineers, invested in my education and professional development by sending me to GWLaw for an LL.M. degree. It made me look at education in a new way and commit to lifelong learning.

I sat in the same seats my students do, almost 20 years ago. I would take the Metro to campus from the Headquarters office, where I was a young captain in the Chief Counsel’s Honors Program. I’d be in class until 8pm and then read for the next day’s class when I got home. Then I’d carve out time on the weekends to research and write my thesis. It was exhausting! There’s nothing like a long-term, in-depth research paper to teach you the skills of self-discipline and resilience. The “one step forward, two steps back” of rigorous research, and the constant editing and faculty feedback on your writing will build grit you never knew you had.

I found that developing your research and writing skills is a lot like Serena Williams hitting serves for hours to be able to place the ball just where she wants it. And it makes you ache just as much.

Professor Steve Schooner mugs for the camera after serving on a panel of experts in Belgrade, Serbia, at a symposium sponsored by the Organization for Security and Cooperation in Europe.



Now, as a teacher, I create a safe space in the classroom by talking about my own writing anxieties and travails, and have students write a weekly journal so they can identify, name, and release their hang-ups. That process builds self-awareness and I wish I'd done it when I was a student. My experience as an LLM candidate gave me a lot of empathy for my students and the sacrifices they make to achieve their goals of education and professional growth.

CM
What's been your role in shaping opportunities for students to expand their professional skills?

KT
 It's my job to be a champion for bringing new curricular and programming experiences to our students. Best of all, I get to be creative! I solicit and implement ideas from our advisory board

to create new courses, such as “Negotiations in Government Procurement.”¹⁴ And I build bridges with other disciplines to create programming on subjects like business ethics and international human rights.

Back when Neal Couture, Daniel Gordon, and Professor Steven Schooner were building the Master of Science in Government Contracts (MSGC) program, I was on the Law School’s legal writing faculty and they came to me with an exciting proposal: to build a rigorous writing course to prepare MSGC graduates to be clear, direct, and compelling in their written communication. I embraced the challenge and have been impressed to see how committed my students have been to learn and grow. I have celebrated each of their accomplishments as they won academic achievement awards, published their work, and achieved career transition goals.

One student recently told me he’d been at an NCMA dinner event on career mentoring where Procurement Roundtable member Eleanor Spector told the audience the most important skill in her career field is written communication. The student said it felt great to hear those words and know his hard work in my class was building skills that would be rewarded throughout his career. That kind of moment makes me proud to be an educator.

CM
What do you like to do when you’re not working that helps define who you are?

KT
 My three outside pursuits—reading, karate, and volunteer work—restore and energize me. I’ve always loved reading and do a lot of it in my work, but reading broadly across genres (e.g., historical

nonfiction, Jane Austen, and foreign authors) expands my horizons and makes me question my assumptions. I study karate as a way to achieve flow and relaxation, but I won’t lie, sparring feels good. It gets me out of my head and focused on “doing.” There’s nothing like getting punched to force you to be present in the moment. I try to maintain that sense of mindfulness throughout my professional day, too. I also get joy from connecting with neighbors and my kids doing volunteer work in the community. Serving others and building community are two values I bring to my work at GW every day.

CM
What are your goals in the near future for your program, and what would you like for your legacy to be after you’re gone?

KT
 I came into this program with an exceptionally strong alumni base and outstanding name brand, and I feel a sense of responsibility to maintain and grow that. I’m very excited about the way technology allows us to think more creatively about pedagogy and reach students beyond the Beltway and across continents. I’m very committed to doing the hard and patient work it will take to bring our MSGC and LLM degrees online.

I’d like to be known for improving communication and reducing stratification among members of the acquisition team. It’s something I noticed from my earliest days as a procurement attorney. We can overcome barriers to collaboration by investing in building the critical skills of communication, empathy, and self-awareness in our professionals.

Professor Chris Yukins (c) and Assistant Dean Jessica Tillipman (far l) hosted a Colloquium on Cross-Debarment with guest speakers (l to r) Juan Ronderos, Frank Fariello, Pascale Dubois, Fred Levy, and Duc Nguyen.



Finally, the scholarship our students produce during their course of studies is the true legacy of our program. Their research and writing is influencing how the world thinks about public procurement.

CM What advice and guidance would you like to share for those just entering this field or relatively new to it?

KT

Steve Schooner wrote a piece for this magazine back in 2014¹⁵ with very sound advice for those plotting a career in our field: “[B]e sure to constantly look up and around. Identify mentors, embrace the strengths and qualities of your role models, and open yourself up to learn, evolve, and grow.” I can attest to the value of that guidance, because I’ve followed it myself.

I took a risk in pursuit of professional growth when I left government service to join the GWLaw faculty. After I finished my LLM studies, I published my thesis in the *Public Contract Law Journal* and felt my life had changed. I didn’t become a “rock star,” but I gained confidence through the polishing process. I felt proud that I’d said what I wanted to say and had been heard by members of my professional community. Five years later, Steve called and asked if I wanted to teach a scholarly writing course at GWLaw. I took the leap, even though I was in a comfortable place in a successful government career. Now I’m in a role where I have an impact on the professional trajectory of many leaders in our field, and I can see my personal and professional values manifest themselves in my work everyday. That’s happiness.

So, my advice is to find a community that makes you feel like you belong, a mentor who can help you get out of your comfort zone and set new goals, and a passion that makes you strive for your personal best in everything you do. **CM**

NCMA X COLLABORATE

Post about this article on *NCMA Collaborate* at <http://collaborate.ncmahq.org>.

EDITOR’S NOTES

1. Course description: “Survey of the law pertaining to government procurement, including an analysis of the unique features of government contracting and a discussion of the functions of Congress, the executive branch, and the courts in the procurement process. The course focuses on the contract formation process, including techniques for awarding contracts and litigation and protests involving awards.” (www.law.gwu.edu/courses#contracts.)
2. Course description: “Discussion of the substantive problems that most frequently arise during the performance of government contracts. Interpretation of specifications and the most generally used contract clauses; analysis of the rights of the parties when performance in accordance with the terms of the contract is not obtained. Analysis of the methods that can be used by the parties to a government contract to obtain legal relief, including detailed coverage of the disputes procedure, actions for breach of contract, and forms of equitable and extraordinary relief.” (www.law.gwu.edu/courses#contracts.)
3. I.e., NCMA’s *Contract Management Body of Knowledge (CMBOK)*, fifth edition (Ashburn, VA: NCMA, 2017). For more information, see www.ncmahq.org/cmbok.
4. Course description: “Examination of the federal financial assistance system and specific legal issues arising with respect to management of federal grants and cooperative agreements. This class builds from the Constitutional underpinnings of the federal financial assistance system, through the statutory and regulatory framework of the modern system, to a full practical examination of the legal requirements and concepts necessary to grant and cooperative agreement performance.” (www.law.gwu.edu/courses#contracts.)
5. Course description: “Intellectual property law in terms of its challenges to federal government procurement rules. Competing policy demands for innovation, transparency, and sound public investment in the intersection of intellectual property law and federal procurement rules.” (www.law.gwu.edu/courses#contracts.)
6. See www.law.gwu.edu/courses#contracts.
7. See *ibid.*
8. Produced jointly by The GWLaw School and the Section of Public Contract Law of the American Bar Association. For more information, see www.pclj.org.
9. A competition in which each student has the opportunity to argue both sides of a government contracts case in front of experienced practitioners, from the private bar and government, as well as sitting judges from the various boards of contract appeals and the U.S. Court of Federal Claims. The final round is argued at the U.S. Court of Appeals for the Federal Circuit. The competition problem and best briefs are published each year in the *Public Contract Law Journal*. For more information, see www.law.gwu.edu/internal-competitions.
10. For more information, see www.worldbank.org.
11. For more information, see www.wto.org.
12. For more information, see www.ustda.gov.
13. Ms. Thornton is a member of the Washington DC Chapter of NCMA. (See, generally, www.ncmadc.net.)
14. See www.law.gwu.edu/courses#contracts.
15. I.e., Steve Schooner, “Look Up and Around: Musings on Mentors, Role Models, and Professionalism,” *Contract Management Magazine* (March 2014): 32-37.

KAREN THORNTON

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- ▶ Served on active duty in the U.S. Army JAG Corps, assigned to the U.S. Army Corps of Engineers, Chief Counsel’s Honors program
- ▶ Previously served as deputy assistant general counsel, Defense Capabilities and Management team, U.S. Government Accountability Office
- ▶ Former member, Legal Research & Writing faculty, GWLaw
- ▶ Frequent presenter on topics related to government procurement and professional development

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