Law School of the Future
Tia Cudahy

The law school of the future will reflect the composition and needs of the entire community. Law schools will attempt to attract students from all backgrounds in order to ensure that important discussions about intractable social problems will include a broader range of viewpoints. Recognizing their unique relationship with law students, law schools will actively foster a sense of responsibility to the profession and society.

Law schools adhere to traditional performance indicators such as undergraduate grade point averages and LSAT scores in an effort to produce smart lawyers. Placing more emphasis on diversity of experience will create a less homogeneous community; perhaps one that is better equipped to think creatively about old problems.

Revitalizing the intellectual inquiry in the classroom will improve the quality of discussion while also generating greater respect for legal education. The purpose of such an extension in admissions criteria is not merely affirmative action, but to reinvigorate legal scholarship by expanding the class of people equipped to think about legal issues. Some will argue that the quality of scholarship will deteriorate without rigid adherence to traditional performance indicators, but, from a student’s perspective, at the very least diversity will enrich classroom discussion. Ideally, diversity in the classroom will reflect the diversity of society so that everyone will receive representation in the exchange of ideas.

The admissions office will also consider carefully each applicant’s reasons for applying to law school. Law school too often serves as a default for intelligent but unfocused liberal arts majors who lack the imagination and inclination to figure out what they enjoy doing. These students are unhappy at law school and detract from the experience for everyone. The University of Chicago is one of the few schools that devotes the energy to conducting interviews of some applicants, and those interviews present at least one opportunity to investigate an applicant’s motivations. The model law school will interview all eligible applicants, recognizing that an applicant is more than a sheaf of papers in a file.

From a classmate’s perspective, a student’s interesting background and genuine desire to study law more than balance out a few missed questions on the LSAT.

Last, law schools will actively encourage a sense of responsibility for the profession and for society among students. The practice of law often means advising individuals in the most difficult moments of their lives, but law schools overlook the human element of a career in the law. Lawyers confront conflicts of interest and breaches of professional responsibility among colleagues far more regularly than they encounter most of the legal doctrines taught in law school, but classroom discussion is almost inevitably focused on the reasoning of the highest court to hear a case. Naturally students need to learn how judges reach decisions, but greater emphasis on legal ethics and professional responsibility will convey equally important skills and knowledge. Professional responsibility will be incorporated into every course, rather than packed neatly into one required but uninspired class. Students will gain respect for that aspect of practice and conduct themselves accordingly, and the resulting benefit to clients will enhance respect for the profession.

Law schools will also remind their captive audience that lawyers occupy a special place in society; we formulate public policy in disproportionate numbers and act as conduits between the public and justice. Although litigants realistically need lawyers to navigate the legal system for them, most Americans cannot afford to hire a lawyer. Given the importance of legal training in our society and the shortage of lawyers for the poor, lawyers have an affirmative moral obligation to return some service to the system that benefits us so much. Mandatory pro bono policies may be moot if each lawyer, encouraged by her law school, feels a personal obligation to pay this debt to society.

The renewed emphasis on the needs of those who cannot afford legal services will inevitably reshape law school curricula. Students will require more clinical education and public interest classes, as well as instruction on such far-reaching statutes as the Social
Security Act. In a litigious society, lawyers are in a unique position to help those who would otherwise lack a fair chance in the legal system, and law schools have a unique opportunity to reach aspiring lawyers with that message.

Tia Cudahy '92 is President of the Law Students Association.

Clinical Legal Education
Gary H. Palm

As I look to the future, I imagine a law school Clinic that adapts some of the best features of a teaching hospital operated by a great research-oriented University. The primary goals, as there, should be to provide excellent service to clients, practical instruction to students and applied research. At the teaching hospital, state-of-the-art equipment is purchased. First rate physical facilities are provided. Staffing arrangements are consistent with excellent services. The newest techniques and innovations are used or tested. Funding is from a combination of payments for patient services, government research and training grants, private philanthropy, foundation gifts and tuition. Low student/teacher ratios are maintained and all students are required to receive some clinical instruction. The legal clinic of the future should feature similar standards to assure that it too can fulfill its goals with excellence.

In a typical year, over 100 second-year students apply for the Clinic. In order to maintain a low student/teacher ratio of ten to one, fifty students cannot be accepted, resulting in a waiting list. Although many students on the waiting list eventually do get to work in the Clinic, others become discouraged or pursue other activities. It is my hope that, in the future, all students interested in the Clinic will be admitted. The Clinic will need at least fourteen clinical teachers, double the current number, to meet the on-going demand during the next twenty years. Different credit allocations and some changes in the program will be necessary too, but the most important change is a significant increase in the number of clinicians and the size of the Clinic.

The role of clinical legal education at a leading research-oriented University should include the use of law to eliminate poverty or alleviate the suffering caused by it. It is appropriate for the Clinic to help individuals who are seeking to escape poverty and use the legal system to secure entitlements from government and the private sector, but clinical teachers and students should also be expected to develop new legal strategies to meet the needs of the poor and even to eliminate poverty. Law reform and systemic change have always been at the heart of the research mission of the non-clinical law faculty. Therefore, it is also appropriate that the Clinic continue to represent clients in administrative rulemaking proceedings, legislative advocacy, test cases and class actions.

The Clinic should also continue to propose improvements in methods of advocacy used on behalf of the poor and work with other legal service organizations, the private bar, pro bono volunteer groups and governmental agencies to assure that poor clients receive prompt and effective representation. Indeed, as we train more stu-

doents and introduce them to their obligations to serve the poor, I expect we will continue to see increasing numbers of our graduates providing pro bono work, leading legal service agencies, serving on bar committees relating to rights of the poor and generally working in their careers to improve the conditions confronting the poor. Our Clinic will continue to

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help our students to become more imaginative and productive at using the legal system to solve the underlying problems of poor persons through systemic legal methods.

The very idea of locating a law office serving the poor in the Law School was startlingly innovative in the 1950s when our new law school building was planned. Through the years, all the deans have tried to meet the Clinic's space needs but without long-term success. To provide effective instruction now we need more space and, as important, better designed space. Furthermore, today we have equipment and a sizeable support staff for our extensive litigation practice that were not contemplated in the original design for a legal aid office. If we are to meet the student demand, we need much more space. The only long-term solution is a new building or addition for the Clinic. The Clinic of the future will have adequate space for each student to share an office with one or two others; rooms for interviewing and counseling clients; areas for preparing for trials and practicing oral arguments; and small classrooms designed to teach lawyering skills and strategies. The offices, meeting rooms and secretarial space will be a part of a central computer network. Video