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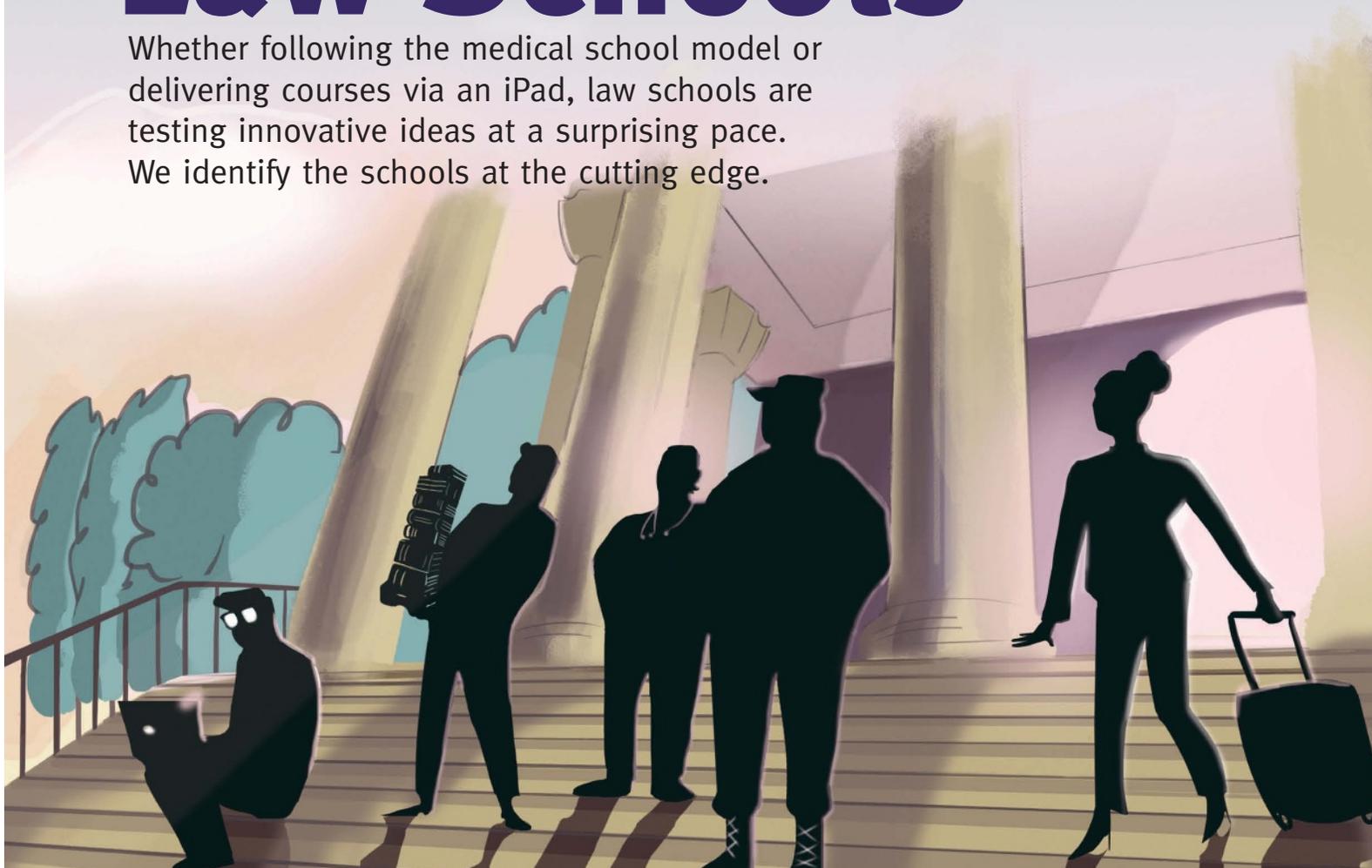
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BACK TO SCHOOL 2012
VOL. 16, NO. 1

AMERICA'S **20**

Most Innovative Law Schools

Whether following the medical school model or delivering courses via an iPad, law schools are testing innovative ideas at a surprising pace. We identify the schools at the cutting edge.



AMERICA'S **20** Most Innovative Law Schools

Law schools are testing innovative ideas at a pace that legal education hasn't seen in more than 100 years. We identify the schools at the cutting edge.

BY OWEN PRASKIEVICZ AND CHRISTINA THOMAS

For years, law schools have closely mirrored one another — walking in lockstep with a three-year J.D., a heavy commitment to research faculty and a priority on teaching theory over practical skills.

Critics have argued this uniform model of legal education was a straightjacket forced on them by the American Bar Association's accreditation standards. To be sure, the ABA instituted its standards in the 1920s to bring improved quality to legal education through conformity. The American Association of Law School's guidelines helped perpetuate the one-size-fits-all mentality.

Meanwhile, several reports, including one by The Carnegie Foundation in 2008, called for greater practical training and innovation within legal education.

But law schools that tried to be different found it impossible within the ABA standards or had to make small unnoticeable changes.

But that is starting to change.

Driven by sharp criticism, a challenging job market and a significant drop in applications during the last two years, law schools are moving forward with innovative ideas that were quashed only a few years ago.

Law schools are experimenting with distance learning, alternative degrees and changes to the standard model of three years in the classroom. We invited every law school to explain how they are inno-

vating their curriculum. More than 40 responded, with the results showing innovation is at an early stage, but growing at a fast pace. Legal educators are no longer just talking about change — they are taking the first steps to make it happen.

Here, we celebrate the 20 law schools at the cutting edge — those that are trying new things in an effort to improve legal education. Of course, what is innovative today will likely be standard tomorrow or forgotten.

William Henderson, law professor at **Indiana University Maurer School of Law — Bloomington**, said the test is whether the innovation is useful to the legal profession

“How will the graduate be viewed by a professional employer?” he asks. “It really has to pass the market test. Changing your curriculum and then printing fancy brochures and making a change to your website is not good enough. You actually have to go out and talk to lawyers. [Law schools] can't be the judge of their own quality.”

While it is difficult to guess which trends or ideas will be deemed worthwhile by the profession, we can nonetheless celebrate the schools that are making the effort.



TECHNOLOGY-DRIVEN CURRICULUM

Technology has helped law schools streamline their operations and offer better service,

especially during the past 15 years. But a few schools are at the cutting edge, using technology to reshape their curriculum.

Thomas Jefferson School of Law in San Diego is perhaps the most technologically advanced school in the world.

It has a new building that is equipped with the latest classroom Audio/Visual technologies, including video conferencing, lecture capture and content sharing capabilities. The school has the world's largest distance learning program, mostly geared toward its 300 LL.M. students. But it is now using those technologies to benefit the J.D. students as well — allowing faculty and students to meet virtually face-to-face, ask questions and share content.

“We've been able to do some creative things in the classroom by being able to bring students into the classroom from other locations to enhance the educational experience,” said Rudy Hasl, dean of Thomas Jefferson.

The school is also the first to shift to cloud computing, which allows faculty, staff and students to access their files and applications from any computer.

Hamline University School of Law is also adapting to take advantage of new technology. Starting this year, the St. Paul, Minn., school gave every student in its health-care and international business negotiation certificate programs an iPad as part of tuition. The school also created proprietary apps to help deliver a richer,



ILLUSTRATION BY SIDNEY MARRA

real-world experience and expand distance learning options.

“We have very strong programs in dispute resolution and health law, so we were looking for an alternative way of delivering those nationally ranked programs to a broader audience,” said Dean Don Lewis.

Each iPad is loaded with the class readings and gives students access to video and other Internet content. Apple’s iChat and FaceTime features allow students to interact with other law students anywhere in the world.

“I think in the field of international business negotiation, [the iPad] brings the teaching experience closer to reality,” Lewis said. “While students are getting instruction in St. Paul, there is a comparable group of students getting instruction in Hong Kong. The exercises are done in real-time negotiation over the iPad platform.”

The school also added the proprietary iPad app to its Health Law Institute’s Health Care Compliance certificate program. This allows attorneys to take the program from anywhere.

“Our goal was to produce an experience that would combine traditional face-to-face with a technology that truly enhances the ways students interact with the curriculum, their teachers and each other,” Lewis said. “What we’ve learned in these successful certificate programs will inform how we use technology to enhance other offerings, including our J.D. programs.”

The school hopes to expand the use of the iPad to other students soon.



WORKING WITH OTHER DISCIPLINES

While Thomas Jefferson and Hamline University are using technology to bring an international touch to their courses, other law schools are reaching out to other schools within their university to accomplish that.

Stanford University in Palo Alto, Calif., has utilized the entire university to create a multidimensional legal education that combines the study of law with other disciplines so that students gain domain knowledge in their area of practice.

Stanford began the changes in 2006 by introducing problem-solving courses that are co-taught by faculty in other disciplines. These interdisciplinary, team-oriented, problem-solving courses focus on problems such as how to bring an invention to market, drafting a business plan or protecting intellectual property.

“Lawyers need problem-solving skills,” said Larry Kramer, dean of Stanford. “That is not a generic skill. The rest of the university is training their clients to do that.”

The law school offers 28 joint-degree programs, and last year law students registered for 600 classes outside the law school. The school also expanded clinical training and organized clinical courses under the

umbrella of a single law firm, The Mills Legal Clinic. It introduced a clinical rotation — based on the medical school model — in which students take the clinic with no competing courses or exams.

Finally, the school expanded its international dimension, adding study abroad and student exchange programs, enlarging opportunities for externships and summer jobs abroad and adding an international clinic.

Pennsylvania State University — The Dickinson School of Law also integrated itself with another school within the university to enhance international offerings.

Philip McConaughay, dean of the law school who also leads the School of International Affairs, has integrated the two schools to allow law students to take a variety of law and international affairs classes.

“There are very important synergies between law and international affairs that would be a benefit to our students and graduates going forward,” said McConaughay, who spent 18 years at the international law firm of Morrison & Foerster. “We’ve been able to add a dozen exceptionally prominent and talented professors of international affairs — former ambassadors and experts in [non-governmental organization] management — who really enrich the law curriculum and enrich our law students.”

Students have the ability to earn a joint

J.D./Master of International Affairs degree, which can be completed in four years, as well as participate in various clinical and study abroad programs. The school also created a television series as part of the effort — the World on Trial — which discusses the violation of human rights treaties around the world.

McConaughay said he and other professionals involved in the program show the trial to student juries around the world at various universities, and they render verdicts.



THE MEDICAL SCHOOL MODEL

Practicing attorneys have long criticized legal education for its failure to teach law students practical skills. The Carnegie Foundation issued a report in 2008 that called for greater practical training so that when students graduate they are ready to practice law. And those findings were the same in an ABA report in 1992, as well as a Carnegie Report in 1921.

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“FOR YEARS AND YEARS, SCHOOLS HAVE DONE A GREAT JOB TEACHING DOCTRINE, BUT THEY HAVE NOT INTEGRATED THAT WITH WHAT YOU WILL BE DOING IN PRACTICE.”

— Marty Katz, dean of the University of Denver Sturm College of Law



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have not integrated that with what you will be doing in practice,” said Marty Katz, dean of the **University of Denver Sturm College of Law**. “We might teach, for example, how to do a deposition or how to do an oral argument. That’s not the same as putting a student in the shoes of a lawyer.”

But law schools like University of Denver are finally starting to pay attention. Clinics, externships and other hands-on opportunities are growing in popularity at many law schools. And a few are pushing the boundaries even further.

A handful of schools are mimicking the training hallmarks of medical school, including mandatory clinic participation and externships, where students shadow

practicing attorneys.

Medical schools require students to complete rigorous intern and residency requirements in hospitals before they graduate. This approach ensures doctors are exposed to the intricacies of the profession before they enter it, so that they are seasoned and fully prepared when they leave school.

The key to this approach in law school, several school officials said, is integration.

“As a faculty, we recognize that the skills of analysis, writing and negotiation are interrelated, and students can learn best by participating in a course that integrates those skills,” said Carol Buckler, interim dean of **New York Law School**, located in lower Manhattan.



ELON UNIVERSITY SCHOOL of LAW

A MODEL OF ENGAGED LEARNING

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- clinical opportunities in the Humanitarian Immigration Law Clinic, Wills Drafting Clinic and Elder Law Clinic;
- a robust trial and appellate advocacy program with opportunities for students to compete in national moot court and mock trial competitions.

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Greensboro, N.C.

New York Law School has revamped its legal skills course to mimic the medical school model of using standardized patients. The school brings in actors to stand in as clients to explain their complaints in order to teach students the art of eliciting the right information. Students ask the actors questions in order to learn what they need to resolve the issue.

“At the end of the day, it’s a learning experience for our students,” said Professor Kirk Burkhalter, who runs the New York

Law School skills course. “A lot of students want to come in and be lawyers, but other than what they’ve seen on television, a lot of them don’t know what being a lawyer is.”

The University of Denver also expanded its legal skills course to include the fundamentals of a lawyer’s day-to-day routine. In addition, it added a person to coordinate a more integrated approach among clinics, faculty members and skills.

Of course, the devil is always in the details.

“For an academic leader, ideas are cheap,” said Hiram Chodosh, dean of the **University of Utah S.J. Quinney College of Law**, one of the leaders in using a teaching hospital as a model to transform a law school. “To realize that vision, you need faculty support, student demand, external investments and endorsements from political leadership. All of those things are necessary ingredients.

The law school, located in Salt Lake City, has an integrative approach, which

OTHER INNOVATIVE SCHOOLS

● **The University of Illinois College of Law** in Champaign, Ill., is trying to improve students through a proprietary dashboard application that feeds real-time data to career services staff, optimizing the staff’s collaboration and ability to counsel. But the school’s most innovative offering is what it calls short courses. These are one- or two-week courses in specific practice areas such as East Asian Legal Systems, Law and Society in China, and Negotiating Aircraft Transactions.

The school also launched a program that includes a course on the legal profession, addressing subjects such as law firm economics, legal process sourcing and litigation finance. This program, along with training programs on business development, is based in Chicago, 140 miles north of the campus.

● **Indiana University Maurer School of Law — Bloomington**, is also taking a more aggressive approach to reaching out to the legal profession. The school, a leader in the study of the global legal profession, is using this research to transform its curriculum.

The school has a mandatory four-hour course taught in the first year that focuses on the legal profession. Students learn the substantive law of professional responsibility and the contexts in which it takes place, including law firms culture and work environment. Students also take a profile test that helps them identify their workplace competencies, and they can conduct independent research to help them learn about the context in which lawyers work while reflecting on their own potential fit within the profession.

Finally, at the beginning of the fall semester, first-year students are assigned to practice groups of six to eight persons, led by upper-class practice group advisers. These upper-class students help their practice groups become acclimated to the law school experience by providing study tips, networking opportunities and

moral support. Later in the year, they organize mock interview sessions.

● **Judith Wegner**, who led the Carnegie Foundation’s study, has made her presence felt at **University of North Carolina School of Law** in Chapel Hill, N.C. The school has introduced 10 upper-level courses built around simulation problems. An administrative law course required students to draft and serve Freedom of Information Act requests on their professor to obtain the information they needed to begin the complex regulatory problem the professor had posed.

Also, it undertook changes to its first-year legal research and writing program. It replaced adjuncts with full-time legal writing professors and created new transactional writing expectations — client letters, contracts and other staples of law office practice.

● **Southwestern Law School**, in Los Angeles, also adapted its legal writing course to serve students better. In 2009, it introduced a three-track approach. First-year students choose from Appellate Advocacy, Negotiation or Trial Practice. The instruction is the same for all students in the first semester, and then they concentrate on their area of choice in the second semester. Each track culminates in its own intramural competition, allowing students to win honors as top orators or writers.

● **Phoenix School of Law**, in Arizona, has tackled practical skills training through what it calls a capstone course — General Practice Skills. The course is designed to teach the skills and values needed for the professional practice of law in the areas of law office management, family practice, estate planning and four other areas. The mandatory single-semester course meets twice each week for a three hour period.

● **University of Arkansas at Little Rock, William H. Bowen School of Law** requires every student

to take a course focusing on trial advocacy. The Lawyering Skills II course helps students develop and apply skills like pre-trial preparation, cross-examination and negotiation. Each student who takes the course acts as counsel in the preparation and trial of an entire mock case before a jury.

● **The University of District of Columbia, David A. Clarke School of Law** in Washington, D.C., has instituted service learning into its curriculum. Students work with faculty members to provide volunteer legal services. For the past few years, students and faculty have worked at the Mississippi Center for Justice, helping low-income families. The school also has brought pro bono work into courses through practica. For example, in the State and Local Government course, a one-credit practicum requires students to perform 50 hours of work on a case seeking access to public information under Freedom of Information Act or open records laws.

● **University of Hawaii — William S. Richardson School of Law** also brings the real world into courses. All students must take clinic courses and perform pro bono work. The Child Welfare Clinic allows them to collaborate with community groups in other disciplines as they work on projects. A medical-legal partnership allows students to work with pediatricians and family services to help families in Hawaii’s poorest neighborhoods.

● **Ohio Northern University — Claude W. Pettit College of Law** in Ada, Ohio, has altered its calendar to allow it to offer unique courses. The school has two 13-week semesters and a three-week term in January. The school offers capstone experiences in specialized course sequences. For example, in the bankruptcy sequence, after students complete basic coursework in bankruptcy and commercial law, they are placed with a bankruptcy judge, trustee and creditor’s counsel to prepare them better for practice in the field.

includes blending technology in the classroom, creating a new \$60 million building, and vastly expanding the school's clinical enterprise. Of the school's 400 students, the school had 331 clinical placements and 402 pro bono placements, helping the school make great strides in ensuring that a vast majority of its students graduate with some form of practical training.

To truly model the success of medical schools, however, Chodosh said law schools would also have to adopt the medical school business model in which professors receive funding from government and external sources for their research. University of Utah has received millions in grants to advise foreign governments and national trade associations.



BOOT CAMP & SHADOWING

While some schools are modeling curricular changes on medical schools, others are grabbing inspiration from the military.

Tulane University Law School in New Orleans, La., is leading the way with a boot camp designed to simulate the demands of

the real-world legal environment.

By exposing students to a finite, high-pressure environment where students must overcome the obstacles of client interaction, tight deadlines and unforeseen events, schools are putting students through the fire before they graduate.

Tulane University has introduced an intensive, one-week boot camp to teach basic lawyering skills and client interaction. The optional course, which takes place the week prior to the school's spring semester, allows students to choose one of three tracks: civil, criminal or transactional practice.

"The goal is to simulate life as a young lawyer," said David Meyer, dean of Tulane Law School, who expects demand for the program to increase in years to come. "For that week, they are lawyers."

Students who participate in Tulane's boot camp meet with a client at the beginning of the week — 80 practicing attorneys help with the program — before spending the rest of the course doing what young attorneys do: meeting the needs of a client and solving legal issues. The students are even hit with a last-minute obstacle,

such as an oil drill explosion the night before a business deal is supposed to close.

Victor Gold, dean of **Loyola Law School, Los Angeles**, said the legal world has changed since he started teaching at the Jesuit law school in 1984.

"We discouraged students from going out of the classroom into the outside world because we thought our job is to get them to think like a lawyer," he said. "That's not enough anymore. We have to teach them how to be a lawyer."

Loyola has made strides to teach its students how to be lawyers through the creation of a semester-in-practice program, where students shadow attorneys who practice litigation. The shadowing program allows students to work with attorneys in and out of the classroom, and to develop personal relationships and see first-hand the life of a lawyer.

"This is what law schools have to do," Gold said. "The critique that some will direct at this effort is that it turns law school into a trade school. I think we are a long, long way from making that a really well-founded critique. If law school lasts three years, we should devote a full year



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to that theoretical foundation, and the rest should focus on how to be a lawyer.”

For students who want to learn transactional work, Loyola offers classes in which lawyers come into the classroom and do mock transactions.

For **Elon University School of Law** in Greensboro, N.C., the shadow approach has been part of the school since it was founded in 2006. Dean George Johnson said, “Students are lawyers from the day they enter law school.”

Elon’s Preceptor Program is one of the only programs in the country in which students are paired with practicing attorneys in their first year. The preceptors, usually alumni of the school, serve as mentors and discuss all aspects of law school and the working world. Students then shadow the attorneys at their practices. Sometimes, the preceptors accompany students to class.

MENTORING PROGRAMS

Some law schools are focusing on mentoring programs to help students be better prepared.

Syracuse University College of Law in Syracuse, N.Y., created a mentoring program to help law students develop skills in communication, professionalism and leadership through cocurricular programming and professional services.

“The study of law is no longer all about sitting in class for three years, and then at the end, [students] magically appear as fully rounded-out attorneys,” said Tomás Gonzalez, senior assistant dean for Student Life at Syracuse. “There’s a whole gap of skill development in terms of the lawyer as a person and council working with their client.”

Gonzalez said a common complaint about lawyers is that they don’t understand their clients. Syracuse is trying to address that through the mentoring program.

“It’s not just this idea of creating good lawyers, but creating productive and good citizens who understand law and societal good,” Gonzalez said. “Not just contributing to their community, but being able to interact in a diverse and global community.”

Gonzalez said students have individual and academic counselors who work with them from orientation to graduation. Additionally, he said the school offers diversity dialogue circles to discuss race and ethnicity to help students challenge stereotypes.

Helping students foster these skills can also increase their chances of finding a job after graduation, he said.

“This is a bad economic time, so it’s not only helpful for the students to separate themselves,” Gonzalez said. “But it’s important for long-term success of the profession that we start creating folks who are accountable and who understand where their place is in the global market, as well as their responsibilities to both their clients and their communities.” ■

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