

**Legal Education to Improve Value in Delivering Legal Services**

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In this break-out session the discussion focused on how to restrain the increasing costs of legal education and ways in which law schools could help improve the transition from law student to lawyer. One recurring theme throughout the discussion was the general agreement that there is need for more cooperation and dialog between law firms and law schools.

In discussing ideas on restraining costs of legal education the group discussed the fact that a large portion of a law school budget goes to faculty salaries, and therefore one solution is to employ adjunct professors because they work for very little money. Adjunct professors generally get very good feedback because students enjoy learning from a lawyer who has a great deal of experience. Another suggestion for restraining costs was to get clients and law firms to fund scholarships for students.

The group then turned their attention towards ways in which law schools could improve the transition from student to lawyer. There was general agreement in the value of an internship, and the need for law schools and law firms to cooperate in providing these internship opportunities. By participating in an internship a student can learn the practicalities of being a lawyer. There was also general agreement that law students need to learn the more practical side of being lawyer.

The discussion then centered on the fact that law students simply do not obtain enough exposure or practical experience in law school. The fact that students do not learn how to interact with clients, an integral part of being a lawyer, was then discussed. The group generally agreed that this was a major flaw in legal education. Students need to learn communication and interpersonal skills in order to be successful lawyers. Several ways of remedying this were suggested. Some of the suggestions included requiring students to work in a legal aid clinic or to take a case pro bono as a condition of graduation in order to gain real experience in dealing with clients or hiring a professional to teach communication skill to the students, or in turn, to the faculty with the intention that they pass the information on to the students. The group also acknowledged that it would be beneficial for the students to learn the costs of practicing law, as it is something that most students do not comprehend. It was discussed that students should understand the value of a billable hour and how many are required to make them productive to the law firm. The costs of Westlaw and Lexis and learning to utilize free online resources was also discussed.

The session ended with a discussion of what law students, rather than law schools or law firms, need to do in order to aid in the transition from student to lawyer. These suggestions included the student raking responsibility for their actions, working on their own deficiencies and trying to minimize them, and not only doing what is required of them.

## Notes Outline

### 1) What can clients and law firms do to restrain the increasing costs of legal education?

- a) In a law school budget the largest amount goes to faculty salaries; what can be done to decrease this (and thereby lower the cost of legal education)?
  - i) Lawyers can donate time (give back to the profession)
  - ii) Utilize adjunct professors
    - (1) distinguished visiting professors work for very little money (they do it because they want to)
    - (2) They have a lot of experience
    - (3) Feedback
      - (a) Students
        - (i) Generally like it
        - (ii) Able to learn from people who have a lot of experience
      - (b) Employers
        - (i) Positive feedback
    - (4) Recruitment
      - (a) Is it harder to recruit in an urban town vs. a college town? (Ex. University of Houston or STCL vs. Baylor or Texas Tech)
        - (i) Yes – in general probably easier in Houston (fourth largest city in the U.S.)
    - (5) Teaching Skills
      - (a) Is anything being done to measure adjunct teaching skills?
        - (i) Screening Process
          - 1. No screening process at most law schools
          - 2. Generally adjuncts are thought to have a great deal of expertise and thus it is assumed that they will be able to teach
            - a. Classes may get visited to see how adjunct is doing
            - b. Put the adjunct in class with the full time academic
            - c. To see how to go about teaching in law school
            - d. Much more effective.
            - e. More expense – which we are trying to restrain
- b) Clients and law firms can help to fund scholarships for students
  - i) Cut down costs of education – cut down amount to borrow
- c) Internships for law students
  - i) To learn what clients really needs from lawyers
  - ii) NOT internships for credit (which need to be supervised)
  - iii) To learn more about the culture
  - iv) Practicality of being lawyer
  - v) How to be a lawyer
  - vi) Shadowing an attorney?
  - vii) Paralegal jobs

- d) ACC Internship Programs=
  - i) More internships than students to accept them
  - ii) Maybe a problem with communication?
- e) Legal Aide Clinics (some very close to STCL)
  - i) Always in need of volunteers to do meaningful work
  - ii) Opportunity to get some practical experience

**2) What value adding skills should be taught in law schools that are not being taught?**

- a) What is being taught
  - i) Clinical Course in law school:
    - (1) Simulation
      - (a) Where students are put through hypothetical transactions or a hypothetical criminal/civil case
    - (2) Internship
      - (a) Not informal – students take them for credit
      - (b) Students are placed with judges, governmental entities, etc.
        - (i) Supervision is key
    - (3) Direct Representation Clinic
      - (a) Students in third year (under supervision) actually help real clients with real problems
        - (i) Examples: Landlord tenant, Social security situations, veterans benefits, immigration, etc.
      - (b) People who need representation and cannot get it
      - (c) Lets students deal with real clients.
  - ii) Dean's Advisory Board
    - (1) Purpose: ask law firms what should be included in the curriculum, how should it be taught
    - (2) Dean follows up with these suggestions; and tries to integrate the suggestions into the curriculum
- b) What Needs to be taught
  - i) Exposure and participation
  - ii) Client interaction and communications skills
    - (1) Interpersonal skills
      - (a) Very hard to teach
      - (b) "10 years experience cannot be taught in law school."
      - (c) Possibly a course on listening skills?
        - (i) Extracurricular program @ STCL – client counseling
          - 1. Not a required course; probably needs to be
        - (ii) legal aid clinics
          - 1. good place for students to learn listening skills
          - 2. maybe require students to participate in the clinics
  - iii) Understanding what your job is
    - (1) Many students will not stop till they have found every case

- (2) This is not what the client wants – don't want to spend so much money
- (3) Need to find a balance
- (4) Possible topic for another break-out session

**3) What changes in the law school experience could make graduates more Productive sooner?**

- a) Private Practice
  - i) Billing/Collecting
    - (1) Students need to understand the value of a billable hour
      - (a) How many are required
      - (b) How many hours it takes to make them productive to the law firm
  - ii) Have students learn by having students do what lawyers do
  - iii) Lack of mentoring
- b) Study of law should be like an apprenticeship
  - i) Should provide real life experience
  - ii) There should be more dialog between law schools and firms about how the clerkships are used
    - (1) law schools could discuss how to prepare students for the experience
  - iii) more discussions and cooperation between law schools and firms
  - iv) Partnerships between law school and law firms is essential
  - v) Communication
- c) Pro Bono
  - i) students must take a pro bono case as a conditions of graduation
    - (1) gives experience
    - (2) promotes pro bono
- d) Asking alumni to donate time to supervise students – student is overseen by an experienced attorney –could be coordinated by alumni associations

**4) General Discussion:**

- a) Possibility of hiring a professor to teach communication skills to the students
  - i) Maybe hiring someone to teach the faculty and then the faculty can teach the students.
- b) Costs of Westlaw
  - i) Students don't know how much Westlaw costs
  - ii) The need to learn how to utilize free online resources
    - (1) The need for students to be efficiently productive
- c) Costs of practicing law
  - i) Students do not comprehend the costs of practicing law
- d) Idea: series of lectures
  - i) Require all 3L students to attend discussions (with a panel of practicing attorneys) concerning the practice of law, saving money and value, interpersonal skills, communications, dealing with a difficult client, etc.
  - ii) Attorneys from the community to come in and donate time to do this
- e) What can law students do?
  - i) Students need to take responsibility for their own actions
  - ii) They need to work on their deficiencies, and try to minimize them

- iii) They shouldn't just do what is required of them
- iv) Law firms and law schools cannot do everything for the student
- v) Young lawyers need to take a sense of ownership for their work