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## A chance to transform the profession

**A**s the Sept. 20 “Draft Report and Recommendations ABA Task Force on The Future of Legal Education” notes: “The principal purpose of law school is to prepare individuals to provide law-related services. This elementary fact is often minimized.”

Last month, I attended my fifth law school reunion. I graduated in May 2008. Little did I or any of my friends know of the transformation that would take place in the legal profession a few short months later. But should we have?

That was one of the many topics we informally discussed during our daylong reunion event. Many of us had viewed our J.D. as a type of advanced liberal arts degree. We studied legal thought and philosophy, leaving practical questions such as will drafting and document requests for bar exams for the law firms to teach.

Why didn't I see the transformation coming? Because, like many in my graduating class, I approached law school in an academic manner rather than a practice-ready manner. And for better and worse, my class might be one of the very last to ever do that again.

What is the purpose of a law school education? That question is front and center in two reports recently released by the American Bar Association. The first contains proposed revisions to several chapters of the ABA Standards and Rules of Procedure for Approval of Law Schools. The memorandum summarizing the proposed revisions was released by the Council of the Section of Legal Education and Admissions to the Bar on Sept. 6.

Two weeks later, on Sept. 20, the Task Force on the Future of Legal Education released its draft report on proposed reforms to the pricing, accreditation and licensing of law schools.

The council's memorandum has received the most attention in the legal blogosphere. It contains several interesting and timely proposals, including revised standards for branch campuses, increased hours for experiential learning and the elimination of a student/faculty ratio requirement.

However, the memorandum has been primarily discussed for its most controversial proposal — eliminating the tenure requirement for law school accreditation. The council proposed two alternatives to tenure. The first requires law schools to provide all full-time faculty members with a form of security similar, but not identical, to tenure.

The second does not require any form of security but requires law schools to have policies and procedures in place to attract and retain a competent full-time faculty.

Why is this change necessary? To quote council member Maureen O'Rourke, dean of Boston University School of Law: “The biggest financial issues we have right now are our fixed costs and our fixed costs come from tenured, salaried professors ... Frankly, we don't need 200 law schools that look like Harvard Law School and value the same things as Harvard Law School. Somewhere down the line, the students got lost.”

That idea of students getting lost underlies the second law school-related report issued by the ABA, the “Draft Report on the Future of Legal Education.”

Written by the Task Force on the

### PROFESSIONALISM ON POINT

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Future of Legal Education, the draft report focuses on key challenges facing the provision of legal education in the United States.

The report starts with its strongest critique — the reality that lower-credentialed students frequently subsidize the education of higher-credentialed law students at enormous cost to themselves. The report also notes that the ABA's current accreditation system “reinforces a far higher level of standardization in legal education than is necessary to turn out capable lawyers.”

The report then discusses the quotation that led off this article — “The principal purpose of law school is to prepare individuals to provide law-related services.” As such, law schools must focus more on skills training, experiential learning and developing practice-related competencies.

That concern on practice-readiness lies at the core of both the council's memorandums and the task force's draft report. The issue is not simply saving money; the issue is saving our profession. The profession needs properly educated, practice-ready, debt-free attorneys

coming in through the pipeline in order to thrive.

And that's where you come in. If you could go back in time to when you started law school, what would you do to ensure that properly educated, practice-ready, debt-free students graduate law school? What would you add? What would you remove? What would you transform? Think hard, because your chance to do that is now.

The task force and the council both want your input and your comments. The council met on Oct. 21 and 22. One person attended the hearings both days. Considering the amount of ink that has been expended on critiquing law schools and legal academia, it is truly remarkable that only one person could take the time and effort to attend these hearings. The council's next hearing dates are scheduled for Feb. 5 and 6 next year.

As for public comments, there are 17 of them posted on the council's website. There are 24 comments on the task force's website. There are 90,000 lawyers in Illinois alone. That's 90,000 different opinions on law schools right there.

I encourage practitioners everywhere to take advantage of the ongoing comment-and-notice period and comment on the council's proposed standards as well as the task force's final report when it is released early next year. You can find out more information on both, as well as contact details, on the ABA's website.

We all have a stake in ensuring the viability of our bar and the continued success of legal education. Right now we have the chance to transform our entire legal profession for the better. Let's seize it together.