
Innovative EDUCATION

By Mary McNulty, Editor



The culminating event of the social justice project work. After completing their written work client product, the student law office teams put on oral presentations of their findings to the client organization representatives and the law school community. The presentations advance the students' platform skills necessary for any lawyerly presentation once they enter practice.

Northeastern University School of Law Teaching Students How to Use the Law for Social Change

The genesis of Northeastern University School of Law's Legal Skills in Social Context (LSSC) Social Justice Program was a 1992 walkout staged by students of color demanding that the school address progressive issues of importance to the community and to marginalized communities. An intensive first-year critical reasoning and practice course, LSSC pairs student teams with community organizations that apply to receive 1,000 hours of free work to address unmet social justice needs. Through each project, students learn four core lawyering skills: legal research, legal writing, client representation, and exploring law in its social context.

And in the spirit of its beginnings, the program opens students' eyes and ears to underserved populations. "We are also educating students in the marginalization of many parts of the society for whom legal representation is behind their means," said Professor Susan Maze-Rothstein, LSSC director since 1997, "and teaching the complexities of how the law can be used to solve problems. We want them to know this from the outset of their legal education: that law can be a tool for social change."

The students are divided into 16 team groups of approximately 15 students that are structured as law offices. Each "law office" is led by two second- and third-year students in the roles of lawyering fellows. Two tenured professors oversee the program. The lawyering fellows work with the commu-

nity organizations to structure the research project and then write lesson plans and deliver the material to the students. Individual research and writing instruction is integrated into the program and taught by adjunct professors. At the close of the project, each student group makes an oral presentation and completes a final written report. Client organizations submit three evaluations during the course of the project.

Occurring in March and April, the oral presentations are school-wide events and typically draw 100 audience members. First-year students are required to attend at least two presentations. Professors often bring entire classes if the subject matter complements their curriculum. The LSSC groups pour energy and imagination into their presentations. During the 2000-2001 academic year, one group worked with The Stanley Jones Clean Slate Project to show how nursing home job applicants were barred from employment because their names appeared in Criminal Offender Record Information records (CORI).

"The immediate image, of course, is that a criminal is going to be caring for your grandmother," Maze-Rothstein said. "Students themselves had to work through this image. What they found was that most of the criminal records were for fairly innocuous offenses such as parking tickets."

To illustrate their findings, the students played a PowerPoint slide show, backed by the "Law & Order" soundtrack, depicting famous humanitarians—Gandhi and Rosa Parks—accompanied by the message "could not work in a nursing home." Audience members were then asked to stand if they had been cited for any of a list of offenses that prohibited nursing home employment.

"Within five minutes, said

Maze-Rothstein, “virtually everyone in the audience was standing.”

First-year students are randomly assigned to projects. “It is important for students to learn that if lawyers want to eat regularly, especially when they are first starting out, they won’t always get to choose their clients and they need to figure out how to zealously defend them,” Maze-Rothstein said.

Many students start out as skeptics but Maze-Rothstein finds that the most cynical of those often become candidates for lawyering fellows. Lawyering fellow positions are considered important leadership roles at Northeastern’s School of Law, which does not have a law review. Each quarter, 40 to 50 candidates compete for the 16 lawyering fellow positions. The school provides a stipend for the fellows who are providing 20 to 30 hours of work per week.

Becca Rausch, an associate in the Boston firm of Krokidas & Bluestein, entered Northeastern’s law school in 2000 and as a first-year student in LSSC was assigned to work with the Innocence Project, the national organization that works to exonerate wrongly convicted people through DNA testing. Her group’s assignment was to conduct a 50-state survey to determine which states had a compensatory statute for exonerated individuals. “Whereas properly convicted ex-offenders are eligible for transitional services,” Rausch explained, “those wrongly accused often are not.”

Their research yielded several states with some type of compensatory law and the group created a model for a Massachusetts compensatory law. It also provided Rausch with what she calls “the most poignant experience of my entire law school career” when two exonerated people visited the class to talk about how they did not have access to the tools they

needed to rebuild their lives.

“Chunks of their lives had been lost because of a flaw in the justice system,” Rausch said.

As a second-year student, Rausch became a lawyering fellow and worked on a project with the Massachusetts Department of Health HIV and AIDS program to prevent the passage of a willful exposure law.

“All of the reading that the 1L students are expected to read, the lawyering fellows read as well,” Rausch said. “We also studied dispute resolution, conflict, group dynamics, and the impact of gender and class on classroom dynamics.”

In spite of the heavy workload, she changed the rotation of her co-op work in order to be a lawyering fellow again during her third year. After graduation, she became an advising attorney to the program.

“Many students do not think that skills taught in LSSC are valuable and that is extraordinarily unfortunate,” Rausch said. “Once you learn to analyze case law, you can do that regardless of the field of practice. But lawyering is a service profession. You are always working as a team. It could be just you, your client and a legal assistant. But you still need team-building skills.”

Maze-Rothstein echoes this. “We are trying to explode the notion of the gladiatorial approach that is taught in law school and to encourage a broad scope of problem-solving pedagogy. The adversarial, competitive approach that is most prevalent and gets carried over into the profession is a cause for many to leave the profession after they have spent so much time and money to be educated.

“We want to show how much can be done by working together. This approach is not unique to other professional academies. Business and medical schools, for example, teach that teams work

best to serve and solve problems. Regrettably, law schools are well below the curve on this issue.”

Evelyn Murphy, Ph.D., is the founder and president of The WAGE Project, an initiative that aims to end wage discrimination against women in the workplace. While in the process of building a Web site as a national resource, Murphy submitted a proposal to the Legal Skills in Social Context program for students to research the 50 states for sex discrimination consent decrees. It is a project that LSSC has now worked on for several years. Murphy credits the students’ work with laying a strong basis from which she applied for and received a Ford Foundation grant to study the effectiveness of those consent decrees.

“The LSSC program gives students real-life experience in which they have to learn about the client’s needs and expectations for the finished product,” Murphy said. “From working with LSSC, I learned how to incorporate legal work into grassroots activities. And I now have the best Web site with which to inform women about wage discrimination and what to do about it.”

Murphy also noted that while some students were less than enthusiastic about the project at its outset, by the end many wanted to continue their involvement with The WAGE Project. In one instance, a student translated segments of the Web site into Spanish in the most common dialect spoken in each state.

“I would not be where I am today if not for the skills I learned,” Becca Rausch said. “Learning to work with other people: these skills are the most important part of my current work. You have to know how to serve your clients and how to work with your colleagues. You have to know where people are coming from.” 