

With All Due Respect, Mr. President

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Recent media coverage has focused attention on the challenges facing legal education. One longstanding criticism is that law students graduate unprepared to practice law. Equally loud voices assert that law school should be shortened to two years, a viewpoint that President Obama, a former law professor, offered last month.

We can't be the only ones to see a tension between these two claims. President Obama is right that law schools can educate lawyers more effectively. But if too many law graduates aren't ready for practice after three years, how will shortening legal education to two years make these graduates, or their future clients, better off?

A core truth lies beneath the President's position: the prevailing model of legal education loses much of its educational steam after the first year. Without exposure to actual law practice – akin to a medical student doing rounds in a hospital – the educational value of additional semesters steadily diminishes during the second and third years, resulting in widespread student disengagement.

Revitalizing our law schools, however, requires a willingness to redesign how law students spend their last two years, not merely an openness to hurrying students out the door. Although two years may make sense for some students in some contexts, the real challenge is building a better model for educating lawyers. We base this claim not on academic speculation, but rather on our collective experience and hard data.

For the last 45 years, the course of study at Northeastern University School of Law, (where co-author Jeremy Paul serves as dean) has been different from the one offered by other law schools. Northeastern's first year includes working with a real client and traditional, rigorous coursework that gets students to "think like a lawyer." During the last two years, however, students alternate between co-operative placements and upper-level courses. A typical "co-op" has a student working in an actual legal job such as with a judge, a prosecutor, a corporate law firm, or a public interest organization.

By the time he or she graduates, a Northeastern lawyer has completed four 11-week co-op placements – nearly one year of full-time legal work experience. Northeastern's model thus closely resembles many of today's proposed reforms, including President Obama's reference to law office learning.

Believing that its innovative approach could inform the growing national debate on legal education, in 2012 Northeastern launched

the Outcomes Assessment Project (OAP), where co-author William Henderson is the principal investigator. The OAP's purpose is to evaluate the impact of the co-op model, and other aspects of the Northeastern curriculum, on students' journey to becoming ethical, effective lawyers.

Although the project is ongoing, a few themes have emerged. First, and most important, co-op has a profound effect on the way law students experience their education. Interviews with Northeastern 2Ls and 3Ls reveal that co-op placements lead to "light bulb" moments that connect theory with practice. Students also consistently report the powerful impact of realizing during co-op how people's lives will be affected by their legal work. So they work harder, and they are more careful.

Second, our initial findings suggest that lessons from co-op affect how students allocate their time and engage in class. According to several years of data collected by the Law School Survey of Student Engagement (LSSSE), 2L and 3L students at Northeastern spend, on average, two to four hours more per week studying than their counterparts at other law schools. According to this same data, Northeastern 2Ls and 3Ls report a consistently greater willingness to participate in class. And according to their classmates and instructors they do so at a more sophisticated level.

Finally, as President Obama suggested, the real-world experience of co-op helps launch new lawyers on a sound path. When compared to other ABA-accredited law schools, Northeastern gets high marks (at statistically significant levels in the LSSSE data) for acquiring job or work-related knowledge, working effectively with others, solving complex-real world problems, and understanding people of other backgrounds – in short, the skills of the 21st-century professional.

The dominant model of American legal education is problematic because it overvalues performance on academic exercises. Simply lopping off the most inefficient part, which at most law schools is the third year, won't fix that problem. Moreover, it will create new challenges of its own. If we are going to tackle issues of quality, we need to explore redesigns of law schools that do more than just shorten the time to graduation. A better solution is to encourage law schools to experiment with programs that foster learning on the job. Thereafter, let's follow the data and see what works.