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LEGAL EDUCATION

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UNIVERSITY OF THE WEST INDIES

The newly established Faculty of Law of the University of the West Indies has invited applications for the posts of Dean, Professor and Law Librarian starting in October, 1970. The Dean is expected to undertake the initial steps to implement the plans for the establishment of the Faculty of Law, and thereafter to direct the teaching and research activities of the Faculty. The Professor will share with the Dean the teaching and research activities of the Faculty. The Law Librarian will be responsible to the Dean for the building of a collection of books and periodicals in the common law and the civil law.

FORD GRANT

The Ford Foundation announced grants in the amount of \$1.5 million to seven Latin American and Caribbean institutions. Included in the group was the Association for the Reform of Legal Education of Colombia which received \$307,000 for the modernization of legal education in the country.

CLEO INSTITUTES

Nearly 400 "graduates" of summer institutes sponsored by the Council on Legal Education Opportunity entered law school this fall. This was an increase of more than 300 percent over the number of enrollees from the 1968 CLEO Institute Program. The 394 students are attending eighty-eight law schools across the country. Each first year student is receiving \$800 in financial assistance through CLEO, and the law schools are providing tuition and fees through scholarships and loans. The program received a second year \$493,530 grant from the Office of Economic Opportunity. Additional financial assistance is made possible by grants from the Ford Foundation, the Rockefeller Brothers Fund, the American Bar Endowment and other private sources. The Summer Institute Program is supported by the annual grant from the Legal Services Division of the Office of Economic Opportunity.

In 1968, ninety-three minority group students who took part in the

four CLEO summer programs enrolled in law school. Sixty-six of these have returned for their second year. The 1969 program saw 444 students participating in eleven summer institutes which were jointly sponsored by CLEO and thirty-nine law schools.

Fortunately, enrollment of black law students has substantially increased. This year there are approximately 2,400 law students and many are attending schools which five years ago had no more than two or three black enrollees in a class. Unfortunately, black law students still are only two percent of the nation's law school population.

Many law schools have multiplied their enrollment by ten or fifteen or even thirty. Harvard, which five years ago had fewer than twenty black students now has eighty-one, including forty-one in the first year class, out of a total enrollment of approximately 1,500. Yale which for about fifty years had an average of five or six blacks now has about fifty in its 550 member student body. New York University, which until recently had few, if any, blacks has approximately thirty in this year's entering class. Columbia, which formerly had about two in each class, now has approximately sixty blacks in its law school.

The trend is not confined to Eastern schools. The University of Chicago, for instance, had two blacks in the 1968 entering class, but this year has nine. The University of Mississippi with at least fifteen blacks has a higher negro enrollment than Fordham or St. John.

The trend toward higher enrollment of the black students affects even the nation's four predominantly black law schools, i.e., Howard in Washington; Texas Southern, in Houston; Southern University, Baton Rouge, Louisiana; and North Carolina Central College in Durham.

ADDITIONAL MINORITY GROUP AID

Minority Group students who hope to become lawyers are being aided by the establishment of a financial aid program in Tennessee and Ohio. *Time, Inc.*, has provided a \$25,000 four year grant at Vanderbilt University Law School to underwrite scholarships to qualified minority students. The recipient will be designated Time Scholars. The Ohio Law Opportunity Fund provides funds for minority group law students at Ohio State University College of Law.

CONSUMER LAW CENTER

Boston College Law School has established a national Consumer Law Center to assist low income consumers. Financed by a \$214,000 grant from the Office of Economic Opportunity Legal Services Program, the

Center will perform research and develop "legal remedies intended to end the exploitation of the poor."

J.D. OR LL.B.

The Juris Doctor degree, rather than the LL.B degree, currently is awarded to graduates of 106 of the 138 American Bar Association accredited law schools. Thirteen other schools are considering granting the J.D. degree in lieu of the LL.B. Forty six of the schools have awarded the J.D. retroactively to previous LL.B. recipients.

COUNCIL ON LEGAL EDUCATION FOR PROFESSIONAL RESPONSIBILITY, INC.

The first of a series of CLEPR Workshops on clinical legal education was held at the CLEPR Headquarters, October 6 and 7, 1969. Participants in the two day conference were representatives from Boston University, Harvard University, the University of Connecticut, the University of Minnesota, New York University and Action for Boston Community Development.

The workshops seek to provide a forum wherein current thought and practice related to clinical legal education can be presented, analyzed and possibly developed into general theories for consideration by legal educators. Among the main subjects of discussion were goals, a model for clinical legal education, the problems of supervision, quality representation, course credit, the role of clinical legal education in the legal process, and changing faculty attitudes. A resume of the discussion may be found in Volume II, No. 2, November 1969 CLEPR Newsletter.

CONCERN OVER QUALITY OF LEGAL EDUCATION

The growing concern with the quality of today's legal education is bringing more and more bar groups to examine the need for improving law school admission standards and courses. For its upcoming mid-year meeting in Atlanta the National conference of Bar Presidents is considering a program which would include discussion of the American Bar Association Standards for Legal Education and Approval of Law Schools, standards for admission to practice and courses of study in law schools.

In a letter to members of the conference, Chairman Edward K. Pritchard wrote, "There is no doubt that many law students are dissatisfied with the present curricula in law schools." Many believe, he said, "That more should be taught about social responsibility."

In an address by Chief Justice Warren E. Burger at the American

Bar Association annual meeting in Dallas on "The Future of Legal Education", the Chief Justice pointed out:

One of the great things about the development of legal aid and defender programs and the post graduate seminars to train lawyers for these new tasks is that they are private and volunteer efforts. The concepts are devised by lawyers, implemented by lawyers and financed by the private sector including lawyers, bar associations and great philanthropic institutions. All these programs are manifestations of what can fairly be called the Great Partnership of Lawyers, Judges and Law Teachers, for each of these segments of our profession has had a large part of each of these enterprises. That cooperation — the great partnership — must never dissolve. It must be strengthened and judges must help strengthen it.

To be sure my point will emerge clearly from the underbrush of what I say, let me emphasize: THE MODERN LAW SCHOOL IS NOT FULFILLING ITS BASIC DUTY TO PROVIDE SOCIETY WITH PEOPLE ORIENTED COUNSELORS AND ADVOCATES TO MEET THE EXPANDING NEEDS OF OUR CHANGING WORLD. To a large extent this failure flows from treating Langdell's case method of study as the ultimate teaching technique.

The shortcoming of today's law graduate lies not in a deficient knowledge of law but that he has little, if any, training in dealing with facts or people — the stuff of which cases are really made. It is a rare law graduate, for example, who knows how to ask questions — simple, single questions, one at a time, in order to develop facts in evidence either in interviewing a witness or examining him in a courtroom. And a lawyer who cannot do that cannot perform properly — in or out of court. The Langdell method should not have been described as the "case" method of study. It should have been called the opinion method or the appellate method. . . . Today's legal teaching tends to overvalue rules of law and legal thinking at the expense of inadequate preparation in relation to raw facts and real life problems . . . Perhaps we may shed light on the problem by asking whether we could train doctors simply by having them do autopsies for five years in medical school and then finish up with one course on how to examine and question and diagnose a live patient with a pain . . . It is axiomatic that no medical

school can function without ready access to a large hospital where students see and work with people afflicted.

This may well suggest that bar admission standards are at fault and that judges and bar examiners must mend their ways. I agree, but a very large responsibility must rest with the Law School to teach real life problems in real life terms while it has the students as a "captive audience." It is all too easy for Law Schools to say that the problems of practical law practice and of ethics and professional conduct and responsibility are matters of continuing legal education which cannot be treated in the Law School. But the legal profession has no power to compel the attendance of students at seminars or classes whereas the Law School does have that power. The Law School is uniquely situated to shape and form the habits of the student in the period when his professional ideals and standards of ethics, decorum and conduct are being formed. At that stage he is malleable and receptive. He has learned none of the bad habits of legal thinking, legal application, or dubious ethics, all of which can be observed in far too many courtrooms.

Perhaps it would be more accurate to say that there have been three failures — that of the Law Schools, that of the organized bar, and that of the courts which control admission to practice. If I am correct that the shortcomings of legal education result from a joint failure of all three branches of the profession, the remedy is one which calls for collective action. This challenge requires strengthening the partnership of Law Schools, lawyers, and judges, perhaps using the broad outlines of medical education as a guide.

CANADIAN-AMERICAN TEACHER EXCHANGE

The Association of American Law Schools and the Association of Canadian Law Teachers Joint Committee on Canadian-American Cooperation advise that American law teachers interested in teaching at a Canadian Law School for a semester or an academic year, and American Law Schools interested in having a Canadian law teacher visit them, are invited to direct inquiries to Professor Ian Macneil of Cornell Law School. Visits may be arranged on one way or exchange basis, and income tax benefits are provided for under the United States-Canada Tax Treaty.

FORD URBAN LAW FELLOWSHIPS

The Ford Foundation and the Columbia, Harvard, N.Y.U. and Yale

Law Schools have recently announced a program of Ford Urban Law Fellowships to begin in the 1970-1971 academic year. These Fellowships will provide law teachers or prospective law teachers an opportunity to undertake an intensive one year study of urban legal problems.

During the summer of 1970 the Ford Urban Law Fellows will participate in a Seminar-Clinic in New York City at New York University. Each Fellow will work in a New York City public or private department or agency to obtain first hand understanding of urban problems and of present efforts to solve these problems. In addition to this clinical experience, the Fellows will meet regularly at a seminar at the N.Y.U. Law School. Each Fellow will spend the 1970-1971 academic year at one of the four participating law schools and will pursue a program of study and research concerning legal and related problems of the urban environment leading to a graduate degree, or, in some circumstances to complete a non-degree program.

Fellows will receive stipends of \$8,000 and will pay no tuition. Selection of Fellows will be made as early in 1970 as possible. For further information, write to Bert S. Prunty, Graduate Division, School of Law, New York University, Washington Square, New York, 10003.

STUDY OF "NEW DIRECTION IN LEGAL EDUCATION"

The Carnegie Commission on the Future of Higher Education has invited Professor Herbert L. Packer of Stanford Law School to do a study on "New Directions in Legal Education." Professor Thomas Ehrlich, also of Stanford, will collaborate with Professor Packer. The Advisory Committee for the Study includes: Dean Charles E. Ares, University of Arizona; Dean Robert F. Drinan, S.J., Boston College; Professor Abraham S. Goldstein, Yale University; Professor Geoffrey C. Hazard, Jr., University of Chicago, and Dean Murray L. Schwartz, University of California, Los Angeles.

LAW IN A CHANGING AMERICA

On May 1, 1969, the Mid-America Assembly on *Law In A Changing America* convened at Fordyce House, the conference center of Saint Louis University. In attendance were sixty participants from the practicing bar, legal education (including law students), the judiciary and interested laymen.

For two days, in small discussion groups, the participants considered in depth the problems confronting the legal profession in a changing

society and what the legal profession can do to make itself more relevant to this changing society.

HAGUE ACADEMY

The Hague Academy of International Law has announced its program for the Summer, 1970. The first series of lectures will be held July 6 - 24, and will cover: General Course; Identity and Continuity of Subjects of International Law; Questions of International Banking Law; Yugoslav Sources of Private International Law; National and International Regulation of Movements of Goods, Funds, etc., and its effect upon Legal Relations between Individuals; Agency in International Trade; Private International Law in the Development of Latin-American Integration; The European Economic Community and the Most-Favoured-Nation Clause.

The second series will take place July 27 - August 14 and will feature: General Course; Recent Problems of State Succession in New States; Contemporary Aspects of Recognition; The Legal Significance of the Resolutions of the United Nations General Assembly; International Organizations and the Constitutional Sphere of States; State Succession; and Treaties and Custom.

In addition, the Hague Academy announced the annual session of its Research Center, August 18 - September 27 on the subject of Interpretation of Treaties. Deadline for submitting of applications for this phase of the program is March 1, 1970.

Application forms plus information on scholarships is available from the Secretariat of the Hague Academy of International Law, Peace Palace, The Hague, The Netherlands.

PARKER SCHOOL PROGRAM

The annual program of the Parker School of Foreign and Comparative Law will be held at the Columbia University Law School, June 1 - 26, 1970. Participants will deal with basic legal problems met by U. S. businessmen operating abroad. Information concerning the program can be obtained from Professor Willis L. M. Reese, Director of the School, Columbia University, 435 West 116th Street, New York, N.Y. 10027.

NEW LAW SCHOOL

The University of Los Andes located in Bogota has established a new law school. The new school aims to depart from the traditional lecture

method of teaching law in Latin America and will incorporate in its methodology some of the features of the U.S. system.

LAW SCHOOLS AND JURIDICAL COMMITTEE

The Third Joint Meeting of Deans of Law Schools and the Inter-American Juridical Committee took place in Rio de Janeiro July 15-18, 1969. Purpose of the meeting was to foster cooperative relations between the law schools of the Hemisphere and the Committee.

INTER-AMERICAN LAW GRADUATE PROGRAM

The University of Miami School of Law has added new dimensions to its graduate program in Inter-American Law. Specifically, a course in *Intensive Spanish* plus a short course in a Latin American law school have been added to round out the program leading to a Master of Laws in Inter-American Law. The core of the program is the graduate degree program, i.e. residence plus twenty credits and a thesis, but a student desiring to take full advantage of the expanded program may report to the School of Law in mid-June for a course in *Intensive Spanish* in the University's Division of Continuing Education. The *Intensive Spanish* course will approximate the "immersion courses" offered in commercial language schools and is, of course, optional. Upon completion of the language instruction the student reports to the Law School for the academic phase of the program. Upon completion of graduate work at the School of Law, the student — at his option — may continue the program with a visit of approximately one month duration to the Law School of the University of Costa Rica. Negotiations are now being finalized with this law school for a series of lectures in Commercial Law (Corporation and Negotiable Instruments), Taxation, Constitutional Law, Labor Law, Judicial Systems and Procedures, the Civil Code (Contracts and Property) and the Central American Common Market. The lectures in Costa Rica will be in the English language.

Further information may be obtained from the Chairman, Graduate Studies, University of Miami School of Law, Post Office Box 8087, Coral Gables, Florida 33124, (Telephone 305-284-4551).