

The Case for Practical Legal Education (*What the New York Times Did Not Tell You*)

In this Sunday's *New York Times* (http://www.nytimes.com/2011/11/20/business/after-law-school-associates-learn-to-be-lawyers.html?_r=1&hp), David Segal once again questions the value of legal education. He gets a great deal wrong, including mocking traditional first year law school teaching, which most experts believe effectively introduces students to the fundamentals of law and legal analysis. However, Mr. Segal makes three valid and important points: (1) Many law schools are much more focused on teaching theory than practice, (2) this results in law graduates who are not practice-ready (that is, not ready to provide value to a client when they graduate), and (3) those who hire lawyers are increasingly reluctant to pay for training non-practice-ready graduates, which makes it increasingly difficult for such graduates to find jobs.

What the *NY Times* failed to mention is that certain law schools – including Denver Law – are already working diligently and effectively to solve this problem. Denver Law's strategic plan (<http://denverlawplan.com/3dissuestrategicplan/index.html>), which was developed and adopted by our faculty in 2009 and is now being implemented, commits to producing more practice-ready lawyers in two important ways.

First, our Modern Learning Initiative commits to balance the training we provide in theory and legal doctrine with training in the development of skills and professional identity (what it means to be a lawyer and a member of the legal profession). Moreover, this balance is achieved not just by providing "skills courses" that our students can take in addition to their doctrinal courses. Rather, it is achieved by providing experiential learning opportunities that combine training in doctrine, skills and professional identity. The 2007 Carnegie Report on Educating Lawyers makes clear that this is the best way to teach professionals.

Such experiential learning opportunities begin in our nationally ranked first year Lawyering Process program, which provides the foundations of oral and written advocacy in a context-rich environment. And our upper level curriculum provides a broad and growing array of experiential learning opportunities. Students represent actual clients in real cases and transactions in our nationally ranked clinical program, which we have had at Denver Law since 1904 (yes, 1904), and which is staffed by top-shelf tenure track professors. In our nationally ranked externship program, we partner with leading practitioners to expose our students to the day-to-day practice of law. And we provide a wide selection of in-depth simulation courses, in which our students not only learn the law in a particular area, they learn to apply that law as a lawyer would. They learn, for example, not just the law of contracts, they learn how to negotiate and draft contracts.

Second, our Specialization Initiative commits to provide the type of in-depth learning that permits our students to provide value in a particular area of the law from the day they graduate. In each of five areas (international law, environmental and natural resources law, constitutional rights and remedies, employment law, and corporate/commercial law), we offer specific curricular paths designed to ensure that our students receive a body of doctrinal and practical knowledge that makes them practice-ready in the field. Students who complete these programs receive certificates demonstrating to potential employers that they are ready to provide value to clients in these fields. For example, any student who graduates from our corporate/commercial law program will know how to accomplish a merger.

In other words, Denver Law is hardly the type of school described by the *NY Times*, in which graduates learn nothing but arcane minutia from professors who have never practiced and who are more focused on writing head-scratching law review articles than teaching. Almost all of our professors have practiced law, and many continue to be involved in cases and deals. Additionally, we partner with the best practitioners and judges, in our classrooms as well as our externship program, to prepare our students at the highest level. And while our faculty includes some of the nation's leading scholars, who are routinely cited in court opinions, legislative briefings and law reviews (exposing our students to the cutting edge of the law), those scholars are also some of the nation's leading teachers. In fact, in this year's faculty evaluations, nearly 90% of those who received the highest marks in scholarship also received high marks in teaching. At Denver Law, we value scholarship that improves legal education, as well as scholarship that improves the law.

For the reasons set out in the *NY Times* article, we believe that the type of legal education we provide at Denver Law is the wave of the future. In fact, we are taking a leadership role to try to move legal education in this direction at law schools all across the country. Denver Law has partnered with the Institute for the Advancement of the American Legal System at DU (IAALS) on a project called Educating Tomorrow's Lawyers (ETL), which provides support for law schools and law professors interested in training practice-ready lawyers. The goal is nothing short of changing how law schools educate the next generation of lawyers. Our ETL website (<http://ETL.du.edu>), launched last summer, features several innovative law courses designed to integrate doctrine, skills, and professional identity. And our ETL consortium now includes 20 highly respected law schools across the country that, like us, are dedicated to producing practice-ready lawyers through balanced, experiential education. We are making progress.

Regards,



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