



Oklahoma City University School of Law

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Lawyers Have Reasons to Celebrate Legal Education

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The Preamble to the Rules of Professional Conduct states, "As a member of a learned profession, a lawyer should... work to strengthen legal education." Why? Most law students are pretty happy to be *finished* with legal education. If you've made it through law school, why should you have an obligation to "work to strengthen legal education?" What do law schools have to offer you? Is this just a passage that the law school "lobby" slipped into the Preamble when no one was looking? I don't think so.

Law schools play important roles in the lives and work of lawyers throughout their careers. For starters, as legal education improves, the quality of practice improves. This benefits all practitioners, indeed, the whole legal system, not just the newest crop of lawyers. In addition, these days, with the rapid changes in law, in technology, and in legal techniques, law schools help lawyers keep up with the times. They provide CLE programs that are both sophisticated and practical. Faculty members serve as consultants, expert witnesses, and panelists for bar-sponsored programs. And don't forget the law libraries that the law schools make available to the practicing bar, providing resources beyond the capacity of any law office.

Another aspect of legal education that benefits practicing lawyers is the scholarship produced by law faculties. When a lawyer wants to be creative, or when there is no helpful precedent to be found, litigators frequently turn to treatises and the law reviews for help in framing theories and arguments. Here, most of the work they find is the work of law professors. The courts often find the guidance offered by such sources to be helpful and influential. When I teach Civil Procedure and we study the seemingly simple but ultimately complex opinion in the *Erie Railroad* case, I always point out that it was the legal research of a Harvard Law School professor, Charles Warren, that induced the Railroad to challenge the century-old precedent which had to be overruled in order for the company to prevail in that case. In fact, the scholarship of law professors is frequently cited by courts as persuasive authority. The resources available to legal education make this work possible, unleashing the productive power of great and thoughtful minds for the benefit of all of those - lawyers and clients alike - who use the law and depend on its dynamic quality.

Legal education helps lawyers fulfill another aspect of their responsibility as lawyers: the responsibility to work for law reform. Throughout my career as a teacher, I have often marveled at the constant and continuing evolution of legal doctrine and processes. As a law student, I found it frustrating to discover that the law is not fixed. I wanted to master the law, to learn it and be secure in the totality of my knowledge. But that was never to be. Why? In large part, it is because of the methodical analysis and re-evaluation offered by the faculties that populate the world of legal education. They have studied, contemplated, probed, and recommended. They have variously convinced advocates, courts, legislatures, administrators, governmental executives, and political commentators. Their work frequently frames the debate on public policy. In so doing, the work of the legal education community has helped the legal profession to produce improvements in the law, the legal system, and legal institutions - for the good of all lawyers and the society that they serve.

So there are very good reasons why lawyers should support legal education. Indeed, they should celebrate

it! It is legal education that empowers people to become lawyers, and it continues to support lawyers and the legal system with which they have to work throughout their careers.

On March 25, lawyers in our community will have an opportunity to pause for a few moments to reflect upon and celebrate the many contributions - past and future - of legal education. The occasion will be the formal installation ceremony for me as dean of Oklahoma City University School of Law. We have designed this event as a celebration, not of me, and not just of our law school, but of the institution of legal education. A number of legal education giants will be assembled here in Oklahoma City to participate.

The celebration begins at 4:00 p.m. on March 25 in the Homsey Family Moot Courtroom in the Sarkeys Law Center, where Erwin Chemerinsky, the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics and Political Science at the University of Southern California, will deliver the Brennan Lecture on State Constitutional Law. This lecture series, named in honor of the late Justice William J. Brennan, is a project of OCU's Center for the Study of State Constitutional Law and Government. Chemerinsky is one of the more gifted, energetic, and influential scholars found in contemporary American legal education. His books on Constitutional Law and Federal Courts are considered classics, and he has authored more than 70 law review articles. He is an engaging speaker and a popular newspaper and television commentator, as he makes weighty legal issues accessible to the broadest of audiences. His lecture, "Constitutional Interpretation: Lessons from State Constitutional Law," promises to be both entertaining and insightful. It will illustrate the practical value of the scholarship emanating from the law schools for the development and improvement of law. The lecture is free and open to the public.

Professor Chemerinsky's lecture will be followed at 5:30 p.m. by the installation ceremony in the Bishop W. Angie Smith Chapel on the OCU campus. Participating in this proceeding will be David Ruder, Victor Rosenblum, and James P. White. Ruder is the William W. Gurley Memorial Professor of Law and President of the Corporate Counsel Center at Northwestern University. He has been my mentor since my days as a student at Northwestern, and his career exemplifies how the academy is integrally related to the profession and the legal system. During David's very successful term as dean at Northwestern from 1977 to 1985, he induced the ABA to move its headquarters adjacent to Northwestern's law school, providing enormous opportunities for interchange between the academy and the profession. Many fruitful projects have come from that relationship. He didn't stop there. After 20 years of clarifying and influencing the development of securities law through his published scholarship, David was tapped by President Reagan to be Chairman of the SEC from 1987 to 1989. There, he had the opportunity to put theory into practice in the cause of public service. Throughout his academic career, Ruder's expertise in securities regulation has been sought by a series of top law firms. He presently is Senior Counsel to Baker & McKenzie. His career epitomizes how legal education is of practical value to the profession and the public.

Rosenblum is one of the most beloved figures in American legal education. With a Ph.D. in political science to complement his LL.B., Victor has long held a joint appointment in Northwestern's law school and political science department. He was one of the pioneers who brought interdisciplinary study into legal education, thus broadening and enriching the preparation for

practice received by successive generations of law students. He is co-author of a landmark book on the sociology of the legal profession, "The Making of a Public Profession." Like Ruder, Rosenblum has combined his academic career with notable public service, having been a consultant to various congressional committees and to the Administrative Conference of the United States for 25 years. His leadership and vision were recognized by the law school world when he was elected president of the Association of American Law Schools in the 1987.

Dean James P. White of Indiana is Consultant on Legal Education to the ABA. Sometimes referred to as the "accreditation czar," Jim has presided over 25 years of improvements in legal education. During his tenure, we have witnessed increased emphasis on professional responsibility in law school curricula, expansion of clinical legal education and practical skills instruction, and a proliferation of opportunities to study law internationally. During this same period, access to legal education for women and members of minority groups has expanded. Each of the law schools in Oklahoma has made enormous strides over the last two decades, and this is in no small measure attributable to Jim White's steadfast devotion to the enterprise of legal education.

Others taking part in events surrounding the installation are OBA president Doug Sanders, Jr. and immediate past president John Gaberino. Both of these bar leaders have been extremely supportive of legal education. John is a former member of the Georgetown University Law School Board of Visitors, and Doug is a second-generation OCU graduate.

Also in town will be Thomas D. Morgan, Rex E. Lee Professor of Law at Brigham Young University. With degrees from Northwestern and the University of Chicago, Tom is one of the nation's leading authorities on legal ethics and professional responsibility. He is co-author of the most widely used casebook in the field (which I have used through all 6 editions, since 1975), and he serves as Associate Reporter for the ABA's Ethics 2000 Commission and the ALI's 10-year-long project on the Restatement on the Law Governing Lawyers. His 1977 Harvard Law Review article, *The Evolving Concept of Professional Responsibility*, was enormously influential. Also a former president of the Association of American Law Schools, Tom will speak on the future of the legal profession at a dinner for OCU's newly-established Dean's Circle, a group of \$1,000 donors, on the evening preceding the installation.

All in all, this promises to be a genuine celebration of legal education, not just at OCU, but throughout this state and the nation. Perhaps not surprisingly, my installation address will be entitled, "Celebrating the Future of Legal Education." I hope that all the friends that I have made through the 158 monthly columns so far published in this series will come on over to the campus to celebrate with us.

The program for the installation will contain the names of several law firms that have helped to sponsor this event. I hope you will join me in thanking them for heeding the admonition to "help to strengthen legal education."

Lawrence K. Hellman is dean and professor of law at Oklahoma City University School of Law.