Kudos for the New Curriculum

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Recommended Citation
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Her friends at the Bar Association of Erie County told her she was crazy to want to go to law school. "You know how bad the job market is," they warned.

"My response was," recalls Jodyann Jackson, "there's always room for quality."

Two years later, Jackson has no regrets about giving up her administrative job at the Bar Association to attend UB Law. A member of the Class of 1998, she is among the first to receive her legal training under the school's New Curriculum. Even before she reached the halfway point, Jackson had already done everything from draft papers for a small family-owned business to develop a case based on the Americans with Disabilities Act. This spring the 2L is working under a new externship program in the chambers of U.S. District Court Judge William M. Skrettny. This summer she will be in the New York City offices of LeBoeuf, Lamb, Greene and MacRae.

During her round of fall interviews for summer 1997 jobs, Jackson fielded numerous questions about the New Curriculum. "The practitioners I spoke with were very responsive to the changes UB was undergoing," she recalls. "They were interested in what kinds of courses were being offered and what kinds of changes were being made, how students were going to be better prepared. ... They thought it was probably going to make great strides, not only for UB students and how they are regarded, but for legal education in general."

The New Curriculum is still so new that its impact is yet to be measured in any quantifiable way, but that has hardly kept it from garnering widespread attention and considerable applause. "The Law School is way ahead of its time," says Ginger D.
Schrader, a Buffalo lawyer and Class of 1990 member. "When I talk to lawyers in other parts of the country, they're just amazed."

There are stories of partners who pause in surprise over the courses they see on the transcripts of their summer employment prospects from UB Law. And tales of 2Ls from the state school outperforming their Ivy League competitors in summer positions.

UB Law Dean Barry B. Boyer is hearing from his counterparts at other schools. "We're starting to get inquiries asking, 'How did you manage to do this?'" he says.

What UB Law has done is institute a multifaceted overhaul that better prepares students for the practice of law while it continues to draw on the strengths of traditional legal education. A focus on lawyers' practices is the theme that ties the diverse pieces of the New Curriculum together. The emphasis is reflected in the changing structure of courses. Research and writing are taught more intensively and class sizes are coming down. Inter-relationships between different subjects are being emphasized in the first year, and opportunities to concentrate in specialty areas are expanding in the later years. Computers are proliferating in a variety of applications, and a restructured academic calendar is providing greater flexibility to take advantage of an ever-growing number of courses.

Many of the new classes are short but demanding "bridge" courses, which are seen as one of the more remarkable aspects of the New Curriculum. Thanks to a large adjunct faculty drawn from the local legal community, the education at UB Law already had a practical flavor, but the bridge courses have greatly magnified that orientation, notes Phillip Brothman, president of the UB Law Alumni Association and a 1962 graduate. "I have heard from many people that students at UB Law are better prepared in the practical areas as a result of the bridge courses," he says. "I think stood out on my transcript and attracted a lot of attention," she recalls. "People asked about it right away. The interviewers thought it was impressive. They thought it was terrific that students were getting exposure to practical experience in their first year."

This year she took Federal Pretrial Criminal Practice, taught by Assistant U.S. Attorney Anthony M. Bruce, and Tax Practice and Procedure, taught by Deborah J. Muhlauer, a Buffalo tax lawyer. Both classes provided a snapshot of how procedure affects legal practice. Bruce encouraged students to step into the shoes of either a prosecutor or defense attorney while he traced the pretrial process of a criminal matter. In Tax Practice Procedure, students discussed how to handle common tax issues for clients and how to navigate through the system. "Both classes were natural outgrowths of substantive courses I had already taken," Jackson said.

Other bridge classes on the spring 1997 roster range from Intensive Writing to International Finance. Many are focused on a specific, practical application, such as Forensic Evidence or Professional Sports Contract Negotiation and Arbitration. But for those who want to broaden their intellectual horizons as they're toning up their work-world skills, there are also offerings such as Melville and the Law. "Needless to say, there's nothing practice-oriented about Melville," confesses Professor Alfred S. Konefsky, who teaches the course. "The point is to examine jurisprudential attitudes in Melville's writing." The class was packed.

The four-week bridge courses, among the first of their type in the nation, have proved so popular among
students that the biggest complaint seems to be that students just can’t get enough. Schroeder sees that as a testament to their value, especially because the classes generally require a good deal of work and are worth only one credit. “I think in some respects students wish there was more time, because they just can’t fit it all in,” she says.

Denise E. Grey, a second-year student leaning toward corporate law, took the bridge course on counseling small businesses last year. “In the first year, law seems so arcane,” she says. “The bridge course was something you could sink your teeth into.”

It was also a challenge. “Every day we were writing; every day we were drafting,” she recalls. “The first day, no one was happy. We were just scared, like, ‘What the heck is going on?’ … But by the end, everyone walked out like, ‘I could draft a contract.’ And that was a pretty good feeling.”

Bernard R. Hurwitz took a bridge course in disability issues as a 1L last year. “It was just three weeks long and it was intense, approximately three hours each day, four days a week,” he says. “That allowed us to focus on material in greater detail than we would normally do in a semester-long course. We were able to form closer relationships with professors, since the classes were much smaller than we were used to.”

He has since gone on to related studies, including the Education Law Clinic this year. “It all started with the bridge course,” Hurwitz adds. “It was a great catalyst.”

UB Law’s Research and Writing program is another New Curriculum innovation that’s drawing praise. “It has been exceptionally well received by employers,” says UB Provost Thomas E. Headrick.

John J. Koeppel took the two-semester course in 1995-96, when it became a first-year requirement. “Speaking with employers and students, there’s been a substantial increase in the quality of our writing,” he says. “We went from our first day of class writing a short summary, to the spring, writing a full appellate brief. It was a good progression. The feedback given by the professor was excellent.”

Jackson says the program helped her greatly, even though she was an English major in college. “Legal writing is very different,” she notes. “It was a strange and awkward transition.”

The Research and Writing program involves a lot more than visiting the library and parsing sentences. “A very important part of what the Law School is doing is to not only improve students’ analytical skill, but to make them effective advocates for their clients,” says Research and Writing Instructor Sarah E. Herbert.

Jackson’s group took part in a half-year project that started with a simulated client interview. “He was a minister who suffered from Tourette syndrome and had to take medication to control the outbursts,” she recalls. “However, his medication made him too groggy to perform morning services. We were trying to figure out whether he was covered by the Americans with Disabilities Act. It was cutting edge.”

Later in the year came the 30- to 45-page appellate brief that every 1L must argue before a panel of faculty and local practitioners. “My issue was whether having prayer in any form at high school graduation ceremonies was a constitutional violation,” Jackson recounts. “It was a pretty harrowing experience. There were a lot of flushed faces that day.”

Along with the big projects, Jackson spent plenty of time on more routine contract and document drafting. “It was some good practical experience,” she says.
There was nothing wrong with what was being taught in the Law School before. But changing conditions of legal practice required innovation and growth in the curriculum.

"A majority of students graduate and go into private practice, and they haven't had a lot of exposure to how law firms work," says Ginger D. Schroder '90, an attorney with the Pittsburgh-based law firm Buchanan Ingersoll P.C. "I had no idea. I thought, 'I have a law degree, and I'm going to get hired by a law firm, and work is just going to show up on my desk, and I'm going to have a great life, and that's it.'"

Wrong.

Things changed. Law firms are no longer thrilled at the prospect of grooming a young associate who's ready to analyze a constitutional issue but doesn't have a clue about a house closing. In fact, law firms are no longer hiring as many young associates as they did in better times. Competition is intense and more young lawyers are being forced to set up shop for themselves — often with no one to show them the ropes.


A prime goal of UB Law's New Curriculum is to turn out graduates who understand not only the theory and doctrine, but also the intricacies of law practice. Opportunities for such study have proliferated. Schroder has even returned as a lecturer to teach a course that might be more appropriately dubbed survival training. In Making Rain and Developing a Law Practice, she draws on her own experience to tell students something about the business of practice.

"It used to be good enough just to be a great lawyer," she says. "Now that's not good enough. That's the price of entry into the practice. Now people really do need to have a book of business. Clients just are not as loyal as they used to be. They shop around and compare costs. They're hiring lawyers, not law firms."

Topics in the class include the politics of making partner and the etiquette of keeping clients. She's heard of only one other law school with a similar course.

Such offerings hardly mean that UB Law is transforming itself into a vocational school; indeed, the major thrust of the New Curriculum is to build upon the traditional academic focus by enhancing students' analytical abilities. They are then better able to perceive the interrelationships between different areas of law, as well as between the law and other disciplines, such as economics and history. But it is the practice-related courses and the new opportunities to concentrate in legal specialties that have the most obvious immediate impact when students step from the classroom into the law office.

"If you can bring a particular area of expertise it makes you more marketable," says Hugh M. Russ III, Class of 1987 and member of the recruiting committee at Hodgson Russ.

Jeremy W. Schulman, a third-year student, got to apply some of his training last summer when he worked at LeBoeuf, Lamb, Greene and MacRae in New York. "That new program was a godsend for us," he says. "I know top-10 law school students whose programs and skills didn't even come close to ours. I think our program is unmatched. I feel so at home in the library. I can find the answer to any problem."

Earlier this year, John J. Koeppel, a 2L, took two one-credit bridge courses: Litigation Strategy and Schroder's Making Rain class. "The more you can tie law school into the real world the better," he says. "Employers nowadays are looking for so much more, and you're not going to get the mentoring and training you did years ago."

In addition, law firms traditionally have been reluctant to teach associates about developing business on their own, Schroder notes. She discovered that when she signed on at a 450-lawyer firm in Manhattan after graduation, "Associates really didn't get exposed to clients," she recalls. "I wanted to be a trial lawyer and I wasn't really able to develop a niche."

She returned to Buffalo to join Jaeckle, Fleischmann and Mugel, and along the way she made something of a hobby out of learning about practice development and marketing. She still finds it amazing that many bright young lawyers seem unaware of something as basic as returning a client's call in a timely fashion. "All of those things that clients complain about and that give lawyers a bad reputation as a service industry are incredible marketing opportunities if you do them," she now tells students.

"People like to think of the law as a profession, and it still is a profession," Schroder adds. "But the Law School has recognized that it has to teach how to practice law, not just what law is about."
The New Curriculum also provides students with opportunities to specialize through upper-division concentrations, which feature advanced courses, seminars and clinical experience, as well as supervised research and writing for publication. The concentrations currently available are Affordable Housing and Community Development, Corporate Finance and Business Transactions, Criminal Law, Environmental Law, and Family Law. Additional concentrations are planned. In the meantime, students can take specialized upper-division sequences in subjects such as Commerce and Banking, Health, Labor Law, and State and Local Government.

The Law School’s new academic calendar permits a greater variety of courses because it divides the year into seven blocks, with some classes running longer or shorter than a traditional semester. “By using a much more flexible scheduling system the faculty and practicing lawyers have been able to add an enormous amount of richness to the program,” says Headrick.

Complementing the curriculum is a new externship program that placed about 80 students in judicial clerkships, government offices and public service positions this spring. The goal of the three-credit externship is to provide practical experience in a variety of legal contexts, according to Wendy Irvine, the program’s faculty coordinator.

“It’s an invaluable opportunity,” says Jackson, who is clerking for Judge Skretny under the externship. “It’s pretty unusual to get a federal court placement as a law student.”

The New Curriculum has been greeted with enthusiasm by many in the legal community. “It’s almost like an interactive curriculum,” says Terrence M. Connors, a prominent Buffalo attorney and Class of ’71 member. “I think that benefits the students greatly. It prepares them for the practice of law and really engages them in the classroom. ... It will have an exponential effect on new lawyers.”

According to Hugh M. Russ III, a partner and member of the recruiting committee at Hodgson, Russ, Andrews, Woods & Goodyear in downtown Buffalo, “We had several students from UB this summer and it was the feeling of most people here that their writing skills were substantially better than the students of years past.” Russ, a Class of 1987 member, says the UB Law students “did as well or better than” their summer associate competition from Duke, Penn and Syracuse.

“We’ve seen some evidence that the new approach is helpful to the students in integrating into a law firm environment more easily and more quickly than they have in the past,” adds James M. Wadsworth, managing partner at Hodgson, Russ.

One obstacle to implementing the New Curriculum has been money. Smaller class sizes, more classes and computer equipment all carry a price tag. At the same time, UB Law is reducing enrollment. “We’re in the second year of downsizing, with a target enrollment by next year of about 650 total students and graduating about 210 or 215 a year,” says Boyer. “That’s compared to a total past enrollment of 750 to 800 and a graduating class of 250 to 270.”

State budget cuts have hurt, forcing the Law School to raise tuition in the middle of this year. “We’re making progress, but I don’t think we’ve solved the problems completely,” Headrick says of the financial situation. As UB Law presses on, and as the students now learning under the New Curriculum become practitioners applying its lessons, many will be watching.

“I think the fact that the school is willing to take on this experiment is a credit to the administration,” says state Supreme Court Justice Kevin M. Dillon, UB Law Class of 1976 and member of the Alumni Association Board of Directors. “You can’t have productive change if you don’t try.”