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Back to the Beginning: Once Again, Practical Skills Are in the Forefront

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In his day, that frustrated would-be Buffalo lawyer had few options for his legal training. He could go away to a law school in some other city (the closest being in Albany or New York City), or he could apprentice in a law office. Such was the tension out of which the Buffalo Law School was born. And from the beginning, the school has found its mission in a duality: the need for students to understand the theoretical underpinnings of the legal system, and the insistence that they graduate with a toolkit of the practical skills of the lawyer’s art.

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Back to the beginning

Once again, practical skills are in the forefront

It was an anonymous law student who wrote to the Buffalo Express for its March 3, 1885, edition. “No one dreams of making a doctor by simply and solely letting the student study at some doctor’s office or a clergyman by letting the future D.D. study at some minister’s fireside,” he wrote. “Then why should law students alone be exempt and excepted? Especially when it is known now that at these offices they no longer receive the care and attention they used to receive in days gone by. The law office as a school has doubtless ceased to live – at any rate in Buffalo. Hence the need of a law school.”

A dozen men began meeting in 1886 to make that kind of rigorous legal training a reality, and there wasn’t a full-time professor among them. All 12 were practicing attorneys or sitting judges, and among them only three had gotten their own training in a law school. Article V of the school’s original bylaws (it was called a “department” at that point) made the dual focus clear: “The object of the Department shall be to teach the theory and practice of the law.”

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Robert Schaus ’53 and James R. Arnone ’85, co-authors of a centennial history of the Law School, characterized the atmosphere like this:

“Law schools in the 19th century were seen as ivory towers, churning out theorists but unable to produce competent legal practitioners. Though formation of the Law School gave students a more academic approach to the study of law, the Buffalo Law School was envisioned as a place to learn the practical side of the law as well. It was much more dependent on the local bar than were many other law schools. Virtually all of the original faculty were sitting judges or practicing attorneys.

“Classes were held downtown, in the midst of the legal community. Most students worked as clerks in law offices in addition to their studies. This enabled them to observe practical applications of the legal rules learned in the classroom.”

They quote the Albany Law Journal’s assessment of Buffalo Law: “It is a practical school. It does not go deeply into the history or theory of law; but it points out to its students the things they most need to know in successfully practicing their profession and making a living…. It teaches what is most necessary to be known in trying cases, so that in starting their practice they may handle simple litigations and not learn to handle them for the first time in court at the client’s expense.”

Well, what goes around comes around. That practice-ready sentiment has again come to the fore in all sorts of ways. The Law School’s clinical program has been organized to function as a law firm, giving clinic students experience in how a firm works. Career panels expose students to practice areas they might not have considered otherwise. Periodic opportunities for continuing legal education afford professional development for students and graduates alike. January-term bridge courses teach some very specific skills; recent examples include “Choosing the Right Jury,” “Managing Personal Injury Practice,” “Plea Bargaining” and “Trial of a Death Penalty Case.” And the list goes on: service-learning practicum courses, externship placements, the popular New York City Program in Finance and Law, and dual degree programs offering specialized skill training.

Says recent graduate Frank H. Ewing: “We have two tools as attorneys: our written work and whatever comes out of our mouth. To the extent that we can learn the skills that bolster both of those, we’re in a good place.”

A place called Buffalo Law—just as it’s always been.

Volunteer judges: U.S. Magistrate Judge Jeremiah J. McCarthy, New York Court of Appeals Justice Eugene F. Pigott Jr. ’73 and Justice Erin M. Peradotto ’84 of the New York State Supreme Court, Appellate Division, Fourth Department.

Frank H. Ewing ’12 argues in the Desmond Moot Court.