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Two-part Mitchell Lecture looks at a changing profession

Nothing less than the fate of the legal profession – and the future of legal education – was at issue in two Mitchell Lecture presentations at the University at Buffalo School of Law.

The Mitchell event this year came in two parts and addressed the topic “Legal Education for a Changing Legal Profession.” The first part came Feb. 12, when a distinguished panel of speakers and practitioners took up the question of where the legal profession is today, and where it is likely to go in the future. In Part 2, held April 8, speakers addressed the implications for law schools of these changes in the profession.

In the first event, Professor **David B. Wilkins** of Harvard Law School noted that such developments as the globalization of economic activity, the rise of information technology and the “blurring of boundaries of traditional categories of organization and thought” are “reframing our entire economy.” Such changes have come late to the legal field, he said, but their effects will be unavoidable.

“The high profit margins in law are attracting very important competition,” he said, citing for example the deregulated field for legal practice in the United Kingdom and competition in the United States from such legal services providers as LegalZoom and Avvo.

Professor **Gillian Hadfield** of the USC Gould School of Law spoke to the breadth of the unmet need for legal services – not just among the poor, but for people of nearly all economic situations who wrestle with housing issues, child visitation disputes, even foreclosure cases without the help of a lawyer. “The problem of access to justice affects virtually everyone,” she said. “There’s a lot of legal work that needs to be done, if someone can figure out how to provide that legal work in an affordable way to all those folks.”

She observed that legal services are going the way that medical care already has, to a “pyramid” model in which simpler cases are addressed with software or by lesser-educated professionals, with only



difficult or complex cases rising to the level of a lawyer’s attention.

The final presenter in Part 1, Professor **Bryant Garth** of the UC Irvine School of Law, brought a sociology-of-law perspective to the issue, reminding the audience that lawyers have since the late 19th century served as “institutional players” in society. That influence had meant that “the best and the brightest” were attracted to the field, ensuring its continued dominance. But, he says, as talented students began to gravitate to MBA degrees in the 1980s, and investment banks gained prestige in making multimillion-dollar deals, law is in danger of losing its elite status.

Following the presentation, alumni panelists included Ann E. Evanko ’79, Michael A. Battle ’81 and Douglas W. Dimitroff ’89.

In Part 2 of the Mitchell Lecture, three legal academics brought their sometimes-provocative ideas on the topic to an O’Brian Hall classroom filled with students, practitioners and faculty members.

Susan D. Carle, a professor at American University’s Washington College of Law, introduced the idea of “J.D. Advantage” jobs – those that don’t require bar passage or licensure, but still put a graduate’s legal training to use. The growing category includes such positions as corporate contracts administrator, government regulatory analyst, FBI agent, jobs with investment

banks and consulting firms – even, she noted, law faculty.

Many students, she said, go to law school with one of these jobs as their goal, never intending to enter traditional practice. “These are the jobs they really wanted, and they are jobs that respond to the conditions in the world as it is today,” Carle said.

She suggested that law schools should provide more career services and training relevant to J.D. Advantage jobs, including courses in law and technology, and interdisciplinary clinics and seminars.

Michael Hunter Schwartz, dean of the William H. Bowen School of Law at the University of Arkansas at Little Rock, said his school has re-emphasized so-called “soft skills” that law firms say they need in new attorneys. These include such skills as workload management, team management, client relations, integrity, honesty and stress management.

Kevin R. Johnson, dean of the University of California, Davis, School of Law, added a further dimension by urging the audience to make diversity and student wellness a primary concern of legal education.

Citing the alcohol-fueled student culture at many law schools, Johnson said, “We need to spend some time helping students with healthy responses to stress. We should think very carefully about how we work to make the law school environment a healthier, better one for law students.”

Left to right: Professor Susan D. Carle, Dean Michael Hunter Schwartz, Dean Kevin R. Johnson, Professor James A. Wooten (chair of the Mitchell Lecture Committee), Lecturer Monica Piga Wallace ’94, Vice Provost Teresa A. Miller and Professor Charles Patrick Ewing



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