

Today's News

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All Rise. Welcome to Law School

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Central Islip, N.Y.

A dozen first-year students from Touro Law Center cringe as a prisoner charged with drug possession tells the judge, "I didn't know the coke was in those pants."

The law students, who are spending a morning in state court as part of the school's Court Observation Program, have just learned one of the keys to real-life lawyering.

"See this motion," Lynne A. Kramer, a Touro professor, whispers during a recess as she puts her hand in front of a student's mouth. "One of the things you learn as a lawyer is never let people speak, because people are not bright."

She's only half kidding. A funny, blunt veteran of the court system, Ms. Kramer, who heads the observation program, has seen her share of courtroom blunders.

She has also seen her share of new lawyers, heads crammed full of legal doctrine, who don't know how to apply it because they have not spent enough time in a real courtroom.

Unlike medical students, who practice in teaching hospitals and clinics as they learn, many law students do not set foot in a courtroom until their third and final year, when they have the option of participating in legal clinics. The Touro Law Center, here on Long Island, is one of a growing number of law schools changing that by emphasizing practical skills from Day 1.

Touro, which used to be housed in a converted junior high school in nearby Huntington, moved in January to a campus that consists of a new, \$35-million building and nearby access to both a state and a federal courthouse.

One wing of the school houses the Public Advocacy Center, which offers 14 small, furnished offices free to local nonprofit groups representing refugees, battered women, and low-income housing residents,

among others clients. In exchange the groups give Touro law students opportunities to hone their skills.

From the windows of the law library, students can look out at the 12-story Alfonse M. D'Amato U.S. Courthouse and the John P. Cohalan Jr. Courthouse, which includes New York State's Suffolk County District Court. An electronic bulletin board in the law school keeps them posted on the hot trials they might want to stroll across the campus to watch.

During their first semester, small groups of first-year students spend a day in the state courthouse. During their second semester, they head over to the federal complex. Final exams for some upper-level students consist of mock trials played out in front of real judges at the state courthouse.

"Every law school gets third-year law students into the courtroom, but we're getting every first-year student into the courtroom," says Touro's dean, Lawrence Raful. "It's important for them to see good litigators and not-so-good litigators."

Days in Court

Touro's program represents part of a broader soul-searching at law schools, which have been accused of being stuck in a model that is more than a century old. For years practicing lawyers and judges have complained that law-school graduates lack the skills they need to adequately represent clients.

In 1992 the American Bar Association issued a report that urged law schools to identify skills, values, and ethics lawyers should possess and adapt their curricula accordingly.

Since then, many law schools have offered more externships and mock courtroom exercises to give students more hands-on practice.

But the schools have not gone nearly far enough, according to two recent, widely circulated books: the Carnegie Foundation for the Advancement of Teaching's *Educating Lawyers*, by William M. Sullivan, Anne Colby, Judith Welch Wegner, Lloyd Bond, and Lee S. Shulman (Jossey-Bass), and *Best Practices for Legal Education*, a handbook published by the Clinical Legal Education Association, written largely by Roy T. Stuckey, a law professor at the University of South Carolina. Both books call upon law schools to offer more practical training, as well as attention to social and ethical issues ([The Chronicle](#), January 19).

In response to that sentiment, law schools have taken those steps, among others:

- At Drake University, all first-year law students tour Iowa's legislature and its Supreme Court, where they meet with legislative leaders and court justices. "It's sort of a welcome to the profession," says David S. Walker, dean of law at Drake. By the second year, 30 to 40 of the students have legislative internships, and dozens more have judicial and other internships.
- Students at Elon University' law school, which opened in 2006, don't have to go far to see a

working court in action. The North Carolina Business Court is located right inside the school's building, in Greensboro, and local lawyers and judges serve as student mentors.

- An upper-level criminal-law course at the University of New Mexico is taught by a local district attorney and a public defender. Half of the students are placed in the public defender's office, and half in the district attorney's office, to work on cases under lawyers' supervision.

Legal Manners

As the Touro program shows, sometimes little things make a difference. Ms. Kramer, who spent 25 years as a divorce and family lawyer, can be irreverent with her students but is unfailingly polite with the court employees, including the officers who, as they escort students to the courtrooms, offer running commentaries about what they're about to see.

"I'm nice to these people not because I'm a suck-up, but because I'm going to be working with them on a daily basis," Ms. Kramer tells the students. "If you're obnoxious and think you're better than everyone else, your file is likely to end up at the bottom of a pile."

Later in the morning, the students squeeze into an observation room overlooking the lockup, where dozens of prisoners are being shuffled in and out of their cells.

Lawyers and judges explain rules and procedures and answer questions during breaks in the proceedings.

During a recess in an arraignment hearing, Alfred Graf, a legal-aid lawyer who graduated from Touro in 2002, flips through the client's rap sheet and explains the juggling act his job requires. "You have to multitask," he says. "Listen to the judge and read the pink sheet while the client is barking in your ear, 'I don't want to go to jail.'"

Students take mental notes about details like where in the room the lawyer stands, and on bigger questions like whether it is fair that justice sometimes seems to be meted out differently to people who can afford to hire lawyers and those who cannot.

One by one, the defendants appear: the man who slashed his lover's face with a box cutter, the mother of five who drove drunk the wrong way down the highway, the man who tried to strangle the drug-addicted mother of his children.

The Pleasures of Teaching

The judges seem to enjoy taking the students aside, sometimes in their chambers after a hearing, and explaining how they set bail, what qualities they admire in lawyers, and what traits annoy them. Lawyers who are late or unprepared, write poorly, or dress sloppily aren't likely to get any special favors in their courtrooms. Sometimes the judges ask how the students would have ruled in a given case and how they would rate the lawyers' performance.

"I always tell students you learn more from the stupid lawyers than from the good ones," says Senior Judge Leonard D. Wexler during an interview in his elegant office.

Seated beside him at a gleaming conference table are two other judges who say they, too, enjoy working with students.

"A lot of lawyers go from a script. When a judge asks a question, you have to deviate from your outline," says U.S. District Judge Joseph F. Bianco, who notes that he never set foot in a courtroom during his first year of law school, nearly 20 years ago. "When I was a young lawyer, I spent hours on a single footnote. Judges don't make decisions based on a footnote."

But judges also have their own likes and dislikes, which lawyers should spend time figuring out, these judges tell the students.

Senior Judge Arthur D. Spatt says he hates it when lawyers ask leading questions. But Judge Wexler is all for it. "I say, 'Lead the witness. Don't waste my time,'" he booms.

Tiffany Sameyah, a first-year student at Touro who recently completed a court-observation visit, says her group was invited back to a judge's chamber to hear two lawyers work out the details of a divorce case that was about to go to trial.

"People often think that opposing attorneys don't like each other, but you have to be on good terms with your adversary so the case will go smoother," she says.

Some of the judges and lawyers the group met that morning invited them to return and talk anytime. "My friends at other law schools are jealous," says Ms. Sameyah. "Instead of just learning the theory of laws, we're getting to see them in action."

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