

On Acceptance of the William Pincus Award

January 5, 2013

Philip G. Schrag

As elder of this tribe, I can relate
 What life was like in 1968.
 Even in that year of revolutions
 Law schools were quite boring institutions.
 Students couldn't just accept that norm.
 In their eagerness to get reform
 They petitioned for some law school clinics
 But the faculties were staffed by cynics—
 “Volunteer, if serve the poor you must;
 Credit is for tax and antitrust.”
 Every year the students grew more weary
 Of that routine: no practice, just more theory.

In those days, the founts of innovation
 Were folks with millions, at the Ford Foundation.
 They knew how to change things in a flash:
 All they had to do was offer cash.
 Ford's most important social justice backer
 Was famous in his time, Paul Ylvisaker.
 He was a man who loved to be inventive
 And knew that money was a fine incentive.
 He wrote a memo, signed his autograph
 And called Bill Pincus, who was on his staff.

Philip G. Schrag is the Delaney Family Professor of Public Interest Law at Georgetown University. He has been directing law school clinics since 1971. He delivered this poem on Jan. 5, 2013, upon accepting the William Pincus award, given annually by the Section of Clinical Legal Education of the Association of American Law Schools “for outstanding contributions to Clinical Legal Education.” It honors William Pincus, who as president of the Council for Legal Education and Professional Responsibility (CLEPR) jump-started clinical legal education in the late 1960s.

Legal education they'd enhance
By giving law schools handsome matching grants.
From bank accounts the law school deans could draw
If only they'd let students practice law.
So Ford created CLEPR, Bill directed,
And almost all the law schools were infected,
Competing to employ some lawyer-scholars
Or at least to grab those CLEPR dollars.

Clinics made the education rock
And then the deans could not turn back the clock.
At first most schools had just a sole clinician,
Not enough to carry out the mission.
Often she was treated like a leper,
Needing much encouragement from CLEPR.
The courts provided this essential tool:
A handy dandy student practice rule.

I recall the chapter that came next:
Bellow and Bea Moulton wrote a text.
When deans insisted, "prove you earn your wages"
We could just assign those thousand pages.
Were those readings really so essential?
Not so much. For us experiential
Education leaves the schoolhouse door
Legal institutions are the core.
Students learn that they can take our places
Representing clients in real cases.

Introducing students to law practice
We show how elusive every fact is.
We encourage action and reflection
Through our oh-so-clever non-direction.
Students learn, once they have been so mentored,
That interviewing can be client-centered;
That legal practice, while both art and science,
Depends as well on empathy for clients;

That when a case seems lost, they still can save it
With a truly awesome affidavit;
That they must practice and acquire patience
Before attempting cross-examinations;
That judges who are looking for the beef
Shouldn't have to hunt within a brief;
That what is often hardest but most wise
Is urging that a client compromise;
And that lawyers must make forum choices.
Who will really hear the clients' voices?
All our institutions have their warts—
Legislatures, agencies, and courts.
Sometimes organizing or the press
Is how a client best can get to yes.

Fast forward now, until the present day
It's safe to say our movement's here to stay,
No longer needing CLEPR's kind protection
At these conventions we're the largest section.
We have never broken into factions.
We teach litigation and transactions,
How to counter actions for eviction,
How to claim a court lacks jurisdiction,
Also prosecuting and defending
And attacking predatory lending.
We're black, white, brown and gay and straight
And we're the ones who implement MacCrate.

As Hamlet said, the time is out of joint
The blackboard's gone, replaced by PowerPoint.
As times have changed, so we've changed with the times,
Giving speeches in iambic rhymes.
And recently we've been the inspirations
For clinics in a score of other nations.
Clinics in Miami and in Maine
Are models for the programs in Ukraine.
Clinicians from New York to Carolina

Are studied by our counterparts in China.
Now a journal and a listserv link us
It never would have happened without Pincus.

We've taught in clinics lo these many years
We've tried to blaze some trails at law's frontiers.
We've fought our share of fights with budgeteers.
We've drunk with students quite a lot of beers,
As they confided all their hopes and fears.
We've oft been moved by clients' woes to tears.
The moral of this story now appears:
If there's a better choice among careers
We haven't found it. We are never bored
And all deserve this wonderful award.