

From the Editors

This issue, with the exception of the book reviews, is dedicated to a symposium on how law schools can encourage pro bono initiatives and programs to improve access to justice. The articles make a powerful case for an increased role for law schools in documenting and addressing the vast unmet legal needs of individuals and groups in the United States; they provide a history of how that role has evolved; and they detail a wide range of programs and innovations that law schools can consider to help promote access to justice and the skills and values that go with serving unmet legal needs. Students and faculty are far more likely to get involved with pro bono if opportunities are provided easily and encouraged institutionally, and this issue abounds with ways to build effective pro bono courses and programs.

We begin with Deborah Rhode's report for the Consortium on Access to Justice, "An Agenda for Legal Education and Research." As president of the Association of American Law Schools in 1998, Professor Rhode was a key person in initiating the increased period of attention to pro bono in law schools that has continued to the present. Her report argues strongly for still more initiative in research, scholarship and teaching, calling even for more regulatory pressure from the American Bar Association on the law schools that fail to act.

Lawrence J. Fox provides an account of how his idea to use Yale law students to help him in his pro bono ethical consultation evolved into a formal "Ethics Bureau" at Yale. Taking the reader very candidly through a process of trial and error, he documents a successful experiment that has, among other things, helped to make a difference in the position of the U.S. Supreme Court in an important ethics case.

The next six articles were the product of a call for papers and ensuing panel discussion held by the AALS Section on Pro Bono and Public Service at the annual meeting of the AALS in 2011. Cynthia Adcock introduces the articles with a history of pro bono efforts by U.S. law schools. Drawing also on Professor Rhode's work she notes how much more important the quality of pro bono programs is than whether they are formally mandated or not in instilling a lasting commitment to pro bono public service among law students. Her article and the following ones therefore focus on "integrating access to justice education into the curriculum."

Kimberly Emery and Scot H. Fishman describe and make the case for a law firm pro bono seminar such as the one they created at the University of Virginia. The seminar materials train students to take the lead in institutionalizing pro bono in firms that have not yet made a full commitment, and the seminar also

provides a nice window into how law firms operate, with lectures and readings on law firm structure and economics.

Mary Nicol Bowman shows how pro bono collaborations in a first year legal writing program, exemplified by the approach at Seattle University School of Law, can integrate real problems and potential solutions—as opposed to the normal staple of canned legal problems—into the work of first year students. Memoranda in the second semester take up challenges posed by public service organizations, giving the students a taste of pro bono and public service as they hone their writing skills.

Laurie A. Morin and Susan L. Waysdorf document another innovative approach. Students from the University of the District of Columbia David A. Clark School of Law enroll in a Disaster Law course that has taken them to New Orleans in the aftermath of Katrina and to Biloxi after the oil spills. The key to the enduring success of the program, they suggest, is finding ways to enhance the students' understanding of their role and the experience through "directed reflection" during the process of the "service-learning experience."

Each of these articles tells a story of the movement from ideas to implementation, and Gregory Germain's article fits this structure as well. He shows how he moved from a desire to respond to a call for pro bono by a bankruptcy court to creation of a "hybrid pro bono bankruptcy clinic" at the University of Syracuse. In addition to showing the ways that he succeeded in getting students to handle individual bankruptcies, Professor Germain sees pro bono efforts as a means to get faculty scholars more in touch with the practicing bar.

Finally, David Oppenheimer, Susan Schecter, Shalini Swaroop, and Trish Keady discuss Berkeley Law's student-initiated legal services projects. Here, too, what began as simply a matter of first year students volunteering in order to participate in pro bono has evolved into a sustainable hybrid course. Second and third year students now oversee the projects, involving a large proportion of the first year class, through the mechanism of a course entitled "Providing Access to Legal Services through Entrepreneurial Leadership." As with the other articles submitted to the AALS panel, this article provides a detailed "how-to" for law schools looking for ways to enhance pro bono and instill the professional value of public service.

We have four quite diverse book reviews to round out the issue. Laurie L. Levenson reviews Jed Handelsman Shugerman's book on the history of judicial independence. Professor Levenson emphasizes the importance of context to understanding what judicial independence might mean in different eras. She draws on the book's insights to suggest that we still have not solved the question of how best to ensure that judges be both independent and accountable.

Meera E. Deo reviews *The End of the Pipeline*, a book by Dorothy H. Evensen and Carla D. Pratt on the paths that lead to African-American success in entering the legal profession. Professor Deo finds methodological strengths

in the mixed method empirical approach, a wealth of practical insights about the role of mentors and “routers,” and data that, from her perspective, bolster a “social capital” approach to lawyer careers.

The next book reviewed is John Paul Stevens’s memoir, *Five Chiefs*, on the Chief Justices of the Supreme Court he has worked with and observed. Thomas E. Baker draws on Justice Stevens’ memoir to examine the institution of the Chief Justice and the Supreme Court, ultimately finding, in his words, a “reassuring account of the man and the institution he served so long and so faithfully.”

Finally, Mónica Pinto, a leading expert in international human rights, discusses Lawrence Friedman’s *The Human Rights Culture*. Professor Pinto shows an appreciation for the insights that emerge from the sociological and historical approach that Professor Friedman takes, but she questions the basis for some of his “skepticism” about the future of the human rights movement.

As always, the Editors welcome comments and suggestions.

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