

Symposium

Foreword: What Does Balance in Legal Education Mean?

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The Association of American Law Schools granted provisional status in June, 2007 to the Section on Balance in Legal Education. What are the objectives of this newest AALS section and what were its origins? The section traces its roots to a listserv started by Professor Larry Krieger of the Florida State University Law School in 1999. The Humanizing Legal Education Listserv quickly attracted a few hundred law faculty to discuss the state of legal education, the well-being of law students and lawyers, and potential improvements that might be made. The listserv apparently met a need for questioning some of the approaches, values, and institutions of legal education, and has emerged as a lively discussion group.

Almost immediately listserv members began to organize programs with a humanizing legal education theme, and they persuaded existing AALS sections to sponsor them at established meetings. The group also began holding informal organizational meetings at each AALS annual meeting. The first, "Proposing a Humanizing Dimension for Legal Education," was held at the 2000 AALS Annual Meeting. Additional such programs included "Law Student Depression" (2003); "Values, Needs, Integrity, and Their Impact on Attorney and Law Student Depression" (2004); and "Teaching Professionalism in the Law School Classroom" (2006). Moreover, Humanizing Legal Education Listserv members have participated in a number of programs held by other organizations. These included "Making Law School Therapeutic for Law Students" (2nd International Conference on Therapeutic Jurisprudence, University of Cincinnati College of Law, 2001); "Psychological Insights: Addressing the 'Professionalism' Problem in the First Year of Law School" (Annual Conference of the Association of Legal Writing Directors, Minneapolis, 2001); "Teaching Health, Satisfaction and Professionalism in

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the Externship Classroom Component” (Conference on Legal Externships, Catholic University Law School, 2003); “Professionalism and Personal Satisfaction” (Conference on Clinical Legal Education, Vancouver, 2003); “Active Teaching to Develop Law Student Values and Career Direction” (Annual Conference of the Institute for Law School Teaching, Gonzaga University Law School, 2004); “Changes in Values and Motivation Among Law Students: a Model for Empirical Evaluation of Undergraduate Values Training” (Institute for College Student Values Annual Conference, Florida State University, 2005); “Guiding Students to Satisfying Legal Careers: New Empirical Evidence” (National Association for Law Placement Annual Conference, Chicago, 2005); and many others.

In late 2004, Professor Krieger and others involved in this effort decided to form the Humanizing Legal Education Association, with an Executive Board to more effectively organize the activities of the growing interest group. Self-nominations were taken for the board and in December 2004, the listserv participants elected a ten-member executive board which began to organize activities.

In 2006, a pivotal year, at the suggestion of Professor Ann Iijima of William Mitchell School of Law, the AALS sponsored a full-day “Workshop on Balance in Legal Education” as part of its Annual Meeting. The topics coincided with the interest areas of the Humanizing Association and many organization members served as speakers and discussants. The workshop attracted more than 300 attendees and generated its own momentum for both dialogue about legal education and the ultimate formation of a related section. In response to the robust attendance at the Balance workshop, the board of the Humanizing Association determined to immediately proceed with the section petition.

After much debate, the board decided that the new section should not feature “humanizing legal education” in its name. We felt that language could be easily misunderstood, might be off-putting to some, and also might be too narrow in light of the many potential reforms that could improve legal education. The board, instead, adopted the broader title of the recent AALS workshop, and proposed the Section on Balance in Legal Education. The board submitted its petition in February, 2006; provisional section status was granted by the AALS in June, 2007.

The section presented programs at the 2007 and 2008 AALS annual meetings. At the 2007 AALS Annual Meeting, the proposed section presented “Balance in Legal Education, One Year Later.” The 2008 program, entitled “What Does ‘Balance in Legal Education’ Mean?,” attracted an audience of 117. The room capacity was 70; overflow crowd stood along the walls and in the center aisle. The program sought to create a dialogue about the potential ways in which legal education might be improved by increasing “balance” in a variety of domains of interest to the speakers.

“Balance” in legal education is an intentionally broad term with numerous potential applications to an educational enterprise. The title is a Rorschach, a projection test, inviting people from differing perspectives to examine the many aspects of legal education and to the extent they seemed unbalanced, to think creatively about how that balance could be restored. The program consisted of presentations by a number of law school deans followed by comments by several law students. Discussion among audience members continued in the hallways after the session was over.

Because the program was not recorded, we invited each of the law school deans and students who had participated in the annual meeting program to contribute a short essay on “What Balance in Legal Education Means to Me.” Happily, most of the deans and a panelist uniquely suited to represent the student voice could recreate their thoughts for this issue. The mini-symposium that follows captures the spirit and thoughtfulness of the oral presentations made at the annual meeting.

In what ways can legal education be thought of as being out of balance and how can balance be restored in each such area? Raising these questions is the mission of the Section on Balance in Legal Education. We seek to hold a mirror to the legal academy and call for a broad re-examination of all aspects of legal education. We justly pride ourselves on the many virtues of a legal education—its sharpening of conceptual and communicative skills, its preparation of students for professional life, its rigors and its pleasures. Yet, many questions can be raised about its basic approaches to teaching, testing, and socialization into professional life. Do we adequately prepare our students to be the lawyers they soon will be? Do existing practices strip away the values and idealism that many of our students brought with them to law school? Can emerging techniques of teaching and learning be adapted to replace or augment the traditional case method and Socratic approaches that still predominate in law school? Does law school produce more anxiety and stress in our students than is necessary or advisable? Does it provide sufficient opportunities for students to exercise autonomy over curricular and other matters? Does it contribute to the depression and dissatisfaction that many of our students and young professionals experience?

These are just some of the questions that our section on Balance in Legal Education seeks to raise. The answers will vary widely, of course. The essays that follow reflect the thoughtful viewpoints of several law school deans and one former student. We offer these essays in the spirit of stimulating further dialogue and debate about legal education and how it can be improved.