From the Editors

In this issue, we are pleased to offer our readers three articles that address important issues for the future of legal education. First, Professors Adam Chodorow and Philip Hackney describe corporate and tax structures law schools could use to provide postgraduate law practice opportunities for recent graduates. They argue that such programs could ameliorate two of the most pressing problems facing the profession: how to provide recent J.D. graduates with real-world, supervised practice experience at affordable costs while simultaneously expanding the public’s access to affordable legal services.

The next two articles analyze data sets that reveal that law schools are hiring increasing numbers of assistant professors who possess both a J.D. and a Ph.D. In the first article, Professor Lynn M. LoPucki views the trend with concern, arguing that if it persists, university disciplines will dominate the scholarly agenda of law professors. He also cautions that new hires with Ph.D.s typically have less experience practicing law than other new hires. In the second, Professor Justin McCrary and his co-authors Joy Milligan and James Phillips point to benefits of dual-degree hiring, arguing that it may enrich students’ education and extend the depth and impact of legal scholarship. They urge caution, however, because of some evidence that the trend to hire Ph.D.s could hamper efforts to increase faculty diversity. Both articles will help hiring committees, deans, and law faculties consider implications of the dual-degree hiring trend more carefully than they may have done to date.

Professor Elaine Campbell describes the history of transactional clinical education in Britain, pointing out that the opportunities for transactional practice experiences for British law students are more limited than they are in the United States. She suggests that the reason is that British law schools have felt obliged to devote most clinical resources to poor clients in response to severe cutbacks in public legal aid. She advocates for a more balanced approach so that students can learn about transactional work and small businesses can benefit from students’ efforts.

Two other articles provide inspiration for teachers. Professor John C. Kleefeld and his former student, Katelyn Rattray, describe how law teachers can help improve law-related articles in Wikipedia by asking students to revise, extend, or correct them. By doing so, students learn to evaluate and research an area of interest and write for a lay audience. In our regular feature, At the Lectern, Professor Beth Hirschfelder Wilensky describes a creative technique for helping students internalize professional standards of conduct. In an evidence problem about attorney-client privilege, her hypothetical attorney had accidentally misdirected a document when she failed to check her email autofill address. Professor Wilensky describes how the problem not only taught...
students about privilege but drew their attention to the need to adopt careful emailing practice. Her method could be used by any teacher who teaches with a problem-based method.

We are pleased to have in this issue an unusual feature: an interview with Judge Harry T. Edwards about his current reflections on judging, scholarship, and legal education. We are grateful to our colleague, Professor Ron Collins, for capturing Judge Edwards’ thoughts in such an engaging format.

We close the issue with a book review and a review essay. Professor Duncan Farthing-Nichol reviews a biography of James Landis, former dean of Harvard Law School and an early proponent of teaching and scholarship on administrative law. Learn why he is the only twentieth-century dean whose portrait does not hang in the law school’s gallery. Professor Michael Robertson describes and assesses Stanley Fish’s latest book in which Fish, now the Floersheimer Distinguished Visiting Professor of Law at Cardozo School of Law, argues that university faculties should devote themselves to their disciplinary work and eschew pressure to cross disciplines or shift emphasis to job-specific skills training. Fish’s argument should interest readers at a time when, as the contents of this issue suggest, law faculties face considerable pressures to do both.

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