The Challenge and Promise of Public Legal Education

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The challenge and promise of public legal education

Editor's Note: At the invitation of ISBA
President Clyde D. Compton, Dean Lauren K. Robel, I.U. School of Law-Bloomington, is our guest "Perspective" columnist this month.

I am privileged to serve as dean of the oldest law school in our state, which means that, like all teachers, I spend my time thinking about the future. For more than 160 years, Indiana University School of Law-Bloomington has served as an exemplar of the values of public legal education, which include access to the profession and a deep and abiding belief that the citizens of our state deserve the services of lawyers with excellent skills, moral courage and high ethical values. The challenge that our faculty members face daily is connecting vision of public legal education to the future of our profession; the challenge I face as dean is preserving the values of public legal education in an age of state fiscal scarcity.

Sometimes it helps to look back. The Law Department was announced in the 1841-42 catalogue, which stated that the design of the board of trustees was “nothing less than the building up of the Law School, that shall be inferior to none west of the Mountains; one in which the student will be so trained, that he shall never, in the attorney, forget the scholar, and the gentleman.” The population of the entire state at that point was fewer than 700,000; and an historian described Indiana’s challenges: “In 1841 [the state’s] debt in its totality amounted to $15,088.146; there was no prospect of any equivalent returns, and the affairs of the commonwealth generally were not such as to invite citizenship. Hence of the great tide of immigration pouring westward by way of the National Road much that might have stopped here passed on to regions farther west.”1 In such a fiscal climate, founding a public law school “inferior to none west of the Mountains” was an act of supreme faith.

Supporting such a school now is also an act of faith — faith in the value of public education, of the legal profession, and of the benefits that our profession brings to the state and the world. In some specific ways, those benefits have remained stable since the school was founded. Public legal education provides opportunities for the best and the brightest, no matter what their background, to become lawyers. As graduates, our students will still be entrusted with the most valued parts of their clients lives — their children; the financial security of their elderly parents; their homes; the businesses their families have built; and the ones they hope to build. They will still be asked to protect our communities as prosecutors; to protect our freedoms as public defenders; and to protect as a matter of course our country’s deepest commitments to constitutional values. They will be required to speak truth to power and to exercise judgment and courage on a daily basis. Practicing law was then and is now serious and important work, and legal educators still push bright minds to think better, harder and longer than they ever have before, and to take the responsibility for courageous advocacy seriously.

In other ways, the challenges our new graduates face could never have been anticipated by our school’s founders, as visionary as they were. They will practice in a world where their business clients in any city in the state might be connected to distributors, manufacturers or customers from Paris to Beijing. The federal and state regulatory webs they will negotiate could hardly have been imagined by our founders, who lived in a state barely 26 years old. The interdisciplinarity of their work — the need to work closely with scientists, engineers, inventors and others — much less the notion that some fields of law require a Ph.D. as well as a J.D. would have been surprising. And the idea that lawyers trained in Indiana would be at the forefront of constitution drafting in Iraq, members of the judiciary of Thailand, law school professors in Taiwan, or drafting in Iraq, members of the judiciary of Thailand, law school professors in Taiwan, or business leaders in Germany would have been unimaginable. But these global connections to our state are as important in 2005 as convincing some of those travelers on the National Road to stop and invest in our state’s future might have been in 1841.

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CLE this month: new ethics rules

The new Indiana ethics rules are now in effect as of Jan. 1. What are the changes, and what do they mean to you as a practitioner? ICLEF, with special thanks to the ISBA’s Legal Ethics Committee and the Indiana Supreme Court Disciplinary Commission, is pleased to present a 2-hour (ethics credit) CLE program all across Indiana to address the new rules.

Remaining dates and locations this month: March 17, Merrillville; March 18, South Bend; March 24, Evansville; and March 30, Terre Haute.

All programs start at 11 a.m. and end at 1 p.m. Registration begins at 10:30 am. For a brochure and registration form, visit www.inbar.org or call ICLEF, 317/637-9102.

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And the challenges to the “public” part of legal education are strong. As the state faces fiscal demands from every quarter, it is good to be reminded that public legal education has, almost since statehood, been an important piece of Indiana’s vision for its future and its citizens. The skills and judgment that lawyers trained in our state law schools bring to realizing our dreams about the future are still vitally important – whether they are new lawyers lured to the state through the excellence of the educational experience they can achieve here, or those who grew up here and take their knowledge of and affection for our state around the globe. Indiana deserves no less.

1. George S. Cottman, Centennial History and Handbook of Indiana (1915).

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Any member of the Indiana State Bar Association who desires to be considered for nomination to a vacancy on the Board of Governors should convey that interest to the chair of the Association's Nominating Committee.

Members who are nominated will face an election at the annual meeting of the Association Assembly to be held in Indianapolis in October, after which a two-year term will commence.

District vacancies for the term October 2005 through October 2007 are as follows:

District 1, representing Lake County;
District 4, representing Allen County;
District 5, representing the counties of Benton, Boone, Carroll, Cass, Clinton, Fountain, Howard, Jasper, Montgomery, Newton, Tippecanoe, Warren and White;
District 10, representing the counties of Adams, Blackford, Delaware, Grant, Henry, Huntington, Jay, Madison, Miami, Randolph, Tipton, Wabash, Wayne and Wells; and
District 11, representing Marion County.

Letters of interest and résumés, not longer than two pages in length (with information as to leadership positions or other activity within the State Bar as well as other affiliations), should be sent to John D. Proffitt, Chair, ISBA Nominating Committee, Indiana State Bar Association, One Indiana Square, Suite 530, Indianapolis, IN 46204. The deadline for receipt is April 4.

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