Lessons of Change from Those Older and Wiser

This spring we commemorate the retirements of two giants of the faculty: Professor John Brumbaugh, the Wharton, Levin, Ehrmantraut, Klein & Nash Distinguished Service Scholar and Professor of Law, and Professor Oscar S. Gray, the Jacob A. France Professor of Torts. The contributions of these two men, over 40 and 25 years respectively, have enormously changed and strengthened the University of Maryland School of Law. Although both intend to remain active—John as a teacher, Oscar as a scholar—their departure as full-time faculty will be a loss for their colleagues and students and a milestone in the life of the law school.

I cannot pass such an event without notice in this column. However, since their contributions are catalogued elsewhere in this magazine, I will focus here on what their professional lives tell us about change in the community.

When John Brumbaugh arrived here in 1956 there were seven faculty, 439 students, very few women or minority students or faculty, and none of the programs that have recently brought the law school national acclaim. Today the faculty numbers 58; there are approximately 840 students; nearly a third of our students are members of racial minorities and more than 50 percent are women; our Business Lawyer is the most widely-read legal periodical in the country and one of the most respected; our clinical program is the model for experiential learning nationwide; and such programs as those in law and health care and environmental law are truly on the cutting edge of legal education. Greater change is hard to imagine.

The School of Law today is strong because of the changes that John Brumbaugh and Oscar Gray helped facilitate. Although I guard with skepticism surveys by publications such as U.S. News & World Report, it is significant that this year’s survey again ranked three of our programs among the top ten in the nation, a distinction shared by only one other public university law school (Boalt Hall/Berkeley). Our law and health care program was ranked as the third best in the country, our clinical program as the sixth best, and our environmental law program as the seventh best. Deans and professors at other law schools ranked us as the 45th best law school overall out of 178—not as high as we deserve to be, but significantly better than we have been. Similarly, National Jurist magazine ranks us 13th in the nation in our commitment toward women and another survey ranks us fourth best in racial diversity.

This is the legacy that Professor John Brumbaugh and Professor Oscar Gray pass on to their younger colleagues: a school that is strikingly stronger than when they came because of changes in programs, faculty and students that they helped effect.

It is with these strengths that we encounter the challenges facing legal education today that are described in Quincy R. Johnson’s article on page 15 in this issue of JD. Among those challenges are the national decline in law school applications and the weakening legal employment market. It is important to remember that the University of Maryland School of Law is still receiving more applications than it ever received before the late 1980s and that we are doing a better job placement than our local competitors. More important, the changing applicant pool and the shrinking job market portend significant changes in the profession, changes that will best be met by the kinds of programs that distinguish this law school. These challenges are our opportunities.

A third challenge, peculiar to us, is to find the means to tap into the opportunities afforded by our proximity to Washington, D.C., the world’s greatest law center. Already, educational partnerships, such as those with the Environmental Protection Agency and the Securities and Exchange Commission, provide evidence that we are becoming a “Washington law school,” as well as a “Baltimore law school.” And an increasing number of our students come from Montgomery and Prince George’s Counties. Although the heart of the University of Maryland School of Law will always reside in Baltimore, we should be prepared to explore together new ways to interact with Washington and its suburban areas.

The first law school dean with whom I served, Francis X. Beytaugh, often said that “Institutions don’t stand still. If they do not move forward, they fall behind.” Change is the only constant. That is the legacy that Professors Brumbaugh and Gray have left us. Over the last four decades, the University of Maryland School of Law has responded extremely well to a changing world. We must all recommit ourselves to being a part of that proud tradition and welcome the challenges and opportunities of an uncertain future.