

Symposium - the Profession and the Academy: Addressing Major Changes in Law Practice - Introduction

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Symposium

The Profession and the Academy: Addressing Major Changes in Law Practice

INTRODUCTION

As a result of the economic crisis of the early twenty-first century, every level of the legal practice has experienced profound changes. Although coverage of these changes has been extensive, the implications for the legal profession and, particularly, for legal education have not been as thoroughly discussed. On April 28, 2010, Professor Michael Millemann and the Leadership, Ethics and Democracy Initiative—with the support of the Fetzer Institute—brought together law professors, scholars, practitioners, bar leaders, and students for the Symposium on the Profession and the Academy: Addressing Major Changes in Law Practice. By publishing the following thoughts and proposals initially explored at the Symposium, the *Maryland Law Review* seeks to fuel a new discussion, one that goes deeper than the other related conversations that simply discuss the impact of the economic crisis on the legal profession: As educators, practitioners, professionals, and students, what can we do to better prepare ourselves for the post-recession legal world?

In *On Legal Education and Reform: One View Formed from Diverse Perspectives*, Professor Robert Rhee lays out the framework of the Symposium.¹ He discusses the challenges facing the legal profession as a

1. Robert J. Rhee, *On Legal Education and Reform: One View Formed from Diverse Perspectives*, 70 MD. L. REV. 310 (2011).

result of the recent economic crisis and identifies what he views to be the major flaw of legal education—namely, “the failure to produce more market-ready lawyers with skills and knowledge to add value more quickly in a complex and challenging practice environment.”² Responding to this flaw, he suggests ideas for legal education reform, such as diversifying pedagogy and revising the third-year curriculum,³ ideas that other symposium contributors later expand upon. With these proposals, Professor Rhee highlights the unique nature of this Symposium, distinguishing the following conversation from related discussions that simply discuss the impact of the economic crisis on the legal profession.

The next two essays examine the changes wrought by the economic crisis on law firms. In *The Changing Cultures and Economics of Large Law Firm Practice and Their Impact on Legal Education*, Neil Dilloff looks at the world of large law firms.⁴ And in *Profound “Nonchanges” in Small and Midsize Firms*, Ward Coe III provides a voice for the often overlooked small and midsize firms, discussing the consequences of the economic crisis for them.⁵

Yet, these changes do not occur in a vacuum. Professors William Henderson and Michelle Harner contextualize them within the U.S. legal profession’s broader historical landscape, discussing its past, current, and likely future states. In *Three Generations of U.S. Lawyers: Generalists, Specialists, Project Managers*, Professor Henderson guides us through the evolution of U.S. corporate lawyers—from generalists, to specialists, to future project managers.⁶ In *The Value of “Thinking Like a Lawyer,”* Professor Harner surveys recent literature and draws her own conclusions about the future of the legal profession.⁷ William Hornsby, in *Challenging the Academy to a Dual (Perspective): The Need to Embrace Lawyering for Personal Legal Services*,⁸ and former University of Maryland School of Law Dean Michael Kelly, in *A Gaping Hole in Amer-*

2. *Id.* at 311.

3. *Id.* at 328–31, 337–38.

4. Neil J. Dilloff, *The Changing Cultures and Economics of Large Law Firm Practice and Their Impact on Legal Education*, 70 MD. L. REV. 341 (2011).

5. Ward B. Coe III, *Profound “Nonchanges” in Small and Midsize Firms*, 70 MD. L. REV. 364 (2011).

6. William D. Henderson, *Three Generations of U.S. Lawyers: Generalists, Specialists, Project Managers*, 70 MD. L. REV. 373 (2011).

7. Michelle M. Harner, *The Value of “Thinking Like a Lawyer,”* 70 MD. L. REV. 390 (2011).

8. William Hornsby, *Challenging the Academy to a Dual (Perspective): The Need to Embrace Lawyering for Personal Legal Services*, 70 MD. L. REV. 420 (2011).

ican *Legal Education*,⁹ round out these discussions with their own practical suggestions.

The next section addresses an important question left unanswered by the preceding essays: given the new direction of the legal profession, how can the academy adapt? In *Back to the Future in Law Schools*, Professor William Reynolds suggests how law schools should prepare students to perform the work in which lawyers actually engage.¹⁰ Although some fundamentals in legal education are worthy of preservation, he concludes, parts of the curriculum ought to be reconsidered.¹¹

Professors Charlotte Alexander and Gillian Hadfield, in *Learning to be Lawyers: Professional Identity and the Law School Curriculum*¹² and *Equipping the Garage Guys in Law*¹³ respectively, propose legal education reform by opening their classrooms and inviting us to see how their enacted changes have made a difference. And in *Should American Law Schools Continue to Graduate Lawyers Whom Clients Consider Worthless?*, Clark Cunningham probes deeper into curricular reform, invoking the practices of foreign countries and exploring practical components that might enhance the current approach of most American law schools.¹⁴

These essays are intended merely to spark a conversation on how the recent economic downturn can, should, and will generate reform in both the legal profession and legal education. They are insightful and provoking, and we hope they will encourage leaders to change both the legal profession and legal education in positive ways. We would like to thank the authors for their participation in the Symposium and for their insightful essays. We would also like to thank Professor Michael Millemann, the Leadership, Ethics and Democracy Initiative, the Fetzer Institute, Maura DeMouy, Lydia Nussbaum, and the many other individuals who helped bring the Symposium to the law school and allowed us to take part.

9. Michael Kelly, *A Gaping Hole in American Legal Education*, 70 MD. L. REV. 440 (2011).

10. William L. Reynolds, *Back to the Future in Law Schools*, 70 MD. L. REV. 451 (2011).

11. *Id.* at 463–64.

12. Charlotte S. Alexander, *Learning to be Lawyers: Professional Identity and the Law School Curriculum*, 70 MD. L. REV. 465 (2011).

13. Gillian K. Hadfield, *Equipping the Garage Guys in Law*, 70 MD. L. REV. 484 (2011).

14. Clark D. Cunningham, *Should American Law Schools Continue to Graduate Lawyers Whom Clients Consider Worthless?*, 70 MD. L. REV. 499 (2011).