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UCI Law has status, not tradition

Innovations at the new school, which opens Monday, attract national attention.



Founding dean Erwin Chemerinsky will open UC Irvine's law school on Monday. (Robert Lachman / Los Angeles Times / August 18)

By Mike Anton

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In a challenging fundraising climate, the first new public law school in California in more than a generation begins classes Monday at UC Irvine with 61 top-flight students, a highly regarded faculty and the goal of becoming a model for an innovative legal education emphasizing hands-on experience and public service.

It has been less than two years since the school's founding dean, Erwin Chemerinsky, was hired, fired and rehired by UCI Chancellor Michael Drake during a weeklong fiasco that focused attention on Chemerinsky's outspoken liberal politics and whether conservative critics had quietly lobbied for his ouster. The resulting national uproar over the sanctity of academic freedom threatened to derail the law school.

Today, the episode seems relegated to the distant past as the school receives high marks even before its doors open. It also fulfills a decades-long dream of Orange County's legal and business leaders -- notably Irvine Co. Chairman Donald Bren, a major donor -- for a public law school at UCI.

Brian Leiter, a University of Chicago law professor and author of an influential blog on legal education, said that, based on the quality of its faculty and the entrance exam scores of its first class, UCI should be ranked among the nation's top 20 law schools, status that typically takes a new school

decades to achieve.

"It's quite unusual. But this is an unusual situation," Leiter said. "This is the University of California, after all, which is a big selling point. They've recruited the right kind of people from the right kind of places. And the fact that someone of Erwin's stature is the dean obviously helps."

So does free tuition.

With a \$20-million donation from Bren, UCI was able to provide full scholarships to its entire inaugural class. The offer led to a flood of applicants -- unusual for an untested school in a profession in which pedigree counts. That allowed UCI to be highly selective in admissions, further burnishing its image. At roughly \$100,000 per student, the scholarships amounted to a \$6-million gamble that paid off, Leiter said.

"What first caught my attention was the free tuition," said Adam Brauner, 23, an Alaska native who applied to UCI after he was already accepted by several law schools, including Columbia, New York University, UC Berkeley and the University of Chicago.

Brauner's parents paid his way through Georgetown University, where he earned an economics degree. Law school, however, would be coming out of his pocket. Although he is unsure what kind of legal career he wants, Brauner knows that not having huge student loans to repay will give him a freedom of choice few law school graduates can afford.

Still, the free tuition wasn't the deciding factor, he said. Most important was the unheard-of three-to-one student-faculty ratio that the inaugural class will enjoy and the chance to shape the school's future through such things as the establishment of its first law journal.

"It's a lot of responsibility for the first class. It's intimidating," he said. "But it's comfortable, too, because we know the faculty is going to go for it -- they have their reputations on the line. The incentives are aligned for everyone to give 150% and make this a success."

In all, the school has raised \$27 million, including \$2 million for an environmental law clinic from a donor who asked to remain anonymous. The goal is for the school to grow to 600 students and be self-supported by tuition. But until that happens, millions more will need to be raised amid the deepest recession in decades.

"The economy is the question mark over the whole enterprise," said Leiter, who said he believes that job cuts at law firms nationwide may lead to some law schools closing. "There's nothing certain here."

That is, nothing except the direction Chemerinsky intends to take UCI's school.

"The traditional model of law schools is to teach students how to think like lawyers. They do a terrific job of teaching how to read cases and form legal arguments," Chemerinsky said. "But they don't do a good job teaching how graduates will use that thinking in an actual legal practice. We want to teach the theory of law as well as the craft."

When he graduated from law school in 1978, Chemerinsky was confident that his diploma would open the door to nearly any opportunity. He was equally certain he hadn't received a good legal education.

That the school was Harvard might surprise some. That the candid constitutional scholar and civil rights attorney would ruffle the ivy on the nation's oldest law school should come as no surprise.

"The law faculty wanted the best students they could get and then have nothing to do with them after they arrived," said Chemerinsky, a professor at USC Law School for 21 years before moving to Duke University in 2004. "Teaching is the most important thing we do."

Like other law schools, UCI will teach contracts and torts. But first-year students will be required to put these lessons into practice by doing intake interviews for the Legal Aid Society of Orange County and the local public defender's office.

"I've always wanted to pursue social justice and public service," said Acrivi Coromelas, 27, who worked as a high school English teacher before being accepted at UCI. "One of the focal points of the school will be how to create a more just society by becoming a lawyer. . . . And the very hands-on experience they will provide meets my goals."

Students will also be required to take a course on what to expect from the legal profession: the psychology and sociology of attorneys and how the economics of billable hours at law firms shapes one's career. There is also a required course on nuts-and-bolts investigation and interview techniques, skills most newly minted attorneys learn on the job.

"It's a common complaint that we get in the legal profession that new graduates get book learning but don't know where the courthouse is," said U.S. District Court Judge Andrew Guilford.

The Orange County jurist, a Republican appointee of then-President George W. Bush, is among those who have worked for years to start a law school at UCI. Despite their ideological differences, Guilford has been a steadfast supporter of Chemerinsky, who in 2005 was named one of the top "legal thinkers in America" by Legal Affairs magazine.

Both share working-class backgrounds, and for both, education was paramount. Guilford, a bus driver's son, graduated from UCLA; Chemerinsky grew up on Chicago's South Side, where his father was an auto mechanic and later managed a home improvement store.

"Even before we're out of the chute, UCI is breaking into the list of prestigious schools. . . . That's due to the great work of our dean and his reputation," Guilford said. "He's starting out without the restraints of 100 years of tradition. He can create something entirely new."

The opportunity to be a pioneer enticed many of the new faculty and administrators to leave established careers at other law schools and come to UCI.

"Traditions are lovely things, but a lot of traditions get in the way of change," said Charles Cannon, assistant dean of development and external affairs, who jumped from UCLA Law School, where he held the same position. "My profile is the same as all of us who came here. . . . The chance to do something different at an elite institution. . . . It's only going to happen once in our lifetimes."

mike.anton@latimes.com

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