

Whittier Law's Hands-On Classes Aim for New Market



Opening arguments: former Whittier Law School student Payvand Moghaddas practices his courtroom skills

Law Firm Clients Now Require Real Experience

By MEDIHA DIMARTINO

Whittier Law School is working on closing the practice-readiness gap, which the legal industry claims is a real threat to young lawyers entering a field where on-the-job learning is becoming more and more cost-prohibitive.

The Costa Mesa-based law school launched a curriculum this fall that integrates practical training with traditional, theory-based knowledge.

"The employment market is changing, and our law school wants to keep up," said Martin Pritikin, Whittier's associate dean

of experiential learning.

Practical instruction, including lawyering skills, has always been part of laws schools' curricula, but today's market makes significant hands-on experience a must because law firm clients with strapped post-recession budgets require it.

More than half of Whittier's "Experience the Law" curriculum's 56 required semester units—29—are experiential classes.

A third of the school's students are participating in the new program's roughly half a dozen classes. Full implementation is expected in the fall of 2014, with 12 units to be earned in the first year of law training and a combined 17 units in the second and third years.

School administrators say hands-on learning should be part of students' training from the time they arrive on campus.

"Our faculty and management believe that students learn better if you expose them to [challenges], so if this is what helps students, why not start preparing them for what they'll be doing from the first day?" Pritikin said.

Putting It Into Practice

Students in experiential classrooms learn new concepts and immediately put them into practice. For example, they grasp civil procedures—rules by which courts conduct civil trials—by conducting simulated litigation of pretend contracts or property cases at the school's Kiesel Advocacy Center, a recently finished courtroom.

The concepts covered in other first-year classes are also relearned in a practical setting.

"When you're litigating a case, it has to be about something," Pritikin said. "They get an opportunity to integrate the substance of the law, to apply things they are doing in other classes and see how different topics relate to each other. They also get a sense of professional identity, of how you handle yourself in the business of being a lawyer."

Second-year students concentrating on business law are tasked with drafting contracts and other documents, such as an LLC agreement or articles of incorporation. Third-year students are required to spend a semester litigating a case, specializing in a particular area of law, Pritikin said.

In addition to the new curriculum, the law school continues to offer other opportunities for hands-on experience, such as its on-campus legal clinics on children's rights, domestic violence, special education and the recently established Coastkeeper Environmental Water Law Clinic. Clinics give students a chance to represent real-life clients in legal proceedings under the close supervision of faculty members.

"Our top priority is to graduate students who are fully prepared with the knowledge, skills and professionalism needed to successfully practice law," said Penelope Bryan, dean of the law school.

New Requirements

Whittier's new curriculum exceeds the requirements set forth by the American Bar Association's Standards Review Committee, which voted in August to require law students to complete at least six units of experiential coursework, such as clinics, externships or simulation courses. The State Bar of California has proposed new bar admission requirements that include a significant practical skills component—15 units, a requirement legal industry leaders expect it to adopt in 2017.



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Experience

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The changes stem from the “rapidly changing landscape of the legal profession,” according to the State Bar’s Task Force on Admissions Regulation Reform, “where, due to the economic climate and client demands for trained and sophisticated practitioners fresh out of law school, fewer and fewer opportunities are available for new lawyers to gain structured competency skills training early in their careers.”

The Real World

Law students graduate with a hefty school loan, often more than \$100,000, and are entering a dismal job market “as solo practitioners, without the solid foundation necessary to represent clients in a competent manner and with nowhere to turn to

build that foundation,” the task force reported.

The **UC Irvine School of Law is also on board with experiential education** but puts more emphasis on law clinics and pro bono work than on simulating real-world cases. It requires students to complete six units in core clinical courses, and it says many students take more.

“I support having a mock trial and moot court. ... Simulations can teach a great deal, but I think a lot more can be learned if somebody is representing a real client,” said **Erwin Chemerinsky, dean of UCI’s law school.** “The only way to learn how to be a lawyer is to practice law under supervision. Could you imagine (a) medical school that trained doctors where medical students never saw patients? Law schools need to train lawyers in the same way, so I strongly believe in our clinical programs, [which] give our students a chance to prac-

tice law under supervision of a faculty member.”

Like Whittier, UCI has well-established on-campus law clinics that support the experiential learning model, including clinics on environmental law, consumer protection, domestic violence and appellate litigation.

“All students have to participate in one of these, and we strongly encourage students to do pro bono work,” Chemerinsky said. “We’re proud that 90% of our students do pro bono work, and they average 100 hours of pro bono work each.”

Peter Zeughauser, a legal strategist and chairman of Newport Beach-based **Zeughauser Group LLC**, said Whittier’s experiential curriculum is “progressive” and “ought to translate into more jobs” for new law school graduates.

“It makes them more valuable to law firms and clients much quicker.” ■

MOOC

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Struppa and Navarro said they see them as enhancing business schools’ offerings.

“We shouldn’t refuse any of the new ideas,” Struppa said. “We should study them and include the best parts in what we do.”

MOOCs can be used as prerequisite courses to help level the playing field for MBA students with nonbusiness undergraduate degrees, he said.

Next summer, Chapman University will offer a MOOC on storytelling for its Dodge College of Film and Media Arts, so that “when we start in September, we can hit hard and go quickly at what we need to do,” Struppa said.

It plans similar prerequisite MOOCs for its business school in the near future.

At UCI, Navarro’s two MOOCs—The Power of Macroeconomics: Economic Principles in the Real World, and The Power of Microeconomics: Economic Principles in the Real World—cover material aimed at undergraduate business majors, but MBA students take them to brush up on core economic principles, Navarro said.

Open-learning courses can also be used as auxiliary resources to implement what’s known in the industry as the “flipping the classroom” concept, where students watch lectures online followed by participation in live classroom discussion.

“... the flip classroom is the best way, because it puts responsibility on the student but at the same time makes the class a very fruitful time,” Struppa said.

Similar ideas were discussed at a symposium on open learning systems that UCI hosted last month. Panelists discussed innovation in the online learning model, its benefits and pitfalls, all of which was streamed online.

A group of volunteers created an MOOC in a daylong workshop.

David Theo Goldberg, director of UCI’s Humanities Research Institute and one of the event’s organizers, said the university as a whole is not pursuing open learning courses, but individual professors are.

In January, the state awarded the University of California system \$10 million to develop technologically driven classrooms, and professors can apply for funds to develop courses, including open learning classes.

Not Without Problems

Some who’ve embraced open learning have run into obstacles.

For instance, open learning systems present professors with challenges they don’t encounter in traditional classes.

Richard McKenzie, an emeritus professor of enterprise and society at UCI’s business school, quit teaching the Microeconomics for Managers MOOC because of “disagreements over how to best conduct this course,” he wrote to his students in February.

Some students had complained that McKenzie required more of their participation than they thought necessary.

The class continued without him.

“It puts ... pressure on a teacher to be something other than a sage on the stage,” Goldberg said. “Now instead of just lecturing, the teacher has to take on a role of a facilitator, or a conductor.”

Struppa said open learning systems, just like any new concept, should be looked at “with critical eyes.”

“That’s what universities do best. Our job is to look at the changes in the world and see what is good, what we can take advantage of and what doesn’t work.” ■



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