

# UC Irvine's grand plan

University of California Irvine is the new kid on the block, but its goal is to be a top 20 law school — and it's well on its way.

BY CHRISTINA THOMAS

**F**ive years ago, Erwin Chemerinsky was in the midst of a strange and difficult time as he transitioned from Duke University School of Law to becoming the founding dean of the all-new University of California Irvine School of Law.

Before he was offered the job, the mere idea of adding another law school was the subject of much debate and criticism. The drama only escalated when UCI named Chemerinsky as founding dean, just to have the offer rescinded a week later by UCI Chancellor Michael Drake. After days of criticism, debate and public outcry from conservative and liberal scholars, Drake and Chemerinsky reached an agreement, and he was offered the job a second time.

"I've developed a wonderful relationship with the chancellor," Chemerinsky said about his relationship with Drake now. "He and I co-teach a freshman seminar every year together. There's been no negative fallout from what occurred five years ago. It's just one of those things that happens — it was strange and difficult to live through. I took the [dean] position, and we've gone from there."

Once Chemerinsky began his role at the new school, he set the bar high. He said his goal for the school was for it to rank in the top 20 of the *U.S. News & World Report* rankings in the year it would premiere on the list. It's been three years since the school opened its doors, and even though it has three more years until it makes a *U.S. News* debut, the school is quickly climbing the ranks.

UCI was recently ranked seventh on the "Scholarly Impact of Law School Faculties" in 2012, a study released by the University of St. Thomas School of Law. The study was based on a methodology created by University of Chicago professor



Brian Leiter. It measures the influence of a law school's tenured faculty based on citations in recent legal literature.

The ranking proves the school is doing something right, but it is only the beginning. Chemerinsky's plan for creating a successful law school is to put a strong emphasis on experiential learning.

"I said from the beginning I had two goals for the law school: One was that we would become a top 20 law school from every measure and the other is that we will do the best job possible in preparing students for the practice of law in the highest levels of the profession," he said.



**UCI's goal** has been to create a top 20 law school, and Dean Erwin Chemerinsky (left) has brought together a respected staff of scholars.

The latter goal is already a significant part of UCI's curriculum. It requires every law student to participate in a clinical experience in order to graduate. Students must take an in-house clinic where they represent clients under faculty supervision. They can choose among litigation, community economic development, consumer law, environmental law, immigrants' rights or human rights. Students are also encouraged to participate in elective clinics such as family violence, employment housing discrimination and international rights.

In addition to the clinical requirements, first-year students are required to go to the Legal Aid Society of Orange County with a public defender and do intake interviews.

"Our first-year students have contact with real clients, which is an important part of our program," he said.

UCI also offers externship and pro bono programs. Chemerinsky said 98 percent of the graduating class in May did pro bono work. The school encourages first-year students to do 25 hours of pro bono work, while second- and third-year students are asked to do 50 hours a year.

"We've made a full commitment in preparing students for the practice of law," Chemerinsky said. "We give tenure and full voting rights to our clinical learning skills faculty, who are fully integrated into the faculty, so preparing students is a huge component of what we do."

There are 33 faculty members at the school, and each year Chemerinsky hopes to add a few more. He said his goal is to build a faculty that is of the caliber of the top law school in the country, something he and his faculty are working hard to achieve. But it is not just about hiring the top scholars — he wants people who know how to teach and mentor the students as well.

"We've made a real effort to hire people that are not only good scholars, but are really terrific teachers as well," he said. "So when we think about hiring a person, we look at the quality of teaching, not just scholarship."

As the school continues to develop, the plan is to slowly grow the number of students and faculty while still maintaining the same overall quality. The school is expected to receive full accreditation by the American Bar Association in 2014, upon which the school will premiere on *U.S. News*' law school rankings in spring of 2015.

Even with the goal of achieving ABA accreditation looming in the future, Chemerinsky's main focus is preparing students for their careers.

"I believe if we can give our students much better skills training they will be in a much better position relative to the market," he said. "I'm proud and pleased that of the 58 students who graduated in May, 16 of them were accepted to clerkships — 15 at the federal level and one on the Alaska Supreme Court."

Chemerinsky said between 75 and 80 percent of the graduating Class of 2012 now have jobs.

But the school has been criticized. Brian Tamanaha, a Washington University

School of Law professor, argues in his book, "Failing Law Schools," that UCI sought to create an "elite" and expensive law school when it could have focused on affordability, especially as a state school. The law school charges approximately \$45,000 for in-state students and \$55,000 for out-of-state students. Those are comparable to the tuitions at elite public and private law schools. But they are significantly higher than most state schools.

Chemerinsky defended his plan in an open letter.

"Although everyone wants legal education to be less expensive, [Tamanaha] pro-

poses a model that is economically impossible without dramatically decreasing the quality of legal education."

poses a model that is economically impossible without dramatically decreasing the quality of legal education. But as I see each year when I read the student evaluations at my school, overall the evaluations for the full-time faculty are substantially better than they are for the adjuncts."

Chemerinsky has come a long way from his first few weeks at UCI. It wasn't easy for the former dean of Duke University School of Law to leave North Carolina, but he has enjoyed the process of starting a new law school. "It's been an amazing experience," he said. "Of all the things I've done professionally, this is the one that's been the most exciting, and that ultimately I'll be

## Law faculties with the biggest scholarly impact

University of California, Irvine is in rare company in the 2012 ranking of scholarly impact. Gregory Sisk, a law professor at University of St. Thomas in Minnesota, compiled the study based on a system created by University of Chicago law professor Brian Leiter.

The Scholarly Impact Scores measure the influence of the tenured law faculty of each law school by citations in the legal literature over the preceding five years.

UCI increased from number nine to number seven this year, despite the fact that the authors adjusted the raw mean score for the new school.

"Because it has not yet finished hiring its tenured faculty, because the number of tenured faculty remains well below that of other law schools that rank in the top 10 by Scholarly Impact Score, and because Dean Erwin Chemerinsky's high number of citations

makes him an outlier, an adjustment was made to the raw mean score for the University of California at Irvine."

| Rank Law | School                             | Weighted Score |
|----------|------------------------------------|----------------|
| 1        | Yale Law School                    | 1629           |
| 2        | Harvard Law School                 | 1326           |
| 3        | University of Chicago              | 1215           |
| 4        | Stanford University                | 1176           |
| 5        | New York University                | 1141           |
| 6        | Columbia University                | 962            |
| 7        | University California, Irvine      | 922            |
| 8        | Vanderbilt University              | 891            |
| 9        | Cornell University                 | 793            |
| 10       | University of California, Berkeley | 788            |

poses a model that is economically impossible without dramatically decreasing the quality of legal education."

He said Tamanaha's approach would require a school to cut faculty in half and rely more on low-cost adjunct faculty.

"Tamanaha's assumption is that relying on practitioners rather than professors to teach more classes won't compromise the quality of the education students receive. Here I think he is just wrong. There are certainly some spectacular adjunct professors at every law school, and they play a

the most proud of."

Even though the school has come a long way, Chemerinsky thinks it still has a long way to go. He said he doesn't worry about the critics and focuses on making the school and its students the best they can be.

"I think if we simply replicate other law schools, then you can question our existence. But I think if we succeed in something different, with preparing students for the practice of law, then I think we justify why we exist," he said.