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Building a Powerful Public Interest Program: How NYU Has Done It and How Your School Can, Too

By Deborah Ellis

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If you are reading this article, you probably are already convinced of the importance of public interest law and the need for law schools to encourage it. Almost 30 years ago, in *Unequal Justice: Lawyers and Social Change in Modern America*, Jerold Auerbach criticized the provision of legal services on the basis of wealth rather than need, and analyzed how lawyers historically have contributed to the gap between law and justice in the United States. More recently, in his 1989 study *Making It and Breaking It: The Fate of Public Interest Commitment during Law School*, Robert Stover found a significant decrease in students' desire to practice public interest law during the course of their legal education, based on an empirical analysis of students at the University of Denver College of Law. Stover concluded that law schools need to act affirmatively to encourage public interest careers. In the past 15 years since Stover's book was published, more is being done by more law schools to train students for public service careers, as well as to inculcate the pro bono habit in those students who will work in the private sector.

In this article, I will describe four key components of a law school public interest program - curriculum, financial support, cultural support, and exposure to public service - and suggest some ways that they can be achieved. Because I realize that many schools may not have the resources that we have at New York University, I also will highlight efforts that are most financially feasible.

1. CURRICULUM. The most important curriculum component is a strong clinical program, because as

recognized by the 1993 McCrate Report (published by the American Bar Association's Task Force on Law Schools and the Profession), traditional legal education does not prepare students for the practice of law. Of course public service lawyers need the same analytic and written skills as students going into the private sector, but they also have a greater need for a wide range of lawyering skills, since many public sector jobs expect interns and young lawyers to assume significant responsibility.

At NYU, we have an extensive clinical program of 22 clinics for second and third year stu-

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dents. Moreover, instead of the traditional writing program, 1Ls take Lawyering, which is viewed as the first step in our clinical program. In Lawyering, in addition to legal research and writing, students engage in simulated exercises of fact development, client interviewing and counseling, negotiation, mediation, and oral argument.

How can you achieve this? Students can use the findings in the McCrate Report to show the importance of clinical skills in a well-rounded legal education. In addition, because all schools offer a first-year skills course, students can advocate that the content of those courses be broadened. Although NYU's program is resource-intensive, some of the same goals can be achieved in large lecture classes. For example, successful negotiations can be demonstrated and upper class students can be recruited to simulate "clients."

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2. FINANCIAL SUPPORT. There are two main types of financial support: tuition assistance and funding for summer internships. Tuition assistance can either be given at the front end via a public service scholarship or at the end, in loan repayment.

Loan Repayment Assistance Programs (LRAP): The high cost of legal education and comparatively low public sector salaries have made LRAPS increasingly necessary. The ABA and other groups have issued reports on the need for LRAPs, encouraging employers, government, bar associations, private firms, and law schools to fund such programs.

NYU has a very generous LRAP, paying out over \$3 million annually to our alumni pursuing public interest careers. Endowing such a program should be a first priority for a law school committed to public interest. To learn more about LRAPs, including assistance in creating or expanding a law school LRAP,

visit www.abalegalservices.org/lrap or www.equaljusticeworks.org. If your school does not have an LRAP and you want to pursue public service, check to see if the employers that interest you or bar associations in your area offer loan assistance.

Scholarship Programs: At NYU we are fortunate to have the Root-Tilden-Kern Scholarship Program, which awards full-tuition scholarships to approximately 20 Scholars a year, chosen for academic merit and public interest commitment. Although the Program has been highly successful, recently celebrating its 50th anniversary, it is an expensive model to emulate and LRAP may be a better model for schools with limited resources.

Summer Funding: By providing funding for summer internships, students gain crucial skills and

knowledge, as well as explore which aspect of public service they want to pursue. At NYU, we guarantee funding for all first-year and second-year students who want to work in public interest and government positions throughout the world. Most schools that have summer funding programs support them with student-led auctions or other fundraising initiatives. In the past few years more and more schools also have been using work-study funds to support public interest internships. Additionally, www.pslawnet.org lists sources of fellowship money for summer internships.

Career counseling: Because the public interest field is distinct, with its own timing and career paths, it is important to have a career counselor who specializes in this field.

3. CULTURAL SUPPORT, a.k.a. EDUCATION AND INSPIRATION. This third category is important to counter what Stover dubbed the "dominant culture" in the legal profession and law school that insufficiently values professional altruism. Because much of the legal profession values craft, status, power, and money without consideration of altruistic goals, it is crucial for law schools

to encourage altruism by career counseling tailored to the public interest field, as well as education and mentorship programs.

At NYU we established the Public Interest Law Center in 1992 as a focal point for public interest activities. But career counseling, education, and mentoring can take place either in a separate center or by a specially-designated person within the career services office.

Career counseling: Because the public interest field is distinct, with its own timing and career paths, it is important to have a career counselor who specializes in this field. Depending on student demand and resources, the counselor could devote either part of all of their time to public interest counseling. With the advent of online resources, fewer resources need to be devoted to posting or

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disseminating information about internships and jobs. PSLawNet, www.pslawnet.org, started at NYU and spun off in 2003 to the National Association for Law Placement, is a wonderful "one-stop shopping source" for students, career counselors, and employers in public interest. Another great counseling resource is *Serving the Public: A Job Search Guide*, Harvard Law School's handbook and directory for law students seeking public service work.

Only through actual work in public service will law students learn the satisfaction of using their legal skills for public good.

Education and Inspiration: Students need role models and inspiration. Fortunately, many public service attorneys are passionate about their work and eager to speak at law schools (without expecting to be paid except for travel). The best resources are your school's alumni. A centerpiece of our education effort is the Monday Night Lecture Series, which brings to campus approximately 15 practitioners, carefully selected to represent a variety of public service issues and types of lawyering (policy, litigation, etc.). Additionally, we expand our counseling capacity by asking each speaker to hold two small group counseling sessions (an hour each) about their work. In order to strengthen our sense of community, we hold an inexpensive coffee/cookies reception after each lecture. In addition to the

Monday series, we also organize an extensive series of daytime panels throughout the year on public interest career issues.

Mentoring: Because so much job information (whether public or private) is informal, mentoring systems are important. There are a variety of mentoring methods. At NYU, we capitalize on both our upperclass students and our alumni. Our alumni network is simply a list of names, emails, and career histories; students contact alumni when they have specific career questions. You can view it at: www.law.nyu.edu/depts/publicinterest/career/network/index.html.

In addition, we have a Peer Mentor Program of 2L and 3L students that is also a panel rather than individual system. We publish biographies of the peer mentors, hold a fall get-acquainted reception, and host a series of brown bag lunches where the peer mentors share information and strategies with other students.

4. EXPOSURE TO PUBLIC INTEREST PRACTICE. The last item overlaps with all three above and is most crucial. Only through actual work in public service will law students learn the satisfaction of using their legal skills for public good. Exposure can take many forms: clinics, student organizations that represent clients (at NYU there are several, including the Battered Women's Project and the Unemployment Action Center), mandatory pro bono programs, summer internships, and term-time internships (paid, unpaid, or for credit).

Developing a strong public interest program leads to greater numbers of students who are enthusiastic and excited about serving in this type of career, and is self-perpetuating because of alumni involvement and mentoring. For more information on NYU's Public Interest Law Center, visit www.law.nyu.edu/depts/publicinterest.

Does a law school you know
have a great public interest program?
We are interested in hearing about it! Please e-mail a brief
description of the program to us at PILR_Law@luc.edu
and we may choose to feature it in an upcoming issue.