

## **Is the Tail Wagging the Dog?: Institutional Forces Affecting Curricular Innovation**

**Saturday, July 28, 2001  
Morning Session**

**Professor Nancy L. Schultz:** Good morning. For those of you who may not know who I am, my name is Nancy Schultz. I teach at Chapman Law School. And for better or worse, I will be Pamela Lysaght's successor as President of ALWD starting this coming Wednesday.

We have, I hope, on tap this morning a really fascinating conversation. Among the five of us, we've identified five questions pertaining to the subject that's described in your programs as being our topic for today. I'm going to pose each of those five questions to our panel and let them run with it. We are going to try very hard to have some time for questions and comments at the end. If that does not happen, we hope that you will all keep track of your thoughts and your questions and take them with you into the breakout sessions, where we want to continue the conversation in what we hope will be a very concrete and constructive way.

I'm going to do very brief introductions of this panel. They're such a distinguished group they hardly need my help in telling you who they are, but I will do it very briefly.

On my far left we have Tom Sullivan, who is the Dean of this institution and our host. He's been the Dean since 1995 and was formerly the Dean at the University of Arizona. I said to him the other day, that must mean that he's good at the job, and he said he wouldn't be the person to ask. Tom's fields include antitrust and civil procedure.

To his immediate left, we have Mary Beth Beazley, who is an Associate Professor at the Moritz College of Law at Ohio State University. She's a former President of the Legal Writing Institute, and she's been the Director of the legal writing program at Ohio State since 1988. She teaches appellate advocacy, writing and analysis, and advanced legal writing.

To her immediate left is Elliott Milstein, who at the moment is a Professor at American University School of Law. He was the President of the AALS last year, and Dean and interim President at American University for quite a while. So, he must be good at that job too. Elliott

teaches negotiation, he teaches clinical law, and he teaches international human rights.

To his immediate left is John Sebert, currently the ABA Consultant on Legal Education, formerly Dean at Baltimore. John's fields are contracts, commercial law, and remedies.

The first topic that we want to address today is the question of when we talk about integrating skills and doctrine and theory, what do we mean by skills? We had a conversation the other day; we started talking about integration and realized we kind of needed to back up and think about what kinds of skills we were talking about and what did we mean.

I'm going to open that up to the panel in a minute, but we came up with—actually, I came up with, and so they are free to say anything they want about this list on the wall here, and I'll read it to you because I know it's kind of hard to see in the shadows. This is a list of skills that seem to me to be useful, if not critical, for lawyers in their representation of clients. And the list of thirteen, which is a wonderful magic number according to my daughter, includes analysis and problem-solving as one, critical reading, writing and drafting, interviewing, investigation, fact investigation, counseling, negotiation, research, oral advocacy, reflection, judgment, creativity, and time management.

So, with that list on the table and the question about what do we mean by skills when we talk about integrating skills and doctrine, I turn to my panel for my first volunteer.

**Dean Elliot Milstein:** Well, it's really very nice to be here. I appreciate being invited. I was for a very short time the Director of our legal writing program, and it's also great to be in the presence of one of my former students who I care deeply about, Richard Neumann, and it's also nice to see one of your own do well, extraordinarily well.

I was looking at your list and some really—the most important things that I think that we teach in our clinical program aren't on the list. So, that immediately struck me as a problem. For example, case theory. We claim to teach theory-driven lawyering. And case theory, which is the central organizing principle of all that we do in our clinic, isn't there. Strategic planning, which is the process of preparation for a case, isn't there. And, of course, trial skills aren't there at all.

So, looking at this list from the perspective of the clinical teacher, it's strikingly incomplete. And I guess it sort of takes me back to my roots at the beginning of clinical education. I guess I claim to be a member of the founding generation of clinical teachers. I started in 1969. And the question we were asked at the beginning was what are you going to teach that isn't otherwise taught in the first six months of practice. And the core assumption of that question was that these things that we thought of in those days as skills were thought of as—from the perspective of a

traditional faculty member—as practical, simplistic things you learned in the sandbox of being a lawyer.

So at this point, I actually turn the question around and ask the Socratic case book method traditional teacher, whose goals are to teach doctrine, what are you teaching the students that they otherwise won't learn in their first six months of practice? Because the question really for us is not whether to teach skills: It's how to teach skills. What's the level of abstraction at which skills will be taught? What are the ways in which we can develop theories about these things to make the teaching of them useful over a career, rather than useful only for the first few months of practice?

So the work that we tried to do in clinical education, and I think that you're trying to do, is to think about how we take these very instrumental things that lawyers do and develop knowledge about them and pedagogies about them, so that we can teach them at a high enough level of abstraction that they're useful for life and that they can be applied at a low enough level of abstraction that they're useful day-to-day.

Then the final point I wanted to make about it was to think about skills in the absence of thinking about the purpose for which the skills are exercised; that is the values question, which had led me to no longer use the word "skills" at all. Every society has some method of transmitting skills and values to practicing lawyers. It's done in most societies in some form of informal apprenticeship or formal apprenticeship. What we're claiming for ourselves is that that's best done by people with critical distance from practice inside the academy. That only—the only way we can really fight for a more just society is to be detached and part of the legal profession at the same time, and that "skills" is not the right word, "skills/values" is the word—one word that ties together the inner relationship of what we're trying to teach with the reasons that we're trying to teach it, which is ultimately to promote a more just society.

**Professor Schultz:** Mary Beth.

**Professor Mary Beth Beazley:** When I thought about this, I thought about a definition because lists are dangerous because you always leave something off the list. So, I try to give a nice, broad definition, and then I can include anything I want to in my definition.

When I think about skills in the context of legal education, I think of skills-teaching as creating an opportunity for students to practice the decision-making that lawyers do in practice, with an opportunity to experience consequences for those decisions. I think in the lecture hall—and I will also talk about Socratic discussion because I know it's not all lecture—in the lecture hall, students are observing the teacher talking about decisions that lawyers may have made in cases or what the teacher has decided this case may mean.

In the Socratic discussion, the person talking with the teacher may be making decisions and practicing decision-making about it, but I think the consequences are much more ephemeral: It's not a very concrete reality. But when the student is asked to make decisions about writing, that decision is there in concrete in the writing and there are going to be consequences to the student for, obviously, a grade, but also for the completeness of the document, whether the choices you made about what cases were relevant, were good choices. So there are consequences to this document and thus to your grade. In a clinic setting, obviously, we're going to have consequences to the client.

I think the role we play—we were talking about this metaphor earlier—is we're sort of like the driving instructor with a foot on the brake or reaching a hand over to the steering wheel to prevent the car veering off and killing a bunch of pedestrians. We're trying to teach them these skills in a somewhat realistic setting so they will be able to, as Elliot was saying, apply what they learned in this specific context to the broader context—go up the abstraction ladder and then back down again to their later experiences in practice.

**Dean John Sebert:** I also think that, actually, one of the most important single differences between legal education as we know it right now in the United States and legal education in the rest of the world is this phenomenon that has occurred over the last thirty years, where now within the context of the J.D. program we actually try to do—and in many places are really quite successful—a reasonable job of teaching people how to act like a lawyer in addition to just teaching them to think like a lawyer. When I was at Michigan in the mid-Sixties, they did two things very well: They taught us how to think like a lawyer and they taught us substantive law, substantive law, substantive law.

And that's still true with legal education—at least in the LL.B. degree version of legal education—in large parts of the rest of the world, where they leave the skills-training to articling, to the practice, or now increasingly to an organized post-LL.B. program of one year or increasingly a two-year practical skills program that is divorced from the theoretical instruction that people receive when they get their law degree. The great thing that has occurred here is that now in many U.S. law schools, we combine theoretical and practical instruction in an integrated fashion. Now, I'll talk more about my views of that later, but I think it's just been a tremendous development.

**Dean E. Thomas Sullivan:** I would just add that Elliott's opening remarks need to be underscored to include "The Faculty," a reference to yesterday's wonderful opening speech, I thought. I think "The Faculty" would all agree with us with regard to Elliott's point. It does suggest perhaps the wrong definition when we use and segregate the term "skills."

It all starts with thinking and analyzing and it ought to seamlessly flow from that, this list and the other ones that Elliott added. And I think if we really had the serious conversation with our colleagues on “The Faculty,” that they would quite agree with that. They may not all want to engage in the classroom, as part of their responsibility, on all of these attributes of a good lawyer, but nevertheless, I think they would all agree that they are components, essential components. It starts with the integration or the connection of the thinking about the substantive material and the analysis that goes from that, and then it ought to be just a seamless integration from theory into practice.

And the key, of course, is for all of us to think about it in an integrated, seamless whole without trying to divide or separate into these kinds of components, because that’s when I think we get into political difficulties with the internal barriers that we’ll talk about in a minute.

**Professor Schultz:** Which leads us to our second major question that came up when we were having our conversation the other day, after we puzzled over what we were talking about when we use the word “skills.” We next puzzled over what do we mean when we talk about integration? What are we saying when we say we need to integrate skills and doctrine? So that’s our next big question. Anybody want—Elliott wants to jump in again.

**Dean Milstein:** Sorry, I have an opinion on everything. I mean, there are some Achilles’ heels that exist in traditional legal education: The classes are too big, the methods are too repetitive, the curriculum is too broad and not deep enough, too many subjects are taught, facts are ignored and are given, clients don’t exist, and the boxes—the doctrinal boxes—are artificial and misleading. So, I think any notion of integration needs to attack those essential problems of the traditional law curriculum.

It always, though, has claimed to integrate. That is no one says my goal as a professor is to teach legal doctrine: Everyone says my goal is to teach legal doctrine and teach legal analysis, and the legal analysis piece is important. My goal is to teach theory, and I have to slip the theory in because the students want to know the black letter law. So, the claim has always been that the curriculum—that the best teachers do multiple things. They integrate skills with and they integrate theory with the teaching of black letter law.

So, the question for us is how do we expand the range of skills that can be taught, both given the realities and given what we would like? When I say “the realities,” I mean the continued existence of big classes is a predominant method in first year, for example. So how do we invade that with—you know, I think integration means more—for me it means more conceptualization of learning and ways that we break out of these boxes, break out of the subject matter boxes and break out of legal—the

stranglehold that teaching legal analysis has on the imagination of the faculty as the only skill that can be taught.

**Professor Schultz:** Mary Beth.

**Professor Beazley:** We're developing a pattern. I have an opinion about everything too.

I've seen integration from two levels. One, and I guess I'm thinking of this as a writing teacher, that we teach writing and analysis in an integrated way, and that means to me that a canned problem—canned research—is not an integrated way to teach writing. Saying to the students, “your client is suing for intentional infliction of emotional distress,” is not integrated because clients don't come in and tell you what their cause of action is, usually.

Now, that's not to say there is no role for those canned problems, because I think in the first week of school or the first month of school we might have to move them along the chart, but I would hope that students would have an opportunity at some point to experience flailing around in the library and not knowing. I know I never use hypothetical jurisdictions because there's no—in my mind there's no such thing as a true case of first impression. You would always first find how close has this state come to this problem. You would never cite only law from other states.

In the broader context of integrating skills in the curriculum, I agree with much of what Elliott said, but I guess I would also say that, and this goes back to Kent's talk, that the faculty that teaches skills should be integrated members of the law school community, that the courses are not the department of skills—when we don't have the department of contracts and the department of torts, and you know, that we don't have professor so-and-so and professor so-and-so and Susy, Jenny, and Bobby, who are teaching writing. Terri LeClerc made that point in one of her talks a few years ago. And so, to have us integrated, to have the skills courses recognized as an equal part of the curriculum, has to do with fights that many of us have already fought and many of us are still fighting with credit hours and status of faculty and all that sort of thing. Integration on that level means that our full-time faculty are treated like full-time faculty who teach the other courses. That is an important part of integration.

**Dean Sullivan:** I would pick up from Mary Beth's last comment and make two comments. First, it starts at the top. I don't think you're going to get the kind of integration or connection throughout the curriculum unless the Dean is on board, unless he or she shares that vision with the Associate Dean for Curriculum, because it does start with the curriculum. It has to be integrated. And there are a number of ways to try to do that.

First of all, a conversation with the Associate Dean is necessary to make that individual understand that these components must be connected in meaningful ways. Here at Minnesota, we've been trying to do that for a number of years with regard to integrating the whole panoply of our responsibilities: theory, doctrine, policy, ethics, skills and practice, in hopefully a seamless way, at least from the perspective of the student, so that the student can literally feel comfortable with—and it's part of the culture of—going from a discussion of theory to figuring out how to actually use that on behalf of a client.

So, for example, in the classroom I teach antitrust and civil procedure, and when I'm teaching antitrust I tend to be quite a traditional, Socratic teacher: I spend most of my time doing theory, doctrine, policy, and history. Some of my colleagues think I'm more of a legal historian because, during certain administrations, we didn't have a lot of enforcement of the antitrust laws. But in the antitrust course when I am talking about theory, doctrine, and policy, I inevitably try to end the class or the subject matter—whatever it might be for that week—with questions like: “All right, now that we know what the principles of law are that govern, what does the summary judgment motion look like?” And once we draw that out, I ask, “How would you respond?” Or, “How would you write the affidavit for your expert witness? What goes in the affidavit in light of the economic analysis and the principles of law?” Or, “How would you write the jury instructions?”

And all of a sudden you can see the mindset of the students be very, very different than the kind of traditional Socratic dialogue that presumably we just had, because now they have to apply and integrate very directly in the same classroom and hopefully—well, it's not so subtle in my classroom, but they will understand the importance of connecting that theory and doctrine directly to: “Now what do I do about it? How do I use it on behalf of my client, the affidavit, the summary judgment motion, or the jury instructions?” And even for doctrinal faculty I don't think that's necessarily a large bridge to try to cross—for them to try to integrate it into their classrooms.

So, I think there are devices, even for those who don't want to get into a lot of the trial practice examples, that they can do quite easily and rather practically in the classroom. After all, we do it on our examinations rather regularly. Let's not surprise the students, so that they have some training and some thinking in the classroom before they get to that exam, which may ask those same kinds of questions.

Here we try to do that from a broader curricular standpoint as well as through the office of the Associate Dean for Curriculum Planning. Particularly, at this school it happens to also be the director of our clinical program, a tenured member of the faculty.

A number of years ago, I appointed Professor Maury Lansman, a senior clinician on our faculty who is here with us today and throughout

the program, to also be the director of our lawyering skills program. The reasons were twofold: one, to help build up these opportunities in a formal way in the curriculum for students; and two, and importantly, to try to have a conversation with each of his colleagues about how we can integrate these into more traditional courses.

As a consequence of that, we have been able throughout our first-year curriculum to have Professor Lansman and Professor Brad Clary and others work with the traditional faculty and team-teach all or parts of that traditional first-year course, where we're integrating the practice and—excuse me, Elliott—the skills and the bridging from theory and doctrine into, “And now what do we do with this material on behalf of our client?” And I think it's working very well. I look at all of the student evaluations here and it's quite clear to me that the students—when one compares a section that does not have that with sections that do have that—there's no question about the value the students receive and perceive about that integration, about that connection, about building those bridges between pure theory and the importance of connecting legal analysis to the actual practical explanation and application.

So, my point is that it has to start at the leadership level. It has to be integrated, even through small steps, initially perhaps, into the curriculum and then you have to have monitors, deans, directors, et cetera, who can go around and have the one-on-one conversations with one's colleagues. And I think if you do it that way, and, of course, there has to be trust and respect across and in between, it can get done through those one-on-one conversations. At least, that's been my experience.

**Dean Sebert:** I want to take the position that the glass is half-full rather than half-empty right now at this stage in legal education. And I can say so fairly broadly. I read a lot of site evaluation reports. By the way, I'm speaking today as John Sebert, Dean Emeritus of the University of Baltimore School of Law, and not in any official position.

But as we read site evaluation reports, if you are in my position, I think you would be absolutely amazed at the level of so many schools—maybe not many, but some of those who are or purport to be in the top-ten, but at the rest of the law schools in this country and some of them that are in that exalted *U.S. News* level—at the level of integration of skills, analysis, theory, teaching, in part, because of increasingly having a cadre of faculty who both teach clinical or simulation and theory courses—or writing and theory courses—and who bring their sophisticated, theoretical, doctrinal understanding into their “skills courses,” and who bring their interest in a pedagogy that is based strongly on students—students playing and acting in lawyering roles—into their traditional courses. You see schools where they are doing combined courses. You have an evidence course and a trial practice course and you put them together. You have a corporations course and a business

planning course and you put them together. And we're seeing a burgeoning of sophisticated, upper-class writing, analysis, and drafting courses taught sometimes by people who also are teaching in the first-year and sometimes by people who are not teaching in the first-year, but are sophisticated legal writing faculty because of what they're doing.

The last year I taught full-time at Tennessee, I developed a contract-drafting seminar. I had a wonderful time teaching it. So, I consider myself at least a fellow traveler to the group here. So, all of these—and particularly the professionalization of the legal writing and analysis faculty at law schools—largely, that's been an event of the decade of the Nineties. And we owe a substantial debt to those of you in this group and your predecessors for helping make that work. But also to the Deans who pushed their faculties, "The Faculty," to make the right hires, to make this type of combination of theory, skills, doctrine, lawyering role-teaching work in so many more schools than it had early on.

**Professor Schultz:** Mary Beth wants to add on.

**Professor Beazley:** I'm sorry. First of all, I don't want to apologize for being a skills teacher. I don't think "skills" is a dirty word. We've been putting it in quotes, and it's like the word "liberal" in the 1988 presidential election or something. I'm a skills teacher and I'm proud of being a skills teacher. But I want to pick up on something John says about the advanced writing courses: Advanced course work is one of the reasons why it's so important for faculty to be integrated because integration allows for the normal development of the field. When schools have departments where people get replaced every two years, you have the first-year course and that's it because, with the structure that has been set up, the cycle goes on and the basic course is the only course that gets taught. But now we have long-term faculty at many schools, thanks to the work of the Association of Legal Writing Directors and the Legal Writing Institute, who both worked to encourage schools to get rid of caps on contracts. At schools without caps on contracts, we have people who can stay around, then we have people who can develop their teaching in their field, and then we have the advanced courses. Most of us who have taught advanced courses know what a great thing that is. Just as most people who have specialties love to teach the advanced stuff. If we're truly integrated, we'll have normal development of our field.

**Professor Schultz:** Now I'm going to move to the half-empty glass and the question of what barriers there are to integration. We talked about some barriers that might be found internal to our institutions and external. Some of the possible barriers we talked about—and I'm going to throw this question open to the panel widely, but I'm just going to list a couple of things that we have discussed this week. We did discuss the caste

system as a possible barrier to integration, perhaps especially “The Faculty.” We talked about resource allocation as an issue and possibly a barrier. This morning we added to the list the current grading systems and expectations as possibly creating some barriers. And we talked about inertia. I don’t want to leave that as the exclusive list, and so I’m going to throw the topic in that unformed state to my panelists. Anybody want to start?

**Dean Milstein:** It’s interesting if you look around any law school building—all the plaques that there are that exist to celebrate the donors and how few plaques there are that celebrate the spenders. And in every—in every decent institution of higher education there are more great ideas for the expenditure of resources than there are resources. So, they all compete with each other, and resources here have to include faculty time and faculty interests. And, of course, we all know that many people, if not the vast majority of people who are hired on faculties, have interests that are defined by scholarship and that want their teaching to somehow be consistent with what they’re doing in their scholarly work. Of course, getting them then to change from what they learned in law school as pedagogy to what we would like to do in terms of pedagogy, it’s a truism. But that is in and of itself the barrier because the more time they spend in collaborative enterprise with you and with me trying to do something different in the classroom, many of them count time as taken away from, rather than added to, their careers. I mean, that’s the empty side of this.

I think there’s actually a glass that is the full side of this. I agree with John that when I look back at the last thirty years there’s been tremendous change in legal education. We’ve enjoyed a massive influx of resources and the fact that you exist is an indication that that’s true. That is, where did you all come from, except from the fact that law schools have had the resources to add full-time legal writing faculty to the faculty. And regardless of the status question, you’re still being paid and you’re still teaching in a law school. That’s a sign of progress. The fact that there are more than a thousand people who belong to the clinical section or 400 of them attending a conference is a sign of tremendous progress in legal education. The fact that we can even have this conversation is a sign of tremendous progress.

I think that there are many faculty members who are in their middle-age or approaching middle-age who are looking back at what they’ve accomplished and wondering if it’s enough, and I think those people are actually receptive or are potentially receptive to new ideas to make their work lives more meaningful. And they’re looking for resources to enable them to do that. One is who can teach them to do something different. And second, who can work with them until they’re comfortable doing the different things. So, actually, I think that the trend is in favor of integration in spite of the fact that the barrier, which is more than

inertia—its success models are defined in certain ways and they can be redefined.

I guess the final point is that there's a bit of speculation that the Internet and the information technology can replace a lot of what's being done in our institutions, if not the whole thing. Can on-line law schools replace the law school in a building? And I think that the possibility that that could be done could only be true if what should be done is the teaching of doctrine and analysis. We can all imagine that that can be done by an interaction with a computer or through distance learning or something like that. What can't be done is the hands-on stuff that we think of under the category of skills—the ways in which close faculty-student interaction helps students get better at doing the things and thinking the thoughts that we would like to see in young lawyers. So, unless legal education embraces more of what we do, it can be replaced by a box with a screen.

**Professor Beazley:** As far as barriers, I think that one of the internal barriers that many of us in this room have faced is the ignorance of our colleagues on the faculty about what we do. I work with one faculty member who whenever he saw me talked to me about apostrophes and grammar because he thought that's what I taught. And I know many of my legal writing colleagues, even when they have made it to the tenure track, have been asked not to do scholarship about legal writing because their faculties apparently think that there's no valid scholarship to be done about legal writing.

And, again, I don't think we need to apologize for legal writing scholarship. I don't think we need to apologize for pedagogy scholarship. I saw Lisa Eichorn at breakfast. She was telling me something she heard about learning theory on National Public Radio, was it? That you progress through stages from unconscious incompetence, you don't know how dumb you are, to conscious incompetence, which I think is pretty much fall semester first-year; then comes conscious competence, where you can do it, but it's like you're counting the steps when you dance; and finally unconscious competence, which is where a lot of our faculty colleagues are. They don't even have to think when they sit down and write, it just happens. They organize it—well, some of them don't—but they organize it automatically and they make the right choices automatically.

I think so much of what we do in our legal scholarship that is so important is that we are taking that unconscious competence and making it conscious. We're labeling the steps. We're doing what we were talking about yesterday that good lawyers do. We're taking something complicated, some complicated legal theory, and making it clear and explaining it to someone. That's what a good lawyer does and what a good legal scholar does. And one of the things that legal writing scholars

do is take that seamless operation of legal analysis and communication and break it into steps, label the steps, so we can talk about it and intervene in the process and teach.

So, we have to educate some of our faculty as to what we can do. I know that some people have to make the choice to not do legal writing scholarship because they see that as their path, but I think that sometimes our legal writing scholarship can be educational in itself, not just for our internal audience, but oh my gosh, to show people that there's a "there" there in legal writing.

The resources issue is a tough one. That's definitely a barrier. I guess I would not call it a resources issue, but I would call it a "choices about resources" issue. I have heard the story about a former colleague at Ohio State who is not a writing person. She taught family law, which used to be the pink ghetto. And she was teaching as a staff member for years and years at a school that I won't name, not Ohio State, and she kept asking to be put on the faculty. She kept being told there weren't any resources: "Sorry, gosh, we'd love to, but we just don't have the money." And then when she had an offer from another school, she was made a full professor because she had been publishing and doing so much for so long. Now, I can see you thinking, "Oh great, all I have to do is threaten to leave?" No, that's not going to happen for everyone.

But I think as Dean Weisbrot said yesterday, when they're teaching matrimonial property law in the Solomon Islands—is that the course?—to six people or ten people, that's a choice of how to spend resources. And legal writing courses and skills courses are sort-of high cost. But is it a higher cost to teach twenty or twenty-five people legal writing or a skills course with one faculty member versus six or ten people in matrimonial property law in the Solomon Islands (which I am starting to kind of like rolling off my tongue)? Those are choices to make.

I said to someone who was complaining about the high cost of our program, I said, "It's high cost but it's also high benefit." The property law in the Solomon Islands will change in a couple of years and they'll have to relearn the new law, but the skills that they pick up in clinical programs and in legal writing courses stay. I've got to get off this.

**Dean Sullivan:** Let me segue into resources. I said to my colleagues this morning, earlier, when we were visiting about today's topic, that the two most important things in terms of barriers are, as I mentioned a moment ago, leadership at the top that believes in this "integration" theory. But the important thing there, I think, is that the faculty trusts that leadership and there's a respect and trust that goes back and forth. And if you have that, then the Dean can accomplish an awful lot of what we all would like to see accomplished on this agenda, if you also have resources. So, it's trust in the leadership and I think the faculty will acquiesce in that

leadership towards this direction if that trust and respect are there. But you have to have resources.

Elliott's point a moment ago about the plaques—well, we certainly have a lot of plaques in this building, Elliott. We have thirty-one endowed chairs which are adorned with plaques all around. As we're finishing up a capital campaign here at the Law School, about forty-five million dollars, one of the things that struck me the most is the two most important things in which we were very successful in raising money: scholarships and endowed chairs.

But one of the hardest, and it was in our top priority list to raise money for, was our clinical or lawyering skills program. And this is where I would encourage you to be advocates with your students and your former students. What we frequently hear from employers during hiring is they want the top ten-percent, Law Review, research assistant to a good faculty, et cetera. And at the same time when I'm out there as a Dean, I hear constantly the complaints from lawyers and judges about how ill prepared our students are. And then when I turn the question and I ask them: "Do you share this with your personnel or appointments committee when you're hiring young lawyers? Do they look at people who just won the best brief in moot court, the person who just excelled at the clinic, et cetera, people who have taken the lawyering skills or practical courses? Are those on your list of people to recruit?" You know the answer. "No." They don't make the connection between the product that they want to hire from our law schools and their own hiring criteria.

And, consequently, when Deans go out to fund-raising efforts, clinical, practical skills, none of these things register; at least that's been my experience. They're not making the appropriate connection. And that does make it hard, even if you have leadership at the law school who wants to put more resources into these areas, when your funding sources don't appreciate or don't respect or don't connect the importance of resources to the pedagogy.

So, I would urge you—because I think resources are, in fact, a huge barrier in trying to accomplish what we would like to—I would urge you to try to instill in your own students and in your graduates, that you presumably mentored over the years, to get them to make these connections in the institutions that support our law schools and to start designating those funds toward these clinics. And it can happen, and the Deans who might not have come to this issue with this passion may well realize when the market is signaling to the Dean that this is important—you might get some change in the institution.

**Dean Sebort:** When Tom at breakfast made his pitch for the importance of leadership of the Dean and resources, I only had a slight modification of that. You can't do it without the leadership of the Dean, but you can't do it without the leadership of a core group of faculty who are willing to

both put in the effort and to do the “walking the hall” and convince the faculty. And yes, you need resources, but sometimes you can, as Mary Beth suggests, make some substantial progress without new resources but reallocation of existing resources.

During my seven years at Baltimore, we had a modest increase in what was already a very good clinical program; a significant expansion and improvement of our legal research, writing, and analysis program; and a huge increase in the amount and variety of our very good simulation skills courses. We didn't have any new money from the state, but we were able to reallocate resources toward those priorities and devote fewer resources to some other things that we could do well with less money.

So, you know, that's one of the things that you pay your Dean for—doing a good job of managing those resources and putting the resources towards the institutional priorities.

**Dean Milstein:** I guess my experience is a little bit different from Tom's. I think we have nine tenure-track clinical teachers, of whom eight are tenured or seven are tenured. Next year we would have twenty-two people teaching in the clinic with 200 students taking clinic, and we've gotten three and a half million dollars in endowment gifts this past year. So, we have had integrated clinical faculty with the rest of the faculty since 1988, and when we started it, we put clinicians on a separate tenure track with essentially the same tenure standards. And then a few years ago, when someone asked to move from the clinical to the non-clinical faculty and we were trying to define a process, the non-clinical faculty said, “Why do we have this barrier? What's the difference?” And we abolished it.

So, there is a happier future I think when you have a critical mass of people who think of themselves as faculty members and who do the things that faculty members do—that is, all the clinical teachers go to the faculty lunches and give presentations and listen to presentations. And, I don't know, way back in the beginning in about 1974, the Council on Legal Education for Professional Responsibility (CLEPR) had a conference on career patterns and they said, “What's the key to your longevity?” And my answer was schmoozing and lunches. And I think that that sounds silly, but there is a way in which you need to hang out with the faculty. If you're going to stay in the basement because you think the faculty denigrates what you do, you haven't taken advantage of the many informal ways in which you can show that your ideas are equal in quality to the rest of the faculty and you have something to say that matters. So, I think the critical mass question helps define the importance of lawyering in the whole of the law school.

**Professor Schultz:** Now we move to my other little chart. One of the topics we have discussed this week is the question of influences, external to the law schools on the integration question. Some of these influences are

positive; some of them may not be so positive. A list that we came up with in our conversation included the ABA, AALS, the bench and bar, and I think Tom just touched a little bit on some negative influences we may get from attorneys, the *U.S. News and World Report's* infamous ranking system. Specifically, we talked about whether that tends to push schools towards creating niches for themselves so that they can get ranked on the specialty lists if they can't get ranked high on the big list. And we talked about the bar exam as being an influence. So, I now throw that list open and John wants to start this time.

**Dean Sebert:** This time I'll start. You know the ABA Standards may be barriers to some things, but I'll assure you they aren't barriers to curricular innovation or curricular revision. We say almost nothing about curriculum in the Standards. If you look at our Standards, do we say you have to have contracts, torts, property? No. So, Georgetown, for example, can do its experimental curriculum: They cover contracts, property, and torts in the first year, but they mix them up; they put different names on them. Our Standards are not barriers to that type of experiment.

The idea of the Standards is to create minimum standards of quality and to leave, to the extent possible, a large amount of discretion to the schools as to how they achieve that quality. Actually, we say more about legal writing than we do about almost anything else in the Standards. And particularly, as of June, the Council adopted a revision to our basic curriculum, Standard 302, that—assuming the ABA House of Delegates doesn't disagree with us next week—actually will require law schools to have two rigorous writing experiences, one in the first year and one beyond the first year. But Standards aren't the place where you innovate. Law schools innovate and the role of Standards is then to incorporate a consensus of minimum quality and then enforce that consensus.

You help innovation through programs, and the AALS has been wonderful with all of its professional development programs. AALS programs have been one of the most significant influences toward the broadening of pedagogy in the law schools over the past twenty years, the period during which the AALS has had a substantial professional development program. That's been wonderful. We at the ABA don't do much of that. We do have an active curriculum committee and actually they are doing a survey of law schools on changes in their curricula over the last ten years to try to lead to a significant report and probably a program at the 2002 annual meeting. But the ABA doesn't devote substantial programming effort to curriculum and innovation issues like that because the AALS does such a good job.

I'll tell you where one of the barriers to innovation is: the bar exam. Law schools have done such a good job, in recent years, in bringing into the law schools skills training, but the bar examiners rarely recognize that.

And when you look particularly at the state-drafted essay exams, in too many states they are not well drafted; they focus on arcane issues of local law and they focus on doctrine.

So, we have the problem of our students spending many more of their eighty-five or ninety credit hours in law school acquiring lawyering skills, and the credentialing exam not doing a very good job of testing those lawyering skills, with the exception of the jurisdictions that have adopted the multi-state practice exam. The MPE is not perfect, but it's better than the alternatives.

It seems clear to me that the nature of the traditional bar exam is, in fact, one of the external forces that is a problem for us in doing a good job in what we want to do in developing a good program for inculcating lawyering skills.

The ABA Section of Legal Education and Admissions to the Bar is actually trying to do a little bit of work on that problem. Our Bar Admissions Committee is beginning to think about some of these issues. The Chair of the Council next year [2001-2002] will be Chief Justice Gerald VandeWalle of the North Dakota Supreme Court. He's also outgoing Chair of the Conference of Chief Justices. The result is that when the Deans have their annual workshop—this time instead of in February in Philadelphia it will be in January in Tucson—and part of it will be a joint session with the Conference of Chief Justices. Many of these issues about the bar examination as an appropriate credentialing tool are clearly going to be topics of discussion between the Deans and the Chief Justices in Tucson.

**Dean Milstein:** I have a lot to say about this issue, you may need to stop me because the clinicians have really spent a lot of effort on this stuff, on the external stuff. And back in the mid-Seventies when CLEPR, the organization that had originally funded clinical education, was going out of business, a group of clinicians were anointed to plan the future without CLEPR, and we focused on both planning about how we would behave in our institutions, but in addition, the uses of the ABA and the AALS could be—we focused on how to use the ABA and the AALS as part of the growth of clinical education.

So, the movement within the ABA to—and what was the skills training committee of the ABA and the Section—to get the faculty status provisions—it became 405(e), a compromise over what we wanted—and now 405(c) was part of a conscious effort by clinicians to enlist the help of the ABA in the faculty status question.

At the same time, we chose the AALS to be the vehicle to develop the intellectual side of clinical education, and we wanted to be sure that all the people who were carrying the mantle of clinical education and were carrying our banner were up to the task. So, we wanted to have an annual conference that would bring together clinicians to learn how to teach,

recognizing the tremendous turnover, and we were able to get a deal with the AALS to have a clinical conference every year. And so, every year since 1977 there has been a clinical conference as a professional development program of the AALS.

Those professional development programs became the model for the professional development program of the AALS. But it's been very, very helpful, because the AALS was not in those days friendly to the faculty status question. This was what we got from the AALS. The ABA was unable to—it just wasn't a function of the ABA to do the intellectual side.

So, we used these two instruments as a way to grow clinical education. And I think that the sophistication of clinical methodology would never have developed had there not been this annual meeting because it was a place where people got together to network their good little ideas that developed into theories that got tested and got brought back when people exchanged ideas. So, these two things were very, very important to us.

Regarding the bar exam, I think that what appears to me is that you all are the key to better performance on the bar exam rather than some of the things that schools have tried. One, as I on the AALS executive committee read inspection reports from law schools, there are many schools that take action to deal with their bar passage rate. And it was interesting. We had two schools that had terrible bar passage problems and both of them took action. One action was to require more students to take more traditional bar exam courses and the other school increased its writing program and put writing throughout the curriculum. The second school went from the bottom to the top passage in the state in which it was where there was a bunch of law schools, and the other one stayed exactly where it was. So, if schools really want to attack the problem of passing the traditional essay part of the bar exam, legal writing is the key.

Regarding the performance test, I've been involved with the performance test first in California and now the multi-state, and the performance test is given to now the majority—with New York coming on line—the majority of people taking the bar exam in the country. The nice thing about the performance test—you may like it or not like it—but the nice thing about it is that it does expand the range of skills that are tested on the bar. It does not require that anyone memorize anything. The only thing one could possibly do to prepare for it would be to look at some old exams and take them to get used to the format. The things that law schools should teach students should enable them to write answers to these questions. The law is given in the form of cases that are redacted and edited and the facts are given in raw fact form and the applicant is supposed to write something.

One thing that you might—I mean, those old tests are actually really, I think, nice simulations to be used as closed memo legal writing

simulations or in courses. Obviously, we alter or change or expand it in writing courses. I guess we felt—and four of the five people who prepare these tests are clinicians—we thought that it was one more way to get an external influence on law schools to do what it is we think legal education should do. As John said, it may not be the perfect instrument, but it’s—I think I feel pretty good about it.

**Dean Sullivan:** As I look at Nancy’s list of barriers, I don’t think any of them are barriers to creativity and innovation in the curriculum, with the exception of the one I commented on earlier and that’s outside resources. I don’t think the others have virtually any effect because I think if you want to make the curricular changes, it all has to do with the internal leadership and politics.

**Dean Milstein:** What about the *U.S. News* question?

**Professor Beazley:** I was just about to talk about *U.S. News*. I’m really anti-*U.S. News*. They finally stopped sending me the survey because I never filled the thing out because I don’t know *all* the law schools in the United States, so I cannot rank all the law schools in the United States and pick the top-ten.

The danger for *U.S. News*, for us, and for integration, I think, is that it is such a big deal. The day that the *U.S. News* comes out, it’s the tenterhooks day and what’s going to happen—is there a leak of where we’re going to be, are we going up or down? As Kent talked about yesterday I believe, what “The Faculty” is doing is trying to impress each other, and the way they impress each other is by trying to publish in the law reviews at Harvard, Yale, and Columbia—that whole scholarship thing.

I always say with *U.S. News* that the Public Relations Society of America should send them a big basket of fruit every Christmas because—I don’t know about you, I get flyers in my mailbox pretty much every day from the other schools, “Look what we’re doing; isn’t this great; vote for us; bye.”

What I worry about is when it comes down to the choices of allocation of resources, since about forty-percent I think of the *U.S. News* is the reputation question, and that’s a huge percentage. There are a lot of other things that are smaller percentages, but I’m pretty sure the biggest percentage is this reputation thing which will, I think, lead schools to say we’ve got to have scholarship in the law reviews at Harvard, Yale, Columbia, Stanford. And, oh gosh, we can’t be funding legal writing and research and the skills courses because that’s going to sap attention from our scholarship. And so, that’s a problem.

One positive step that I’ve seen, and I told John I was going to be showing this, this is the annual report from the consultant. I think the

ABA and AALS have to take back the accreditation process from *U.S. News and World Report*. They are almost a *de facto* accreditation program.

And my visual aid here—John, take a bow—it’s the *ABA, LSAC Official Guide to ABA-Approved Law Schools*.<sup>1</sup> And the message we have to get out, and maybe the PR society will have to thank us, but we have to get out the message of what accreditation means. You know, we’re—Ohio State is like forty-three or forty-four. Does that mean we’re forty-three or forty-four places removed from number one? Is the school in the bottom tier, 150 places removed from number one? No.

If a school is accredited, that means that the ABA and AALS have decided that it provides an educational program that will train a lawyer who can practice. Students shouldn’t feel embarrassed to go to the school in the fourth tier or third tier as labeled by *U.S. News and World Report*. It is an accredited law school. So, I think the *U.S. News* rankings are a barrier, and we have to take back the education campaign, and I’m very glad to see that steps are being taken on that.

As far as some good external influences, I think in listening to Tom and John talk about, and Elliott talk about, practitioners and skills programs, I think that can be a force for good. I think we’ve got education to do there as well. And my tentative title, if I write up my remarks, will be “put your money where your mouth is” to the law firms to fund skills positions. You really don’t hear law firms complaining, “Gee, I wish our students understood con law.” You know, you do not hear that complaint. You don’t hear them complaining about the doctrinal courses. You hear the complaints about the skills. But they feel more prestigious if they say that they funded a position in con law. Maybe we need to come up with a high falutin name for a position—maybe a Chair in Applied Legal Theory—so they can feel proud sending it out in their annual report. But I don’t think law firms should feel embarrassed about it. I think absolutely the idea of tapping our alums is a good one. Who did you help with a writing sample, and they got a really good job? Give them a call to talk about this. And Grace Tonner, I know, Jan Levine, Steve Jamar, and others are working on this. It’s time to have chairs in legal writing. It’s absolutely time to have chairs in legal writing. I know a lot of people have been working on this.

We need to start going out on the development trips. We need to start schmoozing at the law firms and to go visit our alums in the law firms with the Dean and with the development person to let them know we could be doing even more.

The point I made earlier about the advanced courses, when I teach, if I can get first-years to a level that they understand the analytical paradigm and they can put that together, I consider that a C-student level, but boy,

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1. Speaker’s footnote: To order a copy of this guide, visit the website for the ABA Section of Legal Education and Admissions to the Bar, <<http://www.abanet.org/legaled/approvedlawschools/approved.html>>.

can I do neat stuff in an advanced course. But I can only have twenty students a year in those courses. If the law firms want us to be doing a lot more, they need to give us some help.

I will make—I do have a couple more points to make, so have the bucket of water ready when you want me to stop on this.

A few years ago I was at the San Francisco—not the most recent time, but the other AALS San Francisco. On the bus out to the airport, I ran into a colleague from Utah whose name escapes me. She said, “You’ve got to get the AALS environmental section tape.” And on the tape, you hear the professors saying, “Oh, we are environmental law faculty. Please, practitioners, tell us what we should be teaching.” And the faculty members introducing the practitioners—you could tell by the way they were introducing it—they were expecting to hear, “Here’s how much time you should spend on clean water versus clean air act.” What is the substantive stuff we should be doing, and you guys already guessed the answer. Guess what they said? “Skills, skills, skills.” “How do you get a bill before the local legislature? How do you draft a basic brief and get it in on time and get it done? Forget the fancy stuff, these people can’t even do the basic thing. How do you counsel a client on this? How do you negotiate? How do you do this and that?” So, the practitioners can be our friends, but we have to develop those friendships more than we’ve been doing so far.

I wanted to comment on John’s statement that the Standards are not in our way as far as curriculum goes. We are about the only subject that is mentioned and I think it is the height of irony that a subject that is so important that it is about the only subject required is also the subject where people can have contracts that forbid them to teach for more than two years. And that is where the Standards can help us, because right now, the Standards say that the positions only have to be “attractive.” I’m going off the top of my head here, so I apologize if I’ve made some glaring error, but why can’t we have a standard that says full-time teachers of mandatory courses cannot be treated differently? I know Jan Levine and Richard Neumann and others have drafted standards close to that. Clinical courses are not mandatory, so maybe the standard could include full-time teachers that enroll more than x-percent of the student body. The standard could say that full-time teachers in courses that enroll more than x-percent of the student body can’t be treated differently.<sup>2</sup> I’ll stop now. The steam is starting to rise from my ears on this issue.

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2. Speaker’s footnote: The Standards do allow legal writing faculty and clinical faculty to be treated differently from the rest of the faculty. According to the website of the ABA Section on Legal Education and Admissions to the Bar, Standard 405(a) requires law schools to “establish and maintain conditions adequate to attract and retain a competent faculty.”

That standard is watered down somewhat for clinicians. Standard 405(c) provides: “A law school shall afford to full-time clinical faculty members a form of security of reasonably similar to tenure, and non-compensatory perquisites reasonably similar to those provided other full-time faculty members. A law school may require these faculty members to meet standards and

**Dean Milstein:** You know, I hate—I stand second to none in hating the *U.S. News and World Report*, but in a perverse way, the fact that it has as one of its subject-matter rankings clinical education has been very helpful for clinical education. And, you know, there's a lot of—I think it's enabled clinicians to get resources that might have been unavailable otherwise. I mean, it's survey after survey of lawyers and report after report calls for more—essentially more skills-type teaching in law schools.

Ask any lawyer, do any survey, and they go back to the beginning of time, and yet at the same time we have what Tom Sullivan has referred to as the fact that when big law firms do hiring, they look for the Law Review people. And when people give money to law schools, they give money to Harvard and Yale, which don't need—you know, those schools, if you send in a million dollars they'll send you a "thank you" note. You give our school \$100,000 and we'll build a statue in your honor. So, it was a mystery to me in fund-raising to try to figure that out. And I don't really have a great answer, but I guess I was going to say if you're going to spend your time going out, trying to raise money for a chair in legal writing, you'd be much better off staying home and schmoozing with your faculty. And that's because I don't think that the time spent—I mean, it's like buying a lottery ticket. You can't win unless you have one, but the odds against winning are enormous.

But I do think that the external market—here really the external world—the peer review process, and accreditation, who comes in as faculty speakers, who's invited out to speak at conferences, and what's on the program, what's on the agenda at the AALS meeting, what's given air time, and what's said when air time is given, all matters a lot in terms of creating bragging rights for schools that do certain things. And your job, if your political work and intellectual work is integration and then paying attention to those things, I think is time very well spent.

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obligations reasonably similar to those required of other full-time faculty members. However, this Standard does not preclude a limited number of fixed, short-term appointments in a clinical program predominantly staffed by full-time faculty members, or in an experimental program of limited duration." Thus, law schools can hire at least some clinicians on non-renewable contracts.

The Standard for legal writing faculty allows all legal writing faculty to be hired under a non-renewable contract system. Standard 405(d) now provides: "A law school shall afford legal writing teachers such security of position and other rights and privileges of faculty membership as may be necessary to (1) attract and retain a faculty that is well qualified to provide legal writing instruction as required by Standard 302(a)(2), and (2) safeguard academic freedom." However, Interpretation 405-9, currently the last interpretation of Section 405, specifically says that Standard 405(d) allows ("does not preclude") the use of "short-term or non-renewable contracts for legal writing teachers." Thus, Standard 405(d), with its use of the word "shall," seems to require security in employment for at least full-time legal writing teachers, but Interpretation 405-9 takes that security away by saying that non-renewable contracts comply with that standard. See ABA, *Standards for Approval of Law Schools and Interpretations* <<http://www.abanet.org/legaled/standards/chapter4.html>> (accessed Dec. 19, 2001).

**Dean Sebert:** I will modestly disagree with Elliott about the efficacy of spending time trying to raise endowment funds for clinical and skills programs, because right now what you have is a coterie of people who were the first beneficiaries of the substantial infusion of skills training in law schools beginning to get to the stage where they are, in fact, potential targets for endowment giving. And I think there actually are opportunities out there. But as all of us who have done endowment fundraising know, it's a long haul. What's the rule of thumb? Six or seven contacts between first cultivation and closing on a gift? So, you know, endowment fundraising is not a short-term solution to anybody's problems, but it is what Deans, Development Directors, and faculty need to be spending some time doing.

**Professor Schultz:** The last question that we had on the table—and to some extent there's been conversation about it already, so I'll just ask the panel if they want to add anything—is the question of what are some effective strategies and tactics for integration? We have talked about that a little bit. Obviously, that will be a major focus of the breakout groups, but does anyone on the panel want to add anything on that question right now?

**Dean Sebert:** Well, from the experience of a curriculum revision in Tennessee, which didn't work all that well, and a curriculum revision at Baltimore that did, let me offer a couple suggestions. One, at Tennessee what the Curriculum Committee, made up of true believers because the one skeptic resigned, decided it wanted to attack the first-year and the required courses. They did, and they got their curriculum revision passed. I was one of those true believers on the committee, but our work created great divisions within the faculty and didn't do much good.

When I came to Baltimore, I knew we needed to do some substantial curriculum revision. I did a couple of sensible things. One, I drafted the best politician on the faculty, Steve Grossman, to be Chair of the Curriculum Committee. Second, I said to initially stay away from the first-year because if you play around with the first-year—you know, other than a legal writing program where you've got a cooperative Director, you know what you're going to do is you're going to get entrenched opposition. Most of what is broken in legal education in my view was not with respect to the first-year anyway. So, my suggestion is that you work on the upper-class curriculum. We were able to make substantial progress in new courses, more integration of skills and theory. And we were able eventually to get close to unanimous support because the first-year fiefdoms were not endangered.

**Dean Milstein:** I think that when you use words like "curriculum revision," you create your own opposition. And so, I guess I'm a believer in

subversion rather than revolution, because revolutions are hard and subversion is easy. That is, the power goes to the people that work. That's it. That's the basic rule. If you're willing to work, you can have things happen. And you volunteer to be on committees; you develop collaborations with other faculty members; you're willing to do more work than they are; you can write the simulations; you can show how it's done; and you can do it one course at a time rather than thinking you need to change the entire law school.

A group of our faculty collaborates now in one first-year section. They reach one-quarter of the students of the school, but they work across subject matter lines and across skill lines. So, clinicians are involved; international people come in and do a couple of classes. We do some things on gender perspective. And we cross subject matter lines teaching the same case across multiple courses—or the same subject across multiple courses. You know, we have for a thousand years at our school said we're going to move property back from six credits to five credits, and it's never happened since 1972. But curricular change happened because individuals decided they're going to do something differently.

So, find those people on your faculty that you think you can work with, and then when it looks great, students will come and other faculty will follow.

**Dean Sullivan:** I agree completely with Elliott's comments. It works from the bottom up, not from the top down. And in my experience the worst words a Dean can use are "curricular reform" or "curricular revision." It's designed to be a failure because of the politics that are associated within the institution. If you want to get it done, it's a bottom-up process—one-to-one with the Dean, the Associate Dean, and it will happen. If you go to a curriculum committee and faculty study, I think that Elliott made the point very well.

**Professor Beazley:** I want to talk to a lot of people in this room who don't have power in their schools, maybe don't have the vote in those meetings that might be happening, maybe aren't even allowed to attend those meetings.

This picks up on a point Elliott made earlier. I just recently got the vote and it's so fun—getting to raise my hand in there. And I guess I want to talk about seizing opportunity. There is an old expression, "Luck is an opportunity that you are ready to take advantage of." And so, what I would say is even if you are not getting research development money, work on scholarship. Even if you are not allowed to be on a committee or assigned to committees, offer to be on a committee, as Elliott said. Even if you are not allowed to vote, attend faculty meetings.

John talked about identifying the best politician. Do you know who the best politician is on your faculty? You should. You should try to get to know that person. You know, they say when you go on a job interview you should dress as if you already have the job. Are you dressing like you are already fully integrated in the faculty even if they do not realize it yet? Eat lunch in the faculty lunchroom. I remember how terrified I was, years ago, going into that faculty lunchroom where I wasn't really sure I was welcome. And you know, only two of them bit me, so really, it was not that bad. Know what people teach. When students come to ask advice about what courses to take, I don't know who they should take because I never had them as a teacher, but when they're asking about courses, know your curriculum well enough so that you know who's teaching what. You need to know this so you will know who will care about what when these issues come up.

Know your faculty rules and policies. For a while I did not go to faculty meetings because I felt so powerless. Go if you are allowed. I know some people are not allowed to. If you are not allowed to go to a faculty meeting, try to find an issue that's being discussed that you think you have a stake in and that you can use as special permission to go. And maybe once you start going they'll just kind of not notice that you keep showing up.

So, I think that integration opportunities are there, but maybe for some of us, one of the first steps is integrating ourselves into the faculty and into the life of the school. And sometimes the school might be a little resistant. We might have to be a little courageous on those steps, but it's an important step to take so that when the opportunities come, you already know about the curriculum. You already know that this person goes ballistic if you mention reducing property hours. So, you're not going to make that mistake at a meeting. In my school, you weren't allowed to mention "teaching assistants" without gunfire. You've got to know where the bodies are buried and all that kind of stuff. That's schmoozing. We're coming back to schmoozing, aren't we?

**Professor Schultz:** Okay. I want to set up the breakout sessions, and our panelists will be attending breakout sessions. So if you have questions, comments, conversation that you want to continue that started down here, you will be able to find them in the breakout sessions. So your opportunities are not disappearing. Before I set up the breakout sessions, though, can we say thank you for the conversation?