

2017

Law Schools and the Public Good

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Repository Citation

Areen, Judith and Marcus, Paul, "Law Schools and the Public Good" (2017). *Popular Media*. 413.
http://scholarship.law.wm.edu/popular_media/413

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Judith Areen & Paul Marcus: Law schools and the public good

Apr 9, 2017



Judith Areen

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ACCESS TO JUSTICE is at the core of our constitutional society. As U.S. Supreme Court Justice Lewis Powell noted, "Equal justice under law is not merely a caption on the façade of the Supreme Court building, it is perhaps the most inspiring ideal of our society."

Yet great needs remain. Fewer than one in five low-income people with civil legal problems has the assistance of a private attorney (whether paid or pro bono) or of a legal aid lawyer. In the criminal justice arena, many attorneys have such massive caseloads that they are simply not able to provide adequate legal assistance to poor people accused of crime.

Fortunately, law schools across the country and in Virginia have recognized the importance of training law students to work for equal justice.

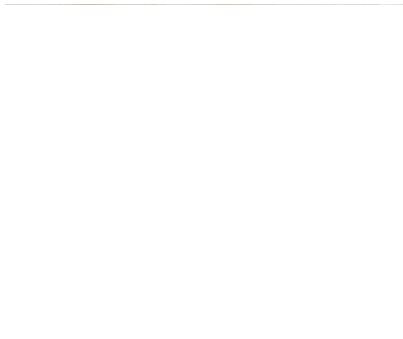
Through their clinics and pro bono programs, law schools help to bridge the gap in legal assistance by arranging for students and faculty to provide free legal counsel and representation on a range of subjects including special education, Social Security, elder law, domestic violence, and consumer issues.

They also staff innocence projects, work for clemency, and offer support for veterans in need of earned benefits and legal assistance.

A common criticism of legal education in the United States is that it has not changed with the times and the evolving profession. Those critics haven't been paying close enough attention to the changes that have been taking place in law schools. Clinical and experiential learning have provided more hands-on opportunities than ever before, often giving students experience in rapidly developing or emerging areas of the law.

With the new Congress and presidential administration, we'll continue to see changes in laws related to immigration, health care, taxes, individual rights, international relations, and small business. Those changes are likely to create new legal needs for those who may not be able to afford a lawyer. Through clinics and other hands-on learning opportunities, law schools stand ready to offer much-needed legal assistance while providing students the opportunity to gain experience with timely, real-world legal problems affecting everyday people.

By engaging in these efforts, students recognize what Supreme Court Justice Sonia Sotomayor meant when she wrote, "We educated, privileged lawyers have a professional and moral duty to represent the underrepresented in our society, to ensure that justice exists for all, both legal and economic justice."



In the past couple months alone, law students and faculty joined lawyers in our country's airports providing pro bono legal assistance to individuals whose travels were interrupted by the president's executive order on immigration.

Many other law school efforts around the country and in Virginia are responding to society's modern legal needs.

- The William & Mary Law School's Lewis B. Puller, Jr. Veterans Benefits Clinic addresses the needs of veterans seeking disability benefits from the Department of Veterans Affairs while students gain valuable experience and a better understanding of the issues that face members of the armed services.
- Students in the Antonin Scalia Law School at George Mason University's Mason Veterans and Servicemembers Legal Clinic have also assisted hundreds of veterans and active duty military in civil matters and benefits claims.
- The Washington and Lee University School of Law's Tax Clinic assists low-income Virginia taxpayers with dispute resolution with the Internal Revenue Service while providing students with practical training in tax law, procedure and other skills fundamental to becoming a lawyer.
- The University of Virginia's Innocence Project explores and litigates possible wrongful convictions of inmates throughout the commonwealth, overturning the sentences of Virginians who did not have the resources to prove their innocence.
- The University of Richmond School of Law's Children's Defense Clinic helps children with special immigration status cases stay in the United States while trying to attain citizenship or resident status.

These efforts by Virginia law schools — each a member of the Association of American Law Schools — remind all of us in legal education that it is not just an education in the law that we offer, but an education in the responsibilities of those fortunate enough to become attorneys. We are proud to see law schools in Virginia and across the nation working toward the public good, providing counsel and representation for

those who would otherwise do without.

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