2008

Citizen Lawyer

Institute of Bill of Rights Law at the William & Mary Law School

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Do lawyers have special civic responsibilities?
Are lawyers as a group better suited to serve in public office?
How broad is the citizen lawyer concept . . . who is a citizen lawyer?

Should legal education concern itself with preparing law students to be citizen lawyers?

Hear what leading scholars have to say!

Citizen Lawyer

February 8 & 9, 2008

William & Mary School of Law
Williamsburg, Virginia
Friday, February 8, 2008

Room 120 –
10:30 - 11:00 am  Jim Moliterno........Opening of Symposium

Taylor Reveley, William & Mary School of Law
Introduction of Justice O’Connor

Justice Sandra Day O’Connor,
US Supreme Court Justice (Ret),
Chancellor, College of William & Mary
Welcome and Opening Remarks

11:00 – 11:30  Taylor Reveley, William & Mary School of Law
Legal Education and the Citizen Lawyer (Part 1)

Change to Room 127

11:45 -1:00  Panel One
Lawrence Friedman, Stanford Law School
Robert Gordon, Yale Law School
Dave Douglas, Moderator

1:00 -1:50  Lunch on your own

2:00 - 3:15  Panel Two
Paul Carrington, Duke University School of Law
Sanford Levinson, U Texas at Austin School of Law
Jim Moliterno, Moderator

3:30 - 4:30  Panel Three
Marc Galanter, University of Wisconsin Law School
Jim Moliterno, William & Mary School of Law
Patty Roberts, Moderator
Saturday, February 9, 2008

Room 127

9:30 -10:30  Panel Four
Bruce Green, Fordham University School of Law
Mark Tushnet, Harvard Law School
Neal Devins, Moderator

10:45 -11:15  Panel Five
Edward Rubin, Vanderbilt University Law School
Legal Education and the Citizen Lawyer (Part 2)

11:15  Closing remarks

Papers from Citizen Lawyer will be published in the
William & Mary Law Review
Who’s Who at the Citizen Lawyer Symposium

Paul Carrington received his law degree from Harvard in 1955 then served two years in the Army before returning to Harvard as a teaching assistant in 1957. Since then he has taught at more than a dozen American law schools and a handful internationally. He began teaching at Duke University Law School in 1978. Carrington is a life member of the American Law Institute and American Bar Foundation, and an elected fellow of both the American Academy of Arts and Sciences, and the American Academy of Appellate Lawyers. He has written extensively about Civil Procedure and the appeals process, though his interests in the legal profession hardly stop there. In 1990, the William & Mary Law Review appropriately published his article titled, “The Revolutionary Idea of University Legal Education.”

Lawrence Friedman An internationally renowned, prize-winning legal historian, Lawrence Friedman has for a generation been the leading expositor of the history of American law to a global audience of lawyers and lay people alike — and a leading figure in the law and society movement. From his award-winning History of American Law, first published in 1973, to his American Law in the 20th Century, published in 2003, his canonical works have become classic textbooks in legal and undergraduate education. He is the recipient of six honorary law degrees and is a fellow in the American Academy of Arts and Sciences. Before joining the Stanford Law School faculty in 1968, he was a professor of law at the University of Wisconsin Law School and at St. Louis University Law School. Professor Friedman has an appointment (by courtesy) with the Stanford University Department of History and the Department of Political Science.

Marc Galanter is the John and Rylla Bosshard Professor of Law and South Asian Studies at the University of Wisconsin Law School, and LSE Centennial Professor at the London School of Economics and Political Science. He teaches South Asian Law, Law and Social Science, Legal Profession, Religion and the Law, Contracts, Dispute Processing and Negotiations. He received degrees in philosophy and law from the University of Chicago. Galanter is the author of a number of highly regarded studies of litigation and disputing in the United States, including “Why the ‘Haves’ Come Out Ahead: Speculations on the Limits of Legal Change.” He is also a leading American student of the Indian legal system. A leading figure in the empirical study of the legal system, he has been editor of the Law & Society Review, President of the Law and Society Association, Chair of the International Commission on Folk Law and Legal Pluralism, and a Guggenheim Fellow.

Bruce Green is Louis Stein Professor of Law at Fordham University School of Law, where he also serves as Director of the Louis Stein Center for Law and Ethics. After clerking on the 2nd Circuit and then for Supreme Court Justice Thurgood Marshall in 1982-83, Green served in the Office of the United States Attorney for the Southern District of New York, later becoming a Chief Appellate Attorney. He has written extensively about ethics and professionalism in the legal profession. Most recently, Green has coauthored, along with Fred C. Zacharias, a forthcoming Ohio State Law Review article titled, “The U.S. Attorneys Scandal” and the Allocation of Prosecutorial Power.

Sanford Levinson holds the W. St. John Garwood and W. St. John Garwood Jr. Centennial Chair in Law at the University of Texas Law School; he is also a professor of government at the University of Texas at Austin. He has visited at the Harvard, Yale, NYU, Boston University, and Georgetown Law Schools, as well the Central European University in Budapest and the Hebrew University in Jerusalem. His most recent book is Our Undemocratic Constitution: Where the Constitution Goes Wrong (and How We the People Can Correct It). He is the co-editor of Processes of Constitutional Decision-making. Levinson was elected to the American Academy of Arts and Science in 2001.

James E. Moliterno is the Tazewell Taylor Professor of Law and director of the Legal Skills Program at the College of William & Mary. He is author or co-author of Global Perspectives on Lawyer Ethics; Ethics of the Lawyer's Work; Professional Responsibility; and Cases and Materials on the Law Governing Lawyers. He is also the author of numerous articles on legal ethics and the teaching of legal ethics. The Legal Skills Program, under his direction, has been recognized as a model for the teaching of professional skills and ethics, receiving the inaugural ABA Gambrell Professionalism Award in 1991. His public service work includes consulting and expert witnessing in death penalty cases that involve lawyer misconduct issues. He has been increasingly involved in international legal education reform, designing new law courses and training professors in Japan, China, Thailand, Serbia, Georgia, and Armenia.

Sandra Day O'Connor, one of most distinguished jurists in the history of the United States Supreme Court—and its first female justice—addressed the most profound legal issues of her age with wisdom, courage, and skill. After a long career in public service, including nearly a quarter century on the nation’s highest court, she retired in 2006.

Justice O’Connor spent her childhood on an isolated cattle ranch in southeastern Arizona tending to a variety of ranch chores, raising farm animals, and reading voraciously. After completing school in El Paso, Texas, she journeyed west to continue her education at Stanford University, where her professors inspired and challenged her to make a difference in her nation and the world.

Justice O’Connor earned a B. A. in economics (magna cum laude) from Stanford University and a J.L. B. from Stanford Law School. She was an editor of the law review and graduated third in her law class—two spots behind her friend and future colleague the late Chief Justice William Rehnquist.

After being admitted to the bar, the future Justice served as Deputy County Attorney of San Mateo County, California, from 1952 to 1953, and as a civilian attorney for the U.S. Army Quartermaster Market Center in Frankfurt, Germany, from 1954 to 1957. From 1958 to 1960, she practiced law in Maryvale, Arizona, and served as Assistant Attorney General of Arizona from 1965 to 1969. She was appointed to the Arizona State Senate in 1969, and
was subsequently reelected to two two-year terms, during which she served as Majority Leader. In 1975, she was elected Judge of the Maricopa County Superior Court and served until 1979, when she was appointed to the Arizona Court of Appeals.

President Ronald Reagan nominated her as an Associate Justice of the Supreme Court, and she took her seat September 25, 1981. She succeeded the Honorable Henry A. Kissinger as Chancellor of the College of William and Mary in 2005.

She is married to John Jay O'Connor III, whom she met in law school. They have three sons: Scott, Brian and Jay.

**W. Taylor Reveley, III,** is Dean and John Stewart Bryan Professor of Jurisprudence at William & Mary Law School. He received his A.B. from Princeton University’s Woodrow Wilson School of Public and International Affairs in 1965 and his J.D. from the University of Virginia in 1968. He clerked for Justice William J. Brennan, Jr. and was an International Affairs Fellow of the Council on Foreign Relations and a fellow of the Woodrow Wilson Center for Scholars. Before joining William & Mary in August 1998, he practiced energy law at Hunton & Williams for 28 years, including nine years as the firm’s managing partner. Much of his time has gone to non-profit organizations, including service on many educational and cultural boards, for instance, those of Princeton University, Union Theological Seminary in Virginia, the Andrew W. Mellon Foundation, the Virginia Museum of Fine Arts, the Virginia Historical Society, the Virginia Foundation for the Humanities, and JSTOR.

**Ed Rubin** earned his law degree from Yale University in 1979 joined Vanderbilt Law School as dean and the first John Wade–Kent Syverud Professor of Law in July 2005. He is the author of numerous books, articles and chapters, including two volumes published in 2005, *Beyond Camelot: Rethinking Politics and Law for the Modern State and Federalism: A Theoretical Inquiry*, co-authored with long-time collaborator Malcolm Feeley. He was active in university governance at both the University of Pennsylvania and University of California-Berkeley, where he previously taught. He has served as chair of the Association of American Law Schools' sections on socioeconomic and scholarship and on its curriculum and research, professional development and nominations committees. He has been a consultant to the Asia Foundation Project on the Administrative Licensing Law for the People's Republic of China, the Russian Privatization Center and to the United Nations Development Programme.

**Mark Tushnet** After receiving his J.D. from Yale, Mark Tushnet served as a clerk to U.S. Supreme Court Justice Thurgood Marshall from 1972-73. He then was a member of the law faculty of the University of Wisconsin until joining the Georgetown University Law Center faculty in 1981. He is co-author of casebooks on Federal Courts, Constitutional Law and Comparative Constitutional Law. His other recent writings include The NAACP's Legal Strategy Against Segregated Education 1925-1950, which received the Littleton Griswold Award of the American Historical Association; Red, White and Blue: A Critical Analysis of Constitutional Law; Making Civil Rights Law: Thurgood Marshall and the Supreme Court; and Taking the Constitution Away from the Courts. He was secretary of the Conference on Critical Legal Studies from 1976-85, and was President of the Association of American Law Schools for 2004.
Notes
The mission of the Institute of Bill of Rights Law (IBRL) is to contribute to the ongoing national dialogue about issues relating to the United States Constitution and our Bill of Rights. One of the guiding philosophies of the Institute is the conviction that our collective understanding of constitutional issues is enhanced significantly when experts from diverse disciplines - lawyers, journalists, historians, political scientists, economists, sociologists, and politicians - are brought together for serious discussion and debate. Following this interdisciplinary approach, the Institute provides a forum for airing and debating matters of law and policy as a means of increasing our understanding of important constitutional issues.

Looking Ahead: Institute of Bill of Rights Law Scholarly Conferences

How We Vote
Friday, March 14, 2008

Supreme Court Preview 2008-2009
September 26 & 27, 2008

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