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On Task - Expanding the Boundaries of Legal Education

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**ON TASK?
EXPANDING THE BOUNDARIES OF LEGAL EDUCATION**

INTRODUCTION

Vordman Carlisle Traywick, III*

In January of 2014, the American Bar Association (ABA) Task Force on the Future of Legal Education (Task Force) issued its final report and recommendations, comprised of its conclusions regarding the problems facing American legal education and a list of potential solutions to those problems. The Task Force considered, *inter alia*, the pricing and funding of legal education, the accreditation system governing law schools, innovation in law schools and programs of legal education, the importance of teaching skills and competencies through experiential learning, and the broader delivery of legal and related services by non J.D.-trained “lawyers.” Randall T. Shephard, former chief justice of the Indiana Supreme Court and chair of the Task Force, presented the final report to the ABA House of Delegates in February of 2014.

Soon after the Task Force announced the date on which the group would issue its report, the *South Carolina Law Review* began planning a Symposium focused on the future of legal education. Fortunately, around the same time, Professor Elizabeth Chambliss joined the faculty at the University of South Carolina School of Law, becoming the director of the Nelson Mullins Riley & Scarborough Center on Professionalism. Professor Chambliss provided invaluable insight and assistance in planning and implementing the vision for the Symposium. Further, she helped the *Law Review* assemble a wonderful slate of panelists and presenters, all of whom made significant contributions to the discussion of this timely and important topic.

The *Law Review* held the Symposium at the University of South Carolina School of Law on Thursday, February 27, and Friday, February 28, 2014. The Symposium commenced with a panel discussion regarding the “Response to the ABA Task Force Report on the Future of Legal Education.” Danielle R. Holley-Walker, associate dean for academic affairs and distinguished professor of law at the University of South Carolina School of Law, moderated the first panel.

Members of the Thursday afternoon panel included Barry Currier (managing director of Accreditation and Legal Education for the ABA Section of Legal Education and Admissions to the Bar) and three members of the ABA’s Task Force: Paula Littlewood (executive director of the Washington State Bar Association); Erica Moeser (president of the National Conference of Bar Examiners); and David Yellen (dean and professor of law at Loyola University Chicago School of Law).

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On Thursday evening, ABA president-elect William C. Hubbard—a partner at Nelson Mullins Riley & Scarborough LLP and a University of South Carolina School of Law alumnus—delivered remarks on the future of legal education and introduced the Symposium keynote speaker. Mr. Hubbard’s remarks are published below.

ABA president James R. Silkenat—a partner at Sullivan & Worcester LLP in New York—delivered the keynote address, in which he praised the work of the Task Force and stressed the need to reform legal education to meet the needs of the evolving marketplace. The address, however, focused primarily on America’s serious access to justice problem, highlighting several efforts by the ABA—as well as other organizations across the country—to confront this issue. The keynote concluded with a video outlining the efforts of the newly formed Legal Access Job Corps. Mr. Silkenat’s insightful, inspiring, and thought-provoking address painted a realistic picture of the access to justice paradox our country faces. The keynote address is published below as “Be the Change.”

On Friday, February 28, the Symposium continued with a morning keynote from Renee N. Knake—co-director of the Kelly Institute of Ethics and the Legal Profession and professor of law at Michigan State University College of Law—titled “New Platforms in Legal Services Delivery.” Professor Knake’s speech focused on emerging platforms for legal services delivery in the United States and United Kingdom, as well as the ways in which U.S. lawyers have used the First Amendment to successfully challenge regulations restricting the means of service delivery in the past.

The second panel—“What Do Clients and Employers Want?”—followed the morning keynote, with the University of South Carolina School of Law’s Dean Robert M. Wilcox moderating. The following people gave presentations and participated in panel discussions: Stephanie Kimbro (director of the Center for Law Practice Technology, founder of Curo Legal, and attorney at Burton Law LLC) on the consumer law revolution; Rebecca Sandefur (director of Graduate Studies in Sociology and associate professor of sociology and law at the University of Illinois) on the needs of middle-income clients; John Martin (partner and practice leader of Nelson Mullins Encompass at Nelson Mullins Riley & Scarborough LLP) on the needs of corporate clients; and Neil Hamilton (director of the Holloran Center for Ethical Leadership in the Professions and professor of law at the University of St. Thomas School of Law) on professional competencies and the needs of legal employers. Professor Hamilton’s article—published below—is titled *Changing Markets Create Opportunities: Emphasizing the Competencies Legal Employers Use in Hiring New Lawyers (Including Professional Formation/Professionalism)*.

Barbara Madsen, chief justice of the Washington Supreme Court, delivered the luncheon keynote on the state of Washington’s Limited License Legal Technician program. Chief Justice Madsen’s remarks are published below as “The Promise and Challenges of Limited Licensing.”

Elizabeth Chambliss moderated the final panel on “Law Schools’ Responses to Changing Markets.” Professor Chambliss also wrote an article—published

below—titled *Law School Training for Licensed “Legal Technicians”?* *Implications for the Consumer Market*. Panelists included Steve Crossland (chair of the Washington Supreme Court Limited License Legal Technician Board); Ronald Staudt (director of the Center for Access to Justice and Technology and professor of law at Chicago-Kent College of Law); Richard Granat (managing founder and CEO of DirectLaw, Inc., co-director of the Center for Law Practice Technology at Florida Coastal School of Law, and co-chair of the ABA eLawyering Task Force and Standing Committee on the Delivery of Legal Services); and Lisa Rohrer (executive director of Executive Education and the Case Development Initiative at Harvard Law School). Steve Crossland and Paula Littlewood co-authored an essay—published below—titled *The Washington State Limited Legal License Legal Technician Program: Enhancing Access to Justice and Ensuring the Integrity of the Legal Profession*.

The Symposium program, which includes the names and biographies of all participants, is reproduced in the Appendix below. A video of the entire Symposium is available on the *South Carolina Law Review*'s website: <http://www.sclawreview.org/2014-legal-education/>.

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