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Reflecting on Changes in Legal Education: Marquette's Expanding Resources Help Improve the Profession, Practitioners

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Legal education involves many components: students, faculty, administration, staff, curriculum, library, physical plant, admission, placement, and teaching and research facilities. Substantial changes have occurred in all of these areas at Marquette University since 1946, when I became a faculty member.

Students. The student body's greatest change has been in its composition. Until the 1970s, women and minority law students were few, if any, in a particular class. Now they together comprise at least one-half of the total law school population. They have brought a humanizing dimension to the law school. Today's law students are no brighter than those of 40 years ago, but they do bring different skills and attitudes, although their writing and language skills, in many instances, leave something to be desired. With the new testing and admission procedures, there is a better selection process and, therefore, predictability for graduation has improved. The student competition now focuses more on class standing rather than on survival.

Curriculum. The curriculum and instructional methods have changed in that the pure case method has given way to the problem method and a dilution of the "Socratic" method. There are more electives and seminars, as well as specialized courses. This allows students a greater selection, as well as some in-depth instruction. Large lecture classes are kept to a minimum, and all required courses are sectioned.

In addition to the growth of small classes, there has been an increase in clinical and skills offerings. In the 1940s an extracurricular moot court experience and a limited office practice exposure were the extent of the skills offerings. Today there is a whole menu of clinics, skills courses, simulation programs and clerkships. All are intended to better prepare the law student to practice law.

Library. The law library represents one of the biggest transformations in legal education. It has changed from being solely a repository to becoming a valuable teaching arm. With the addition of electronic legal research, computers and expanded

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courses in research and writing, the students are more proficient and better trained to cope with modern-day legal practice and the increasing volume of legal literature.

Faculty. Except for the immediate post-World War II years, law school enrollments remained fairly constant until the 1970s. Since then there has been an application explosion resulting in bulging enrollments and expansion of physical plant. In addition to providing opportunity and better selectivity for a more diverse student body, the increased enrollments required more faculty members, many of whom have backgrounds that include years of legal experience. This has resulted in a faculty that actively participates in the profession and in the development of law, not as pure academics, but as partners in the growth of the law and the profession.

Meanwhile, law schools increasingly emphasized research and writing as a requisite for tenure. Some concerns have been expressed as to whether this emphasis may impact on the quality of teaching. At the Marquette University Law School teaching is still the faculty’s primary emphasis. Although promotion requires one to develop the “habit” of writing and producing publishable material in sufficient quantity and quality, the faculty has a greater opportunity for research and writing because of improved staff support, availability of research assistants and reduced teaching loads.

Placement. Since the 1970s the legal profession has exploded, benefiting law graduates with greatly improved job opportunities and salaries. In the 1940s associate jobs were limited and many graduates hung out their own shingles. The associate positions paid in a range from $2,400 to $3,600 annually. Today, salaries in the $60,000-$70,000 range are common. Increased salaries merely reflect the profession’s improved financial status and its greater emphasis on economics, which some say has deteriorated the professional nature of the practice of law.

Conclusion

Overall, legal education has changed for the better and hopefully will continue to improve. Although law schools may be facing a period of retrenchment in the short run, in the long run the law and the profession will continue to expand and offer law graduates rewarding professional and public service opportunities.