

Social Justice vis-à-vis Skills: Harmonizing the Twin Aims of Clinical Legal Education

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Abstract: *The whole movement of Clinical Legal Education is built up on two major edifices – first, the need to bring about a more just society, and what role can law students play directly or indirectly towards realization of such need, and secondly, improving the long ignored practical and professional competencies, aka lawyering skills, of the law students which can actually help them in their careers after law. All the advocates of this new and innovative pedagogy espouse either one or both of those causes as the primary justifications for introducing Clinical Legal Education in law schools. It is a hotly debated issue among the clinical teachers whether the very essence of clinical education is empowering the disempowered or teaching students skills. This article discusses how these two aspects are at the forefront of clinical legal education movement, in what manner that are contradictory and complementary to each other at the same time and how the two can be harmonized to co-exist in law student's curriculum to make it more empathetic and wholesome.*

Key Words: Law, Clinical Legal Education, Social Justice, Professional Skills.

1. INTRODUCTION:

In answer to the oft-posed query that clinical legal education (CLE, hereinafter) enthusiasts are faced with from time to time – “what is it that clinical legal education seeks to achieve that is missing in the traditional education?”, two major responses are provided. The first relates to the fundamental aim of legal regime in all civilized societies and corresponds to the larger aims of politico-legal establishments i.e. bringing about a just and equal society. The second, which is more direct and immediate to the law student, is the aim of augmenting the civic, professional and personal skills of the law students. In simpler words, these two aspects are – the aim of “social justice” and the aim of “skills”. It is a hotly debated issue between the clinical teachers as to which of them is the primary aspect of clinical education.¹ However, in recent times, these two aims are increasingly being seen as complementary rather than conflicting.² The varied and contemporary nuances of both these aspects are discussed in some detail below.

2. JUSTICE EDUCATION AS THE PRIMARY GOAL OF CLE:

The fundamental justification for CLE worldwide, more so in developing countries like India, stems from its ability to sensitize students to various aspects of the arena of social justice. Clinics operate in connection with various segments of the population and movements, and gradually become tied into ongoing efforts toward social justice in various realms.³ Prof. Javed Alam, a proponent of CLE, observes that legal clinics are intended “basically to make people, who are doing law, connect with different popular movements of rights”.⁴ Prof. Meera Velayudhan, another CLE proponent has observed:

It is necessary for a collaboration to happen, for example, between a law teacher who is teaching environmental law and an environment rights group that is actually working in the city on issues of biodiversity, on issues of sovereignty of indigenous communities over land and resources. That kind of collaboration is necessary whether you are working on violence, bioethics, scheduled land rights or whatever, for the law teacher to open up the classroom not just for discussion by the students but to the groups that are working with the laws that she is teaching in the class.⁵

CLE has experienced some resurgence in its historical focus on social justice and clinics are becoming “fertile laboratories for client and community empowerment”.⁶ Prof. Schukoske narrates the structure of one such clinic organized in the law school of University of Baltimore. The law students of the clinic tackle diverse social issues, such as assisting community associations interested in improving schools and recreation for children in their neighborhood; in fighting drug activity; helping improve the streets and sidewalks; obtaining social security for poor and immigrants; representing low income neighborhoods; representing community gardeners, who have planted flowers and crops on unused urban land; representing groups formed to promote jobs for people in the community; getting rehabilitation of unused buildings done for community purposes; coordinating with a municipal task force to improve the safety for residents in certain low income communities⁷, and so on. In fact, “most clinical educators believe that educating the

next generation to create social change – to bring about a more just society – is the core of what we do, why we do it, and how we do it.”⁸

In India, CLE initiatives may take the form of providing direct legal services to indigent clients, helping tribal communities file public interest litigation (PIL), or engaging in legislative advocacy for the repeal of oppressive laws, such as the AFSPA.⁹ Students and clinics can play an important role to fill part of that need, given that there is already a paucity of lawyers willing to act *pro bono publico* in India, as stated by erstwhile Delhi High Court Justice Muralidhar.¹⁰ The National Legal Literacy Mission in India is another such attempt to empower economically and socially disadvantaged citizens by making them legally literate.¹¹ Similarly, simple problem formulation on consumer disputes, labour matters, MGNREGA related bottlenecks, local municipal or transport problems, problems of illiteracy etc. can be prepared by the clinical faculty and through them the law student can be made aware of the 360 degree position on social justice matters.¹² Such a pursuit of justice is what lies at the heart of all CLE initiatives and efforts.¹³

The social justice component of legal education is also important from the point of job satisfaction of law teachers. Many clinic professors believe they should not only teach the law, but should advance the students’ understanding of justice.¹⁴ Without the objectives of justice, teaching law is merely propagating dominant political and economic interests and advancing the status-quo. Clinical faculties worldwide, therefore, choose to make teaching social justice a goal of their clinic, and evolve strategies not only for resolving client claims, but also for teaching how our legal and political systems contribute to the clients’ legal problems.¹⁵

Lok adalats provide students a variety of educational opportunities and can be incorporated very successfully into law school practical training.¹⁶ By studying *lok adalats* and participating in them, students gain a critical understanding of the proper role of lawyers in the legal system at the same time that they acquire professional skills. For example, *lok adalats* are ideal for learning negotiation and counseling skills because they work only when both parties consent to participate. Students learn how to negotiate between parties and help them bring their causes to a conclusion.¹⁷ It opens students up to the wider roles of law in society and also gives them a sense of satisfaction and accomplishment.¹⁸ *Lok adalats* are conducted by the local, district and high courts with the assistance of Bar, Bench and legal services authorities, so law schools have no financial burden.¹⁹

A large number of inmates in India are awaiting trial, with many prisoners languishing in jails due to delays in filing police reports and sometimes due to their inability or ignorance about bail procedures. Law schools can have a significant impact on prison administration in India by providing basic legal help to such undertrials.²⁰ As with *lok adalats*, this type of clinical experience can be provided at no significant additional cost to the law schools in cooperation with the relevant legal services and local prison authorities.²¹ Apart from helping build their skills, it is also a golden opportunity for the students to learn how criminal administration works and what their responsibilities would be as public defenders, prosecutors, or judicial officers. By entering into the field in a real-world context, they will gain an understanding of the human side of the criminal process and perhaps even an understanding of the patterns and causation of crime.²²

Law students working with NGOs on social justice issues stand to gain a lot in terms of exposure and real-world knotty issues. NGOs deal with diverse aspects of legal problems of disadvantaged sections. Students may also gain awareness of the network of other laws which may affect the organizations themselves apart from the disadvantaged sections that they serve.²³ Perhaps these types of experiences could inspire some or many of these students to make working with traditionally under-served sections of society an element of, or the goal of, their own future careers.²⁴ According to Prof. Aiken, it is important for law teachers to make the students aware of all the aspects of happenings of injustice in “all their varied and chaotic dimensions.”²⁵

There are real life examples of the same before us. Lucknow University students discovered, that people in a locality did not have supply of drinking water because the area did not fit the legal definition of ‘community’ that would have imposed a requirement on the municipality to provide it with wells. After the intervention of students and teachers, the municipality arranged for drinking water to the community.²⁶ In Hyderabad, law students at the NALSAR Law University assisted the construction workers of their campus building to enroll the children in school and provide them with necessities. Similarly, in Bangladesh, law students were involved in making land records information available and correcting discrepancies in it to secure land redistribution benefits to landless peasants.²⁷

3. SKILLS EDUCATION AS THE PRIMARY GOAL OF CLE:

India being a young and upcoming country, the ambitions and aspirations of the youth know no boundaries. The great Indian growth story is driven by the competitiveness, drive and innate urge to carve a good life by the youth of India. While social justice aims of education in general and legal education in particular are important, it must be realized that the Indian graduates are more interested in carving a career and standing for themselves before they think of socialism and benevolence. Prof. B. B. Pandey, one of the most respected academicians of India, is of the view that law students cannot be faulted in aspiring for corporate and high paying careers in the face of fantastic fees charged by many of the five-year law schools.²⁸ Which law student would want to talk of social upliftment after paying six-figure charges per year to the law school!

The area that professional skills of law students cover is very wide.²⁹ Law students should know “how to reflect on the practice of law, how to consolidate the doctrines learned in traditional classes practice, how to formulate

their own principles, legal or otherwise, and test them in the real world, how to approach each decision creatively and analytically, and how to identify and resolve issues of professional responsibility.”³⁰ MacCrate Report recounts ten such fundamental lawyering skills.³¹ Prof. Prasad enumerates additional fundamental skills required for Indian lawyers, viz. *innovative/alternative problem-solving techniques; skills to invent new options beyond the established norms; mass communication skills; skills to analyze the socio-economic background of legal problems; skills in research with a sense of responsibility to serve the society.*³²

The law school might make an effort to teach a lot of skills but not everything is retained by the law student (“transferred”) when he graduates. While a clinician might say ‘I want them to transfer everything’, the complexity of lawyering tasks and the intensity of the effort necessary for transfer to take place pretty much rule that answer out. This concern has led two western professors to hypothesise that some skills are better than others for getting ‘transferred’ to student’s long time memory. Since the lawyering tasks as counseling, negotiation, mediation, and advocacy are quite complex, clinicians don’t have enough teaching time to promote the transfer of all the skills related to such tasks. Therefore, clinicians would need to prioritize which skills to promote among the large number available.³³

It is a matter of debate as to how effective CLE can be in the absence of a grounding wide enough to give the student a diversity of knowledge. This begets further question – how much diversity of knowledge should a law student have before he can be able to reap benefits of CLE? The general answer is – as wide as possible.³⁴ It is clear that law, its fundamentals and its applications are enmeshed in the whole warp and woof of human knowledge and experience. The lawyer, unacquainted at least with the major areas of knowledge and their practical bearing on technical questions of law, is now almost without hope of success and is certainly greatly handicapped. Therefore, some scholars feel that the lawyer should have as wide preliminary training as possible but no set program of studies. There should be variable groups of studies adapted to those who may expect to enter special fields of law such as commercial Law, for example; but in general, the Arts and Sciences should comprise the central core of the curriculum.³⁵

At present, the only CLE mechanism that is an entrenched part of the Indian legal curricula is the Bar Council’s recommended ‘four mandatory practical papers’. The CLE component of these papers places an “overriding emphasis on providing traditional skills, with a few exceptions such as negotiation and mediation.”³⁶

The content of these papers might be practice-oriented but it is largely taught in a theoretical manner in most law schools. Paper I covers moot-court, pre-trial preparations, and participation in trial proceedings. The purpose of making every student participate in moot court is to develop advocacy skills.³⁷ Students are also required to observe at least two sessions of client interviews in a lawyer’s office and they must participate in preparing various documents that are required to be filed with the court.

Paper II covers drafting, pleading, and conveyancing. This paper aims at developing drafting skills by making them draft complaints, written statements, sale deeds, etc. At present, the drafting scenario in Indian courts is grim, with the drafting work largely done by document-writers and paralegals who have set formats for every type of case. Since every case appears to be cut of the same cloth, the adjudication and outcome of such cases also suffer along with individual justice in each case. Students might be made to point out mistakes in the specimen of complaints and written statements of actual cases in order to make them learn the nuances of drafting much faster and better.

Paper III covers professional ethics, accountancy for lawyers, and Bar-Bench relations. It focuses on ethical issues formulated by the Bar Council of India under the Advocates Act, including duties toward clients, opponents, colleagues, and the courts. Students must also undertake a mandatory internship of a month’s duration in a lawyer’s office.³⁸ This paper involves a discussion of provisions of Advocates Act, 1961 alongwith study of few cases of professional misconduct. What it lacks is clear instructions to the law students that – ‘Courts do not exist for lawyers’ but for litigants and the latter’s role in the court can be increased or decreased based on the particular requirements of the moment!!³⁹ The clinical classroom ought to give the students ideas about how the role of lawyers is undergoing the paradigm shift and the new avenues which might ensure both, profitability and satisfaction to them.

Paper IV, lastly, deals with public interest lawyering, legal aid, and para-legal services which are aimed at providing social justice. This paper is perhaps the most important as the law schools can design their legal aid course content flexibly as per their particular needs. The aim is to involve students in public service projects that address legal problems faced by people in local communities. These activities involve students in community service so that they can learn the difference between law in books and law in practice.⁴⁰

4. SKILLS VIS-À-VIS SOCIAL JUSTICE:

The idea that social justice can be brought about by such flimsy and piecemeal interventions as ‘law student initiatives’ is no longer an idea that is given more than a ‘school textbook’ consideration by most of the scholars. Ayn Rand, the path-breaking writer of the last century, has extensively written that without the initiative of the self-endeavor and enterprise, the governments’ and society’s justice schemes are a façade and will not be of much help to the individual.⁴¹ A considerable number of scholars now believe that the primary justification for CLE can no longer be a recourse to the idea of social justice. CLE can no longer be made a vehicle for delivering ‘holier-than-thou’ activist talks from the pulpit and ingraining in students the imagined classification of ‘lower’ and ‘higher’ people.

It has been at least four decades since ‘legal aid’ has been introduced in the Indian law students’ curriculum but there is no empirical evidence that even an iota of change has been brought about by this. The legal aid dimension of clinical education begets being replaced partly by a more professional skills-oriented approach. It is well recognized that “the effort to obtain broad acceptance of CLE amongst the law students and the Bar by taking into account their personal aspirations and competencies — realized already to a substantial degree in a number of countries around the world — seems often to undercut its traditional social justice mission.”⁴² Praveen Kosuri, an Indian scholar in a US university hits the nail on the head when he states that “I didn’t go to law school to become a public interest lawyer. I’m not sure that I even knew what one was... I went to law school after graduation because I didn’t want to look for a job.”⁴³

Prof. Kosuri narrates the experience of his clinic and states that social justice is not the proclaimed agenda of his clinic, though indirectly it may be benefitting in that direction, “whether the students think of it as public interest lawyering or pure lawyering is up to them. The experience remains the same.”⁴⁴ He states that there will inherently be more students in times to come who simply do not care about any underlying social mission which the clinics employ. They want someone to show them what it means to be a lawyer, not just a public interest lawyer. A particular segment in academia believes that though legal skills are not the primary aim of CLE in as much as they will be properly learned after the student gets into legal practice, their considerable importance in pedagogy must be maintained owing to student expectations.⁴⁵

Many scholars consider practical skills and expertise important too, but opine that it would not always be possible for law schools to teach professional expertise (generally, or in a particular sub-discipline).⁴⁶ The reason for not over emphasizing skills training is that there is demand for ever newer of such skills in the modern law school. If one component of legal education has to increase, it can only be done by replacing another. Some scholars, therefore, believe that skills training cannot be increased at the cost of the other equally important constituents.⁴⁷ Skills training requires more time since it is essential to repeat a lot of skills taught, and repetition might require addition of extra time to the class, which “might not always be plausible, or desirable, or both.”⁴⁸ Moreover, some skills might not be capable of being taught by the law school. Prof. Woronoff categorically underlines the need to accept the fact that law schools cannot turn out expert lawyers in three years. However, he states that this fact should not be used “as an excuse not to teach practical skills (like drafting and negotiation) in new class offerings or in hours added on to substantive classes.”⁴⁹

5. CONCLUSION: Harmonising the Two

The wholesomeness of CLE can only be vouchsafed if equal attention is given to both skills and social justice aspects. The skills-centered approach is not necessarily inconsistent with the “social justice” aspect, because students’ live client work and training in simulated contexts can continue to focus on problems affecting poor and socially disadvantaged clients.⁵⁰ Thus, CLE techniques seek and succeed to produce lawyers who are both “highly moral and instrumentally competent.”⁵¹ It follows that the law student should be made aware that he is not to restrict himself to the pulls and pressures of the case at hand when he becomes a lawyer, rather he should have in mind the bigger professional principles which go beyond the immediate case. In the clinics, he should be made aware of the ways in which he is to simultaneously bring about constructive changes while discharging his functions of litigation.⁵² Such an approach leaves no room for differences between the goals of skills and social justice. Although real, these differences in emphasis—between skills training and social justice—should not obscure what amounts to a strong unifying justification for CLE’s key role in reforming the legal profession: improving the quality of practical training in law school is central to legal education’s social justice mission.⁵³

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² *Ibid.*

³ J. Ranganath Misra, Supreme Court Legal Aid Committee, New Delhi: Its Aims, Activities And Achievements, 5 *SCC (JOUR)* 1 (1995).

⁴ Vaidya Gullapalli and Scott Paltrowitz, Transforming Clinical Legal Education: An Opening for Dialogue, 467 *Social Change* (42) 2012, available at: <http://sch.sagepub.com/content/42/4/467> (visited in August, 2013).

⁵ *Ibid.*

⁶ See, Jon C. Dubin, Clinical Design for Social Justice Imperatives, 51 *SMU L. Rev.* 1461, 1470 (1998).

⁷ Jane E. Schukoske, Legal Education Reform in India: Dialogue among Indian Law Teachers, 249 *Jindal Global Law Review* 1(1) (2009). Prof. Schukoske gives the example of Baltimore where law students coordinated with a municipal task force working to improve the safety for residents in certain low income communities. The task force was using a theory called “Crime Prevention Through Environmental Design”, which involved improving the lighting and reducing the escape routes for criminals. Law students worked with the community associations as well as with the urban planners and police in the task force to research

legal issues that arose and assist the association in giving formal notice to residents of the community in order to make certain decisions about closing off public ways so as to reduce criminal traffic in the neighborhood.

⁸ Lauren Carasik, Think Global, Act Global: The Praxis of Social Justice Lawyering In The Global Era, 56 *Clinical Law Review* 15, 2008. See generally, Equal Justice Project, Pursuing Equal Justice: Law Schools And The Provision of Legal Services, Assn. of Am. Law Sch., 4 (2002), available at: http://www.aals.org/equaljustice/final_report.pdf.

⁹ Armed Forces Special Powers Act, 1958 is imposed on places which are considered strife-torn and unsafe for national security and has faced criticism from local populations.

¹⁰ *Supra* note 4 at 470.

¹¹ The National Legal Literacy Mission 2005-2010 is established by the National Legal Services Authority as an attempt to empower economically and socially disadvantaged citizens by making them legally literate. The Mission is intended to improve access to justice by disseminating legal awareness and knowledge of legal rights and by providing information about the availability of free legal aid. Thus, the Mission follows a three-pronged approach: education on legal rights, education on fundamental duties, and education on the availability and benefits of legal aid.

¹² Jane H. Aiken, *Provocateurs for Justice*, 7 *Clinical Law Review* 287, 289 (2001).

¹³ See, James E. Moliterno, An Analysis of Ethics Teaching in Law Schools: Replacing Lost Benefits of the Apprentice System in the Academic Atmosphere, 60 *U. Cin. L. Rev.* 83 (1991). See also, James E. Moliterno, *Legal Education, Experiential Learning, and Professional Responsibility*, 38 *Wm. & Mary L. Rev.* 71 (1996).

¹⁴ Stephen Wizner and Dennis Curtis, Here's What We Do: Some Notes About Clinical Legal Education, 29 *Clev. St. L. Rev.* 673 (1980), available at: www.ssrn.com (visited on January 16, 2015). Stephen Wizner points towards 'the aims of faculty' in law teaching when he concludes his article, *Beyond Skills Training*, with the questions, "Who am I as a law teacher? What am I doing when I teach law?"

¹⁵ Wallace J. Mlyniec, Where to Begin? Training New Teachers in the Art of Clinical Pedagogy, 101 *Clinical Law Review* 18 (2012), available at: <http://scholarship.law.georgetown.edu/facpub/766> (visited in March 2014).

¹⁶ M.R.K. Prasad and Frank S. Bloch, Institutionalizing a Social Justice Mission for Clinical Legal Education: Cross-National Currents from India and the United States, available at: www.heinonline.com (visited in March 2014). Prof. Prasad informs that "a *lok adalat* (People's Court) is an informal and voluntary dispute settlement process that operates outside the court system. *Lok adalats* are aimed primarily at settling disputes at the pre-litigation stage, as well as more contentious pending matters in trial courts where the parties can be motivated to arrive at settlement only by repeated sittings. They can well be described as a modern official version of India's ancient method of dispute settlement by *Nyaya Panchayats*. The *lok adalat* movement was started in 1982 in the State of Gujarat and become a major source of reducing pending litigation before the courts." Despite this success, however, they have come under some severe criticism as a form of lesser justice for the poor.

¹⁷ *Id.* at 53.

¹⁸ *Ibid.*

¹⁹ The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 to provide free Legal Services to the weaker sections of the society and to organize Lok Adalats for amicable settlement of disputes.

²⁰ *Hussainara Khatoon v. Home Secretary, State Of Bihar*, 1979 AIR 1360 SC

²¹ *Supra* note 17 at 54.

²² *Id.* at 55.

²³ Jane E. Schukoske, Empowerment of Community Members Through Grass-Roots Organization: What Roles For Lawyers?, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1431023 (visited on May 22, 2014). Prof. Schukoske defines legal literacy as 'the process of acquiring critical awareness about rights and the law, the ability to assert rights, and the capacity to mobilize for change.'

²⁴ *Supra* note 4 at 471.

²⁵ Ved Kumari and Margaret Martin Barry *et. al.*, Justice Education and the Evaluation Process: Crossing Borders, 28 *Wash. U. J. L. & Policy* 195 (2008), available at: http://openscholarship.wustl.edu/law_journal_law_policy/vol28/iss1/8 (visited in May, 2015).

²⁶ *Supra* note 24 at 106.

²⁷ *Id.* at 108. The author has also quoted an example of Bangladesh, where an activist Hanif Mahmood has made students work in an area called Badarganj to compare local land records with the land records centrally filed in Dhaka.

²⁸ Prof. B. B. Pandey made the remarks at an informal event organized in the Indian Law Institute, New Delhi in 2012.

²⁹ American Bar Association, "In The Spirit of Public Service: A Blueprint For Rekindling of Lawyer Professionalism," Final Report And Recommendations of The Task Force on Professional Competence, 11-12 (1983).

³⁰ Peter A. Joy, Robert R. Kuehn *et. al.*, Submission of The Clinical Legal Education Association (CLEA) to The North Dakota Attorney General Concerning The University of North Dakota's Law School Clinic, available at: http://www.cleaweb.org/Resources/Documents/comments_to_north_dakota_atty_general.pdf (visited in February 2016).

³¹ *Ibid.* The ten skills of MacCrate Report are - problem-solving; legal analysis and reasoning; legal research; factual investigation; communication; counseling; negotiation; litigation and ADR procedures; organization and management of legal work; and recognizing and resolving ethical dilemmas

³² *Supra* note 17 at 42.

³³ David A. Binder and Paul B. Bergman, Taking Lawyering Skills Training Seriously, 302 *Clinical Law Review* 10 (2003), available at: papers.ssrn.com/sol3/papers.cfm?abstract_id=470903 (visited in May, 2014).

³⁴ S. Radhakrishnan, The Report of the University Education Commission, Ministry of Education, Government of India, 1962.

³⁵ *Ibid.*

³⁶ *Supra* note 17 at 43.

³⁷ See generally, Mukesh Anand and Nomita Aggarwal, *Beginners Path to Moot Court*, (Universal Law Publishing, Second edition, New Delhi, 2014).

³⁸ *Supra* note 17.

³⁹ In fact the role of lawyers is progressively set to diminish as the society moves forward. See generally, Fred Rodell, *The Law is the Bunk*, *The Forum* 109-113 September 39 (1939), available at: www.fredrodell.com/pdf/Rodell_Writings.pdf (visited on February 14, 2014). Also see, Murray Teigh Bloom, *The Trouble With Lawyers* 221 (Simone and Schuster, New York, 1977). The crux of the book is that intermediaries in agriculture, trade, information, government offices, services etc. have been considerably lessened; there is no reason why downsizing should not happen with the intermediaries in justice, lawyers.

⁴⁰ *Supra* note 17 at 45.

⁴¹ Ayn Rand, *Fountainhead*, 1943. It is one of the books which should be made compulsory for law students, alongwith others like - *To Kill a Mockingbird*, *One Flew Over the Cuckoo's Nest*, *Fountainhead* etc.

⁴² *Supra* note 17 at 2.

⁴³ *Ibid.*

⁴⁴ Praveen Kosuri, X Marks the Spot, in *Clinical Legal Education at a Generational Crossroads*, *Clinical Law Review*, 17 (1) 2010, available at: scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1322&context=faculty (visited in August, 2014). The clinic, organized at the Pennsylvania Law School is called Entrepreneurship Legal Clinic.

⁴⁵ Kevin Ramakrishna, Law Schools Could Take a Hint From Medical Schools on Curriculum Reform, *Best Practices for Legal Education Blog*, Mary A. Lynch (Apr. 30, 2010), <http://bestpracticeslegaled.albanylawblogs.org/2010/04/30/law-schools-could-take-a-hint-from-medical-schools-on-curriculum-reform> (visited in May 2105). The gathering consisted of 100 judges and law-firm partners who converged at a forum sponsored by Arizona State University's Sandra Day O'Connor College of Law.

⁴⁶ Michael A. Woronoff, What Law Schools Should Teach Future Transactional Lawyers: Perspectives from Practice, available at: <http://ssrn.com/abstract=1430087> (visited in May 2015).

⁴⁷ *Id.* at 11.

⁴⁸ *Ibid.*

⁴⁹ *Id.* at 18.

⁵⁰ Tonya Kowalski, Toward A Pedagogy For Teaching Legal Writing In Law School Clinics 285 *Clinical Law Review* 17 (2010), available at: www.lwionline.org/uploads/FileUpload/Kowalski.pdf (visited in May, 2015).

⁵¹ *Supra* note 36 at 317.

⁵² *Id.* at 304.

⁵³ *Supra* note 17 at 9.