

Rutgers Law Strategic Plan

A 21ST-CENTURY LAW SCHOOL FOR A
MAJOR PUBLIC RESEARCH UNIVERSITY
2014



RUTGERS
Law School

Rutgers Law Strategic Plan

A 21st Century Law School for a Major Public Research University

The integration of the law schools in Newark and Camden will realize two principal goals, one external and one internal. Externally, it will position Rutgers Law as a leading public law school – and *the* leading public law school in the Northeast – that is recognized as among the best in the Big Ten. Internally, Rutgers Law will provide Rutgers University with a single flagship law school that will be a hub of interdisciplinary legal scholarship and teaching, connecting diverse academic units. Our ultimate vision for Rutgers Law, therefore, transcends mere operational reconfiguration into one law school; it contemplates a law school that enjoys a national reputation greater than the sum of its parts, amplifying the University's call to excellence, and that is a force connecting all the components in a community of scholars through a process of dynamic engagement. Rutgers Law will position Rutgers University as a leader in 21st century legal education.

The Place of Rutgers Law within the Legal Academy

An integrated Rutgers Law will be one of the nation's leading public law schools, and the best public law school in the Northeast. Its approximately 100 faculty members will teach in one of the most comprehensive curricula, offering uncommon breadth and depth in doctrinal, interdisciplinary, and skills courses. With more than 1000 students drawn from across the country, Rutgers Law will also be among the nation's largest law schools, yet it will nevertheless boast a student-faculty ratio on a par with its Big Ten peer schools. United by a single faculty, one student body admitted through a single unified admissions process, a common curriculum accessible to all students through state-of-the-art distance education technology, shared graduation requirements, and combined student-edited law journals, Rutgers Law will be greater than the sum of its parts.

By combining the Newark and Camden law schools, Rutgers Law will have one of the larger faculties in the Big Ten. The scholarly expertise of the merged faculty will range over every facet of law, and it will be particularly noteworthy in a wide range of areas through the synergy created by combining the two constituent faculties. These areas of excellence will include intellectual property, health law, immigration, financial regulation, tax, commercial law, public and private international law, comparative law, environmental law, law and philosophy, insurance law, environmental law, employment and anti-discrimination law, LGBT and gender law, race and diversity law, and criminal law. In each of these areas, Rutgers Law will feature several scholars with a national profile. Scholarly reputation is central to the evaluation of a law school, and thus by combining the strengths of two outstanding faculties, Rutgers Law will come to be recognized as having among the Big Ten's finest collection of scholars.

Rutgers Law will have a single student body of approximately 1100 students, admitted through a unified admissions process, in residence at two campuses. The law schools in Newark and Camden already draw students from across the country, with students from Florida, Texas, and California especially well-represented, and Rutgers Law's enhanced national profile will ensure that it draws an even greater proportion of its students from outside the state and region. This

will have a positive compounding effect on the national reputation of Rutgers Law and Rutgers University, as many of those students return to their home states and regions. Admissions at Rutgers Law will be keyed to two goals: academic excellence and diversity. Newark's law school has an especially longstanding commitment to recruiting students from diverse backgrounds, and Camden's law school has made major inroads in recent years (for example, 25% of its current 1L class are racial minorities). Rutgers Law will continue to prize a diverse student body to prepare all students for the practice of law in the real world. A demonstrated ability to excel in the study and practice of law will also remain at the center of Rutgers Law's admissions process. It is evidence of their excellent value that the law schools in Newark and Camden have been able to maintain their historic academic standards in the most challenging recruitment environment law schools have ever faced. The additional funding committed by the University has also been essential – recruiting in this unprecedented market requires awarding significant merit scholarships. Still, there remains a shortfall in the objective measurements of law students enrolling in Newark and Camden compared with those of students enrolling in most Big Ten law schools. We aim to close this gap. The enhanced national profile resulting from merging the Newark and Camden law schools under the banner of Rutgers Law should, by itself, enable the unified school to enroll more credentialed students on average than either constituent law school presently enrolls. Moreover, that enhanced national profile, along with a single alumni network with strong footholds in two of the nation's five largest legal markets, and a home state that enjoys one of the most favorable job markets for attorneys seeking employment even in the current economic climate, should make Rutgers Law an increasingly attractive option for students and allow the law school to tighten its admissions standards over time. With support and leadership, Rutgers Law should be able to join the top quartile of Big Ten law schools, as judged by objective admissions standards, and the top forty law schools nationwide.

Rutgers Law will have one set of graduation standards and a common curriculum that will span all areas of law and include a variety of the skills-based courses and experiences that the market increasingly demands. The entire curriculum is presently under review, but doctrinal and interdisciplinary studies will remain central to it, as they have from the beginning. The importance of this commitment was encapsulated by the University of Chicago's Chancellor and former Yale Law School dean, Robert M. Hutchins, upon the opening of a new law building in Newark in September, 1966, and it holds today:

The notion of a circle of knowledge and of the intellectual community is not merely a requirement of speculative thought. It is also a requirement of practical life. No man, least of all a lawyer, lives within the boundaries set by his vocational techniques. The disciplines have to be studied in the light of one another because they have to be lived together. No great problem of modern man . . . can be seen, to say nothing of solved, from the standpoint of one discipline alone. The specialties have to develop in the context of one another if they are to serve the practical judgment of mankind.¹

The legal realist insight that law is not an autonomous discipline but must be informed by the methods and advances in cognate fields is now a truism in the legal academy, and Rutgers Law

¹ David Haber & Julius Cohen, eds., *THE LAW SCHOOL OF TOMORROW: THE PROJECTION OF AN IDEAL* (Rutgers Univ. Press 1968), p. 14.

will be built on that foundational bedrock. Honoring this expansive vision, Rutgers Law will also enhance the clinical and other skills-based offerings that already bring national recognition to its two campuses. Under every curricular scenario being considered, Rutgers Law will be a national leader in preparing its graduates for practice through new skills requirements that will complement its strengths in doctrinal and interdisciplinary legal education.

No distinction will exist, moreover, between courses taken in Newark and those taken in Camden. Indeed, all courses will be open to all students in at least one of two ways: by traveling to the campus where the course is being taught or, in a number of cases, via distance education technology. The precise technology that will be employed remains undecided, though a joint delegation has already begun the process of visiting facilities that employ cutting-edge immersive distance education technology. (It will be important to demonstrate the pedagogical soundness of this new technology to the ABA and relevant state bars and gain their approval for its use.) The technology ultimately deployed will serve two key purposes. It will of course be a new and exciting medium for teaching and expanding the course options available to students. More broadly, it will help to bind the two campuses together and foster a common culture by regularly bringing together students from Rutgers Law's two campuses in pursuit of a shared education. The aim of fostering a common culture will also shape the future of the student-run journals now housed at the law schools in Newark and Camden. With a streamlined set of integrated journals, Rutgers Law will house journals that are both more selective than their predecessors and incubators of a shared student experience.

The Place of Rutgers Law within Rutgers University

Rutgers Law offers a vision of interdisciplinary legal education that couples our faculty and students with the faculties and students of disciplines across the University. From medicine to engineering to social work to business to philosophy to public policy to urban planning to global studies to labor relations and others, our students will learn a wide variety of legal skills in a wide variety of contexts, reflecting their professional aspirations as well as the academic interests of the faculty, all while enhancing faculty scholarship through collaboration across disciplinary boundaries.

This vision will enable our students to pursue a greater diversity of careers beyond the traditional practice of law than students at most peer schools. While Rutgers Law will continue to offer exemplary training for those seeking a career practicing law in large or small firms or as solo practitioners, our interdisciplinarity will be attractive to those pursuing careers in policy, consulting, or academia. Given the excellence of schools within the University such as Social work, Business, Engineering, Pharmacy, and departments such as philosophy and history, Rutgers Law will become a leader in joint degree programs. Our comparative advantage consists in the quality of our many programs and the comparatively low cost of attendance; students pursuing career paths outside the practice of law will be able to graduate from Rutgers Law's joint degree programs with more affordable debt.

Rutgers Law could collaborate with other units of the University in myriad ways. Consider just a few examples.

- a joint class involving law students and faculty in an enterprise with medical students and faculty from Rutgers and Cooper focused on medical malpractice and health policy. Simulated problems are presented and the class focuses on those problems, with the law students learning what it means to “think like a doctor” and the medical students learning what it means to “think like a lawyer.”
- a project in which law, engineering, and business students focus on bringing an invention to market and ensuring its national and international intellectual-property protection.
- a collaboration between food science faculty at SEBS, economics faculty, and law faculty, on development of ways to develop sustainable global food delivery systems.
- a project involving law students, graduate students in criminal justice, and students at the Bloustein School, SPAA, and the Department of Public Policy and Administration in Camden, designing a set of drug laws that make sense or a re-entry program that helps parolees get meaningful employment.
- collaboration among the geography department, the School of Public Health, Nursing School, and the Law School, and the Department of Childhood Studies in Camden, mapping incident rates of childhood lead poisoning in New Jersey to promote enforcement of lead abatement regulations.
- a collaboration between the Law School, Political Science and Philosophy Departments, and the Division of Global Affairs, coordinated with Law School contacts at the United Nations, that will address particular international issues.
- a collaboration between the Law School, the School of Labor Relations, and the Bloustein School focused on developing solutions for problems faced by labor unions.
- a collaboration between the Law School, SPAA, the Department of Public Policy and Administration in Camden, and the cities of Newark and Camden, focused on creative solution to animal overpopulation/control issues that plague Newark, Camden, and other New Jersey urban areas.
- a collaboration involving Rutgers Law and the graduate departments in English literature across all three campuses, and the M.F.A. program, involving an examination of how issues of law and justice are expressed within classical and contemporary literature, judicial opinions, and legal scholarship, with the goal of understanding how an appreciation of different discourses can have practical effects on the characterization of and meaning of justice, fairness, etc., and on the public’s understanding of the legal system.

The opportunities are limited only by our imaginations. Indeed, we already have some current excellent examples of such collaborative work with other units of the University:

- the H.E.A.L. Collaborative, a joint project of the Education and Health Law Clinic and the Outpatient Department of Pediatrics at Rutgers New Jersey Medical School, in which law students, social work students, and medical residents work collaboratively to provide case management services and improve the health and well-being of indigent children with disabilities and their families by addressing causes of poor health that typically result from poverty.
- The Rutgers Institute for Law and Philosophy (ILP), founded in 2004 as a joint venture between the Camden law school and the New Brunswick Philosophy Department using Presidential Excellence funds, has hosted fifteen major conferences featuring leading

scholars from all over the world (including a Nobel Laureate), five endowed annual Lectures in Law and Ethics, and five roundtables with other similar centers. It is currently exploring establishing a formal relationship with Oxford University's Center for Ethics and Philosophy of Law.

- The Center on Law in Metropolitan Equity (CLiME), which works with the Bloustein School to promote more equitable approaches to public law and policy amid rapid demographic change, and to examine communities as the product not only of their residents but of their legal rules and institutional networks.
- The Interprofessional Education Initiative (IEI) brings Rutgers-Camden students in law, nursing, and social work together with medical students from Cooper to facilitate better communication across those professional boundaries. The IEI's inaugural program, held at Rutgers-Camden in September and featuring more than 100 participants, ranged over five case studies involving emergency informed consent, end-of-life care, English as a second language, HIV care, and prenatal issues.

Many of these programs already offer the possibility of exciting collaborations between our podium and clinical faculties and between all our faculty and faculty in related disciplines within the University.

Our vision is not one merely of having law students taking courses in other schools and departments or having joint degree programs. We have these already; they are important and we will continue to develop the opportunities that they provide. But our goal is much more ambitious: we seek to create a university-wide series of projects and programs that will involve a process of active and comprehensive engagement of different disciplines learning each other's basic normative assumptions, values, and intellectual structures, and then solving real and simulated problems that require an understanding that only this sort of approach can provide.

That vision will also be enhanced by creating a Legal Studies Program in New Brunswick. Doing so will enable us to compete more effectively for the best students from that campus. In using faculty from all three campuses to teach in that Program, research and teaching collaborations should develop that will further augment the interdisciplinarity of the University and Rutgers Law.

This vision should also be particularly effective in projecting Rutgers's efforts at global outreach. Especially with new additions to our faculty, we are well poised as Rutgers Law to work with colleagues from other disciplines to work in areas such as global economic development, international human rights, international criminal law, health law, intellectual property, and a host of other global and transnational topics.

Our vision, therefore, is to become a presence throughout the University as partners, and indeed in some ways as students of our colleagues, since we must learn from the other disciplines in order to maintain the relevance of our own. And also as facilitators, to the extent that law can provide common conduits of action by which all the other disciplines can share their first principles in a way that can then have direct impact on societal institutions. The challenge is to create a vision of a 21st century law school that draws on our talents, reflects our interests and abilities, and recognizes and takes advantage of the reality that we are part of a major public research university.

This aim is not at odds with our plan to add more skills-based courses. For among the skills that *every* lawyer in the 21st century must have is the ability to examine the law from an interdisciplinary perspective. At Rutgers, we have the opportunity to meet the challenges that face our profession in a way that goes beyond the rote skills training that, if executed without creativity, could threaten to turn legal education into an extended bar review or Continuing Legal Education course.

Coupling with other disciplines would also allow us to enhance our contributions to public service in new and effective ways. Standing alone, we of course already provide public service through our clinics and our other pro bono activities. But we could be even more effective in that role in partnership with colleagues from other disciplines. Doing so should not detract from our scholarly mission, but rather augment it. The words of incoming Newark Chancellor Nancy Cantor are worth emphasizing:

I am devoted to the action-research tradition where scholarly excellence and social impact go hand in hand. As an educational leader, I have devoted my advocacy to making more real the promise of higher education as the road to social mobility, a context for democratic practice, and as a participant in community building and public problem-solving.

Our historic commitment and ability to engage in civic engagement and public problem-solving would be enhanced immeasurably if it were done in partnership with colleagues from other disciplines so that we can leverage the impact of law combined with another facet of our social institutions.

We need to draw from our history and our considerable strength, both as a great Law School and as a part of a great University. While institutional self-criticism is healthy, we should also not shy away from our strengths. Rutgers has many world class departments and faculties. Rutgers Law will catapult to the forefront of public law schools by relying upon our existing strengths, rather than attempt to create new ones out of whole cloth. In the New York/Philadelphia area, the number of law schools embedded within a major research university are relatively few. Many of our current competitors are either stand-alone law schools, or are associated with non-AAU primarily undergraduate teaching universities, or are so disconnected from their main universities as to be essentially autonomous. If we are successful in promoting this new vision of holistic legal education integrated with other disciplines, we would be peculiarly well situated to “capture the market.”

Every major public research university, including all of the universities in the Big Ten, boasts one flagship law school. Rutgers University will be no different. Rutgers Law will enjoy a national profile and be a jewel in Rutgers University’s crown. It will be a dominant player in legal education, and it will be *the* major public law school in the northeast corridor. Rutgers Law will also be characterized by university-wide engagement, drawing on the considerable strengths of a renewed Rutgers University. In the coming weeks, we look forward to exploring this vision and to getting your input on how Rutgers Law should respond to the challenges facing legal education in a creative and unique way to become a premier law school of the 21st century.