



FUNDING PROPOSAL TO THE FETZER INSTITUTE

UNIVERSITY OF MARYLAND SCHOOL OF LAW LAW, LEADERSHIP & PROFESSIONALISM INITIATIVE (July 1, 2008 – June 30, 2011 Funding Period)

I. PROJECT OVERVIEW

The University of Maryland School of Law requests three-years of funding from the Fetzer Institute to support the Law, Leadership & Professionalism Initiative. With this funding, the School of Law seeks to launch an integrated collection of projects on the themes of professionalism and leadership. The Initiative will have three parts, each examining a different element of the lawyer's complex role in relationship to clients and society:

- A. ***Lawyers as Leaders:*** In collaboration with The James MacGregor Burns Academy of Leadership at the University of Maryland College Park and the bench and bar, we will develop a new leadership development program and related materials for law students and practicing lawyers, examining the role of lawyers as community and civic leaders.
- B. ***Professionalism-in-Practice:*** Through courses, case studies, and community outreach projects, we will integrate issues of professional responsibility throughout our curriculum, providing students with the opportunity to reflect on the ethical and moral dimensions of the role of lawyers as practitioners.
- C. ***Cross-cultural Leadership, Professionalism & Democracy Building:*** Through clinical work in recovering communities in Baltimore, the Gulf Coast and abroad we will work with community leaders to explore the role of lawyers in community renewal and democracy building.

Through this Initiative, our goal is to cultivate a new generation of "lawyer leaders" who: (1) are culturally competent and able to navigate the complex ethical terrain that confronts many lawyers and organizational leaders; and (2) have the vision necessary to both serve their clients and affect positive social change. The Initiative will encompass efforts by students, faculty, staff and practitioners to explore values inherent to being a lawyer in today's global society; one's own personal values and the process of moral formation; how one can have a life in the law consistent with those values; one's commitment to one's client and the broader community; and

how one might satisfy those dual commitments through the exercise of leadership and service. Building on groundwork laid by the Center for Law and Renewal, our aim is to catalyze deeper civic engagement and action within the legal profession and between and among the profession and the communities, businesses, organizations and individual clients that lawyers serve.

This proposal is the culmination of a year-long collaborative process including several of our deans, a dozen of our faculty whose teaching and scholarship range from legal profession, community development, and alternative dispute resolution to contracts, property, health and family law, and representatives from the Academy of Leadership and the Mississippi Center for Justice. It sets forth the rationale for the Initiative's organizational and programmatic direction, along with a work plan and evaluation methodology.

II. INSTITUTIONAL MISSION, HISTORY AND ACCOMPLISHMENTS

A. *THE CURRENT CONTEXT: CHALLENGES IN THE LEGAL PROFESSION AND LEGAL EDUCATION*

A range of societal pressures and cultural forces have converged to create difficult challenges for the legal profession. Headlines documenting scandal, greed, and malfeasance by lawyers and their clients have led to a general distrust and delegitimizing of the legal profession. Modern practice often takes place on a terrain of moral compromise through aggressive litigation between overly zealous advocates. Freshly minted lawyers may face uninteresting, even tedious work disconnected from the aspirations for justice, equity and service that originally drew them to law school. Skyrocketing salaries for a small percentage of graduates in large national firms stand in stark contrast to stagnating salaries for the debt-laden majority of law school graduates. The differential in opportunities for law school graduates mirrors the differential in opportunities for their clients, with those who are poor and marginalized often unable to gain access to justice. The demands of the profession coupled with blatant inequities in the system have created a growing number of lawyers who are dissatisfied with their current practice and their inability to balance commitments to work, family, community and the historic public service elements of professional practice. The composition of the profession itself is also changing with the entrance of more and more women and minorities. While creating a profession that better reflects the composition of our population, this increase in diversity has created a need for lawyers who are "culturally competent." In addition, the globalization of law practice has created new opportunities for lawyers, but also challenges as they confront new professional expectations and ways of doing business in different cultural environments.

Legal education and law schools arguably have contributed to some of the problems faced by the profession. The Carnegie Foundation's recent report *Educating Lawyers: Preparation for the Profession of Law*¹ asserts that law schools focus too heavily on teaching skills for legal analysis and insufficiently on developing students' ethical and social skills. The "signature pedagogy" of legal education – the "case dialogue method" – "which often forces students to separate their sense of justice and fairness from their understanding of the requirements of legal procedure and

¹ Sullivan, William M., et. al., *Educating Lawyers: Preparation for the Profession of Law* (2007, The Carnegie Foundation for the Advancement of Teaching),

doctrine,”² creates a disjunction between the development of substantive legal knowledge in students and the development of their moral and ethical identity as lawyers. Moreover, professional ethics is typically offered as a separate course that is more about following specific legal rules than about character and moral formation. Education provided by most law schools is fundamentally instrumental, focused on gaining the knowledge and skills needed to “enhance one’s competitive advantage in life.”³ These skills remain grounded in the traditional adversarial legal system with little attention to the benefits of alternative means of dispute resolution.

The challenges confronting the legal profession require lawyers who can bring to bear the skills and knowledge of lawyering with the vision and wisdom of leaders. Law schools can respond to this need by preparing a new generation of “lawyer leaders.”

B. THE ROLE OF LAW SCHOOLS IN TRANSFORMING THE PROFESSION

As the gateway to the profession, law schools can be catalysts for renewal and transformation. As the Carnegie Report suggests, key to this effort is the recovery of the formative dimension of legal education.⁴ The habit of self-reflection, the understanding of how the past has shaped the present, the knowledge of one’s relationship to the larger social world, and the probing of models of professional identity are all elements of what the Carnegie Report calls “formative pedagogy.”⁵ Ideally, young lawyers beginning their careers who develop these habits of reflection and self analysis in law school will be more attuned to their own values and have the moral courage necessary to be leaders and agents for change in their profession.

Law schools are more than gateways to the profession, however. Some law schools – especially public law schools such as the University of Maryland – have at the core of their mission the improvement of law and society. In collaboration with the bench, the practicing bar, and a host of advocacy organizations and governmental entities, law school faculty members identify and research problems in law practice and legal services. They also propose reforms, develop and implement models for the delivery of legal services in clinical settings, and evaluate their impact. Because law schools are perceived by most as neutral arbiters, they are in a unique position to convene stakeholders for discussion, mediation and consensus-building on some of society’s and the profession’s most contentious issues. As a result, in addition to developing young talent for future leadership, the best law schools have a far-reaching impact, working to effect systemic changes in policy and practice within the profession and the legal system.

C. THE CASE FOR MARYLAND

The University of Maryland School of Law is uniquely positioned to advance the kind of reform in legal education called for by the Carnegie Report and clearly needed in the legal profession today. For nearly two centuries, the University of Maryland School of Law has been an engine for leadership in law, business, and public service. The CEO of the world’s largest private law firm, the general counsel of the country’s best hospital system, and Maryland’s new Governor

² *Id.*, p. 57.

³ *Id.*, p. 31.

⁴ *Id.*, p. 29.

⁵ *Id.*, p. 32.

and U.S. Senator are all among our graduates. Over the last decade, the School of Law has achieved significant national recognition for its commitment to excellence and innovation in teaching, scholarship and service.⁶ Applications to the School have doubled, to nearly 4,000 per year for 220 spots. More than half of *The American Lawyer* top 100 law firms recruit our students for jobs. Over the same period, faculty produced nearly 300 scholarly works, almost tripling the scholarly output over the prior five years. Our expansive clinical law program provides more than 110,000 hours of free legal services to the citizens of Maryland each year.

The Law School's mission, pedagogy, faculty expertise, programmatic specialties, and institutional diversity provide foundational resources for launching this effort. Together, these five elements are critical to our ability to foster the formation of a reflective, ethical professional identity in lawyers *and* impel the inner change necessary to have an outward effect in transforming the profession as a whole.

MISSION: *We are a public law school with a public mission.* The mission of the University of Maryland School of Law is “to contribute to the achievement of a more just society by educating outstanding lawyers, by advancing understanding of law and legal institutions, and by enhancing access to justice.”⁷ As a public law school, we work to improve law and society. In addition to educating future leaders of the bench, bar, business and government, our faculty and students identify, research and advocate reform on critical issues of law and policy. From corporate governance, to ethics and professionalism, to regulatory issues in health care and environmental law, the School of Law engages in projects and initiatives that aim to better society at large.

PEDAGOGY: *We are unique as a law school in requiring our students to engage in sustained reflective practice through our Cardin Requirement.* Established in 1988, and implemented in 1990, the Cardin Requirement provides that each student must, as a condition of graduation, have an experience of combining the actual practice of law with reflection on legal theory, values formation, and professional identity.⁸ Most students fulfill this requirement through our clinical program, making it one of the largest and most diverse in the country. Twenty-five faculty and more than 200 students each year represent real clients in more than 20 different clinics over a wide range of practice areas including tax, economic and community development, mediation, housing, intellectual property, environmental law, immigration, access to health care, drug policy, criminal defense, post-conviction appeals, re-entry of ex-offenders, juvenile protection, and education. While many schools have focused their clinical programs on skills development, Maryland's focus has consistently remained on developing the habit of reflective practice. Our clinical program is taught by full-time faculty members, engaged in research and scholarship and who together with our more traditional faculty, are responsible for the governance of the school as a whole. As a result, issues of professional identity and values are integrated into the curriculum at large. And, because

⁶ During that time the School moved from a second to a first tier law school in the U.S. News & World Report rankings. Three of its specialty programs – in environmental, health care and clinical law – are consistently recognized as among the best in the nation.

⁷ University of Maryland School of Law Self Study Report (2003), p. 3.

⁸ See, e.g., University of Maryland School of Law Student Handbook, 2008, p. 19.

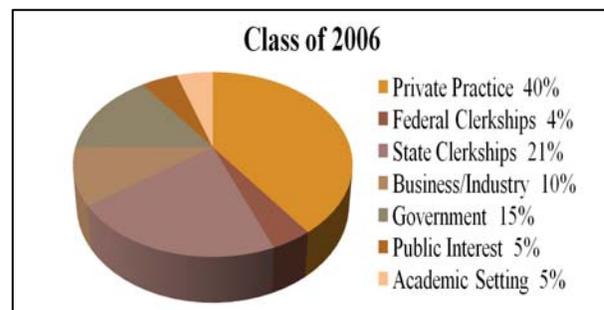
such work is a requirement of graduation, regardless of whether a student enters private practice or public service, they take the lessons of reflective practice with them.

FACULTY: *Our faculty members are nationally recognized leaders in teaching reflective practice, in nurturing leadership, and in developing alternatives to adversarial models of law practice.* Professors Brenda Bratton Blom and Michael Millemann have received the Bellow Scholars Award from the American Association of Law Schools for their work directed at community healing and revitalization through the School's Community Justice Initiative. Professor Roger Wolf has implemented a model training program (the Maryland Public Policy Conflict Resolution Fellows Program) for influential Maryland leaders to expand their negotiation, conflict resolution, and consensus building skills. Professor Paula Monopoli is a nationally recognized expert on gender equality and women's leadership and founded the School's Women, Leadership and Equality Program. Professor Sherrilyn Ifill is one of the country's leading experts on the process of "truth and reconciliation" as modeled by both the South African Truth and Reconciliation Commission and the Greensboro Truth & Reconciliation Commission. Her new book *On the Courthouse Lawn: Confronting the Legacy of Lynching in the 21st Century* considers how such a process might create healing and renewal on Maryland's Eastern Shore. Professor Barbara Bezdek received the University of Maryland Baltimore Public Servant of the Year Award for her work establishing Faith Fund, Inc., a Baltimore faith-based community development financial institution that offers loans and technical assistance to develop affordable housing, small businesses, and community facilities in Baltimore's underserved communities. Professor Michael Pinard received the Shanara Gilbert Award from the American Association of Law Schools in 2006 as the country's outstanding young clinical law professor. Professor Robert Rhee, a new addition to our faculty this year, is expanding the work of our *Business Law Program* on ethics in business lawyering with a special new course examining ethics in corporate decision-making through readings in both case law and moral philosophy. Professor and Associate Dean Diane Hoffmann, who directs our Law & Health Care Program, founded and oversees the work of the Maryland Health Care Ethics Committee Network. The Network provides ethics education for health care institutions involved in resolving disputes over end of life care. These are but a few examples of the range of faculty expertise available to contribute to the Initiative.

PROGRAMMATIC SPECIALTIES: *A range of related special programs, centers, and projects in professionalism, leadership and diversity provide mechanisms for the School of Law's outreach on these issues to the larger community.* Maryland is home to a diverse group of centers, programs and projects that have outreach as a key component of their work. These programs host conferences and produce publications and web materials to ensure their impact reaches beyond the School of law. For example, *The Center for Dispute Resolution at Maryland (C-DRUM)* develops courses, programs and conferences on alternative dispute resolution both for law school students and the larger community, including area public schools and elected government officials. *The Women Leadership and Equality Program's* Rose Zetzer Fellows take part in a specialized curriculum on leadership for women, analyzing the special challenges women face in private practice. The *Community Justice Project* promotes community-centered

alternatives to the court system through youth advocacy, community dispute resolution, and the development of problem-solving courts. The *Professionalism and Diversity Committee* is a group of faculty and students who work together to develop programs, curricula, policy recommendations and administrative processes to ensure that our community values diversity and that faculty, administrators and students develop the skills and understanding needed to work creatively and collaboratively in a diverse profession. Our *Business Law Program* is recently hosted a roundtable for academics from business schools and law schools, together with corporate directors, business lawyers and ethicists to examine the challenges faced by lawyers and their clients in business practice. All of these programs have allowed us to form sustained relationships with the private bar, the bench, government and community leaders throughout Maryland and across the country.

DIVERSITY: *Our diversity is our strength, allowing us to create leaders in all areas of legal practice.* The University of Maryland School of Law is one of the most diverse law schools in the country, both in terms of its faculty and students. Of our 58 full-time faculty members, 24 are women and 12 are persons of color. One-half of our entering class consists of students coming from out of state. Thirty-five percent of the members of this year's entering class are students of color and one-half are women; over 20% have a graduate degree. We take pride in the fact that compared to other law schools, our diversity extends to the career paths chosen by our students. Legal education has become a point of entry for a wide range of professional careers. Our alumni represent leaders in all areas of law practice.



III. PROJECT GOALS, ACTIVITIES, DELIVERABLES AND OUTCOMES

The Law, Leadership and Professionalism Initiative has four objectives:

- To cultivate and nurture leadership skills in law students so that they become leaders able to affect positive changes in today's global and diverse legal profession as well as in their own communities;
- To develop and cultivate a new generation of lawyers who will both be able to serve their clients in a way that is consistent with their own values and in a holistic way, attentive to more than the technical legal problems they present;
- To educate and develop culturally competent lawyers who can articulate and implement legal activities in local, national and international settings that respect and support community and democracy building activities; and

- To begin a movement across law schools and the profession to offer additional opportunities for training in leadership in the law and for reflection and discussion about choosing a professional life that appropriately considers one's own values.

The Initiative has three components: Lawyers as Leaders, Professionalism-in-Practice, and Cross-Cultural Leadership, Professionalism and Democracy Building. Each is described in detail below.

A. LAWYERS AS LEADERS

More and more, a primary role of lawyers is to be leaders and problem-solvers who not only advise but also decide; who not only dispense “practical wisdom” but also serve as “practical visionaries.”⁹ At Maryland, many of our students go on to become elected officials, government agency heads, and heads of law firms, corporations, and not for profit organizations. Others, while not institutional leaders, work in the profession and in their communities to affect positive change. Aware of this path chosen by many of our graduates, we not only seek out and recruit students who have demonstrated leadership in college or work prior to law school through our Leadership Scholars Program,¹⁰ we also see the need to help students prepare more intentionally while in Law School for leadership roles in their professional lives.

This element of the Initiative would allow us to continue to collaborate with the James McGregor Burns Academy of Leadership at the University of Maryland College Park. The Academy of Leadership, under the direction of Carol S. Pearson, Ph.D., is distinctive internationally for its integrative approach to leadership, combining self-awareness and reflection on values with the development of practical skills for social and community change. In this way, their philosophic approach mirrors the commitments embodied in our Cardin Requirement, making them an excellent partner. This collaboration will allow us to build on our current work with the Academy and the Center for Law and Renewal to lay the foundation for the development and integration of a leadership curriculum at Maryland.¹¹

In the Fall of 2007, the School of Law and the Academy began a collaborative effort to explore the idea of establishing leadership programs for law students. Together they developed the Delphi Questionnaire on Leadership Education for Law Students. Distributed to leaders in law practice, the judiciary, government and legal education, the survey examined the nature, goals, and elements of leadership education in the law school context. The results of this questionnaire formed the basis for development of a one-day roundtable on leadership education in law schools. More than 50 leaders in law including law school deans, managing partners of major law firms, government leaders, and public interest lawyers gathered with leadership scholars to further develop a sense of the structure and outcomes of a leadership development program for

⁹ Ben W. Heineman, Jr., “Lawyers as Leaders,” (lecture delivered at Yale Law School, Nov. 27, 2006), available at <http://thepoekpart.org/2007/2/16/heineman.html>.

¹⁰ In 2004, the University of Maryland School of Law established the Leadership Scholars Program. The Program has provided scholarships each year since its initiation to 35 – 60 entering students from diverse backgrounds who have demonstrated significant academic and personal accomplishments prior to applying to law school.

¹¹ The Center for Law and Renewal is currently funding the Leadership Academy to develop a framework for the implementation of a leadership curriculum at the University of Maryland School of Law.

law schools. Recordings from this conference, together with results from the Delphi Questionnaire are posted on a website jointly linked to the Academy and the Law School.¹²

The Academy, in consultation with the Law School, is currently preparing a report with recommendations for the development and implementation of a leadership curriculum for law schools, based on prior work of the Academy, the results and recommendations from the questionnaire and roundtable, and the needs of the legal education community. This report will assist us as in the development of a leadership program at the University of Maryland School of Law which will include a leadership curriculum for our students, a leader's forum, and a leader's monograph series. This component of the initiative will build on the work of our Program on Women, Leadership & Equality, our Clinical Law Program, and our Center for Dispute Resolution (CDRUM).

Activities

- 1) *Leadership Curriculum for Lawyers*: We will collaborate with the Academy of Leadership at the University of Maryland College Park, the Maryland State Bar Association and others to design, implement and evaluate a leadership development program at the University of Maryland School of Law. The process for development of the program will build on our prior collaborative work with the Leadership Academy, input from leaders in law firms, the judiciary, corporations, government agencies, legislatures and nonprofit institutions. This program, which may include several components ranging from coursework, clinical or externship experiences, extra-curricular activities and community service, along with the process of its development, will be described in a written report and disseminated to law schools nationally. In addition, our faculty involved in the programs' development will share information about the program and its implementation through presentations at national meetings of legal educators and practicing lawyers.
- 2) *Leaders Forum*: We will establish a Leaders Forum that will bring together law students, legal practitioners, and legal academics with an interest in leadership in the law. The forum will meet 2 - 3 times a year to discuss a current leadership challenge facing the legal profession, such as diversity in legal practice, work life balance, doing well verses doing good, and law practice in a global environment. Individual speakers or a panel of speakers will be asked to address the issue.
- 3) *Leaders Monograph*: Taking what we learn in the development of the curriculum, together with the experience of our students and leaders in the Leaders Forum, we will publish a monograph series on Lawyers as Leaders. Each issue of this monograph will explore topics raised in the Leaders Forums. Reflective essays may be included together with discussion questions and suggestions for further readings so that the monograph series may be used by others in discussion and reflection.
- 4) *Fetzer Legal Fellows*: We will establish a Fetzer Legal Fellows program for students who have completed the leadership curriculum, undertaken leadership of a community-based project, and analyzed their work through a significant piece of written work. The Fellows Program will allow students to identify other students with similar interests and commitments and create a mechanism to promote the benefits of this curriculum to those outside the Law School.

¹² See www.law.umaryland.edu/leadership.

Deliverables

- 1) A report describing the leadership curriculum for law students developed by the Law School including course descriptions, readings, clinical, externship and extracurricular opportunities.
- 2) Presentations of the curriculum at national meetings of legal educators and practicing lawyers.
- 3) A collection of essays published as a monograph series based on the Leaders Forum speaker presentations.
- 4) Written work by Fetzer Legal Fellows analyzing their leadership projects.

Outcomes

- 1) Course materials and clinical and externship offerings focusing on leadership that students may take as part of the curriculum at the University of Maryland School of Law.
- 2) Established extra-curricular activities providing leadership opportunities for students at Maryland.
- 3) A group of students who have taken the leadership curriculum at the Law School – the Fetzer Legal Fellows - who will be able to integrate their leadership training into their legal careers.
- 4) Contribution to the literature on leadership in law.

Evaluation Methodology:

Evaluation of the Leadership Curriculum: In addition to traditional student course evaluations which will provide feedback on individual course offerings, students who have completed the leadership curriculum will be interviewed and asked for their feedback on the experience and suggestions for improvement.

Evaluation of Leaders Forum: The success of the forum will be determined by the members of the forum, who will be asked to assist in developing criteria for evaluation and providing feedback based on the criteria developed.

B. PROFESSIONALISM-IN-PRACTICE

“A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice.”¹³ As the Rules of Professional Conduct recognize, almost all difficult ethical issues related to the practice of law arise because of the conflict a lawyer faces between these competing roles. Law school is the place where law students begin to explore the conflicts inherent in these different aspects of the lawyer’s role. They develop notions of professionalism and learn about the role of their personal conscience and ethical reflection in practice. It is also the place where they have an opportunity to engage in honest and sometimes difficult dialogue about race, gender, age, disability and socio-economic class and how perceptions and attitudes about these differences may affect their relationships with other students and members of the law school community.

¹³ ABA Model Rules of Professional Conduct, Preamble, Sec. 1 (2007). This provision has also been adopted by the Maryland Rules of Professional Conduct.

All too often, however, law schools teach more effectively about the situations governed by the Rules of Professional Conduct than about those for which the Rules are silent. What should a young lawyer do, for example, when she sees it is in the client's interest to make an argument that would be at odds with the common good? How should a lawyer respond when he needs to disclose deeply hurtful personal (but not legally protected) information about third parties to a lawsuit to advance his client's interests? How should lawyers respond if they know they can win their case against a poorly financed adversary just by litigating very aggressively so that their opponent who simply cannot afford the cost of proceeding must settle cheaply? Should lawyers treat all opponents equally or focus most aggressively on those with the "deepest pockets" even if they may have the most attenuated and limited culpability?

Through this project, the law school will help students explore and develop their own personal values and consider how they apply in the context of professional practice. Materials and cases will be developed that will allow students to examine a "relationship-centered ethic" in law practice, i.e., to examine the role of lawyers beyond merely technically advancing clients' legal interests, to one that considers the holistic needs of clients -- helping clients make decisions in the larger context of their broader needs. The project will provide opportunities for examination of the concept of professionalism in numerous venues throughout the school including an innovative course on professional responsibility, an integrated curriculum with case studies and a student-led initiative to explore best practices in the profession and issues of justice with members of the broader community. While Maryland will be a demonstration site for the implementation of these initiatives, efforts will be made to inform other law schools about them and provide materials and blue prints for their implementation in other institutions.

Activities

- 1) *New Professionalism Course*: Faculty and students in our clinic are often confronted with issues relating to multidisciplinary/interdisciplinary practice and cultural competence that aren't addressed by the rules. Our new course, "Professional Responsibility: The Rules and Reality," blends traditional review of the Rules of Professional Conduct with an examination of a relationship-centered ethic involving real-life clients. The initial offering of the course, which is open to students enrolled in our clinics, began this spring. Bonnie Allen, JD, Director of the Center for Law & Renewal, is participating as an adjunct faculty member, co-teaching the course with Brenda Bratton Blom, JD, Ph.D., Director of our Clinical Law Program and Rebecca Saybolt Bainum, JD, Managing Director of our Clinical Law Program. Members of the practicing bar have been invited to participate in the development and teaching of the course.
- 2) *Professionalism Beyond the Rules Network*: The development of the Professional Responsibility: Rules & Reality course builds upon a March 2007 gathering convened by the Center for Law & Renewal involving 20 law faculty members from schools across the country to share ideas about teaching professional ethics "beyond the rules." Two individuals from the University of Maryland School of Law attended this event. The School of Law will build on this work and continue and strengthen this network by convening additional meetings and establishing a "data bank" of teaching materials and course syllabi that incorporate the notion of teaching professional responsibility beyond the rules. Through the Network, Maryland faculty and others will be available as advisors to other schools seeking to teach professionalism courses that reflect this idea.

- 3) *Professionalism Across the Curriculum:* While virtually all law schools offer a course in professional responsibility, often it is a single course that students take in order to prepare for the professional responsibility component of the bar exam. Little effort has been made to incorporate legal profession issues across the curriculum. Such an effort requires the development of course materials that can be easily integrated into traditional law school courses, especially in the first year. As part of this project, we propose to develop a series of case studies that could be used by faculty in a variety of courses across the curriculum from contracts and criminal law to business and administrative law. The cases would be developed by both clinical and non-clinical faculty who would meet regularly to discuss ideas and to develop the cases. A goal of this effort is to begin the discussion of lawyer roles, the context of legal practice, ethical challenges facing lawyers, and cultural competence beginning in the first year of law school.¹⁴ On completion of the cases, they would be introduced to faculty through special teaching sessions designed to demonstrate how the cases may be used in different classes.
- 4) *Best Practices in the Profession:* Borrowing from the work of the Indiana University School of Medicine's Relationship-Centered Care Project (funded by the Fetzer Institute), the "Best Practices" aspect of the Professionalism-In-Practice project will invite law students to participate in an effort to identify, collect and discuss stories about lawyers who exemplify the best ideals of the profession. Students, through their clinic experience, externships, summer jobs or other interactions with practicing lawyers will be asked to interview lawyers they have identified who fit this description and write up their interviews. The lawyer stories will be presented to other students in a series of meetings and included on a web page of "best practices" so that the Law School will develop a collection of stories about model lawyers and lawyering practices. Students would also be involved in broadcasting their stories through podcasting or a radio show. The NPR "This, I believe" stories would be a model for this initiative which would seek to inspire others about the positive role of lawyers in our communities.
- 5) *Community Outreach:* A fifth component of the Professionalism Project is inspired by the University of North Carolina Medical School's "Medical Readers Theater Program" through which medical students perform short theatrical works to professional and lay audiences that raise ethical issues in the practice of medicine and then engage the audience in a discussion of the issues. In our initiative, law students and faculty would perform short theatrical works that raise issues about justice and the role of the legal profession. The performances would allow students the opportunity to explore these issues through literature and dramatization as well as through discussion with a lay audience, furthering their self reflection about these important topics. The initiative would also build on the School of Law's "Linking Law and the Arts" Program through which the Law School collaborates with local theaters showing dramatic works that raise issues of social justice. As part of this collaboration, the law school hosts a website with

¹⁴ The recent Carnegie Report has identified one of the major limitations of legal education as the failure to expose law students to the "social and cultural contexts of legal institutions and the varied forms of legal practice." The report cites the efforts of other professions (medicine, business, engineering) to do this through "well-elaborated case studies of professional work" and encourages Law Schools to utilize similar teaching materials in their curricula. This project would respond to this criticism of legal education.

information about the legal aspects of the story and holds a panel discussion connected to a showing of the play inviting the audience to make comments and ask questions.¹⁵

Deliverables

- 1) A syllabus and materials for the “Professional Responsibility: The Rules and Reality” course for replication at other law schools.
- 2) A data bank of course materials and syllabi for teaching professional responsibility beyond the rules.
- 3) A collection of case studies on professionalism that can be used in core law school courses
- 4) Student stories about “best practices” in lawyering. These will be available on our website and via podcasts. A collection of the recorded interviews and “best practice” models will be shared and discussed with new students and faculty each year.
- 5) A collection of theatrical scripts developed from short stories, plays, and novels that can be used by law students and lawyers at other law schools or legal groups to perform in a community setting to provide a forum for discussion of issues related to justice and legal practice.

Outcomes

- 1) A group of law graduates who have explored their own personal and professional integrity and are committed to maintaining it.
- 2) Maryland would be one of the first Law Schools in the country to take major steps towards implementing the suggestions of the Carnegie report, which recommends major changes in legal education to address issues of lawyer role and professionalism.
- 3) A model course that places discussions of the Rules of Professional Conduct in a real world context.
- 4) A model for teaching professionalism for other law schools that infuses courses across the curriculum with meaningful discussions about professionalism in the law.

Evaluation Methodology:

Evaluation of Professional Responsibility: The Rules and Reality Course: In addition to traditional student course evaluations which will provide feedback on the individual course offering, the materials and methodology of the course will be evaluated by the emerging network of law faculty who are interested in teaching this topic.

Evaluation of Integrated Curriculum and Casebook: Traditional student course evaluations will provide feedback about the individual course offerings into which the case studies have been integrated. In addition, the cases and teaching methods for their use will be presented at national conferences where feedback will be provided through small group discussion sessions. The Project will also convene regular faculty feedback sessions on the efforts to incorporate these materials throughout the curriculum.

¹⁵ The Law School has partnered with area theaters on the showing of Twelve Angry Men, Doubt, The Permanent Collection, The Exonerated, Hairspray, and other dramatic works.

Evaluation of Best Practices Project: Through an anonymous computer posting system (Blackboard), students will be surveyed at the beginning and end of each academic year about the impact of their participation in the best practices project on their law school experience and their career aspirations.

Evaluation of Community Outreach: Attendees of the readers' theater productions will receive evaluation forms asking for their feedback on the experience, including whether they felt their attendance and participation was a valuable use of their time and whether they gained new insights about justice or the role of the legal profession.

C. CROSS-CULTURAL LEADERSHIP, PROFESSIONALISM AND DEMOCRACY BUILDING

The new century has thrust us all into a global environment. Lawyering in this new environment requires skills of cultural competence and leadership that recognize diversity and the need for respect for local values and differences. The third component of this proposal focuses on (1) developing opportunities for our students, faculty and colleagues to better understand the realities of living and lawyering in a diverse and multi-cultural world, with both the benefits and challenges this diversity brings to democracy and community-building in our country and abroad; (2) developing in our students awareness of the unique professional responsibilities and skill sets needed to provide legal advice and counsel to disadvantaged communities in this country and abroad; and 3) building the capacity of communities and community organizations to work on their own behalf to address the challenges they face.

Such opportunities are currently being realized by some of our clinical students through their work in, what we have come to refer to as, "community recovery". Many communities in our country and world are struggling with staggering poverty, racism and declining infrastructures that provide basic access to health, education, safety and economic opportunity. "Community recovery" refers to a long-term, comprehensive, community-driven process by which community organizations and enterprises seek to reduce poverty and recover from disinvestment. The term "community recovery" is most often used in reference to communities that are recovering from major natural disasters—like those in the Gulf Coast. But lessons learned from such efforts are also being applied to communities—like many in Baltimore—suffering from sustained, chronic degeneration.

The clinical work that we have been doing in these communities provides a learning laboratory and basis for critical reflection about community lawyering in an urban environment with a multi-racial population. It also offers students opportunities for leadership by being agents for positive social change. Through this component of the larger Law, Leadership and Professionalism Initiative, we will continue our work in Baltimore, but also partner with the Mississippi Center for Justice, to create clinical and externship opportunities for work in the recovering communities on the Mississippi Gulf Coast.

The School of Law, through the collaborative work of Brenda Blom and Bonnie Allen, and our student initiated Maryland Katrina and Indigent Defense Project, has begun to build a partnership with the Mississippi Center for Justice. This January, more than 20 students and alumni traveled to Biloxi to work with the Mississippi Center for Justice on the tremendous backlog of legal

issues related to housing redevelopment. Students completed triage of client cases and conducted research on disparities in the FEMA grant process. The work, for many, was life changing. As one student wrote on the blog students maintained during the trip, “*This experience opened many of our eyes to the real life experiences of Katrina survivors. While we learned a great deal about the region and the aftermath of the hurricane, I think we also learned a lot about humanity and how lucky we all are to have all that we do.*”¹⁶ Also, Martha Bergmark, President and CEO of the Center recently served as a panelist at the Leadership Roundtable, sharing her perspectives on the leadership skills needed by lawyers in working for community transformation and public interest law. The Law School is currently collaboratively planning a project with the Mississippi Center for Justice to develop a course that will allow students to continue the work in Biloxi over a 10 week summer clinical program, pending funding of the Law, Leadership and Professionalism Initiative.

Building on the successful experience of our sustained work in South Africa and in other study abroad efforts, we will also identify a recovering community (or communities) in a developing country (most likely in South Africa or Latin America) where we will establish a clinical opportunity for our students. In coordination with the School of Law’s Center for Dispute Resolution (CDRUM), we hope to collaborate with Mediators Without Borders <http://www.mediatorswithoutborders.org/> in this initiative. This collaboration will enable students to use a unique set of skills to work with communities worldwide to build their conflict resolution capacity for preventing, resolving, and healing from, conflict.

Students in all three locales will work on issues of community and democracy building. The clinical work will be carried out in conjunction with a seminar in which students and faculty in all three locations (through the use of various web-based technologies) will begin to articulate more explicitly the connections between community building and democracy, multi-cultural competence and democracy building, as well as the fundamental skill sets that are necessary to do this work. A key element of this work will be the inclusion of client groups in the reflective components of the project. While building capacity in these communities to take part in their own recovery, the project will explore notions of community healing and community justice. The framework created by these discussions will enable the communities, if they choose, to embrace those strategies in the long-term, along with the work they are already doing. The capacity building component of this project is essential to moving these communities forward.

Activities

- 1) *Clinical Opportunities:* Establish clinical opportunities in Mississippi and internationally that utilize community lawyering techniques and active reflection on how lawyers can strengthen communities, support democracy, and work with clients who come from many different backgrounds. This will require:
 - a. Collaborative planning with the Mississippi Center for Justice for the development of a clinical offering for our students in Biloxi;
 - b. Identifying an international site in either South Africa or Latin America that is appropriate for participation;

¹⁶ See more student and faculty reflections at: <http://umkatrinaproject.blogspot.com/>

- c. Establishing a Client Council that will actively involve clients in the discussion and evaluation of practices and materials that are developed and used in the representation and the project;
- d. Developing a seminar on multi-cultural community lawyering and democracy building for students enrolled in the “Recovering Communities” clinics;
- e. Working with legal educators and students and clients to identify and pursue opportunities for engagement and publication of lessons learned;
- f. Recording/videotaping client council meetings to document discussions and make a video that can be used as a teaching tool for work with community clients.

Deliverables

- 1) An annually run law school clinic in a “recovering community” in Mississippi.
- 2) An annually run law school clinic in a “recovering community” in a developing country.
- 3) A curriculum on multi-cultural community lawyering in a global world.
- 4) A video on working with community clients that can be used for teaching purposes.

Outcomes

- 1) An approved course, and clinical and externship offerings focusing on community building, multi-cultural lawyering, and democracy building in recovering communities in Mississippi and an international site, that students may take as part of the curriculum at the University of Maryland School of Law.
- 2) A Client Council that develops and promotes lessons that can be applied in larger arenas.
- 3) Contribution to teaching materials on law applied to community and democracy building in a multi-cultural and global world.
- 4) Community reflections about the role of lawyers and lawyering in their recovering communities.

Evaluation Methodology:

Evaluation of the multi-cultural community lawyering curriculum: In addition to traditional student course evaluations, which will provide feedback on individual course offerings, students who have completed the Recovering Communities clinic and multi-cultural lawyering seminar will be interviewed and asked for their feedback on the experience and suggestions for improvement. Further, clients from the Client’s Council will be interviewed and surveyed regularly about the impact of both the student participation and the program more generally.

Evaluation of Clinical Work: With the assistance of faculty from the School of Social Work, we will develop quantitative measures to determine the success of the client work from the perspective of the communities themselves. The particular units of evaluation will be determined in collaboration with the clients. These measures will then be gathered and reported. The measures will reflect the particular issues worked on (i.e. housing, code enforcement, business ventures, educational initiatives, etc.) and the participation of the community in the democratic process.