

# Innovative Law Schools

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## Students face down schools

**Inside** Falling applications have convinced law schools that they need to offer new attractions to potential pupils. *Page 2*



### Inside



**Brexit threatens academic harmony**  
Britain's law schools face post-EU fall in foreign student numbers  
*Page 4*

**Race to the top**  
New attempts to improve ethnic diversity in law  
*Page 5*

**The world's best LLM programmes**  
We list 91 of the top law schools for the qualification  
*Pages 6-7*

**Law schools turn to ones and zeros**  
Students can learn to code or study online  
*Pages 10-12*



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Innovative Law Schools



# Admissions collapse continues

Law schools have had falling entries for five years and are being forced to innovate or face being left behind, says Jane Croft

Since 2010, US law schools have experienced a drop in student admissions to a level not seen since 1973, when there were 53 fewer schools than today (204). The number of first-year students entering law school in 2015 dropped to just above 37,000 compared to 52,000 in 2010, according to figures released by the American Bar Association. The latest enrolment numbers are due in December.

So why have numbers been falling? After all, there are still lucrative jobs around. Earlier this year Wall Street law firms competed to lure young lawyers with lucrative pay packages after US firm Cravath Swaine & Moore raised the annual salary offered to first-year associates to \$180,000, sparking a pay war.

‘The national pool had got too small for us to have the same size and quality of class’

But since the Great Recession, the jobs market for newly minted lawyers has become tougher: most law firms have been taking on fewer recruits because their corporate clients have cut their legal spending. In addition, some of the work traditionally done by young lawyers – such as document discovery – is now being outsourced to cheaper locations like India or is being automated by new technology. As a result, many students are wary about taking on a six-figure debt from law school tuition fees without the prospect of a guaranteed job at the end.

Yet many law schools have responded to the challenging conditions by thinking creatively about what they offer – including a greater focus on skills-based instruction.

Conscious that a juris doctor (JD)

A student sits alone at Harvard Law School

Getty Images

degree, the qualification to become a lawyer, costs an average of \$34,600 per year in tuition fees, reaching almost \$60,000 at an elite law school, some institutions are also offering compressed, shorter degrees or add-on subjects like computer science or healthcare.

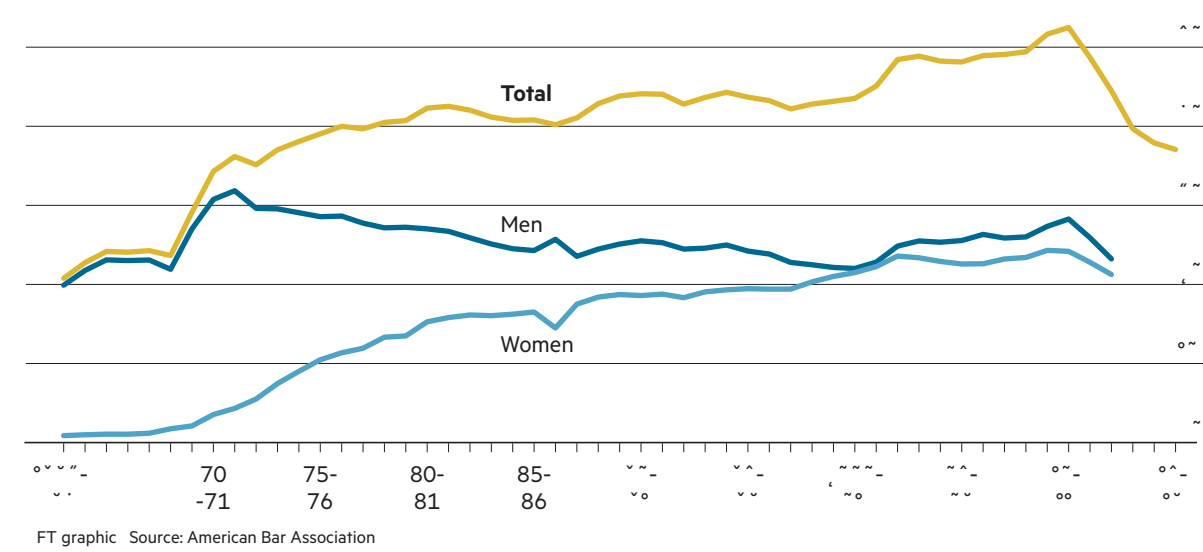
Barry Currier, managing director of the legal education section at the American Bar Association, which accredits more than 200 law schools, says a compressed course of two years rather than three can have advantages for some. “Some schools are designing programmes like two-year JDs as no degree can be less than 24 months under our rules. You can speed things up and that gets you into the job market,” he says. “Twenty years ago law students could work in summertime in [legal] fields and maybe cover their

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Law schools lose their charm

New-student numbers have been falling since 2010, even as gender balance has improved

First year enrolment (‘000)



FT graphic Source: American Bar Association

tuition for the following year, so taking three years did not seem too bad. That's less the case now.”

Some law schools have created financial inducements, such as New York's Pace Law School, which sets tuition charges for out-of-state students at the same rate as their local law schools. Others have reduced the grade scores in the entry test known as the LSAT.

Law schools are responding to the attraction and utility of jointly studying law and business; New York University and Harvard are offering JD/MBA programmes. Students at Northwestern University, for example, can earn a juris doctor from the Northwestern School of Law and a MBA from the Kellogg School of Management in three years – rather than the five it would take to complete both degrees separately.

In a 2015 address Blake Morant, then president of the American Association of Law Schools, said that the “current tough times have compelled us to think more creatively about pedagogy and curriculum”.

He also pointed to new programmes that explore the intersection of classroom doctrine and the real world; some schools such as Notre Dame Law School and Univer-

sity of Illinois College of Law now offer semester-long “externships” in major US cities, he said.

The tougher market has compelled some schools to cut class sizes to maintain the quality of students. Sarah Zearfoss, senior assistant dean for admissions at University of Michi-

gan Law School, says she made the decision in 2011 to shrink the class from 360 to about 300. “The national pool had got too small for us to have the same size and quality of class we had had for many years,” she says.

The school has now introduced legal clinics, which offer free advice

and assistance, as it seeks to reflect changes in the legal market, but Ms Zearfoss says this evolution in legal education would have happened anyway. The course allows students to be walked through the nuts and bolts of past cases or develop more practical skills like oral arguments.

Falling student numbers hit revenue too. Barry Currier of the ABA points out that law schools look to other income streams by offering more degrees beyond the basic JD, targeting international students or running masters degrees or non-JD programmes that are aimed at people who do not want to practise but to go into a related area like compliance.

Despite these actions, some question whether law school student application numbers will ever return to 2010 levels. A 2014 report by Moody's, the rating agency, about US law schools concluded that the decline in student demand “is consistent with our belief that the legal industry is experiencing a fundamental shift rather than a cyclical trend”.

But for the students who have set their heart on law, now is seen as a good time to apply to law school: the tough jobs market has deterred some less committed students. While the outcome for graduates, says Sarah Zearfoss, “frankly was rough” for a couple of classes graduating after 2010-11, that has got better despite the gloomy headlines about falling enrolments. “The media has had a function in making people realise it is not just a risk-free pass,” she says. “You have to want to do it.”



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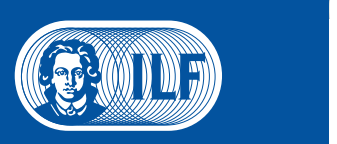
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## Innovative Law Schools

## Will Brexit outlaw EU students?

**Politics** Those who come to the UK to earn legal degrees could face higher fees, writes *Jane Croft*

The morning after the UK's June referendum on leaving the EU, a legal website's Facebook page had a picture which went viral: it showed a completely empty lecture theatre with the caption, "Meanwhile at the 9am EU law lecture..."

The decision to leave the EU has many implications for university law faculties, ranging from the numbers of EU students who come to study law in the UK to the content of law degrees which include a focus on EU case law. Speaking after the result, Dame Julia Goodfellow, president of Universities UK, said leaving the EU would "create significant challenges for universities".

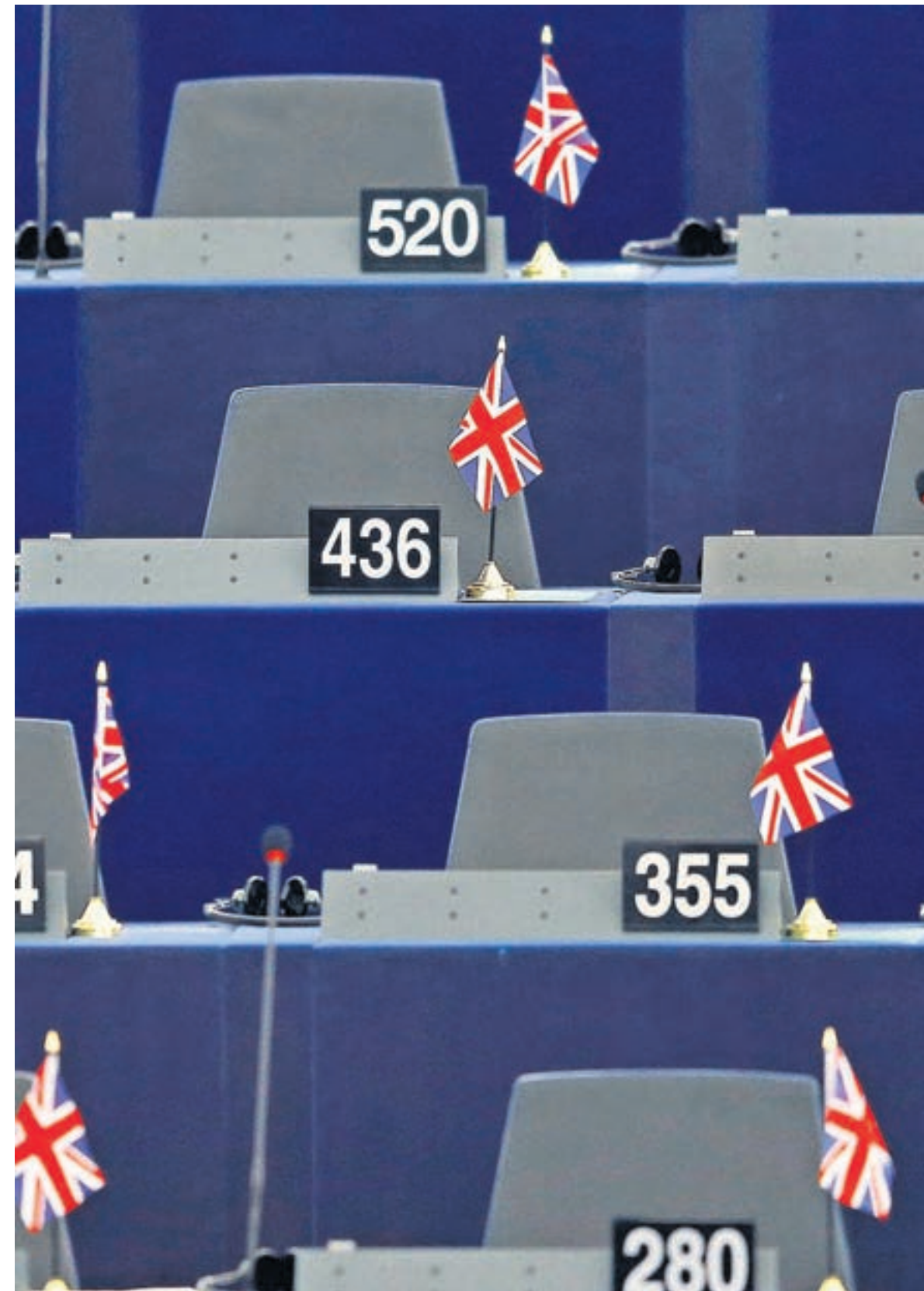
In 2014-15 there were almost 125,000 EU students undertaking higher education courses in the UK, according to Universities UK, of whom more than 78,000 were studying at undergraduate level. Law is one of the most popular subjects.

The UK government has said that EU students applying for a place at an English university in 2017 will still be eligible for student loans and grants over the duration of their course. However, after Britain has left the EU, future student numbers and access to loans will depend on the final Brexit deal hammered out between the EU and the UK.

Some academics fear future arrangements will be less generous and that EU students might be reluctant to study for a UK law degree if there is no guarantee they can stay on to work afterwards.

However, Professor Ben Bowling, acting dean at the Dickson Poon School of Law, King's College London, says there are no indications yet of a Brexit effect depressing student recruitment at King's. It has 13 applicants for every undergraduate place and around 80 or 90 EU students in an average 250-strong intake. He believes that students will continue to come to the UK to study law because of the importance of English law, which is used to underpin global business contracts and is used in public international law.

Studying English law also means students have a knowledge of the common law system – some 27 per cent of the world's 320 legal jurisdictions use English common law, including fast-growing economies



Flagging: empty British seats in the European Parliament may match empty seats in UK law schools — Reuters

such as India. "If you want to practise in the international realm then you need to have some legal knowledge of the common-law systems such as the UK, Hong Kong and Singapore," Prof Bowling says.

Most business litigation conducted in London's High Court now involves international parties. In 2015, nearly 1,100 claims were issued in the Commercial Court, of which more than two-thirds involved at least one non-UK party, according to a July 2016 report from lobbying group TheCityUK.

Law firms around the world are impressed by a legal education in the UK'

years after Brexit it is likely that numbers of EU university students will fall because students may have to pay higher tuition fees – around £16,000 – rather than £9,000 now.

Much will depend on the final Brexit deal, he says. He thinks that law as a subject will be less affected because of the global nature of the legal profession and law firms. "I don't think that will change and so because of that the number of EU students studying law might not fall as badly as other subject areas."

He says one option is that UK universities could set up campuses in Europe to offer courses to European students. He points to the LLM in Paris programme, which covers English law and is taught in English. Developed by the Centre for Commercial Law Studies, the LLM leads to a Queen Mary University of London qualification. "I think you will see more of this," Mr Priestley says.

Not many UK students go to Europe for legal degrees. Sixty-nine British students, for example, are studying for undergraduate or post-graduate qualifications in law at Maastricht University. The university has sought to reassure its students that during the exit negotiations, which are expected to take two years or longer, British students will still be EU students.

Since Brexit, more UK students have also been investigating whether they should gain qualifications recognised globally, such as the New York Bar exam to become a US-qualified attorney. It is seen as one of the toughest law exams in the world.

Sarah Hutchinson, managing director of Barbri International, an organisation which helps students prepare for the New York Bar exam over several months, says the number of inquiries about sitting the exam doubled in the two weeks after Brexit. In 2014, Barbri helped prepare 35 students to sit the exam; this year this has risen to more than 500.

The broad reason for the increased interest is that commercial lawyers have to work on multijurisdictional deals undertaken by global clients and the bar exam gives students international knowledge and an edge in the job market – particularly as US law firms have been expanding their London operations.

"We are seeing really savvy, internationally-minded students, for some of whom English is their second or third language, who want to take the bar exam," says Ms Hutchinson. "The globalisation of legal services and the number of European transatlantic mergers means if you want to work for a big commercial firm you have to compete in the global jobs market." In this context, Brexit looms less large.

Martin Priestley, partner at Pinsent Masons and head of its international education team, believes that in the

## Innovative Law Schools

## Seeing the law in black and white

## Diversity

Firms are starting to consider equal representation, says *Sarah Murray*

Since 2013, Freshfields Bruckhaus Deringer, one of London's elite Magic Circle law firms, has supported a very particular kind of scholarship. The Freshfields Stephen Lawrence Scholarship Scheme is named after a young black British man murdered in a racially motivated attack in 1993, and is open only to black men from low-income households. Importantly, to redress the industry's huge racial imbalance, it offers more than money.

While there is £3,500 in financial assistance for each scholar, "the money is helpful but the more interesting element is the development programme and the mentoring", says Annette Byron, a partner at Freshfields who leads the firm's scholarship schemes and diversity and social mobility programmes.

The scholarship includes everything from an in-house development course and mentoring to an interview for a training contract, the final stage of a legal education.

The need is certainly there. For example, according to research which the National Association for Law Placement published in 2016, African-American lawyers make up only 4 per cent of associates and 1.4 per cent of partners in New York City law firms.

At the University of Minnesota Law School, programmes include one designed for prospective students from groups historically under-represented in law school. It helps undergraduates and recent graduates with preparation for law school admissions and practice for LSAT exams (part of the admission process in countries such as the US and Canada). The programme is free; a \$100 deposit is required but is refunded on completion.

While the university also offers scholarships that are funded by law firms, "the scholarships are usually in tandem with a work opportunity for students as well," says Sarah Rohne, the University of Minnesota Law School's employer relations director.



Cordella Bart-Stewart, executive director of the Black Solicitors Network in the UK, sees enthusiasm for studying law among young people from the African and Caribbean communities, but she says they can drop out during their studies because they are unable to attain the standards needed for training contracts and tutelage.

African-Americans make up only 1.4% of partners in New York law firms

This may be, she says, because of time constraints. She cites research suggesting that African and Caribbean students are more likely to be working part-time to support their studies or have to spend more time travelling to their



schools because they are living with their parents.

She sees a need not only for academic support but also for assistance in developing softer skills. "It is not enough that firms might offer scholarships," she says.

"It's the practical things that help retention and progression, which is a big problem for minorities, like mentoring, peer-to-peer support and improving social skills."

Purely financial scholarships still have their place. Since last March, Durham and York universities and the London School of Economics have been granting bursaries to undergraduate law students from underprivileged backgrounds through a scheme funded by law firm Hogan Lovells.

At New York's Columbia Law School, a programme established by Baker & McKenzie in 2015 offers a \$50,000 scholarship to Masters of Laws students from outside the US and western Europe who can demonstrate academic achievement and a need for financial support.

Some argue that efforts to encourage more diverse students to become lawyers need to start before they have applied to university. "If you wait until university level, the breadth of students choosing a career in the law has already narrowed," says Sarah Gregory, inclusion and diversity partner at Baker & McKenzie.

She explains that, in addition to scholarships, the firm places a strong emphasis on making outreach efforts among students aged 16 and up and "giving them a bit of insight into what it's like to work in a law firm".

Like others, she sees the need for universities and law firms to work together to increase diversity in the legal profession. "What's important for the sector is relying on the universities to change the

**Clockwise from above: President Obama at Chicago Law School; a block of flats in Tower Hamlets, a poor but diverse part of London; Harvard Law students graduating** — AFP, Getty, Reuters

dynamic but also reaching out and doing other things to speed up the process of change," she says. When it comes to diversifying the legal world, money is necessary – but much more is needed too.

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## Innovative Law Schools

# Law school is no longer the only path into legal world

### Beyond the classroom

Even university is no longer a requirement for would-be lawyers, writes *Jane Croft*

The legal profession has long been criticised for its lack of social mobility and its deployment of traditional recruitment methods.

Many trainees at top law firms are drawn from a narrow slice of universities: a recent survey into social mobility at law firms by Byfield Consultancy found that more than 80 per cent of legal trainees at the top 50 firms were from the Russell Group of top UK universities.

In the Russell Group, private school pupils are over-repre-



An intern runs to deliver a Supreme Court decision  
Bloomberg

sented: they form 25 per cent of students, when only 6.5 per cent of schoolchildren attend private schools.

But there is a growing number of alternative routes into law. One recent initiative to help promote diversity in the profession has been apprenticeships for would-be paralegals and solicitors. This year Eversheds, the law firm, introduced an apprenticeship aimed at those with A-levels, the school-leavers' exams taken by English pupils at age 18, which allows them to qualify as a solicitor after six years.

"It means you can come out debt-free and qualify as a solicitor and get a degree whilst you earn," says Catherine Knight, graduate recruitment manager at Eversheds. "Many of the apprentices had excellent A-levels with As and A\*s and could have gone to university but chose to do this instead."

Starting on a salary of up to £17,200, the apprentices work full-time and study part-time, eventually gaining an LLB (bachelor of laws) degree as well as work experience – a big plus for those worried about racking up student debts. The first eight apprentices who started in September were selected from hundreds of applications.

The apprenticeship route is being championed by the government. In September, Lord Chancellor Liz Truss was asked about how she would ensure a more diverse legal profession given the costs of a degree. She replied that she was a "huge fan of apprenticeships" and the government's plan to create 3m apprenticeships "brings a big opportunity for some of our large legal services firms".

Law firms like Horwath Farrelly and even elite Magic Circle firm Freshfields have been among those which have taken on apprentice paralegals from school. Freshfields is partnering with the University of Law to launch a new paralegal apprenticeship scheme in its legal services centre in Manchester. Olivia Balson, head of the legal services centre at Freshfields, says the scheme ensures that the firm "has access to as wide a talent pool as possible".

A related, but more radical, change is that the Solicitors Regulation Authority, the legal regulator, is now allowing individuals to be admitted as solicitors under its "equivalent means" system, provided that they have the right quality and quantity of experience.

In 2015 Robert Houchill became the first paralegal to be admitted as a solicitor without doing a training contract after working for a number of years and demonstrating "a considerable amount of evidence" of his standard, accord-



"[Apprenticeships are] a big opportunity for some of our large legal services firms"

Liz Truss, Lord Chancellor

ing to Bates Wells Braithwaite, his employer at the time.

By contrast, the more traditional route to becoming a solicitor in England and Wales is largely academic, involving a three-year law degree, followed by a year's Legal Practice Course and then two years' in-house training.

This can be expensive and the Legal Practice Course alone can cost more than £15,000. Trainee solicitors are signed off as competent to practise at the end of their training contracts by one of about 2,000 law firms but there is no mechanism for firms to compare standards.

The SRA is now looking at overhauling legal training by creating a new Solicitors Qualifying Examination – a final two-part exam. This would also make it easier for training providers to develop flexible courses – including non-degree or work-based routes – to widen access.

Crispin Passmore, executive director of policy at the SRA, says the creation of one two-part exam would improve diversity by giving confidence that all new solicitors have reached the same standard. This is hard to assess while 100 universities offer law degrees and thousands of law firms offer training contracts.

The new exam would also allow able students who had not attended an elite university or who had come up through a work-based route to shine, says Mr Passmore.

"If you are the first in your family to go to university and go to a modern university, then if your marks on the SQE show off your skills you will be able to show that around potential employers."

## Innovative Law Schools

Founders such as Uber's Travis Kalanick have inspired law students, says *Rebecca Knight*

# How to bring out every lawyer's inner entrepreneur



All hail: entrepreneur Travis Kalanick, co-founder of ride-summoning app Uber —Charlie Bibby

Kayla Acklin has a manageable caseload but one client keeps her particularly busy. The client, a Boston-based start-up that has developed a mobile app for small businesses, is seeking new investment, and Ms Acklin is helping the company prepare for this process by issuing shares, writing contracts with developers and drafting other agreements. But she is not a lawyer – yet.

Ms Acklin is a third-year student at Boston College Law School (BC Law for short), enrolled in the school's Entrepreneurship & Innovation Clinic, which gives students practical exposure to "entrepreneurship law": employment, intellectual property, licensing, regulation. "I feel like this client's business is in my hands," says Ms Acklin.

As universities around the US add entrepreneurship programmes to their curricula, law schools are following suit by establishing clinics for would-be lawyers to advise early-stage ventures. The clinics allow prospective attorneys to get hands-on experience representing entrepreneurs and they let entrepreneurs, who may be students or locals, obtain free legal advice on how

to commercialise their ideas.

In the clinics, law students shepherd founders through the basics of employment law, help them negotiate contracts with vendors and guide them through the legal and regulatory compliance issues around trademarks and copyrights. A licensed attorney supervises these activities.

The clinics provide good practice for aspiring attorneys, says Bernice Grant, clinical supervisor of the Entrepreneurship Legal Clinic at the University of Pennsylvania Law School. "Our students have to quickly get up to speed and learn about the industry in which their clients operate," she says.

"You don't need to have an MBA [to advise companies], but you do need to be financially literate. You need to be able to speak the language of business and understand the difference between things like gross margin, profit and revenue."

Last year, Boston University School of Law and MIT set up a clinic to help student entrepreneurs. "We have seen an uptick in the number of our law students wanting to either represent entrepreneurs or become entrepreneurs themselves," says Maureen O'Rourke, dean of BU Law.

Ms O'Rourke attributes the rising demand for legal entrepreneurship education to shifts in the economic landscape. The prospect of working with a founding team of the next Facebook or Uber is a powerful attraction for students. "Our students grew up in an era unlike any other," she says.

"The rapid pace of technological change combined with the transition from a hard-goods economy to an intellectual economy has made students much more open to, and interested in, opportunities in start-ups. It's part of the culture."

Lynnise Pantin, the founding director of the entrepreneurship clinic at BC Law, says that the changing job market for lawyers is also driving the trend. The global financial crisis forced many firms to downsize,

"You don't need to have an MBA, but you do need to be financially literate. You need to speak the language of business"

which led to an oversupply of lawyers for available jobs.

In order to make their students more competitive after their education, many law schools have transformed their approach to training them. "Today's law schools have adopted a more service-oriented model," Ms Pantin says.

Students, ever mindful of what they are paying to get their law degree, are becoming more careful about securing the training they need to launch their professional lives. The average private law school tuition hovers around \$42,000 according to Law School Transparency, the research group.

"Students are much more targeted about where they want to focus [their careers]," says Ms Pantin, adding that the vast majority of BC Law students who participate in the entrepreneurship clinic are preparing for either a career working with new ventures or one in corporate transactional law. "They are driven and feel that this is what they want to be doing after they get their degree."

Founded in 2012, the entrepreneurship clinic at the University of Michigan Law School is one of its most sought-after programmes,

according to Dana Thompson, its director. "This generation of students is excited about innovation and the idea of being an innovator," she says. "And at a time when traditional law firm jobs [are disappearing], people are being more creative about finding other professional opportunities."

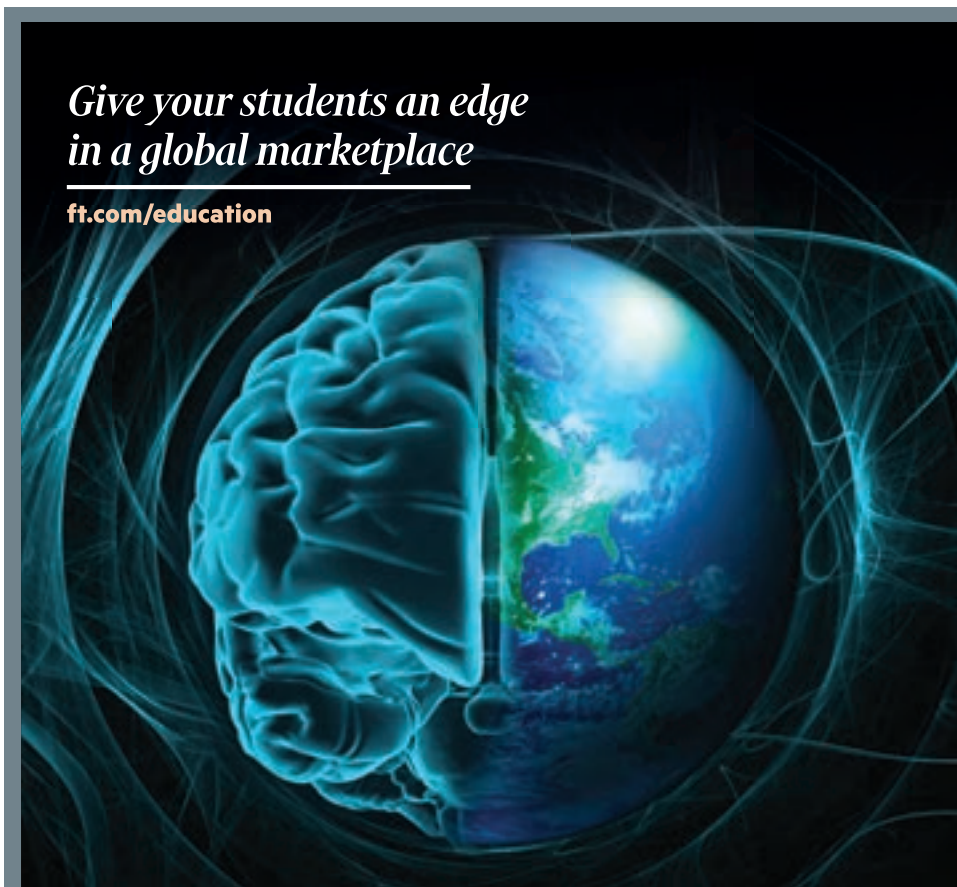
The career paths of clinic alumni vary, according to Ms Thompson. Some students do, indeed, end up taking jobs at big law firms; others move to Silicon Valley or various entrepreneurial hotspots and help run businesses; others become venture capitalists.

"Our role is to try to immerse students in the entrepreneurial ecosystem," says Ms Thompson. "They make connections, network and get ideas for other things they can do with their law degree."

Ms Acklin says the experience working at the clinic has helped crystallise her career plans. She has secured a job with the law firm Cooley after she graduates next year and will continue working with early-stage companies. "Working with an established company, a lot of what you're doing is maintenance work," she says. "But with start-ups, you're helping them grow."

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## Innovative Law Schools

# Lawyers learn a new code (and it is not an ethical one)

## Technology

Sticking to words is no longer enough, reports *Jane Croft*

For the past six years, Georgetown University Law Center in Washington has held Iron Tech Lawyer, a competition where teams of students compete to develop legal apps before showing them off to a panel of judges.

At the beginning of the semester, teams of students are assigned to work with legal services organisations and, using software packages, coding and more, build a program which will provide easier access to justice.

Law firms are increasingly embracing technology and hiring coders or artificial intelligence experts to help them automate routine work once undertaken by junior lawyers. A number of schools are responding to this by introducing technology-focused topics in areas like cyber security or the law of robots, or by creating practical, skills-based modules.

The Iron Tech Lawyer competition expects students to address a thorny legal problem, such as navigating the law around veteran disability benefits. "This is a very complex area of the law... but it can be reduced to an app that can walk through a person who has claims to benefits and come up with their entitlement," says

William Treanor, dean of Georgetown Law.

Vermont Law School also runs a course where students have to translate a legal problem into an app or prototype. The work is not only practical but academically challenging, says Oliver Goodenough, director of the Center for Legal Innovation and professor at Vermont Law School. "Students benefit because if you are exporting your knowledge, you need to know it completely – there is nothing like creating a piece of software to show what you don't know."

Some law schools demonstrate a greater degree of comfort with technology in law. Georgetown lets would-be lawyers learn to code using Python programming lan-

guage, and students can simulate applying the law during a cyber attack exercise. The school even has a link with engineers at the Massachusetts Institute of Technology to study the legal and technical aspects of privacy problems. The goal "is not to turn lawyers into technologists but to give them a literacy in technology, and so they feel comfortable talking to engineers", says Mr Treanor.

He adds that technology is constantly changing the law. "It's creating new areas of practice that did not exist 10 years ago like cyber security and data privacy," he says. "It's creating questions in traditional areas of the law, so for example are Uber drivers contractors or employees – that kind of question. Even 10 years ago those who graduated from law school spent all their time with millions of documents that discovery required – and now some of that is more likely to be dealt with by algorithms," he says.

Daniel Rodriguez, dean of the Pritzker School of Law at Northwestern University, says that his school is encouraging links with other faculties such as engineering. He points to the NUvention programme, where law students form teams with their counterparts from medicine, the MBA course and engineering to create a medical device. "Some 75 per cent of inventions will end up as learning tools and 25 per cent will end up being the basis for business plans," he says.

There are broad social considerations. Mr Rodriguez says that IT is changing human behaviour in fundamental ways and it is important to "not just understand the technology under the hood" but also to understand the ethical issues around it.

Tanina Rostain, a professor at Georgetown Law, says that technology and law are becoming much more closely combined and IT experience can help students stand out in the jobs market. "For traditional law firms it's good to have students who know their way round technology," she says, adding that some law firms are now hiring for new roles such as legal solutions architects.



Secret code: tech is a new legal avenue — Getty

Technology is creating areas of practice that did not exist 10 years ago

However, there is concern that other law schools, such as those in the UK, are some way behind the US. Richard Susskind, a technology adviser and co-author of *The Future of the Professions*, says the global legal profession is on the brink of unprecedented upheaval and believes some of the more repetitive work in law – such as reviewing documents – will soon be automated at a much cheaper cost.

In a lecture entitled "Upgrading Justice" given last month, Prof Susskind praised the "many exciting research centres and initiatives in US law schools", but complained that in many UK law schools, "law is being taught as it was in the 1970s", with no focus on new areas like AI or globalisation. "It dismays me and worries me more than anything," he said.

## Innovative Law Schools

Hybrid courses offer face-to-face and internet-enabled classes, says *Ian Wylie*

# Legal learning goes online

A year's tuition fees at Harvard Law School for its juris doctor degree – a graduate legal qualification – is \$59,550. Housing, insurance, books, supplies and other expenses are likely to push that closer to \$90,000. Even the tuition fees at less prestigious – but good – schools can be around \$40,000 a year.

It is little wonder, then, that online, distance or hybrid law programmes are now being mooted as a more accessible option for would-be lawyers unable to afford the in-person campus courses.

The latest law school to say it will venture a hybrid JD programme is Syracuse University College of Law. From 2018, pending approval from the American Bar Association, students will take classes online then come to campus for week-long residential sessions. The school, which hopes the programme will help reverse its enrolment decline, is delivering the course with edtech company 2U. The school's intake for 2016 is up 14 per cent on last

year, but – in line with the national trend – still almost a fifth lower than a decade ago.

The cost of tuition will be the same as the standard JD programme at Syracuse but the "opportunity cost" of attending will be "significantly lower", says Nina Kohn, associate dean for research. "Students can continue working while completing their degree and will not have to move their families or leave their existing support systems," she says.

Syracuse will be only the second law school accredited

'For some schools, online education is still a novelty'

by the ABA to offer such a hybrid JD programme; Mitchell Hamline School of Law launched the first last year. In 1998, non-ABA-accredited Concord Law School rolled out the first online JD programme, and other non-ABA accredited schools soon followed.



Other law schools offer fully online master's programmes for non-lawyers, but ABA accreditation standards mean no more than a third of a JD course can be delivered online, and only 15 per cent of the coursework.

"US legal education is at the intersection of a historic downturn in traditional applicants and the upsurge of high-quality distance education optionalities," says Ken Randall, who served as dean at the University of Alabama School of Law for 20 years.

"US law schools can, and should, be reaching new and non-traditional students, whether preparing them for a full-time practice of law or enriching their lives and adding value to their careers in diverse professions. It's right that accreditation is aimed at protecting consumers, but regulations must advance creativity and new ways of delivering quality education to diverse student groups."

Mr Randall is a founder of Aspen-iLaw Distance Education, which provides online learning platforms to around

a fifth of accredited law schools in the US. "For some law schools, online education is still a novelty," he says. "But there's an important role for online education in training

Virtually legal: could this be the future for law school classrooms? — iStock

the next generation of lawyers. Since their law practice will be technology-centred, their legal education should also optimise technology."

*Continued on page 12*

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## Innovative Law Schools

# Legal learning goes online

Continued from page 11

In the US, the number of applicants and enrolments to law schools entered a downward spiral in 2011. Early indicators suggest 2016 may halt that decline, but it will not turn the tide. Last month, Indiana Tech University announced it would close its law school, with \$20m losses, less than a year after it was provisionally accredited by the ABA. “The significant decline in law school applicants nationwide represents a long-term shift in the legal education field, not a short-term one,” explained the university’s president, Arthur Snyder.

Even elite law schools like Yale, Harvard and Stanford may need to explore and serve new markets for their legal education, before someone else does. “Law schools still using a

pedagogy developed at Harvard almost a century and a half ago are slow to embrace change of any sort,” says Michele Pistone, professor of law at Villanova University and co-author of “Disrupting Law School”, a report published this year by the Clayton Christensen Institute. “Many law professors look upon technological change with about the same enthusiasm as they have for getting a tooth pulled.”

But according to David Amos, associate dean at the City Law School, University of London – which offers a distance learning LLM (master of law) in international business law – online programmes enable law schools to reach entirely new markets. “It allows us the possibility of addressing a broader audience both geographically and in terms of the profile of the students,” says Mr Amos.

“Students who can’t come to this country for visa or other reasons can now take our courses. Similarly, students in this country who would have difficulty in attending a face-to-face course for work or family reasons will now have more options open to them. They allow law courses to become more accessible.”

Technology also enables faculty to

have an individual relationship with the student. “You’re able to monitor whether a student has accessed and engaged with the material. You can also check their progress by quizzes, tests and so on. This allows us to spot areas of concern and address them.”

However, Mr Amos concedes that online programmes will not necessarily be cheaper to deliver, particularly since legal materials must be updated regularly. He also has reservations about whether online courses can create as many opportunities for social learning. “Students learn better in groups where they can engage well with other learners and their tutor,” he says. “You can set up mechanisms to do this online but I’m not sure that they fully provide the sort of ‘value added’ you get with good face-to-face teaching.”

In South Korea, the country’s law schools are pushing the government to develop a national online legal education programme. The Korean Association of Law Schools is supporting plans by the ministry of education to set up an online law degree programme at Korea National Open University to widen

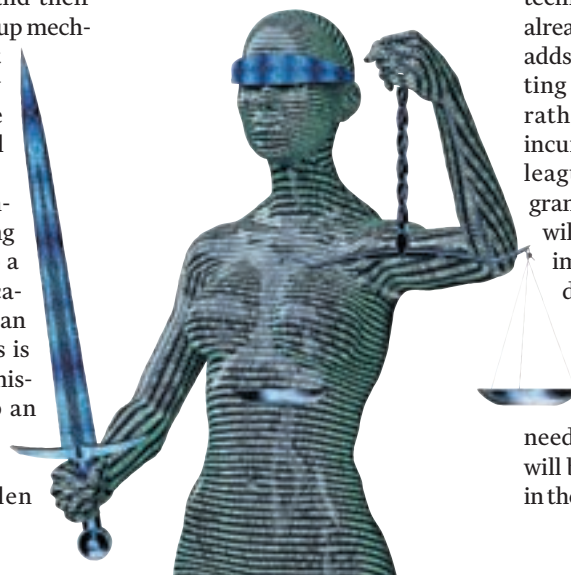
‘Law schools still using a pedagogy developed almost a century and a half ago are slow to embrace change’

access to students through more affordable tuition. This is planned at a quarter of what annual tuition costs at private law schools.

Back in the US, law schools including Harvard, the University of Pennsylvania and Northwestern University Pritzker are experimenting with and developing free Moocs (massive open online courses). However, these are not credit-bearing and will not count towards a degree.

“I see law schools adding innovation on to the existing curriculum, but do not see a lot of change happening at the core. They’re using the new technology to sustain what they are already doing,” says Ms Pistone, who adds that Villanova University is setting itself up as a “disrupter”. So, rather than trying to change the incumbent institution, she and colleagues have started a new programme outside the law school that will train non-lawyers to represent immigrants in the court and adjudication system.

“It’s an example of using online technology to provide an education more tailored to the needs of students and the needs of the marketplace. I hope it will be a model for other law schools in the future.”



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