

If You Build It ...

By Sara Randazzo

Daily Journal Staff Writer

For the past year and a half, Erwin Chemerinsky has been building his own field of dreams; a public interest-minded law institution determined to reshape the landscape of legal education.

And when Chemerinsky builds a law school, students come. As of mid-February, more than 1,200 applications had been received with more pouring in every day to fill the 60 spots in the inaugural class at UC Irvine School of Law, according to the admissions office.

But for the dean of the UC system's first new law school since UC Davis School of Law opened in 1966, it's about more than the numbers. When doors open this fall, Chemerinsky expects the school to look and feel like a top-tier institution.

He stands steadfastly behind his oft-quoted mantra: "Our goal is in every way, from the very beginning, to be a top-20 school." But aspiring to break into the elite ranks of the top 20 and actually getting there are different matters.

A qualitative answer to Chemerinsky's goal is still years away. U.S. News & World Report won't even consider UCI for its list of the nation's top law schools until it graduates its first class and becomes fully accredited by the American Bar Association, a multiyear process that won't begin until UCI's second year of operation.

All told, it could be 2014 before UCI gets branded by what's become the national barometer of law school excellence.

Meanwhile, the California legal community is decidedly split on the feasibility of Chemerinsky's ambition. For every person who thinks the renowned constitutional law scholar has the Midas touch to turn a fledgling campus into a golden legal institution, others believe a new school cannot compete with the decades-old brick-and-ivy law school campuses already in the top 20, like UC Berkeley (No. 6), Stanford (No. 2), USC (No. 18) and UCLA (No. 16).

"It's very ambitious," USC Gould School of Law Dean Bob Rasmussen said. "I think it'll be a success if it's in the second tier."

Rasmussen cited three things that help keep USC at its No. 18 ranking: "world-class faculty, world-class students and world-class alumni."

Irvine has the first two criteria covered. Its applicants are being held to strict standards by director of admissions Victoria Ortiz, most recently at UC Berkeley. Its dozen faculty members are culled from other top-tier institutions, and were recently ranked No. 10 on Brian Leiter's list of law faculties with the most scholarly impact (based on number of citations over the past four years, aided by Chemerinsky being the most-cited law professor in the country).

But without an alumni network, Rasmussen said students will be severely shortchanged when it comes to finding a job.

Ken Starr, dean of Pepperdine University School of Law, agreed. "What one is losing is the ability to tie into an elaborate, nationwide, global network of alumni who provide enormous support and open doors," he said.

Alumni network or not, Chemerinsky has 70 employers on tap to conduct on-campus interviews in 2010. The list includes major firms like Jones Day, O'Melveny & Myers and Latham & Watkins; government agencies, public interest groups and nonprofits like the California attorney general's office, Inner City Law Center and Alliance for Children's Rights; and local boutique firms.

Delia Swan, head of recruiting firm Swan Legal Search, said she will be scooping up UCI grads "as soon as possible."

Swan, who was Chemerinsky's student years ago at USC, said she "absolutely" believes it will break into the top 20. "I really think their first-year class will be outstanding," she said. "If they've got UCI Law School attached to their name, they'll get special treatment from me."

Rasmussen said he's seen enthusiasm build around brand-new campuses before but that "things tail off. Their first class tends to have the best numbers, and they go down after that," Rasmussen said.

Aiding UCI in its first year of recruiting is the guarantee of full-tuition scholarships for every member of the school's founding class.

From the beginning, UCI's new administration aimed to fund as many students as possible. By December that aspiration became a reality, broadcast to the nation in a Dec. 24, 2008, Associated Press article.

"That was the first time we were willing to go broadly and nationally public with it," Ortiz said. "It did lead immediately to a huge increase in phone calls, e-mail inquiries and applications."

Though the school's Web site still says the tuition waiver will apply to "most, if not all, of our founding class," Chemerinsky and Ortiz both promised the entire class will be covered.

Of the roughly \$6 million needed to fulfill all 60 scholarships, Chemerinsky has the funds - in money and signed pledges - to cover at least the first year. The rest should be in place by the time students arrive in the fall, he said.

Also attracting applicants is the novelty of helping build a law school from the ground up.

"I like how everything about Irvine is focused on the future," said Jonathan Lee, a TV reporter in Chicago who applied to UCI. "The implication is that the better the school, the less real world experience you'll get and the more you'll have a foundational learning experience that's the same as 200 years ago. I liked the idea of seeing how the foundations of law are evolving as I learn them."

Earlier this year, Chemerinsky discussed his vision from the law school's makeshift offices in UCI's Berkeley Building. Effusing energy, he described how his curriculum will train students for the actual practice of law by requiring courses on legal writing and the role of the lawyer in society, giving students interdisciplinary opportunities to work with business students and other departments on campus, and putting them in hands-on clinics.

Clinical experience will start in the first year, when students will work with clients at the Legal Aid Society of Orange County as part of a lawyering skills course. Before they graduate, students will

have a working knowledge of how to represent clients, a skill Chemerinsky said is missing from traditional law education.

The school will also have a public interest focus, a quality that attracted Chemerinsky to pursue the dean's post in the first place. He plans to encourage public interest careers through an aggressive loan forgiveness program much like New York University School of Law's Root-Tilden-Kern Scholarship Program, which rewards students pursuing careers in the public interest.

When students arrive in fall they will be greeted by 20 faculty members 10 already on the roster, four with joint appointments elsewhere on campus and six more to be hired in early summer. Chemerinsky is also slated to teach a course during the spring semester.

The school may not have an alumni network, but with only 60 students in its first year, it will boast one of the highest student-faculty ratios in the nation (the average in the top 20 schools is 11.7-to-1).

For those seeking clerkships or a career in academia, having a close relationship with professors - whose recommendations are crucial - will be beneficial, Nicole Vanderlaan Smith, an associate in Latham & Watkins' Orange County office, said. Even so, the 2005 Stanford Law graduate said it's unlikely a student would pick Irvine over more established schools.

"For law school, more so than undergrad, you go to the best school you can get into," Vanderlaan Smith said. "There is something cool about being at the founding stages of what's going to become a good school, but it's a question of how good."

Even Swan, who is confident the school will break the top 20, said, "If I'm the kid that gets into Stanford or UCI, I'm going to Stanford. But law students are nervous in this economy, they're conservative; I think it will be a difficult decision."

The law school, which has been a vision of campus leaders since UC Irvine's dedication in 1965, joins an already crowded law school market. California has 20 schools fully or provisionally approved by the American Bar Association, including 11 ranked in the U.S. News top 100. That's 10 percent of the 200 ABA-approved law schools nationwide.

When U.S. News debuted its list of top law schools in 1990, the members of the top 20 were almost identical to today's list. University of Notre Dame and Boston College, ranked in 1990 as No. 19 and No. 20, respectively, were replaced by Washington University in St. Louis and George Washington University in 2008's list. The other 18 schools have shuffled numbers while staying at the top.

USC's Rasmussen explained: "Everyone who's already a top-20 school is working on continuing to improve its program. There's no such thing as a complacent law school these days."

Schools in the second tier, Nos. 50 to 100, are more prone to playing musical chairs.

Starr, who calls the rankings "the proverbial white elephant in the room," has taken Pepperdine from an unranked member of the third tier in 2004 through a steady ascent to No. 59 in 2009.

And there's room for new kids. Since its 1998 founding, University of Nevada Las Vegas' William S. Boyd School of Law has become No. 88.

One obstacle new schools face in climbing the rankings ladder is building a positive reputation nationwide, which is necessary because of the methodology used to tabulate the list. Along with

bar passage and job placement rates, median LSAT and GPA, and faculty resources, 40 percent of the score comes from questionnaires - one to lawyers and judges and another to administration and faculty at other law schools.

Robert Morse, the director of data research at U.S. News, said achieving a top-20 ranking would be "an historically fast start.

"No school's ever started from zero and made it to the top 20 within five years," Morse, who helped launch the list, said. "It's good to have aspirational goals, ... but it would be historic to break in after a decade."

Feasibility aside, Chemerinsky's goal proves he is serious about UCI's success.

"If you are starting a new law school of course you'll say you want to be a top-20 law school," Rasmussen said.

"That's why you do it."

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