

Dean Matthew Diller:

Hi, I'm Matthew Diller and I'm a member of the Permanent Commission on Access to Justice and I'm chair of the Commission's Law School Involvement Working Group. I confessed to having been involved in these conferences for some time. I have to say I really found today's conference very helpful to me in my work. I'm the Dean of Fordham Law School in my day job. Before we plunge into it, I want to say a few thank-yous because I want to make sure that people are properly acknowledged before we proceed on. First, I want to thank the University of Buffalo, School of Law, first Dean Aviva Abramovsky. I've had the good fortune to work with Dean Abramovsky on many projects over the years and it's always a pleasure to collaborate. Professor and Vice Dean Kim Connolly has been a leader in this conference from its very inception.

And so Kim, I'm really delighted that we could bring it home back to you in Buffalo. I want to thank Elisa Lackey and the IT team at Buffalo. Thank you so much for hosting us so expertly. I want to thank you, Helene, for your lifelong leadership in promoting access to justice as well as your leadership on the commission. And I will just say on a more personal level, on all the mentorship and friendship you've provided to me over the years. I want to thank all of our speakers, students, academics, practitioners, experts, the whole gamut of all of you who gave your time and energy to this project and who are deeply involved in the task of educating our next generation of access to justice leaders. And lastly, I want to thank the Office of Court Administration, New York State Court system and in particular Lauren Kanfer for your fantastic leadership in pulling all of this together so expertly as you always do. Thank you, Lauren.

I want to offer a few of my own thoughts just listening and observations, listening to today's proceedings, and then we'll hear from a representative of each of our work groups. And so I have to say I felt that today's conference had a different feel than many of the conferences in the past. Yes, we talked about some specific opportunities and challenges created by things like new technologies and artificial intelligence. We heard about some exciting new programs that are developing and building that give students opportunities to work directly on key access to justice issues and to partner with organizations out in the community and to help individuals in tremendous need. But beyond all of that, I think we heard a tremendous amount about the student perspective on what it takes to support students on a journey from starting their path in law school or perhaps even before into becoming lawyers who devote themselves to closing the civil justice gap and all the challenges that students face.

And so let me just say for me as a dean, I found this both a challenge to us on the law school side and extremely, extremely helpful and I'm grateful to all of you. There was a big focus on kind of mindset and community building and what it takes from an emotional point of view as well as an intellectual point of view in order to go from that whole path of orientation at the start of the one year to graduating and going to do this work out in the world and just how difficult it is for so many students on so many different levels. I wanted to offer one or two of my own thoughts. One is there was talk particularly in the opening plenary about the way that law is used as a tool of the powerful and reinforces the status quo in our society.

That of course is certainly true and is something that's important to come through in our classes, particularly in those first year classes. But it's not the only dimension. The other

dimension is the law is a tool for change and the hopeful qualities of law. And I think it's critically important to getting through that finish line and going out there in the world to keep in mind and to have experiences in communities that reinforce the reality that even if the legal system as a whole is one that is inequitable, that it still provides hooks and handles in which to make positive change, both in our society and to help individuals avoid tremendous harms, to realize their dreams, to help communities. And that positive potential of law, I think if that gets lost then it makes everything else that much harder. And of course, law school is tremendously challenging and building community and finding community is key to getting through it.

And too many of our students go through it feeling isolated and alone and therefore doubting themselves and doubting why they're in law school and what they can accomplish. And I think there are things that we on the law school side can proactively do to help. I could discuss some of them, but time doesn't permit, but I'm happy to engage in that conversation. But what I want to just keep squarely in the center for a moment is this positive potential of law, which is even if law is a factor that reinforces hierarchy in society, it's one that is legitimizing. And in order to be legitimizing, it has to have principles that you can draw on and therefore use. So law has done that and provides hooks and handles that we, using our tools as lawyers, can use to help people.

I want to emphasize this particularly because this is, if you step back at our legal system as a whole from the 30,000-foot level, in some ways this is an extremely tough moment. We have a Supreme Court that is rolling back individual rights and protections established over many decades and many of the justices are newly installed and extremely young by the standards of justices and will be around for a very long time. And that means meaningful change through the classic federal litigation model is going to be extremely challenging.

But I think we also heard so many other ways are out there in order to make positive change for individuals and communities, whether it's using through new technologies, whether it's using through techniques like the telephone assistance that we heard about in one of the work groups, or using creative ways to support tenants. There's still so much that can be done to help people and to bring about change. And there's a way in which of course change doesn't come. The reality that change doesn't come just from the grand Supreme Court decision also means that we can build movements and help support movements that will have impacts over the long run.

And when you look around the country, there's so much of this work going on and there's so much, so many ways, that court systems have been involved and supportive of a lot of this work that there's also a lot to be hopeful for and many, many ways that young lawyers, new lawyers starting out will be able to use their legal tools to make a huge difference in the world, but also in the individual lives of clients and for communities.

At this point I want to focus on our work groups. And what I'm going to do now is call on a representative from each of the work groups to give a very brief report or summary on the discussion and what you think are the key takeaways. The first person I'm going to call on is Jennifer Seidman. Yes, I see you are here, who's a third year old student at Cornell and was in the first work group on how law schools can cultivate the housing justice leaders of tomorrow. Thank you, Jen.

Jennifer Seidman:

Thank you. Our first recommendation relates to the importance of strengthening and growing a pipeline of housing justice leaders of tomorrow. And this is urgent, especially with the winding down of the emergency rental assistance program in January of this year, which has left many folks vulnerable to eviction and housing instability and many structural injustices and barriers combined with housing instability to disproportionately affect the most vulnerable populations.

In order to strengthen the pipeline of housing justice leaders, law schools must continue to work on emphasizing housing justice, teaching about redlining, gentrification, right to counsel, critical race theory in housing and the digital divide in the time of virtual courts. They must continue to teach about housing law, procedures and defenses and the related doctrinal coursework such as New York practice and procedure and to continue to have experiential learning, which schools should have full-time professors to teach that coursework.

Additionally, the earlier law students begin to get experience with housing justice and law, the more likely they will be to become part of the pipeline. The second recommendation segues well with that and relates to tenant organizing. There is no housing justice without tenant organizers. Law students are often tenants where they go to school and they have the opportunity to join tenant organizers and even organize themselves. They can work with organizers to address some of the structural barriers we discussed.

So for example, they can support organizers by doing outreach, door-knocking. They can connect tenants to resources to address housing unaffordability. They can create know your rights resources, provide transportation to court, and can help to bridge the digital divide by assisting tenants to appear virtually in courts. Law schools can support this by continuing to support and provide training for law students to engage with tenant organizers. And through this collaboration they can build tenant power and attract structural barriers. Thank you.

Dean Matthew Diller:

Thank you, Jennifer. And don't go away. Stay up here, please. Thank you for that really tight summary. And the only thing I would add is I stopped in on your session and I heard a fair amount of talk about what it takes emotionally to be a leader for housing justice and dealing with the incredible injustices that are all over the system. Both out there in the world of housing and then in the court systems as well. And that's just another key dimension behind all this work that I think you talked about.

Jennifer Seidman:

Yes, and Caroline Headlam, who is a local tenant organizer, talked about kind of the vicarious trauma that tenant organizers and the people doing this work experience through their work. So I think law schools providing support for that is extremely important.

Dean Matthew Diller:

Great, thank you. And next we have Elyse Diamond and Stephanie Costa for Work Group B, which is on Sustained Community Pro Bono Engagement. Elyse is the director of the Public

Interest Law Center, an adjunct professor at the Haub School of Law at Pace. And Stephanie Costa is the attorney for the Legal Hand Call-In Center for Westchester County. Thank you.

Elyse Diamond:

Great, thank you so much. Our session was exploring and discussing some other ways, more limited scale, pro bono and virtual opportunities that law schools and legal services organizations are using to engage both community members and law students in getting more legal information and resources out to the community. So allowing community volunteers as well as law students to engage with visitors virtually and provide all kinds of information. We talked about the fact that these experiences can benefit, empower community members by themselves. The volunteers gain information and knowledge about legal resources and social services that they can bring back to the community. We talked about how important this is for law students to get a broad range of exposure to legal issues. So whereas in a more formal externship or clinic those are more focused on a particular issue area, law students can get a wide-ranging experience, gain skills and cultural competency and issue spotting among many other skills as they participate.

Also, some of the things that, Dean Diller, you were talking about the accessibility of these opportunities because they are virtual and a little bit more time limited, it allows law students and community members who might be restricted in their time that they have available to either contribute or learn about these issues and legal resources to participate. And really just engaging in a discussion about how we can promote more of these opportunities and support our students in engaging in these broad ranging community and pro bono opportunities where they can learn about the intersection of real people's problems, social services and legal services.

One of our recommendations will be just for a more formal clarification or confirmation that the hours that law students are spending at places like Legal Hand and Live Help among others should qualify for the 50-hour pro bono requirement. Steph, what am I missing? Please jump in.

Stephanie Costa:

No, I mean I really think you covered it. The only thing that I'm thinking about is just how valuable it is for community members and students to hear how someone calling about one issue can actually turn into five issues that we can really give resources and referrals and help someone who's calling understand that one issue can actually implicate a lot of collateral issues and that they can get help from all of those things. And, on the other hand, that the volunteers, the students and the community members, can understand that those programs exist and then take it back to their communities.

Elyse Diamond:

I would just add too, just these being a model that have no barriers to entry, so no economic requirements, no immigration status requirements, and really ask very little information from the visitors and that that's sort of, again, bridging maybe some of those gaps that might exist when there are other kinds of requirements or eligibility needed.

Matthew Diller:

Thank you. I was struck by the incredibly wide range of issues that you deal with and the wide range of, I don't know if clients is the right word, but the wide range of people who seek out information. And lastly, it proves that all the action isn't in new technology, that there's some old technology which we can still milk better for positive results. Thank you. Thank you so much. Thanks. And next we will hear from Adrian Neil, whom we heard from earlier on our opening panel on law school support for students and the pipeline to the legal profession.

Adrian Neil:

Hi. Thank you, Dean Diller. It was extremely thought-provoking and an inspiring session. As you said, the panel was focused on strengthening and sustaining the pathways for public service and public interest lawyers and how law schools can support that. The goal of the work group was to really facilitate the discussions about some of the things that law schools do that either help or hinder. There was a lot of discussion about the challenges to be sure, but again, what I found inspiring was there were as many opinions on things that could be done to help fix it and it really emphasizes the importance of having forums like this and continuing to have forums like this because as long as we're talking about it, there's an opportunity to fix it. So some of the key takeaways for me were that law school is too expensive. We need to figure out ways to make it less so.

I think there is, and some of the comments I was getting was if we figure that out, you'd be surprised at how many more people would be interested in the field. So they're not making a Sophie's choice, so to speak, between paying off school loans and doing what they're passionate about. There were a lot of opinions on experiential learning clinics, internships, and really the difference and the impact that those make. I think almost everyone mentioned and pointed to those type of experiences as helping to steer and shape them and do the type of work and really getting fulfillment from that. And tying into that, there were concerns with the rigidity of first year of law school and how that actually dissuades some folks from doing what they thought they came to law school to do, to be really kind of the change agents they wanted to be.

Maybe ways to be more flexible and really build passions for public interest as opposed to dissuading it. There were a lot of talk, I was very fortunate to be in a very diverse panel racially, gender wise, ethnically, but there was a lot of shared experiences about the unique challenges that were shared that diverse students encounter and really the ways law schools can help making students feel like they belong. Some of the solutions proposed were more work by alumni networks reaching back to current students, people who have been through it, reaching back so students don't feel so isolated. And so there's a resource there. There was talk about mental health and the toll that public interest work can take on attorneys and the heartbreak that you endure helping out the most needy. And there might be ways where law schools through either clinics or classes or just support systems, help with the mental toll of law school and preparing students for that, help with protecting against the burnout that you can engender doing public interest work, more career service counseling focused on public interest work.

There was a common theme of feeling like a lot of law schools and the law school experience was geared more to churning out attorneys who would join major firms and look to make a lot of money. And some of that has to do with the impression that students have coming into law schools. But again, more promotion and publicity of public interest clinics and public interest careers. And really one of the last comments that I made a note on and because it's so true and we've heard it all before, love the work and don't do it for the money. So those were some of the things that the panel discussed.

Dean Matthew Diller:

Thank you. That's a lot of ground and a lot of big issues. I think one theme which has emerged again and again through the years is the importance of clinics and experiential education. These are really moments that can really transform students' outlooks and that stick with students far longer and far deeper than sitting in a two credit seminar or lecture class.

Adrian Neil:

Absolutely. Thank you.

Matthew Diller:

Thank you. And next we'll hear from Professor Judith Olin at the University of Buffalo and the work group on becoming the next generation of family justice leaders and advocates.

Professor Judith Olin:

Hi, I have Lizzie Vinyl here with me. We did things the old-fashioned way. We were all together in one conference room. So interestingly there was a discussion about how New York State law schools really don't offer family law clinics as much as they used to. I'm very proud that our law school, DV Law Clinic has been going on for over 30 years. So that there are fewer law students it seems in New York state that are actually working specifically on domestic violence and divorce cases and so forth, so that was definitely a point that came up.

One law student talked about how it's important for community members to see lawyers as just people too. He talked about having worked in the foster care field for about 10 years, not as a lawyer, before coming to law school. And he thought it would be great to open up law schools to have know your rights kinds of workshops for everyday people to come in and feel connected to the law school. In terms of the mental health theme definitely came up with us too. We talked about how in our clinic we have an MSW student who the clinic is, her field placement essentially, so that she is available to provide some counseling to clients, but also to the law students because of vicarious trauma and because some of our cases are very, very difficult.

So kind of incorporating that collaboration between social work and law and law clinic I think it is a really, really great model. We also talked a little bit about the new ethical rule that does allow very limited emergency financial support to be made for clients assuming they're at a pro bono or a law school clinic and how that can sometimes really help tremendously, obviously in limited circumstances.

There was also a lot of talk actually about public interest in general requiring all law schools to have a course on the people's law. If we're requiring all of these other subjects, why don't we require a subject on the people's law so that students understand about the challenges that low- income people face, landlord-tenant, public benefits, child welfare, et cetera. So did I miss anything missing, Lizzie?

Lizzie Vinal:

I think another one thing that we talked about were opportunities for students to get involved early. There were some law students who talked about how in their law school they couldn't get experiential experience until their three L year and getting that and at least as early as their two L year and possibly second semester, one L or the summer thereafter, getting boots on the ground and helping people and how that can help get people more involved in public interest and family law than in all other public interest fields.

Professor Judith Olin:

Thank you.

Matthew Diller:

Thank you. It sounds like you had a wide-ranging and productive conversation. And now I want to, in the interest of wrapping us up on time, I want to turn the podium over to Helaine Barnett to close us out. But I want to thank you all for joining us today and for all your contributions to the discussion. And I want to thank you for all the incredible work that so many people on this Zoom do day in and day out. Thank you.

Helaine Barnett:

Thank you all for your thoughtful and significant contributions to this outstanding conference. Please remember to complete the CLE affirmation and evaluation emailed yesterday and available on the conference website and link in the chat. We again thank Buffalo Law School for hosting this event and extend our appreciation to the law student note takers at Buffalo and Cornell. We also thank the note takers from Pace and Sullivan and Crowell.

Again, a huge thank you to the Buffalo IT team, Elisa Lackley and Christine Lively, for their expert technical support and assistance. We look forward to sharing the conference report and recommendations with the Permanent Commission and the Chief Judge. I do have a couple of brief announcements.

First, in addition to our annual law school conference, our annual technology conference will be held this year, April 18 and 19. Second, the annual stakeholders meeting will be held on Monday, June 12th. The Permanent Commission also assists in the preparation of the chief judge's hearing in the Court of Appeals on the need for funding of civil legal services. This will take place this year on Monday, September 18th.

Finally, I would like to thank all of you for attending the 2023 New York Statewide Law School Conference, which I hope you found to be a worthwhile and valuable experience. And I thank

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all of you for being part of it. Please stay healthy and safe and thank you again for being with us.