

A Legal NEED

With relatively few lawyers per capita, North Carolina law schools seek ways to serve the underserved

WRITTEN BY KATI KNOWLAND

Lawyers may be the punch lines to many jokes, but the fact is, they're a vital part of the business community. Without lawyers to facilitate business and personal transactions, the economy would most certainly suffer.

According to a recent report on the state of legal education in North Carolina conducted by the John William Pope Center for Higher Education Policy, North Carolina lags behind all other states in the number of lawyers per capita.

"Despite a rapidly growing population and vibrant private industry, North Carolina has fewer private-sector lawyers per capita (758/1) than any other state in the nation," the report noted.

According to Leary Davis, dean of the new Elon Law School, the statistic quoted in the Pope Report isn't quite accurate. As Elon investigated the feasibility of a law school in Greensboro, research found that in 2007 the number was closer to one lawyer for every 494 people, and North Carolina ranked not last in the nation, but rather 47th.

But whether North Carolina is at the bottom or near the bottom, organizations are already taking steps to remedy the situation. Two new institutions — Elon Law School in downtown Greensboro and Charlotte School of Law in Charlotte — have opened their doors in the past two years, reaching new markets and preparing more students to be lawyers.

"One thing law schools can do is do what we're doing, and that is set up a law school in a state which very much needs it," said Eugene Clark, dean of the Charlotte School of Law. "What we've done as well is set up a law school in a part of the

state where there's not a law school around. ... And so we've done exactly what the [Pope] report called for, and that is set up a law school in the region that most needs it in the state that most needs it."

North Carolina has both a booming population and a rapidly growing business community. According to the report, the fact that North Carolina is underserved by lawyers has two implications.

"First, individual and small businesses are likely to pay higher prices for legal services than citizens of other states. Second, law firms within the state are less likely to develop the expertise and sophistication necessary to service the legal needs of high-end corporate clients.

"As a result, the state exports lucrative legal work to law firms in Atlanta, New York, and Washington, D.C. Further, the state's most talented law graduates are more likely to migrate to major legal centers outside North Carolina."

Ronald Wright, executive associate dean for academic affairs and professor of law at Wake Forest University School of Law, noted that lawyers are much more valuable to the economy than one might realize.

"The stereotype of lawyers, and you see it in the movies and television and everywhere else, is that lawyers gum up the works and dream up ways to make things more trouble than they're worth," he said. "And that's just not the image of lawyers that I see. What I see is when you look around the world, the economies that are the most vibrant are the ones where there's a lot of predictability and where people who are doing deals know exactly what's going to happen. Lawyers are there to add value to the rule of law."



"One thing law schools can do is do what we're doing, and that is set up a law school in a state which very much needs it. What we've done as well is set up a law school in a part of the state where there's not a law school around."

Eugene Clark, Charlotte School of Law

WHAT INDUSTRY

IS BUILDING A BRIGHTER FUTURE FOR OUR CHILDREN?

HAS A \$9 BILLION ECONOMIC IMPACT ON OUR STATE?

AND, PAYS MORE FULL-TIME SALARIES THAN THE RESEARCH TRIANGLE PARK

It's PORK.

You can't overestimate the economic impact of North Carolina's pork industry. We account for 46,000 paychecks and every job we create results in thousands of additional jobs in related fields. Pork producers also contribute \$9 billion in combined economic impact every year, helping to improve our schools and roads.

So enjoy your next lean, delicious pork chop. It's good for you and your state.



We bring a lot to the table.

To find out more, visit ncpork.org

©2008, North Carolina Pork Council



Jonathan Fredin



"We have to divide up North Carolina into two populations — those who have and those who don't. Those who don't, need more lawyers. There's no question that our poor — and that consists of 1.1 million persons in the state of North Carolina, those who live below the poverty line — are underserved legally."

Melissa Essary, Campbell University's School of Law

Melissa Essary, dean of Campbell University's Norman Adrian Wiggins School of Law, noted, however, that in these business situations, North Carolina's cities do not seem to be in need of more lawyers, but that may change as the economy changes.

"Our metropolitan areas currently do not appear to be underserved; however, as economic development policies successfully bring industries to North Carolina, such as biotechnology, international businesses and alternative energy resources, attorneys skilled in those specialty areas will be in demand to lubricate the engine of economic development as our state continues to grow in sector-specific areas."

But in addition to potential implications of a shortage on the business community, she said that there are already populations in North Carolina that are significantly underserved.

"We have to divide up North Carolina into two populations — those who have and those who don't," said Essary. "Those who don't, need more lawyers. There's no question that our poor — and that consists of 1.1 million persons in the state of North Carolina, those who live below the poverty line — are underserved legally."

"Our rural areas and the poor are our primary constituencies who are underserved. Typically, those who can afford a lawyer can find a lawyer."

Information provided by Elon's Dean Leary supported the assertion that the distribution of lawyers in the state is not ideal, cre-

ating a concentration in more urban counties.

According to the data, the state's 95 less urban counties possess most of the state's natural resources and more than 70 percent of its people, yet only 40 percent of its lawyers.

"The distribution of lawyers between the state's more urban and less urban counties, and even among its urban counties, is problematical," according to Elon's feasibility study conducted in 2003. "If North Carolina's non-urban counties are to realize their fair share of the opportunities brought by population and economic growth, they will need more lawyers."

Campbell's Essary added that to remedy this situation, it will take both more pro bono efforts on the part of lawyers and more funding for more public interest lawyers.

"We have an obligation to open our students' eyes to the notion that 'equal justice for all' is not just a phrase inscribed on the US Supreme Court building, but that it means something," she said. "How that manifests itself after our students graduate is up to them, but during their three years of law school, we can help them open their eyes, if they're not already open, to the needs of the poor."

In addition to there being sections of the population that are underserved by lawyers, there are parts of the population that do not have a place to go for legal education that works for their particular situation.

"There are chunks of the market that don't have an obvious place in the law schools

"When you talk to law firms in the state, they're not really saying, 'We're dying to hire a lot more people.' I think viewed from enough of a distance, I would probably agree that North Carolina needs more lawyers, at least when compared to other states, but the hiring market is not behaving that way."

Ronald Wright, Wake Forest University's School of Law

that are currently in the state," said Wright. "On the other hand, when you talk to law firms in the state, they're not really saying, 'We're dying to hire a lot more people.'"

"I think viewed from enough of a distance, I would probably agree that North Carolina needs more lawyers, at least when compared to other states, but the hiring market is not behaving that way."

One recommendation made in the Pope Report was that the state should remove the current requirement that in order to take the bar exam, students must have graduated from an ABA-accredited law school, which the report said "erects a substantial barrier to entry to the legal profession in North Carolina, one that could be removed at low cost."

While North Carolina is far from alone in this requirement, some in the legal field feel that there would be little harm in removing it.

"It's still only a minority of states that allow people to take the bar regardless of where they got their law degree, so obviously a lot of states think that there's some value in it," said Wright. "Personally, not speaking for the law school, I tend to think that if you're worried about the qualifications of the people taking the bar, just change the content of the bar exam, don't require people to be certified by a particular kind of law school. If it were my personal decision, I would throw it open to anyone who wants to give it a try."

Campbell Law Moves to Raleigh

Campbell University announced in Oct. 2007 that its Norman Adrian Wiggins School of Law is moving from the university's main campus in Buies Creek to a new campus in downtown Raleigh at 225 Hillsborough St.

Moving the law school to downtown Raleigh was an easy choice, according to Melissa Essary, dean of the law school.

"The reason for the move is fairly obvious when one looks at Raleigh itself. Raleigh is a dynamic, progressive city, and it was the largest state capital by far without a law school."

She added that Raleigh offers a wealth of opportunity for the students to "learn in a city that is a classroom in itself."

"Particularly in their second and third years, they'll have opportunities to extern and clerk year-round to get exposed to different facets of the law, be it governmental work, nonprofit work, private practice, and in turn, candidly, those employers will have the opportunity to see what fabulous students and persons Campbell Law students are. We intend to become part of the fabric of this community."

The updated facility at 225 Hillsborough St. is scheduled to open for classes in Aug. 2009.



Campbell Law



Carolina North

UNC School of Law Moves to Carolina North

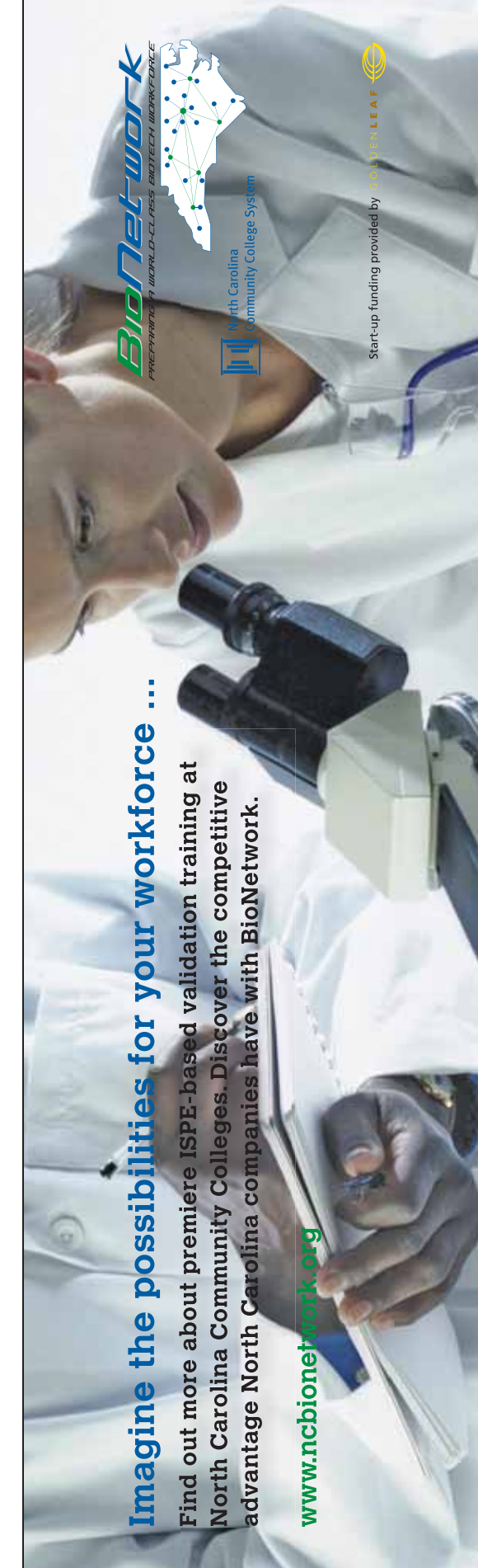
The UNC School of Law recently announced that it plans to move to Carolina North, UNC-Chapel Hill's proposed expansion site, located on the Horace Williams Airport land.

The law school had been exploring possible additions or relocations within the existing campus, but the plan faced significant challenges. Officials expect that a move to Carolina North will be a beneficial one in addressing the institution's future needs.

Additionally, Chancellor James Moeser and the UNC Board of Trustees have already made a new, state-of-the-art law school one of their four capital funding priorities in the 2008 short session of the North Carolina General Assembly.

"After careful consideration of architectural reports and weighing a remarkable stream of good advice, I have determined that it is in Carolina Law's best interest to relocate to the first great quadrangle to be established at Carolina North," said Dean Jack Boger. "We are thrilled at the prospect of having a law school building fit for the 21st century mission of Carolina Law and changes in legal pedagogy that have emerged as a result of the changing nature of the contemporary practice of law."

Current plans would have the law school moving to a new facility at Carolina North for the fall 2012 semester.



Imagine the possibilities for your workforce ...

Find out more about premiere ISPE-based validation training at North Carolina Community Colleges. Discover the competitive advantage North Carolina companies have with BioNetwork.

www.ncbionetwork.org

BioNetwork
ADVANCING THE WORLD-CLASS BIOTECH INDUSTRY



North Carolina
Community College System

Start-up funding provided by LEAF