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CO-OP PROGRAM

ROGER I. ABRAMS*

It is my pleasure to visit with you today and to participate in this important symposium on legal education at St. John's University. I have enjoyed the rare opportunity to serve as dean at three law schools: Nova Southeastern in Fort Lauderdale, Rutgers in Newark and now Northeastern University School of Law in Boston. The topic for this morning, the impact of economics on legal education, is one I have addressed every day of my thirteen years as a law school dean. Before discussing dollars and cents issues, let me tell you about the unique educational program we offer at Northeastern.

Northeastern University School of Law is a medium-sized institution located in Boston—as I like to tell my admitted students—midway between the Museum of Fine Arts and Symphony Hall. It has a diverse student population of approximately 600 students drawn from colleges nationwide. It is distinguished from all other ABA-accredited law schools in two significant respects: First, we have no numeric grades and class rank. Instead, students receive narrative evaluation of their work. As a direct result, cooperation among students replaces the cut-throat competition of most law schools. Second, we operate a remarkable program of experiential learning called “co-op”.

Co-op. The simplicity of the name belies its impact on our students, our school, and the broader legal community. Co-op is an internship program that is a required part of our academic curriculum. After completing a fairly traditional first year of legal studies, students in their second and third years alternate every three months between working full time as legal interns and attending classes. (Half of the second and third year classes are in school each quarter.)

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While on co-op, students are assigned substantive legal work under the direct supervision of a member of the bar, and an employer must submit a formal written evaluation of the performance of the student that becomes part of his or her permanent academic record. Students are required to successfully complete four full-time internships before graduation.

Northeastern operates year round on a quarter calendar so that we can accommodate this non-traditional schedule and graduate our students within three years. Administering co-op presents quite a logistical challenge. We have a designated co-op office, staffed by six full-time employees, including three lawyers. The staff advises students, coordinates their job acquisition process, identifies appropriate internship opportunities and works directly with co-op employers.

The co-op program is one way that we implement the mission of Northeastern: To fuse theory and practice with ethical and social justice ideals so that students understand what it is that lawyers do, how they should do it, and the difference they can make in the lives of others.¹ We educate lawyers who see the practice of law as a way to serve others, as well as a means to realize their professional aspirations.

Consistent with our educational mission, we are committed to offering the greatest range of internship opportunities to our students. The co-op program currently enjoys the participation of more than 750 employers worldwide. They span virtually every practice area and include large and small private firms, public defender and legal assistance organizations, federal and state trial and appellate judges, government agencies, corporate legal departments and advocacy groups.

Co-op employers customarily compensate students in accordance with the employer's ability to pay. Salaries range from minimal or no compensation for those public service agencies where funding is limited, to more than \$2,000 per week for large private firms. Most traditional internships are unfunded.

Private law firms employ approximately half of the students on

¹ Northeastern University School of Law, *History of the School of Law*, at <http://www.slaw.neu.edu/general/history.htm> (last visited Nov. 21, 2000); see also Northeastern University School of Law, *Curriculum*, at <http://www.slaw.neu.edu/course/> (last visited Nov. 21, 2000) (describing Northeastern's commitment to interweaving workplace and classroom, practice and theory and process of lawyering and substance into seamless educational program).

co-op, and state and federal judges another twenty percent; government agencies, legal services and public defender associations and in-house legal departments employ the remaining thirty percent.

Although many of our students do their co-ops in the Boston area, in any given quarter our students are employed in approximately twenty-five different jurisdictions, including Alaska, Hawaii, Pennsylvania, Florida, California, New York, North Carolina, New Hampshire and Washington, D.C. By the way, there are more graduates of Northeastern in Alaska than graduates of any other law school. My teaching assistant last quarter worked at the U.S. Attorney's Office in Honolulu. This winter quarter we are hoping to start a co-op at the Inns of Court in London.²

Like most law schools, Northeastern's academic curriculum is designed to offer our students a rigorous intellectual and theoretical foundation in the law. Unlike any other law school, co-op operates to complement that learning, providing invaluable "real-world" experiences for Northeastern law students. Students bring these experiences back to the classroom, and then back out to co-op with additional insights developed in the classroom. Through co-op, students are able to observe different approaches to the actual practice of law, gain feedback on important professional and ethical quandaries, develop an array of practical skills and determine for themselves which areas of practice they wish to pursue.

I can report that the combination of our academic and co-op program produces enthusiastic, realistic and well-trained attorneys who are assets to the profession and proud to be lawyers.

As you might imagine, co-op is an expensive project to operate. We estimate that, considering salaries, office space and other overhead, co-op costs us more than \$800,000 a year. It consumes an enormous amount of student and administrator time. In addition, because only half the second and third year class is in school at any given time, we often have to offer more sections of upper-level

² See Julia Woods, *Law and Popular Culture: The Literary Interests of Two Nineteenth-Century Lawyers: Travis and Scott*, 22 LEGAL STUD. FORUM 35, 38 (1998) (explaining education of lawyers at Inns of Court in London); see also Cynthia L. Cooper, *Different Accents: The Legal Systems of Britain and the United States Share a Heritage in the Common Law. Then Why Are They So Different from Each Other?*, 86 A.B.A. J. 50 (2000) (describing Inns of Court as places where seasoned barristers help train younger colleagues); Colleen Graffy, *The American Inns of Court*, 147 NEW. L. J. 988, 988 (1997) (stating Americans saw Inns of Court in London as important catalyst in development and maintenance of civility and professionalism at Bar).

courses, repeating them in consecutive quarters, to accommodate the needs of our students.

For example, I am teaching sports law this quarter and I will teach it again next year, but not in this quarter. So it will be available to students who are on a different rotation.

It seems to me, however, that it is all clearly worth the effort. I see its value everyday in the level of satisfaction Northeastern students have with their educational experience. I see it in the way Northeastern graduates practice law. I hear about it from co-op employers. I know that many of you will find this hard to believe, but our law students are happy. Law students are not supposed to be happy. I have never seen happy law students.

Co-op may be viewed by some as a new idea in legal education, although it has been part of the Northeastern experience since 1968. In fact, co-op is a very old idea.³ Before the advent of formal legal education, neophyte lawyers "read the law" in law offices under the tutelage of practitioners. At Northeastern, we have returned to the members of the bar and the bench part of the responsibility for educating the next generation of lawyers.⁴

Can co-op be replicated elsewhere? I was really concerned when I took the deanship last summer that this great idea would just sweep through the marketplace. Not many deans have an extra \$800,000 in their budgets. There are more substantial impediments, however. Co-op requires virtually universal faculty support for the notion that students can learn as much from members of the bar and the bench as they can from law faculty.

Regretfully, too many legal academics either did not practice law or practiced and did not like it very much.⁵ It would be hard to find

³ See generally Daniel R. Hansen, *Do We Need the Bar Examination? A Critical Evaluation of the Justifications for the Bar Examination and Proposed Alternatives*, 45 CASE W. RES. L. REV. 1191, 1193 (1995) (explaining bar admission process in colonial America); Robert MacCrate, *The Educational Continuum in Pennsylvania*, 67 PA. B. ASS'N. 47, 47 (1996) (stating early American legal figures received training by serving apprenticeship with experienced attorney); William R. Trail & William D. Underwood, *The Decline of Professional Legal Training and a Proposal for Its Revitalization in Professional Law Schools*, 48 BAYLOR L. REV. 201, 204 (1996) (describing process of legal education within law offices).

⁴ See Northeastern University School Of Law, *Cooperative Legal Education Program*, at <http://www.slw.neu.edu/coop/replist.html> (last visited Nov. 20, 2000) (giving representative list of co-op employers).

⁵ See Gail Heriot, *Book Review: Songs of Experience: The Lost Lawyer*, 81 VA. L. REV. 1721, 1736 (1995) (asserting law school faculty members do not devote large segments of their time to practicing law); Francis J. Mootz III, *The Paranoid Style in Contemporary Legal Scholarship*, 31 HOUS. L. REV. 873, 877 (1994) (stating legal academics escape from reality of judicial practice); Paul D. Reingold, *Harry Edwards' Nostalgia*, 91 MICH. L. REV. 873, 877 (1994) (discussing

on many faculties the requisite consensus needed to support a comprehensive co-op program.

Why about a modified co-op program? Many law schools have full-time, semester-long externship programs.⁶ We had one at Nova, and it worked quite well. Students were carefully supervised and evaluated. Students at virtually all law schools do law-related work at least one summer while in law school. These efforts, however, are not seen as part of the school's educational program.

One essential element of the Northeastern co-op system not found at other law schools is that it has become part of an integrated learning model. With each different co-op experience, students bring new ideas into the classroom, and go back out to the "real world" the following quarter with additional ideas and concepts learned in the classroom. Co-op is not something that you do on your summer vacation in order to earn money and hopefully get a job offer.⁷ It is a core element of the educational program at Northeastern.

I should note in passing that co-op does have beneficial effect on job placement. More than forty percent of our students accept offers for post-graduate employment from one of their co-op employers. Many receive many more co-op offers, of course. The career choices of our students are as diverse as they are: more than twenty-five percent of our graduates work in public interest jobs; another ten percent work in state, federal and local governmental positions; and twenty percent work in major firms with 150 attorneys or more.⁸

This placement array suggests that economic motives are not driving co-op. By choice, more than a third of our graduates start

tension between law school professors and practitioners).

⁶ See Shepard Broad Law Center Clinical Semester Program, at <http://www.nsulaw.nova.edu/clinics> (last visited Nov. 21, 2000) (describing Nova's semester-long externship program).

⁷ See Amanda De Vincentis, *Navigating the Borders: A Proposal for General Civility Legal Ethics on Sexual Harassment*, 13 GEO. J. LEGAL ETHICS 521, 522 (2000) (stating law students participate in summer associate program with expectation that successful job performance will result in employment offer after graduation). See generally David Leohardt, *Law Firm Plans Radical Revision of Summer Program for Students*, N.Y. TIMES, Aug. 1, 2000, at C1 (describing revision of one firm's summer associate program); Carol Sprague, *The 10 Worst Things To Do at a Firm*, N.Y. L.J., June 1999, at S7 (advising future summer associates of undesirable workplace behavior).

⁸ See Northeastern Univ. School of Law, *Cooperative Legal Education Program*, at <http://www.slaw.neu.edu/coop/overview.html> (last visited Nov. 20, 2000) (stating students are employed in private firms, legal services, public defender associations, judicial clerkships and government agencies); see also Northeastern Univ. School of Law, *At a Glance 2000-2001*, at <http://www.slaw.neu.edu/general/glance.htm> (last visited Nov. 20, 2000) (giving breakdown of graduate employment placements).

work at very modest salaries. They came to Northeastern University School of Law because of its reputation as the nation's premier public interest law school. Another twenty percent of our graduates choose employment at major firms, earning four to five times as much as they start their legal careers. They are the beneficiaries of the new titanic salaries of major law firms.⁹ In passing I should note that I chose the adjective, titanic, advisedly. I hope that what happened to the big boat does not happen to the big firms.¹⁰ Co-op offers our students options.

As a legal academic for twenty years before I interviewed during the Spring of 1999 for the deanship at Northeastern, I knew something about the co-op program, but I did not sense the pervasive impact it has on the entire educational program at my new school. From their first day of orientation, students begin to think about how they want to spend their four co-op opportunities. They see their rigorous first year as preparation for co-op. They see co-op as preparation for the practice of law. Co-op binds the law school experience together and offers our students a preview of the life of the lawyer.

I appreciate the opportunity to share with you the broad outlines of Northeastern's co-op program. To really understand how it works as an educational tool, you will have to talk with our students and our graduates. They will regale you (as they have me) with their stories about co-op and how it changed their professional lives.

⁹ See Mark Hansen, *Trickle-Away Economics?: Cost of High First-Year Salaries May Be Borne by Pro Bono Recipients*, A.B.A. J., July 2000, at 20 (stating entry-level associates at top firms command base salaries of \$125,000- \$140,000 per year); see also Bruce Balestier, *Raises Put Extra Pressure on Mid-Size firms*, N.Y. L.J., Mar. 2000, at 1 (discussing first-year associate raises). But see John M. Walker, Jr., *Legal Ethics: Comments on Professionalism*, 2 J. INST. STUD. LEGAL ETHICS 111, 113 (observing best and brightest students are not opting for big salaries at top firms).

¹⁰ See generally Shera Effler, *Trend and Development: Future Earning Capacity: Implications for Young Female Plaintiffs*, 4 APPEAL 6, 6 (1998) (discussing calculations of earning capacity); Luize E. Zubrow, *Is Loan Forgiveness Divine? Another View*, 50 GEO. WASH. L. REV. 451, 477 (1991) (discussing program of loan forgiveness on post-graduate income).

As the current advertisement for MasterCard™ says: legal education — \$25,000. Co-op — priceless.

