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# Viewpoint: Happier Law Students, One Client at a Time

Susan Rutberg

Golden Gate University School of Law, [srutberg@ggu.edu](mailto:srutberg@ggu.edu)

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## Viewpoint: Happier Law Students, One Client at a Time

Susan Rutberg

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It's not your parents' legal education anymore. To lawyers who came of age in days of yore, legal education today would be almost unrecognizable. True, students still learn how to analyze appellate opinions, and at some schools, still survive the socratic method. But at Golden Gate University and an increasing number of other schools, legal education consists of multiple opportunities to intertwine theory and practice; build oral and written communication skills, learn the values of the profession and shape professional identity, both in and beyond the classroom.

But do these pedagogical innovations make law students any happier today than the socratic method made their forebears? We all know the perils of our profession: Compared to other professionals, lawyers have higher rates of depression and are more likely to develop heart disease, alcoholism and drug abuse. Law students are not immune. According to one study, 44 percent of law students around the country meet the criteria for clinically significant levels of psychological distress.

Sure, there are real reasons for students to experience stress, including debt and an uncertain job market. While there is no quick fix for these external realities, we have found that when students get to participate in actual lawyering early in their legal education, they feel proud of themselves. This increase in confidence produces tangible achievement (including higher bar passage rates) that we believe translates to satisfaction, and yes, even happiness.

A 1992 ABA report (known as the MacCrate Report) looked at the traditional case-based curriculum and found much room for improvement. The report's authors emphasized teaching the "fundamental skills and values" of the profession. Debates ensued in the legal academy over how best to accomplish "skills and values" teaching. (MacCrate's recommendations were reinforced by the 2007 "Carnegie Foundation Report: Educating Lawyers in the Practice of Law." The Carnegie Report emphasized the need for practice-based curricula combining substantive knowledge, skills training, analysis and reflection.)

In response to the MacCrate Report, many schools increased opportunities for clinical legal education, GGU among them. In addition to creating on-site clinics, GGU initiated an innovative curriculum: the Honors Lawyering Program, designed to engage students in the practice of law as early as possible. HLP is entering its 15th year. A select group of those who've successfully completed the first year take an intensive summer curriculum. In addition to evidence, constitutional law and appellate advocacy, students take a clinical course called law firm. To give students this experience, GGU partners with local nonprofit organizations — the Tenderloin Housing Clinic, the Bar Association of San Francisco's Homeless Advocacy Project, the Aids Legal Referral Program and this coming summer, the Veteran's Center of San Francisco. Supervised by seasoned attorneys, students represent clients on a variety of housing issues. In the fall these students leave the academy and enter the legal community as full-time apprentices to lawyers or judges in a field of their own choosing.

Do we have any evidence that this kind of experiential learning increases student happiness? And if so, what explains the connection between acting like a lawyer while still in law school and feeling a higher degree of life satisfaction?

One answer may be found in a "modest empirical study" conducted by Todd David Peterson and Elizabeth Waters Peterson, reported in their article, "Stemming the Tide of Law Student Depression: What Law Schools Need to Learn from the Science of Positive Psychology," 9 Yale Journal of Health Policy, Law & Ethics 357 (2009). The study found that law students who found ways to exercise their top strengths in daily life were less likely to report depression and more likely to report satisfaction. The finding is consistent with workplace research that states employees who believe they have the opportunity to do what they do best have higher rates of retention, loyalty and productivity. The article suggests studying students who thrive in law school to identify the characteristics or experiences that can buffer others against depression.

Actively working with clients on real cases teaches students to synthesize the legal concepts they've learned in substantive courses. These human interactions help students "exercise their top strengths" as well as learn to address their challenges. Leaving his initial client interview, a student rushed by me, saying: "I'm going to the library. Someone's depending on me!" For this student, helping a real client was truly transformational: Who knew that in the age of texting and tweeting, an actual human interaction could be so satisfying? By the end of the summer session, students have interviewed and counseled clients, conducted fact investigations, prepared demand letters, responded to pleadings, participated in informal negotiation sessions and/or in settlement conferences in superior court. They have learned to communicate across cultural barriers, to obtain relevant information and to construct a narrative from their client's story. They have learned to use their legal knowledge and skills to serve others. During their fall apprenticeships these new strengths are reinforced. Again and again, we hear the same review from HLP students after they finish the program: They feel like lawyers. The confidence they gain not only boosts their bar exam scores, but also paves the way for their successful transition into practice. And that is a source of happiness in any field.

When asked to describe the most satisfying aspect of the curriculum, honors students overwhelmingly cite the experience gained from representing a real client. Coming a close second is the freedom of choice these students are offered: the opportunity to choose where they wish to serve a full-time fall legal apprenticeship reinforces a sense of well-being and increases their pride in their own abilities.

Still, spending the summer after the first year in intensive school is not for everyone. Consequently we have created other practice-based paths to happiness for students. All 1Ls take a lawyering elective in the spring. In small, seminar-style courses in a specific area of their choice, students develop ethics and professionalism as they practice skills in interviewing, counseling and negotiation. We have also instituted a 3-unit experiential learning requirement for graduation, which may be met in a variety of ways. Last year nearly 75 percent of our upper-division students participated in one of our on-site clinics (women's employment rights or environmental law and justice) or an externship clinic in fields including capital post-conviction defense, civil practice, consumer rights, criminal litigation, family law, homeless advocacy, real estate or youth law. We also created an immersive summer trial program, 1st STEP (summer trial and evidence program), in which students are on their feet testing out advocacy skills from day one of the program. While the vast majority of our students have always opted into practice-based programs, our new requirements ensure that all GGU Law graduates will have a significant practical experience before becoming lawyers.

At Golden Gate we believe that early immersion into a live-practice environment helps our students use the substantive knowledge they gain in traditional classrooms to become better lawyers. We also think it makes them happier, one client at a time.

*Susan Rutberg is a professor at Golden Gate University School of Law, where she has taught for 22 years. The former academic director of the honors lawyering program, she currently teaches in and directs the law school's externship clinical programs.*

The Recorder welcomes submissions to Viewpoint. Contact Vitaly Gashpar at [vgashpar@alm.com](mailto:vgashpar@alm.com).