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Golden Gate University School of Law: A Bridge to the Profession in the Heart of San Francisco

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ARTICLE

GOLDEN GATE UNIVERSITY SCHOOL OF LAW: A BRIDGE TO THE PROFESSION IN THE HEART OF SAN FRANCISCO

RACHEL A. VAN CLEAVE*

INTRODUCTION

An over 115-year San Francisco institution devoted to opening legal education and the profession to people of diverse backgrounds and experiences, Golden Gate University School of Law (GGU Law) has been a cornerstone of the Bay Area legal community. GGU Law's mission,¹ graduates, and academic leaders have played an integral role to the fabric of the San Francisco Bay Area legal community and that has shaped a progressive use of the law that seeks to protect the rights of those who otherwise lack a strong political or legal voice. These contributions continue to reverberate throughout California and beyond. This essay does

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¹ *About: Law at GGU*, GOLDEN GATE U. SCH. OF LAW, <http://law.ggu.edu/law/about/law-at-ggu> (last visited Mar. 23, 2017) (stating the school's motto: "We at Golden Gate University School of Law believe that law is an honorable and valuable profession worthy of the public trust. Our goal is to prepare our students to be critical thinkers, problem solvers, and leaders, with the flexibility to respond to changes in the legal profession. To that end, we blend practical skills training with legal theory throughout the curriculum as we strive for excellence in both teaching and scholarship. Our mission is to produce a diverse group of graduates with the skill, judgment, and moral compass to become exceptional lawyers and socially responsible members of the global community.")

not, indeed cannot, capture each and every one of these contributions but rather highlights representative examples.

Golden Gate University School of Law traces its history to a movement within the Young Men's Christian Association (YMCA) in the late 1800s.² In the 19th century, law school was an option only for wealthy students who could afford to take themselves out of the work force and attend school full time. At the turn of the 20th century, the YMCA created evening law schools in downtown urban centers to provide working people a path of entry to the legal profession. In 1901, the YMCA Evening Law School, the first evening law school in Northern California, opened in San Francisco.³ This became Golden Gate College and then Golden Gate University School of Law. GGU Law was the first exclusively part time law school to receive ABA accreditation west of St. Paul, Minnesota.⁴

For the first 63 years of GGU Law's history, all of our students were working during the day for a broad range of public and private sector employers. Given this audience, it was clear to GGU Law's founders that it was crucial for the faculty to blend theory and practice in the classroom.⁵ These parallel roots of opening access and having a strong focus on practical knowledge and skills has defined GGU Law and has been the foundation for the success of our many graduates who have been a part of shaping the law and the legal profession in San Francisco. The academic leadership at GGU Law, our distinguished alumni, and our history of innovative programs provide numerous examples of the important role GGU Law has played and continues to play in the Bay Area legal community.

I. LAW SCHOOL LEADERSHIP

Judith McKelvey, appointed dean in 1973, was the second woman in the United States to be named dean of an ABA-accredited law school. Dean McKelvey led the law school in becoming a member of the American Association of Law Schools (AALS), which promotes "excellence in

² See Steven C. Bahls and David S. Jackson, *The Legacy of the YMCA Night Law Schools*, 26 CAP U. L. REV. 235 (1997).

³ Rachel A. Van Cleave, *Promoting Experiential Learning at Golden Gate University School of Law Through Curriculum Reform*, in REFORMING LEGAL EDUCATION: LAW SCHOOLS AT THE CROSSROADS 115, 123-25 (David Moss & Debra Curtis, eds., 2012).

⁴ GGU Law received provisional ABA accreditation in 1956 and full accreditation in 1971 after having started a full-time day program in 1964.

⁵ Valerie K. Couch, Anthony W. Crowell, & Rachel A. Van Cleave, *Genius Loci: How Place Can Guide Strategic Planning That Enhances Student Engagement*, in EXPERIENTIAL EDUCATION IN THE LAW SCHOOL CURRICULUM 331, 344 (Emily Grant, Sandra Simpson & Kelly Terry, eds., forthcoming Apr. 2017).

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teaching and scholarship and . . . diversity” in law schools.⁶ Frederic White, appointed dean in 2004, was the first African American to serve as dean of an ABA-accredited law school in California. Other GGU Law deans have also been leaders in the legal community. Dean White continues to be a leader within the ABA and legal education. The second woman to serve as GGU Law’s dean, Drucilla Stender Ramey, had previously been the executive director of the Bar Association of San Francisco and of the National Association of Women Judges. In these roles, Dean Ramey worked to open access to the profession for women and lawyers of color.

Another former dean, Peter Keane, served as the Chief Assistant to the San Francisco Public Defender and as the President of the Bar Association of San Francisco before becoming dean in 1998. During Dean Keane’s tenure as dean, a number of law schools formed the Forum for Academic and Institutional Rights (FAIR) to oppose the Solomon Amendment, which was at issue in *Rumsfeld v. FAIR*.⁷ GGU Law and other law schools’ nondiscrimination policies prohibit sexual-orientation discrimination and on this basis restricted access to the U.S. military, which sought to recruit on law school campuses. The Solomon Amendment threatened law schools with denial of federal funds if they continued to deny access to military recruiters. FAIR was created to provide anonymity to law schools seeking to challenge this policy. Under Dean Keane’s leadership, GGU Law was one of the first law schools to announce membership in FAIR.⁸ Dean Keane believed that it was important to publicly support our students and denounce discrimination.⁹

II. ALUMNI LEADERSHIP IN SAN FRANCISCO AND BEYOND

One of GGU Law’s earliest and most prominent graduates was Jesse W. Carter, who began his legal career at the age of twenty-one and graduated in 1913. Carter was “elected to the first Board of Governors of the newly formed State Bar in 1927,”¹⁰ and appointed to the California Supreme Court in 1939. He served on the court for twenty years until his

⁶ *About*, ASS’N OF AM. LAW SCH., <http://www.aals.org/about/> (last visited Mar. 25, 2017).

⁷ *Rumsfeld v. Forum for Acad. & Inst’l Rights, Inc.*, 547 U.S. 47 (2006) (holding that the Solomon Amendment did not violate the First and Fourteenth Amendment rights of law schools).

⁸ THE STORY OF THE SOLOMON AMENDMENT: TRACKING A WEAPON OF MASS COERCION 2, <http://www.bc.edu/clubs/cfe/images/SolomonAmendmentStory.pdf> (last visited Mar. 26, 2017).

⁹ President Obama repealed the military’s “Don’t Ask, Don’t Tell” policy in 2011, thus ending discrimination on the basis of sexual orientation in the military.

¹⁰ Joseph R. Grodin, *Forward* to THE GREAT DISSENTS OF THE “LONE DISSENTER:” JUSTICE JESSE W. CARTER’S TWENTY TUMULTUOUS YEARS ON THE CALIFORNIA SUPREME COURT xx (David B. Oppenheimer & Allan Brotsky eds., 2010).

death in 1959.¹¹ Justice Carter was well known for his dissenting opinions, of which he wrote about 500.¹² As Justice Grodin pointed out: “What is remarkable is how frequently the positions he expressed in his dissents came to be adopted by a majority of the court, or . . . by the United States Supreme Court.”¹³ Thus, Justice Carter played an important role in shaping the law, both state and federal, in areas ranging from loyalty oaths to the rights of criminal defendants.¹⁴

Another graduate who served the State of California is Phillip Burton (J.D. ’52). Burton attended GGU Law School at night while working for Time Oil in Richmond.¹⁵ He went on to serve as a United States Representative from California from 1964 to 1983. Burton’s seat is currently held by Nancy Pelosi. Before being elected to the House of Representatives, Burton was a member of the California State Assembly from 1957 to 1964. Among his many contributions as a US Representative, Burton was “one of the first members of Congress to grasp the national significance of AIDS” and in 1983 introduced a bill to appropriate \$10 million to the Center for Disease Control to research AIDS.¹⁶

GGU Law’s history of access is a story of actively recruiting and supporting women, people of color, members of the LGBTQ community, and more recently, those who have served in the military. As early as 1928, there were two women in GGU Law’s graduating class. GGU Law has many successful graduates from this time and this essay describes a few of their accomplishments. In the 1970s some law schools were just beginning to set aside up to 10% of their classes for women.

Lee D. Baxter (J.D. ’74) started law school in 1971 and by contrast to other law schools, GGU Law’s enrollment at that time included about 40% women.¹⁷ In her seventh year of practicing law, in 1981, Lee was elected president of the Queen’s Bench Bar Association, a “San Francisco-based women’s legal organization that is committed to the ad-

¹¹ *Id.* at xxi.

¹² *Id.* at xix.

¹³ *Id.*

¹⁴ See Marc Stickgold, “*The Hysteria of Our Times*”: *Loyalty Oaths California*, in THE GREAT DISSENTS OF THE “LONE DISSENTER:” JUSTICE JESSE W. CARTER’S TWENTY TUMULTUOUS YEARS ON THE CALIFORNIA SUPREME COURT 37 (David B. Oppenheimer & Allan Brotsky eds., 2010); Rachel A. Van Cleave, *Justice Carter’s Dissent in People v. Gonzalez: Protecting Against the “Tyranny of Totalitarianism,”* in THE GREAT DISSENTS OF THE “LONE DISSENTER:” JUSTICE JESSE W. CARTER’S TWENTY TUMULTUOUS YEARS ON THE CALIFORNIA SUPREME COURT 17 (David B. Oppenheimer & Allan Brotsky eds., 2010).

¹⁵ JOHN JACOBS, A RAGE FOR JUSTICE: THE PASSION AND POLITICS OF PHILLIP BURTON 22 (1995).

¹⁶ *Id.* at 479-80.

¹⁷ Nisa Donnelly, *Lee Baxter: Lady Justice*, in GOLDEN GATE UNIVERSITY PROFILES IN PROMINENCE 11 (Dan and Patricia Angel eds., 2011).

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vancement of women in the law.”¹⁸ Within a year she was named a commissioner in San Francisco and in 1987 Governor George Deukmejian appointed her San Francisco Municipal Court Judge. Five years later Governor Pete Wilson appointed Judge Baxter to the San Francisco Superior Court. Judge Baxter served on this court until she retired in 1999. Judge Baxter continues to have an impact on GGU Law by her service as a member of the Board of Trustees from 1995 to 2004 and 2007 to 2016, as well as Chair of the School of Law Dean’s Advisory Board. The ceremonial courtroom and graduate fellowships created in her name to recognize her family’s significant generosity continue to provide students and graduates with the tools to hone practical skills and to be of service.

Many other GGU Law graduates have served or continue to serve as judges in San Francisco. Cynthia Ming-Mei Lee (J.D. ’74, L.L.D. ’01) has served on the San Francisco Superior Court since 1988 and served as presiding judge from 2013 to 2015. During Judge Lee’s tenure as presiding judge she opened the first Veterans Justice Court (VJC) in San Francisco. The VJC is a diversionary program for veterans charged with non-violent offenses who may be experiencing medical or mental health issues. The program links veterans to services and resources ensure that veterans have an opportunity to access services and resources for treatment and to avoid incarceration and other involvement in the criminal justice system.¹⁹

Among GGU Law graduates appointed to the federal bench, Morgan Christen is currently our most prominent. After graduating from GGU Law in 1986, Judge Christen clerked for the Alaska Superior Court and practiced law in Anchorage, becoming partner at K&L Gates, LLP. In 2001 Judge Christen was appointed to the Alaska Superior Court bench.²⁰ In 2009, she was appointed to the Alaska Supreme Court, and in 2012, President Barack Obama appointed Judge Christen to the U.S. Court of Appeals for the Ninth Circuit. She was the first female judge to be appointed from Alaska.

¹⁸ *Id.* at 17; QUEEN’S BENCH BAR ASSOCIATION, <http://queensbench.org/index.php?bypassCookie=1> (last visited Feb. 21, 2017) (stating the mission of the Queen’s Bench is “to foster professional and social relationships among women lawyers and to promote equality and opportunity for all women through education, programs, and community outreach.”).

¹⁹ U.S. DEP’T OF VETERANS AFFAIRS, http://www.sanfrancisco.va.gov/SANFRANCISCO/features/Veterans_Justice_Court.asp (last visited Feb. 18, 2017).

²⁰ Terri Shultis, *Morgan Christen: Justice for All*, in GOLDEN GATE UNIVERSITY PROFILES IN PROMINENCE 11, 18 (Dan and Patricia Angel eds., 2010).

GGU Law also has graduates who serve in other public sector roles, such as Alameda District Attorney, Nancy O'Malley (J.D. '83).²¹ O'Malley is nationally recognized for her work in combatting sex trafficking and casting a spotlight on the need for funding to test rape kits.²²

Other graduates have played important roles in advocating for the public interest. For example, Patrick Coughlin (J.D. '83), a renowned trial attorney²³ was successful in challenging the "Joe Camel" cigarette ad campaign, which targeted children.²⁴ Coughlin and his firm represented California cities and counties and settled for \$12.5 billion.²⁵ More recently, Coughlin was one of the attorneys who represented students who sued Trump University and negotiated a \$25 million settlement, foregoing attorney fees to increase recovery for the plaintiffs.²⁶

Another GGU Law graduate, Simona Farrise (J.D. '93) is "one of the country's leading attorneys representing victims of mesothelioma."²⁷ After becoming partner at a civil litigation firm in the Bay Area, Ms. Farrise launched the Farrise Law Firm based in Los Angeles. In addition to branching out on her own, Ms. Farrise has sought to create a law firm environment structured to encourage women to continue to provide their expertise. The Farrise Law Firm has "incorporated technology into [its] workplace to allow for more flexibility."²⁸ Ms. Farrise, mother of three, has been named a California Super Lawyer.²⁹

Karen Lee Hawkins (J.D. '79, M.B.A.-Tax '81 and honorary degree '15) came to GGU Law when other law schools did not even acknowl-

²¹ Indeed, others in the O'Malley family have graduated from GGU Law and serve or have served in public office, as well. The O'Malley family members who graduated GGU Law are: Bill O'Malley (J.D. '62) served both as a district attorney and judge; Mary Ann O'Malley (J.D. '87) currently serves on the Contra Costa County Superior Court; Colleen Clark (J.D. '14) is a Deputy District Attorney at the Alameda County District Attorney's Office.

²² Ali Winston, *Will Nancy O'Malley Be California's Next Top Prosecutor?*, OAKLAND MAGAZINE (Oct. 10, 2016, 8:00 AM), <http://www.oaklandmagazine.com/October-2016/Will-Nancy-O'Malley-Be-Californias-Next-Top-Prosecutor/index.php?cparticle=3&siarticle=2#artanc>.

²³ ROBBINS GELLER RUDMAN & DOWD LLP, <https://www.rgrdlaw.com/attorneys-Patrick-J-Coughlin.html> (last visited Feb. 20, 2017) (stating that Mr. Coughlin was named a Super Lawyer multiple times, and was named an Antitrust Trailblazer).

²⁴ Frederic White, *Patrick Coughlin: Smoking Joe Camel*, in GOLDEN GATE UNIVERSITY PROFILES IN PROMINENCE 25, 32 (Dan and Patricia Angel eds., 2008).

²⁵ *Id.*

²⁶ Kristina Davis, *\$25M Settlement Reached in Trump University Lawsuits*, SAN DIEGO UNION-TRIBUNE (Nov. 18, 2016, 3:50 PM), <http://www.sandiegouniontribune.com/news/courts/sd-me-trump-hearing-20161118-story.html>.

²⁷ Nisa Donnelly, *Simona Farrise: Tenacity*, in GOLDEN GATE UNIVERSITY PROFILES IN PROMINENCE 27, 28 (Dan and Patricia Angel eds., 2014).

²⁸ *Id.* at 35.

²⁹ *Id.* at 39.

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edge receiving an application from a woman.³⁰ After being the first woman lawyer in the accounting department of Touche Ross in San Francisco, she eventually joined the firm Berger & Taggart which, two years later was renamed Taggart & Hawkins. Ms. Hawkins chaired the Taxation Section of the State Bar of California and was only the second woman chair in twenty years. She also chaired the ABA's Section of Taxation and in 2004 she was named the Pro Bono Lawyer of the Year.³¹ In 2009, Ms. Hawkins became the director of the IRS Office of Professional Responsibility in Washington, D.C. where she worked to make that office more effective until she retired recently.

III. LEADERSHIP IN BROADENING THE SCOPE OF LEGAL SERVICES

In addition to the role GGU Law leadership and many graduates have played in the Bay Area legal community, our clinics and programs have provided our students with live client experience and serve our mission of enhancing access to legal services to underrepresented communities. GGU Law's history and mission of opening the legal profession to women, racial and ethnic minorities, and the LGBT community and our early focus on practical training have combined to serve underserved communities in the San Francisco Bay Area. GGU Law has a long history of partnerships with public defender, district attorney, city attorney offices and judicial chambers, as well as law firms and businesses, that allow our students to work in externship placements under the guidance and mentoring of experienced lawyers. In addition, long before experiential learning became the focus of the Carnegie Foundation, the ABA, and other legal education institutions, GGU Law established two on-site clinics in which students work alongside seasoned faculty and lawyers to represent clients. In 1993, our Women's Employment Rights Clinic (WERC) began providing *pro bono* legal services to women and others who experienced discrimination in the work place. More recently, WERC has also focused on representing domestic workers and engaged in advocacy for changes in the law to ensure greater protections for such workers. Within one year, our award-winning Environmental Law and Justice Clinic (ELJC) was established as the first clinic to advocate for improved environmental conditions for communities of color and low-income communities. Each of these clinics has forged strong relationships and partnerships with other institutions to achieve progress in these areas and to enhance the skills, knowledge, and values of our students.

³⁰ Rachel A. Van Cleave, *Karen Lee Hawkins: Untaxed Creativity*, in GOLDEN GATE UNIVERSITY PROFILES IN PROMINENCE 43, 47 (Dan and Patricia Angel eds., 2009).

³¹ *Id.* at 49.

Another innovation that embeds live client and practical skills experiences and involves partnerships with organizations in the Bay Area is our Honors Lawyering Program (HLP), launched in 1999.³² At the heart of this program is the belief that students who are performing well academically early in their law school careers can further enhance their abilities by engaging in a full time apprenticeship at the beginning of their second year. In HLP students pursue the traditional first year curriculum³³ and in the summer after the first year have a very intense academic and practical experience by completing twelve credits of course work, which includes client counseling, and representing a client in a landlord-tenant dispute. In their fall apprenticeships, students work full time for fourteen weeks in a variety of public, private and non-profit legal offices to hone their legal and professionalism skills.

Building on the opportunities of an intensive summer experience at GGU, in 2010 we launched the 1st Summer Trial and Evidence Program (1st STEP), which integrates student learning of the rules of evidence with simulated courtroom exercises to ensure students internalize the rules and thereby strengthen and deepen their understanding. This program also incorporates written and oral advocacy as well as professional presentation skills. The feedback loop embedded in 1st STEP ensures that students receive timely and constructive critique from a number of instructors to effectively support student improvement. This relatively young program has established a solid local reputation that has opened doors for students at public defender and district attorney offices where students work in externship placements.

More recently, in 2014, GGU Law launched an on-site Veterans Legal Advocacy Center to support students, faculty and staff who have served in the military and to provide *pro bono* legal services to military veterans seeking compensation for service-related disabilities from the Department of Veterans Affairs. Working under the supervision of a lawyer, students interview clients and assemble the documentation and evidence to support the claims of veterans. Like the work in ELJC and WERC, students find that representing veterans strengthens their problem-solving and written and oral advocacy skills as well as enhancing their cultural competency with respect to a diverse group of clients.

³² Van Cleave, *supra* note 3, at 121-22.

³³ In the spring of 2015 we added an HLP Lawyering Elective for first-year students in HLP as one of our Lawyering Elective offerings, a program we created beginning in 2011. *See id.* at 123-25; *see also* Couch, et al., *supra* note 5, at 344.

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IV. THE FUTURE

It has been a challenge, in writing this piece, to decide whom and what to include and what to leave for another article. I remain inspired every day by our students, alumni, faculty, and staff. In my tenure as dean I have met with every first year student individually after they start law school. I also meet with graduating students during their final semester. These meetings have been incredibly powerful. I have learned that our students want to be lawyers to carry on the tradition of GGU Law alumni by serving the interests of the people of the San Francisco Bay Area, California, and beyond. About one-third of our entering classes have been the first in their family to complete an undergraduate degree and about 80% are the first in their family to go to law school. Our student body is also just under 50% minority and nearly 60% female. GGU Law continues to open the legal profession and thereby continues to expand the scope of legal services available to the people of California, thus fulfilling the original mission of the legal profession — uphold and improve the rule of law and our democratic society.