

## INTRODUCTION: THE INTERUNIVERSITY POVERTY LAW CONSORTIUM\*

The Interuniversity Poverty Law Consortium is designed to explore how legal education can become more responsive to social needs. The Consortium unites various academics, clinical instructors, and law school deans who are committed to working on issues of poverty and social injustice. The Consortium's members engage in collective and decentralized efforts directed toward the pursuit of two goals. First, the Consortium intends to increase law school scholarship, teaching, and understanding of poverty law and the relationship between law and poverty. Second, the Consortium aims to link this scholarship, teaching, and understanding with advocacy on behalf of poor, disadvantaged, and marginalized persons and organizations that promote their interests.

These goals are ambitious and encompass a wide range of potential actions. Members pursue these goals by exploring new approaches to poverty law teaching. The Consortium initiates joint efforts with attorneys and advocates engaged in direct action on behalf of poor and disadvantaged persons. The Consortium collectively pursues its goals through a Project Group and an Information Exchange. The Project Group provides a forum for Consortium members to exchange information and feedback about their poverty related work. The Group also helps establish law school projects by providing seed money and consulting services. The Information Exchange provides information about emerging scholarships and poverty law developments to non-member advocates and legal scholars.

### I. THE CONSORTIUM'S HISTORY

The idea for the Consortium originated in a series of discussions that took place at the Harvard Law School in 1985-86. Harvard law professors Duncan Kennedy, David Wilkens, Gary Bellow, and Gerry Sing-

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sen, Harvard Law School's former dean James Vorenberg, University of Wisconsin visiting law professor David M. Trubek, legal activist Louise Trubek, and UCLA law professor Lucie White were present. The discussions centered on the resistances that confronted legal academics in their attempts to transform legal scholarship or institutions. The group envisioned the Consortium as a network enabling academics struggling against resistances at dispersed law schools to collectively support one another as well as providing members with the opportunity to communicate with practicing legal activists.

A generous grant from the Ford Foundation helped the Consortium become a reality. The Foundation's grant provided seed money for the development of three initial projects conducted at Harvard, UCLA, and Wisconsin in 1989-90. The Ford Foundation's second grant in 1990 funded the Consortium's administration and project group travel, and supported the Consortium's expansion in 1991-92. The Foundation's funding was very important to the Consortium because law schools are often reluctant or unable to finance transformative projects.

The "first project group" was assembled in late 1989. Participants from the three original schools and ten additional members attended the initial project group meeting.<sup>1</sup> Members included elite private schools, state universities with national reputations, strong regional schools, leading public interest innovators, and schools with parochial ties. The academic focus, community location, and student body varied with each participant. As a result of the diverse group participating in the Consortium's first project, the Consortium became a truly multi-faceted experiment with members engaging in varied activities and projects.

## II. CONSORTIUM ACTIVITIES

### A. *The Consortium Project Group—Projects*

The Consortium explores the potential roles of legal education in responding to poverty through an experientially-based case study method. Consortium members execute case studies by conducting individual projects in their law schools and communities. These projects are the core of the Consortium's experimentation and the center of its

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1. City University of New York's Law School at Queens College (CUNY), the District of Columbia School of Law, Loyola (New Orleans), the University of Maryland, the University of Michigan, the University of Mississippi, New College of California School of Law, the University of North Carolina, North Carolina Central University, and the University of Pennsylvania.

direct action. Although they are, at the simplest level, law school classes, clinical programs, and community outreach efforts, the projects pursue multiple goals and contain various interrelated components. The projects similarly link the development of poverty law to other efforts. The projects explore poverty law and, at the same time, help to cultivate critical reasoning skills and develop innovative policies. The various projects are redefining the boundaries of law teaching and reconceptualizing the nature of poverty law.

### 1. Refocusing Classroom Teaching

Several Consortium members use law school classrooms as vehicles for cultivating student awareness of poverty and its interaction with law. These efforts go beyond simply providing students with enhanced knowledge of substantive law. They focus on transforming student consciousness by sensitizing them to poverty and challenging their critical thinking skills regarding the premises underlying both society and the legal process. These efforts challenge traditional boundaries of the law school classroom through the incorporation of theoretical and non-legal concepts into law teaching. Moreover, courses teach students about perspectives as well as rules. Incorporating out-of-classroom experiences redefines the contours of law school itself. Three contrasting examples of this approach are the University of Wisconsin's Families, Poverty and the Law seminar, Loyola University's required course in poverty law, and the University of Maryland's Legal Theory and Practice Program. These programs are described in articles that follow.

### 2. Transformative Practice

A second group of projects employs the clinical education model, which develops students' legal skills through practical experience. Students participating in these projects provide legal services to disadvantaged persons and community organizations. These projects use innovative practice approaches that transcend the usual boundaries of clinical education. Students are forced to challenge the meaning of individual laws, the roles of lawyers, and the nature of legal service.

These projects explore the transformative potential of legal practice, consciously integrating experience with a universal theory of the law's use in creating social change. Students are required to provide legal services to clients, allowing students to perceive their service experience from a unique perspective. Several of the projects employ individual laws in unexpected ways and contexts. In the process, the law's

meaning, effect, and application are necessarily redefined. Several projects challenge the legitimacy of distinctions between legal services and other social interventions, redefining the roles of lawyers and the meaning of legal service. The CUNY Battered Women's Rights Clinic, the University of Michigan program on Legal Assistance to Urban Communities, and the District of Columbia School of Law Juvenile Law Clinic are examples of transformative legal services projects. These programs are described in articles that follow.

### 3. Participation in Policy Formation

The third group of projects allows students to work jointly with practicing attorneys, non-legal practitioners, and academics. Together the participants develop innovative responses to complex social problems. These projects acknowledge that social change efforts cannot be confined to the boundaries of the legal system, and employ the law school as a center for interdisciplinary action. Through these projects, lawyers, law students, and legal academics work with non-lawyers through community organizations and other traditionally non-legal frameworks. At the same time, participants apply non-legal insights and expertise to the development of informed strategies for legal advocacy and legislative action. These projects provide unique discovery and insight into the experiences of practicing attorneys and academics. The UCLA, Harvard, and University of Mississippi projects are examples of these types of projects. They are described in greater detail in articles that follow.

#### *B. The Consortium Project Group — Project Group Meetings*

Periodic project group meetings are the mainstay of the Consortium's collective efforts. The meetings provide an opportunity for Consortium members to engage in direct interchanges about their work. In an atmosphere of mutual support, members exchange information, ideas, and strategies. In addition, the meetings give members an opportunity to consider how their projects could possibly lead to broad changes in law schools, legal advocacy, and the social condition.

The first project group meeting was held at the University of Wisconsin in conjunction with the 1989 Critical Race Theory Conference. At that time, members critiqued case studies of three initial projects, discussed poverty law teaching at their individual schools, and defined the group's goals. Because the premises for each project involved different theories about poverty law and adopted different approaches to

poverty law teaching, the case studies initiated a thoughtful discussion about a variety of goals that the group could pursue. The participants were confronted by numerous social needs and diverse theoretical perspectives. The members grappled with whether the Consortium should act as a resource for poverty law advocates and focus on substantive law, or concentrate its efforts within the law schools, teaching students to be sensitive to issues of poverty, race, and gender. Ultimately, the group decided that the most appropriate method would be a multifaceted method. The participants developed the dual goals previously described and decided that each institution would formulate programs according to community needs and participant expertise.

The second project group meeting was held at Harvard in the spring of 1991 and focused on potential links between law schools and legal service providers. Members discussed and debated the possibility and desirability of developing joint efforts between law schools, legal services attorneys, and other non-profit, community-based organizations. Discussion centered on the mutual benefits that could be achieved through the integration of law practice and academic theory. Some members raised concerns about possible distrust and resentment between academics and practitioners, and the necessity of combatting these attitudes to pursue shared goals. Several group members presented successful case studies involving joint efforts between practitioners and their law schools, demonstrating that such efforts were possible. At that time, the group determined that the execution of joint efforts was an important goal for the Consortium. Today, providing assistance to advocates is a significant Consortium function.

The third project group meeting was held in the fall of 1991 at the University of Mississippi. The agenda included in-depth panel discussions of several members' case study projects and reports on the progress of case studies at all member schools. All members engaged in discussions about the projects, their results and implications, and possible strategies for confronting problems. The discussions were spirited, reflecting the variety of members' perspectives, and generated a plethora of new ideas. The group members commonly discussed possible responses to student resistance, the goals of poverty law practice, and the relationship between legal theory and the practice of poverty law.

### *C. Information Exchange*

The Consortium has also established a nationwide Information Exchange. The Information Exchange is the center of the Consortium's

outreach efforts. The Exchange's function is to raise the consciousness of poverty law issues among legal educators, advocates, and students. In addition, the Exchange encourages and assists other organizations to pursue activities that further the Consortium's goals.

The Information Exchange maintains regular contact with correspondents at several hundred advocacy organizations and over one hundred law schools, monitoring developments in poverty law and relevant scholarship. It distributes information about these developments in its newsletter, *Consorting*. *Consorting* typically includes reports on legal conferences, recent publications, and discussions of activities by advocates and law schools. Published three times a year, *Consorting* is distributed at conferences and meetings and mailed nationwide to people that are concerned with poverty law issues.<sup>2</sup>

The Information Exchange, in conjunction with the National Association for Public Interest Law, also conducts a nationwide survey of poverty law teaching. It is concurrently establishing a clearinghouse that will serve as a repository for course syllabi and other information generated through the survey. The clearinghouse will also serve as a distribution facility for article reprints, information about Consortium projects, and other material related to the Consortium's efforts.

The Information Exchange is beginning to engage in direct outreach to other organizations that are concerned with poverty law issues. Coordinator Gerry Singesen has presented training sessions on law schools' role in poverty advocacy to legal services leaders at their national meetings. He has also published a paper discussing the potential relationships between legal services lawyers and law school professors. Gerry Singesen currently plans to participate in other meetings involving poverty law practitioners and will conduct presentations at law teachers' conferences and workshops.

#### IV. FORGING ONWARD

The Consortium is currently embarking on a second wave of expansion. Consortium organizers hope that the Consortium will have thirty member schools by the end of 1992. A number of potential members have expressed an interest in joining the Consortium. These potential members are beginning to develop projects that have significant potential for effecting social change.

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2. Readers interested in receiving *Consorting* can contact Gerry Singesen, Consortium Information Exchange, Harvard Law School, Cambridge, MA 02138.

Organizers plan to institute a series of regional project group meetings in order to accommodate the expanded group. Regional meetings will provide an opportunity for intimate discussion concerning individual members' projects and concerns. The entire project group will participate in at-large meetings focused on specific topics of universal interest to group members.

The Consortium is also expanding the scope of its outreach efforts and is attempting to establish links with poverty advocates and law schools in other countries. One of the Consortium's upcoming project group meetings will be held in conjunction with a United Nations-United States meeting of the Transnational Consortium for the Promotion of Transformative Legal Services. The Consortium's association with this international group will allow both groups' members to discuss a variety of international approaches to poverty law issues.

The members also hope to expand the scope of the Consortium's projects. Because advocates for the poor must constantly cope with a tenuous financial situation, Consortium organizers hope that the group will be able to raise support to assist its members in financing the initiation of new projects. The Consortium also plans on assisting members to more effectively identify funding sources. Some Consortium members have visited other member schools and provided consulting assistance in the project development. These interchanges are being called home visits. The home visits will bring group members with particular interests or experience to other member law schools where the visiting members will spend time observing and counseling the development of the new projects. Home visits will allow educators and advocates to study a schools' interaction with the poor and analyze student responses to courses that focus on poverty issues. The goal is to provide a learning experience for both the visitor and the law school.

## V. CONCLUSION

The Consortium's projects have given participants many unique insights about the law, our law schools, students, communities, and ourselves. The projects have demonstrated that legal education can play an active role in creating social change. This has occurred at a time when consciousness of poverty law issues is becoming increasingly necessary.<sup>3</sup> The legal community must take the initiative and develop inno-

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3. The lack of a coherent federal poverty relief effort, fiscal crises in local government and increasing pressures on housing, health care, education, and the legal system have forced the legal community to act.

vative and effective responses to increasingly complex social problems. Legal education can play a central role in the development and implementation of these responses.

The Consortium's projects demonstrate that major infusions of capital and specialized expertise are not required to rethink poverty law issues. When the Consortium was started, most of the current member's projects were already in progress at member law schools. The projects involved classroom teaching or clinical education—activities well within the mainstream of legal education's current practice. The group's experience shows that any law school can explore the roles of law schools as agents for social mobilization, and in the process, redefine the contours of legal education.

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