

## **Obama's Two-Year J.D. Concept Requires Balance**

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By Nicholas W. Allard

During his town hall-style meeting at Binghamton University on Aug. 23, President Barack Obama said, "This is probably controversial to say, but what the heck ... I believe that law schools would probably be wise to think about being two years instead of three years."

The president's remarks were in the context of a nationwide campaign on college affordability.

While the president has embraced the concept of the two-year J.D., Brooklyn Law School and most law schools nationwide are already considering innovations that balance affordability with educational excellence. It is what all law school deans, boards and faculty think about daily. Business as usual is not an option.

So, exactly what is there to balance? First, we must comply with the rules of the American Bar Association and the American Association of Law Schools, as well as the rules governing bar admission in each state.

Second, while we embrace innovations, we cannot implement academic versions of passing fads. We must create meaningful course studies in many new fields that prepare students for the future, while being prudent about running an academic institution dedicated to higher learning.

Above all, we must look at the demand for jobs where a J.D. is preferred, in areas such as compliance and risk management, energy law and privacy rights. As a result, increasing educational programs that offer more flexibility for people to get a J.D. will be important.

There will be continued demand to get law students ready for practice as quickly as they can be well trained. That is why more law schools offering a two-year J.D. will be an important part of the solution.

New Jersey is an example of increased demand for lawyers to address the pressing issue of privacy rights. The state could be leading the nation on this issue. For example, last month the New Jersey Supreme Court unanimously ruled that police must obtain warrants to access information on a crime suspect's cellphone location. The decision places the balance between protecting citizens' safety and their privacy in full focus.

Getting this next generation prepared to practice where it is needed will require flexible options so law schools can graduate more lawyers who can meet the challenges in emerging practice areas, such as privacy. I know I do not have much company as I write this, but I have a fear that we are going to have a lawyer shortage — that's right, a lawyer shortage. The reason is that while law school enrollments have been down in recent years, the demand for the jobs requiring a J.D. in new fields is increasing.

More law schools will no doubt be offering rigorous two-year accelerated J.D. programs as the president suggested. These programs like ours at Brooklyn Law School will not shirk the J.D. curriculum. Our program is for students who can handle three years of coursework in 24 months.

A two-year program is only one piece of the puzzle, however. Adopting an accelerated program does not, in and of itself, provide the answer for every student. There is no one size that fits all. That is why law schools are increasingly offering a range of flexible two-, two-and-a-half-, three-, three-and-a-half- or four-year options.

In addition, law schools are plugging students more deeply into real-world experience with more innovative programs before and during the traditional third year. For example, they are acquiring basic business training in fundamentals at companies, participating in fellowships in public sector legal services or working in Washington, D.C., for experience in government service. These experiences lead directly to employment.

Law school faculty and boards will continue to push for innovation, but not at the expense of quality and sound preparation for professional practice. It is the right balancing act to manage as we meet the upcoming demand for lawyers. So, Mr. President, you ask the right questions — and for law schools, the answer is a matter of striking the right balance.

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