First, They Get Rid of the Law Clinics

Law school clinics give students real-world experience in advocacy and provide underserved communities with legal representation. Increasingly, they are being attacked by business interests, which are often the targets of clinic lawsuits.

Maryland’s lawmakers have been wrestling over a bill that threatened the funding of the University of Maryland’s law clinic if it did not provide more information about its clients. The clinic has come under assault after filing an environmental lawsuit against Perdue, a powerful force in the state, charging that chicken waste from farmers who contract with the company is polluting Chesapeake Bay. Similar campaigns are being waged across the country, as Ian Urbina reported in The Times recently.

In Louisiana, the powerful chemical industry is unhappy with the Tulane Law School clinic, which has sued to increase air quality enforcement in the state. The State Legislature is considering barring clinics that receive public money from suing companies or government agencies for money damages, unless the Legislature gives them an exemption. In New Jersey, a real estate developer sued a state-financed law school clinic at Rutgers University seeking its internal documents, after the clinic sued to stop the developer’s planned strip mall.

Attacks like these are a direct interference with law schools’ freedom to decide how to educate students. Jamin Raskin, a law professor at American University and a Maryland state senator, compared it to “going into somebody’s class and trying to change their syllabus.”

Extracting information from clinics about the people they serve and the work they do also threatens the clinics’ professional relationships with their clients.

The president of the American Bar Association, Carolyn Lamm, urged “those who would undermine clinical law school programs to step back and remember that the rule of law cannot survive if pressure prevents lawyers from fulfilling their responsibilities to their clients.”

Law school clinics often provide the only legal assistance available to poor people. Some powerful interests may not like that, but it is critically important work.