

## **Viewpoint: Reducing Class Size Is the Right Thing to Do**

By Richard Zitrin

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The most interesting thing about the State Bar's 16th annual ethics conference on May 19 was not the series of panels, valuable though they were, but the brief keynote speech of UC-Hastings Dean Frank Wu, whose law school hosted the event.

In 18 succinct, plain-spoken minutes, Wu made the case that America's law schools, including his own, are churning out way too many new lawyers into a job market that won't be able to absorb them. Wu pulled no punches: Unless law schools substantially scale back the size of their student bodies, he said, they will be "doing a disservice to society and to our own students." He saved his strongest criticism for the ongoing creation new law schools, calling it "appalling" and "irresponsible," and accused some schools of engaging in "the educational equivalent of predatory lending."

Wu's takeaway, for an audience filled with lawyers involved in one way or another in legal ethics, was to state that "as an ethical obligation, we must tell prospective law students what we would tell our own sons and daughters: '[Law school] is not for everyone.'"

But Wu is not all talk. He has pushed UC-Hastings to embark on a wide-ranging "strategic plan," the centerpiece of which is to reduce its class size by 20 percent, from a current average of 425 students and a student body of more than 1,250 to a class size of about 330 and a student body under 1,000. The reduction in class size will start with next fall's first-year class. (Disclosure: I'm a member of the UC-Hastings faculty, but didn't participate in or vote on the strategic plan.)

A plan like this does not come without pain. UC-Hastings' class-size reduction is paralleled by staff reductions that affected more than two dozen employees. While efforts were made to avoid layoffs, 10 employees ultimately were laid off, while another five accepted voluntary separation packages, and 10 more had their hours reduced. Meanwhile, in keeping with the dean's promise to "strengthen academic programs" as part of the overall strategic plan, no faculty positions were eliminated, and new faculty hires were made in academic areas of need.

Needless to say, Wu got plenty of criticism from all quarters, most heavily from staff, many of whom felt the faculty was getting a pass, and from students, who organized an overflow-crowd "town hall" meeting to express their disapprobation. Some faculty and alumni also expressed dissatisfaction. Nevertheless, Wu has been resolute. In announcing the staff reorganization to the faculty, Wu wrote that he "will not shy away" from the task at hand, saying that UC-Hastings is "compelled to continue" on a path to reset and recast its course. That course includes continued curriculum revision and a continued commitment to a diverse student body.

UC-Hastings has three important points in its favor as it embarks on this restructuring. First, it has a gutsy dean willing to take the lead in implementing this vision. Second, as a free-standing public law school, UC-Hastings has the advantage of not having to persuade a university president that cutting the law school size is the right thing to do. As I wrote in this column last August ("[Too many lawyers? Too many law schools](#)"), for too many universities law schools are big money makers, and the last thing a university wants is to decrease the size of the money pot. But Dean Wu is also Chancellor Wu, making his task much easier.

The third thing is that UC-Hastings' course is not only right; it's necessary. Wu stated at the ethics conference that there are twice as many new grads today as jobs, making a 20 percent cut seem like a bare minimum. That's especially true if Wu is correct that the recent downturn and accompanying big-firm collapses, most recently Dewey & LeBoeuf, is "not a blip or a cycle [but] a profound restructuring of the legal profession." And he notes, it's accompanied by an extraordinary 40 percent drop in the past three years in the number of applicants taking the LSATs. Unlike newer, bottom-tier and profit-driven law schools, UC-Hastings is not trolling for these students. (The non-ABA-accredited San Francisco Law School, in contrast, has been running ads to attract students between innings of televised Giants games.) UC-Hastings still has 5,000 applications for its 330 spots for next fall; given that large pool, cutting size by "only" 20 percent makes sense.

Last August, I challenged law schools to "do the right thing," take a good hard look at themselves, and ask whether, "if you are not serving your students ... do you have a legitimate purpose?" It's one thing to throw down the gauntlet in a newspaper column, and quite another for the dean of the oldest and one of the most prestigious California law schools to not only say it but to act on it as forcefully as Frank Wu has done. If UC-Hastings succeeds in this downsizing — and there's no reason to think it won't — let us hope others will quickly follow.

*Richard Zitrin is a professor at UC-Hastings and of counsel to San Francisco's Carlson, Calladine & Peterson. He is the lead author of three books on legal ethics, including The Moral Compass of the American Lawyer.*

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