

University of Idaho College of Law Strategic Planning

by Richard Seamon¹

INTRODUCTION

The University of Idaho College of Law has begun a strategic planning process with, among other aims, creating JD programs informed by insights of the Carnegie Foundation Report. I say “JD programs” (plural) because we seek to offer a full JD program both at our current location in Moscow, Idaho, and in Idaho’s state capital, Boise. In a sense, therefore, we have an opportunity to answer both questions posed by this conference: how to change an *existing* law school, and how to create a *new* law school, that implements insights of the Carnegie Report.

This article proceeds in three parts. Part I describes the context for our strategic planning process, focusing on our consideration of issues discussed in the Carnegie Report. This description of context reflects that, just as there is no one ideal law school, there is no single “right” way to implement currently recognized best practices in legal education. Part II describes the latest stage of College of Law’s strategic planning process, which has been significantly prompted and inspired by the Carnegie Foundation Report. Part III depicts our current vision for a revamped JD program in Moscow and a new JD program in Boise.

Please understand at the outset that we are only at the beginning of our process. We do not have a full-fledged transition plan for the Moscow campus or startup plan for the Boise campus. Even so, I hope this description of our journey may give other schools ideas for what to do and what not to do. I hope as well by describing our situation to tap into the wisdom of colleagues throughout the country.

I. CONTEXT

Stanford Law School’s curricular reforms differ from Harvard’s, and I dare say that the University of Idaho College of Law’s reforms will differ from Stanford’s and Harvard’s. To understand the College of Law’s current challenges of implementation, you must understand a little bit about our location, our history, our mission, and our current situation.

A. Location

The College of Law has its home in Moscow, Idaho, on the campus of the University of Idaho. Moscow sits in north central Idaho among the rolling wheat fields of a region called the Palouse. In addition to rolling wheat fields, north Idaho features heavily forested hills and Alpine lakes. The area has great natural beauty.

Moscow is remarkably rural and remote, especially as a location for a law school. Moscow itself has a population of about 22,000 people, many of whom are University of Idaho students or employees. The closest city of decent size – Lewiston with a population of something over 30,000 – is 35 miles away. The nearest actual cities – Coeur d’Alene and Spokane Washington – are each some 90 miles away, as is the nearest interstate highway. The state capital of Boise is about 300 miles from Moscow, involving a 6-hour drive over what is for the most part a two-lane road. Indeed, there’s a decent argument that the UI College of Law is among the most remote law schools in the country.²

¹ Professor of Law and Associate Dean for Administration and Students, University of Idaho College of Law. Although this paper seeks to describe collective decisions by the College of Law and other entities, as a working draft it may – indeed, it very likely does – contain omissions and inaccuracies, for which I alone am responsible. Please send comments to me at richard@uidaho.edu.

² The University of Idaho College of Law is one of only twelve ABA-accredited law schools that is *not* located in a Metropolitan Statistical Area. (The others are Cornell (NY), Campbell (NC), Franklin Pierce (NH), Ohio Northern, Southern Illinois, University of Mississippi, University of South Dakota, University of Wyoming, Vermont Law School, Washington and Lee

Our location affects our character, partly because it affects the type of students we attract. We attract students who like our small town atmosphere. Many of these students have children and appreciate the town's low crime rate and other kid-friendly features. Other students love the many outdoor activities.

Location affects our character in other ways, too. Located in a small town in a sparsely populated state,³ we are a small school, with about 300 students total – counting all three years. We are not a commuter campus; students, faculty, and staff all get to know each other well. We employ the small handful of local lawyers who have the time and talent to teach as adjuncts. While we offer our students intimacy and some exposure to small-town practice, we cannot offer big-city law practice opportunities nearby during the school year and the summer, with one big exception.

Our law students can spend their last semester in an externship in Boise, under our Semester in Practice Program.⁴ This program places students in full-time positions with primarily public agencies and non-profit associations in Boise and the surrounding area. The program has a classroom component and can award up to 12 credits to participants. This Boise program arose from a strategic planning process in 2000.⁵

We do offer advantages as a college town. In addition to being on the campus of the University of Idaho, we are seven miles away Pullman, Washington, home of Washington State University. We have established interdisciplinary efforts, notably including our Water of the West program, which offers a concurrent JD/PhD and JD/MS in Water Resources Law, Management and Policy. We also have dual degree programs pairing the JD with a Masters of Environmental Science and an MBA.

In short, the College of Law's location in Moscow, Idaho, has advantages and disadvantages. We have discussed these plusses and minuses extensively as we plan the law school's second century,

(VA), and West Virginia.) By some measures, the College of Law is one of the most remote of the twelve. Its home of Moscow (population 22,000) is about 32 miles from Lewiston (population 30,904), 85 miles from Coeur d'Alene (metro area population of 125,497), and 80 miles from Spokane, Washington (metro area population of 446,706). By comparison, the University of Wyoming in Laramie (population 27,000) is 41 miles from Cheyenne (population 81,607) and 113 miles from Denver, Colorado (with a metro area population of 2.3 million). The University of South Dakota in Vermillion (population about 10,000) is 37 miles from Sioux City, Iowa (population 83,000) and 134 miles from Omaha, Nebraska (metro area population of 807,305). As a further -- somewhat countervailing -- distinction among these twelve non-MSA schools, the Law School is among the five that are associated with universities classified as having at least "high research activity."
<http://www.carnegiefoundation.org/classifications/index.asp?key=791>. (This distinguishes the Law School from Campbell, Franklin Pierce, Ohio Northern, South Dakota, Vermont, and Washington & Lee.)

³ Idaho is 44th out of 50 in population density, according to Wikipedia.

<http://worldatlas.com/aatlas/populations/usadensity.htm>

⁴ <http://www.law.uidaho.edu/default.aspx?pid=65565>

⁵ Robert Hoover and Dean John Miller, *Report and Recommendations of the Faculty of the University of Idaho College of Law*, (Idaho) Advocate (August 2000), at 11.

which begins in 2009. Some folks, emphasizing Moscow's disadvantages, have argued for moving the law school to Boise lock stock and barrel. Those arguments, as well as other aspects of our planning for the second century, have had to contend with our history, to which I will briefly turn next.

B. History

If you look at a map of Idaho, you would have to wonder why on earth Idaho's flagship university is located in Moscow. Idaho's capital is in the south of the state. Likewise, the state's population is concentrated in the southern and eastern parts of the state. Moscow, the home of the University and the College of Law is located in the Idaho "panhandle," which sticks up between Washington State and Montana. What is the University of Idaho (not to mention its law school) doing all the way up here? The answer lies in history.

In the late 1800s, Congress passed a bill to sever this part of the panhandle from the rest of the Idaho territory and attach it to the Washington territory. The bill was popular with many panhandle residents, for two reasons. First, the panhandle's inhabitants still smarted from the decision in 1865 to move the territorial capital from the north Idaho city of Lewiston down south to Boise. Second, geographically and economically the panhandle had closer ties to eastern Washington than to southern Idaho. News of the severance bill was celebrated in the panhandle's major city of Lewiston with brass bands and parties.⁶

President Grover Cleveland vetoed the severance bill, apparently because of strong and understandable opposition to it by Idaho's territorial governor. The veto angered the residents of the panhandle, however; they sought recompense for being stuck in Idaho. In 1889, shortly after President Cleveland's veto of the severance bill, the Idaho territorial legislature established the University of Idaho in the panhandle town of Moscow. The legislature specifically referred to this measure as an "olive branch" of peace offered to the many residents of the panhandle who did not want to be part of Idaho.

To seal the deal, the University of Idaho's location in Moscow, Idaho, was referenced in the first state constitution in 1890. The Constitution of 1890 stated, "The location of the University of Idaho, as established by existing laws, is hereby confirmed."⁷ This confirmatory provision was meant to ensure that the University stays put in Moscow.⁸ The provision remains in the state constitution today, and it complicates any proposal to relocate the law school lock stock and barrel to Boise.

This history of the University bears on the College of Law's strategic planning in another way: It reflects broader rivalry among regions of the State. Each part of the state – the north, the south, and east – have often fought intensely over distribution of the state's higher education resources. This shows up in the existence of, and rivalry among, three major state institutions of higher education. Counterpoised to the University of Idaho in the north are Boise State University in the south and Idaho State University in the east. Of these three, only the University of Idaho has been charged by the state Board of Education with the mission to deliver legal education in the state.⁹ The University of Idaho College of Law remains the only law school in Idaho. The current challenge is how to discharge this statewide mission from our remote location in north Idaho.

The location of the law school has been part of the regional rivalry over higher education. Approximately forty years ago, the Boise Chamber of Commerce passed a resolution calling for relocation of the College to the Treasure Valley. The "location issue" was settled for a generation when our current law school facility, the Menard Building, was constructed at Moscow in 1972-73. The "location issue"

⁶ Carlos Schwantes, *A Brief History of the University of Idaho*, <http://www.ucm.uidaho.edu/default.aspx?pid=86022>

⁷ Idaho Constitution, Art. IX, § 10.

⁸ Proceedings of the Idaho Constitutional Convention, vol. 1, pp. 766-772 (1889).

⁹ University of Idaho Faculty Staff Handbook Chapter One, Section 1320 (subsection entitled "Unique Functions of the University"; stating that the University "has historically had certain unique functions," specifically including serving the state as "[a] center for professional education, operating accredited professional programs in ... [among other professions] law... .").

arose again in the late 1990s, culminating in the establishment of an office in Boise from which the College of Law operates its Semester in Practice program and other external programs.

C. Current situation

Since 1972, the challenges posed by the College's remote location have become increasingly acute. A small law school in a rural location worked fine for much of the College of Law's first century. Until recently, Idaho was a mostly rural state in a largely rural area of the country that needed mostly small-town, "main street" lawyers. For that matter, the law itself remained largely local – that it is to say, non-federal and non-international – into the 1950's.¹⁰ This audience well knows how the law, the practice of law, and the resulting demands on legal education have changed. This section focuses briefly on the changes specific to Idaho.

Idaho's population and economy have grown and become more diverse. In 2008, Idaho was, for the third consecutive year, the fourth-fastest growing state in terms of population.¹¹ Idaho's economy has likewise been growing at one of the highest rates in the country.¹² In addition to growing, the state's population and economy are increasingly diverse. For example, the Hispanic population accounts for 10% of the population, an increase of more than 50% in the last eight years.¹³ The population has become not only more diverse but also increasingly urban.¹⁴ Manufacturing has recently supplanted farming as the most important sector of the state's economy,¹⁵ and the most important manufacturing sector is science and technology. The state's license-plate motto, "Famous Potatoes," remains true – Idaho still is famous for its potatoes (and justly so) – but the implication of agriculture's unique importance to the state is no longer accurate.

These changes in the population and economy have changed the practice of law. In Idaho, as elsewhere, legal practice has become increasingly specialized and increasingly international and transnational. Even so, Idaho still needs small town, "main street" lawyers – i.e., lawyers who "practice solo or in small firms in communities throughout our nation" and whose "work touches many people at

¹⁰ Thus it was that federal law could be described as "interstitial" in the leading casebook on federal courts of the era, Henry M. Hart Jr. & Herbert Wechsler, *The Federal Courts and the Federal System* 435 (1953).

¹¹ State of Idaho Press Release, *Idaho's Growth Continues with Fourth Fastest Rate* (Feb. 2, 2008) <http://news.idaho.gov/pressdetail.aspx?temp=temp&pressid=681>.

¹² Idaho Department of Labor Press Release, *Idaho Leads Nation in 2006 Gross State Product Growth* (June 7, 2007), <http://labor.idaho.gov/news/PressReleases/tabid/294/ctl/PressRelease/mid/1047/ItemID/1906/Default.aspx>

¹³ Fox 12 News, *State's Hispanic Population Continues to Grow* (Jan. 24, 2008) http://www.fox12news.com/Global/story.asp?S=7772057&nav=menu439_2_4_1

¹⁴ USDA Economic Research Service, *Idaho Fact Sheet* (indicating that, in 1980, 57% of Idaho population lived in urban areas, whereas in 2006, 65% did so), <http://www.ers.usda.gov/StateFacts/ID.htm>; see Idaho Department of Labor, *Idaho Ranks Fourth I the Nation for Population Growth*, (Apr. 14, 2005) (noting "the slow and unrelenting shift in the state's population base from rural to urban").

¹⁵ <http://www.factmonster.com/ce6/us/A0858738.html>

some of the most significant points in their lives – buying a home, writing a will, [or] settling an estate.”¹⁶ In addition, legal employers increasingly demand law school graduates who are practice ready. Thus, some law students need to graduate ready to enter a specialized, globalized practice while others must be ready for a small-town, main street practice. As the state’s only law school, we must consider the diverse practice paths our graduates will take.

We have additional responsibilities as a century-old *state* law school. We must preserve our tradition of producing many of the state’s legislators, judges, civil leaders, and business leaders. And besides producing graduates to fill these roles, of course, we have, as the state’s law school, long provided state-law expertise in analyzing existing law and contributing to changes in state law. State law has been, and must continue to be, an important focus of our research and outreach, befitting our identity as part of a land grant institution.

On the one hand, we cannot be all things to all people, especially as the state population and economy grow and become more diverse. Nor, on the other hand, do we have the choice of carving out an ultra-specialized niche, as might a private school. We must be conscious of our school and state’s location, mission, and traditions as we adapt the insights of the Carnegie Foundation Report to our and our state’s needs. The process for doing so is described in the next part of this paper.

II. PROCESS

As the College of Law approached its 2009 centennial, the “location issue” arose again. It arose because of the unusually large growth in the population and economy in Boise and the surrounding Treasure Valley and in eastern Idaho. We determined, for example, that the Boise Metropolitan Statistical Area (MSA) is the only MSA in the United States that is the site of a state capital and that has no law school within 150 miles of it. Facts like this demanded further, sustained attention to the College’s future, including its future location, and we mustered it in late 2006.

In late 2006, Dean Don Burnett asked Professor Maureen Laflin to lead a “Strategic Directions Committee” that would comprehensively analyze the College’s long-term future. Early in its process, the Committee recognized the issue was more than one of location. To decide *where* the law school should be, we had to decide what the law school needed to do and then figure out where that could be done best.

Thus, the location issue coupled with the upcoming centennial prompted a thorough self-examination as well as dialogues with the bench, the bar, and state leaders. A brief summary follows.

A. Strategic Directions Committee

The Committee identified four options. One was the status quo -- staying where we are and how we are, with regular tweaks. Another option was to substantially expand and enrich our Moscow operation; we called this the “Moscow Plus” option. A third option was to relocate most of the school’s operation to Boise. Fourth was what we called a “phased dual-location approach,” under which we would gradually expand our operations in Boise until we had JD programs in both Moscow and Boise.

For each option, the Strategic Directions Committee analyzed strengths, weaknesses, opportunities, and threats. This “SWOT” analysis yielded three points of consensus.

First, the status quo is not a viable option. This was partly true for reasons identified in the Carnegie Report. The College of Law had made many important improvements to its program, particularly in expanding clinic and externship opportunities. But the Carnegie Report, as well as the Best Practices Project by Roy Stuckey and others,¹⁷ called for comprehensive, not merely incremental, change.¹⁸ The need for comprehensive change also stemmed from significant changes in Idaho and the concomitant responsibilities of its sole state law school.

The second point of consensus was that law school needs to tap more into the university communities of which it was a part. Because the practice of law and cutting-edge legal scholarship are increasingly interdisciplinary, we, like other law schools, needed to take advantage of our location on the

¹⁶ Michael S. Greco, American Bar Ass’n, *American’s Main Street Lawyers*,

<http://www.abanet.org/media/releases/opedmainstreet.html>

¹⁷ Roy Stuckey and others, *Best practice for Legal Education: A Vision and A Road Map* (2007).

¹⁸ Carnegie Report at 189.

campus of one research university and eight miles away from another.¹⁹ As mentioned above, we had already done this to some extent – for example, by creating the Water of the West Program. We needed to do more of this to make our graduates effective legal problem solvers and to produce research and service responsive to real-world problems.

The third point of consensus was that we need to respond to the legal market's demand for practice-ready graduates. For a small school, we offer an amazingly large number of clinical opportunities.²⁰ Yet our clinical courses could be better integrated with classroom courses and legal research and writing courses. Furthermore, our distance from centers of population and government hinders our ability to offer practice-oriented training and opportunities to learn from practitioners and to experience practice settings.

Relevant to the third point, concurrently with our strategic planning process, we began exploring with the Idaho Supreme Court creation of an Idaho Law Learning Center. Concern for security in the Idaho Supreme Court building has driven a decision to explore the relocation of the Supreme Court Law Library to a separate building. As the planning has progressed, it has turned into a collaborative effort by the Supreme Court Law Library, the Idaho Commission for Libraries, and the College of Law Library, with the goal of creating a Law Library Learning Center. The current and future library plans include: technological and educational facilities; classrooms and distance education; administrative and faculty offices; public service space; and stacks area. This is an opportunity that we have been exploring and intend to take advantage of, if possible, regardless of the precise nature of future programs.

As the Strategic Directions Committee analyzed the status quo and the three options for significant change in the spring of 2007, it received continuous input from other law faculty and law students. It also got input from other university faculty, including faculty from the Business School and the School of Architecture and Interior Design, and university leaders. With that input, the Committee produced a document for discussion with an important, semi-external group: the College of Law Advisory Council.²¹

¹⁹ The University of Idaho is classified as having "high research activity" by the Carnegie Foundation for the Advancement of Teaching. See <http://www.carnegiefoundation.org/classifications/index.asp?key=791>.

²⁰ The College's clinical program has expanded from a tribal law and general clinic in the late 1980s to a clinic with offerings in appellate work, immigration law, tribal legal practice, domestic violence, victim's rights, tax, and small business. In addition, in the past ten years, the College has added an intensive summer field placement program with a classroom instruction component and a semester in practice program that places students in field placements for their last semester of law school. Finally, the college has created several courses in which students work in the field in limited settings during the semester in connection with substantive courses they are taking. These labs include a Bankruptcy Lab, Children and the Law Lab, and a Domestic Violence Lab.

²¹ Under the College of Law Bylaws, the Advisory Council consists of from 15-30 "judges, lawyers, law faculty from other law schools, and other persons interested in the College of Law." It exists "(1) to promote the College of Law to a variety of constituencies, (2) to assist in identifying and acquiring additional resources and financial support for the College, (3) to serve as an advocate for the College, (4) to give advice on

B. Meetings with the Advisory Council

The Advisory Council is a group of law school alums and other friends of the law school that regularly meets and offers advice. The Advisory Council met with the Strategic Directions Committee and other law faculty in April 2007.

That meeting produced a consensus by the Advisory Council that the status quo was not an option. No consensus emerged, however, on which other option was best.

Instead, the Advisory Council advised more study and input. Specifically, it recommended we retain consultants to analyze the market for a JD program in Boise and to gather other information on what Idaho needs from its law school. The Advisory Council also advised we get input from a broader selection of Idaho's bench and bar.

We took both recommendations. We hired a firm that, in conjunction with our Director of Admissions, collected data from our alums, our current students, and prospective students on the comparative attractiveness of JD programs in Moscow, Boise, and in both locations. We also retained as a consultant Richard Morgan, former law dean of the University of Nevada Las Vegas and the University of Wyoming. Finally, we partnered with the Idaho State Bar to hold a Conclave on Legal Education in Idaho in the 21st century.

C. Conclave on Legal Education with Selected Members of the Bench, Bar, and Education Leaders

The Conclave occurred right before the Idaho State Bar's annual meeting in Boise in the summer of 2007. We invited to the Conclave approximately 100 Idaho judges, lawyers, and legislators, as well as University of Idaho leaders, including the President and Provost. Conclave attendees spent about two days hearing presentations by members of the Strategic Directions Committee and discussing the options in small groups.

The Conclave provided a mutual education. Attendees from the bench and bar learned what changes in legal education are needed to respond to changes in society and legal practice. Attendees from the law school and the University learned what the state bench and bar need from its law school and its graduates. Some bench and bar attendees – like some faculty at the College of Law – doubted the need for significant changes to the current program of legal education. More than once we heard the question, "What's wrong with the status quo?" Yet there appeared to be a consensus that law schools need to produce more practice-ready graduates. We also heard concern about the ethics, professionalism, and civility of new members of the bar.

Thus, the Conclave seemed to confirm what the Carnegie Report identifies as a need for law schools to supplement the cognitive apprenticeship currently offered with integrated practical and ethical-social apprenticeships.²²

D. Second Meeting with Advisory Council

In October 2007, after the summertime Conclave on Legal Education, the College of Law's Strategic Directions Committee and the law school met again with our College of Law Advisory Council to update them on the Conclave. The Advisory Council also met with the University president, provost, and other university leaders.

The October meeting with the president took one options off the table. The president said he would not support moving the College of Law to Boise. He explained that the College of Law was too important to the University and to north central Idaho, particularly including the nearby Indian tribes. Other university leaders emphasized the practical problems of relocation, many of which stem from regional rivalry.

In addition to receiving a briefing on the Conclave and input from university leadership, the Advisory Council received the recommendation of our consultant, Dean Dick Morgan. Dean Morgan discussed the pros and cons of the three options (besides the status quo) that the Strategic Directions Committee had analyzed. Of these options, Dean Morgan endorsed the "phased dual location" approach:

the College=s programs, (5) to help build working relationships with other colleges of the University of Idaho, and (6) to assist the College=s placement program." College of Law Bylaws art. XIV.

²² E.g., Carnegie Report at 191.

In my view, the law school should aspire, over the long-term, to operate one law school from two key locations in the state-Moscow and Boise. Moscow is key because it is the main campus of the University of Idaho, because it is an appropriate venue for service to northern Idaho, and because the history and traditions associated the Moscow campus are an important part of the law school's strength. Boise is key because of its large population and need for services, because it is the seat of Idaho government, and because it is an appropriate venue for serving southern Idaho.²³

Dean Morgan observed that, among other opportunities, “the new [Boise] campus may ... provide ... a different sort of program—perhaps one that features part-time legal education and a curriculum that differs from that of the Moscow campus.” This differentiation, he thought, could “help in deepening the applicant pool,” a step that he identified as “essential” (along with financial resources) to support the two-location approach.

At the end of October 2007, the Advisory Council also endorsed the two-location approach: The Law Advisory Council recommends that the College of Law and the University of Idaho create, and take to the State Board, a proposal that expresses a bold vision of high-quality legal education in Idaho. This education should be delivered by the University of Idaho at Moscow and at Boise, with courses of study leading to the J.D. degree at both locations. The locations may offer different emphases within an overall curriculum shaped by a unified faculty in the College of Law, and administered as an integral part of the University of Idaho. Planning for the Boise location should include continued exploration of possible collaboration between the College and the Idaho Supreme Court in an “Idaho Law Learning Center.”²⁴

As suggested by Dean Morgan, the Advisory Council expressly contemplated that the Moscow and Boise campuses could have “different emphases.” To avoid the implication that the campuses would be cookie cutter images of each other, we stopped referring to “dual” locations and began calling this a “two” location approach. At this stage, however, we had not decided what each campus’s distinctive emphases would be.

E. Meeting with Idaho Bar Commissioners and Other Members of a Visiting Committee

In addition to the College of Law’s Advisory Council, a separate entity – the Idaho State Bar Board of Commissioners, together with the Executive Director of the Bar and the President of the Idaho Law Foundation – constitute a Visiting Committee that comes to Moscow once a year. During its November 2007 visit to Moscow, the Visiting Committee learned about the College’s strategic planning process. It issued a written report in mid-December 2007.

The Visiting Committee’s report stated: “We agree that the status quo is not acceptable and that the phase[d]-two location approach would greatly enhance the effectiveness of the delivery of public legal education in Idaho.” As did the Advisory Council, however, the Visiting Committee observed that implementing this approach would depend on securing additional resources.²⁵

F. Law Faculty Mini-Retreat

In December 2007, the College of Law’s Strategic Direction Committee organized a one-day retreat. The purpose of this “mini retreat” was to help the faculty begin to get its collective mind around the two-location approach that had been selected. During the retreat, faculty members discussed in small, randomly assigned groups-- and then as a committee of the whole -- three topics: (1) the overall vision for the two-location law school; (2) the opportunities that would be available at each location; and (3) the ties that would bind the two locations into a cohesive, dynamic whole.

The mini-retreat produced a fair consensus on all three topics (vision, opportunities at each campus, and “ties that bind”). That consensus, described in Part III of this paper, has provided a foundation for further planning by the College’s Strategic Directions Committee.

F. Student and Staff Input

²³ <http://www.law.uidaho.edu/default.aspx?pid=104030>.

²⁴ <http://www.law.uidaho.edu/default.aspx?pid=104031>.

²⁵ <http://www.law.uidaho.edu/default.aspx?pid=105268>.

We have been soliciting input from our staff and current students since we began our strategic planning process in late 2006. Reflecting our character as a small law school that offers an intimate educational experience, much of the input comes through informal conversations among faculty, staff, and students. In addition, we have convened “town hall” meetings for students as well as staff meetings devoted to providing information and gathering input on the strategic planning process.

III. CURRENT STATUS

This section will describe our current vision for the College of Law and next steps we will take to realize it.

A. Vision

We envision the UI College of Law as providing two full JD programs at its current location in Moscow as well as in Boise. Each campus will offer a basic JD program with common attributes at both campuses. At the same time, each campus will have place-relevant specialties in teaching/curriculum, scholarship, and service. The distinctive aspects of the two campuses will be complementary, so the whole is greater than the sum of its parts.

In terms of commonalities, we aim to preserve worthwhile traditions while infusing them with best practices for modern legal education. The College of Law has traditions of providing an intimate educational setting; instilling students with a strong sense of civility, professionalism, and the public nature of our profession; and providing service to the state bench and bar. It is these traditions to which our alums refer when, in discussions of how the College of Law needs to change, they respond that we must not change our fundamental character.

Onto these traditions we seek to engraft a program of instruction at each location that has three attributes:

(1) The coursework will be *progressive* – so that work in later semesters successively builds on students’ knowledge base, skills set, and development of a professional identity from prior semesters. The progression will culminate in 3rd-year opportunities for capstone experiences.

To achieve a progressive curriculum, we intend to restructure our curriculum to make it more tightly coordinated and coherent, and to reduce redundancy and mere unreflective “coverage” of unnecessary content. This, we hope, will free up faculty and student hours for more specialized coursework and capstone experiences.

(2) From day one we will provide experiential, context-dependent learning to help student learn the law in action and “on the ground.”

To do this we will, among taking other steps, facilitate collaboration among clinical faculty, classroom faculty, and legal writing and research faculty.

(3) The curriculum will be highly integrated, helping students to make connections among doctrinal areas as well as connections between the law and other disciplines; and to learn doctrine, and to begin to develop a professional identity and professional judgment, through instruction in lawyering skills.

We hope to achieve this integration by establishing cross-connections (e.g., shared or reinforced learning outcomes) among courses, and by integrating writing into the broader doctrinal curriculum and through collaboration between writing instructors and other faculty (clinical and classroom).

In addition to these commonalities, the Moscow campus will offer students and faculty opportunities for specialization in natural resources and environmental law; and American Indian law, tribal governance, and federal-state tribal relations. The first emphasis area reflects and will capitalize upon the University of Idaho’s increasingly strong, increasingly interdisciplinary programs of teaching and research in natural resources and the environment. The second emphasis area reflects and will build upon the College’s existing relationship with the nearby Nez Perce and Coeur d’Alene Indian tribes. These emphasis areas will enrich the basic curriculum, so that, for example, instruction in criminal law will include consideration of environmental crimes. In addition, the emphasis areas will be manifest in specialized upper-level curriculum, including in-house clinical opportunities and externship opportunities; and in the research and service opportunities available to students and faculty.

The Boise campus will, in addition to the commonalities, offer students and faculty opportunities for specialization in business law and entrepreneurship and intellectual property. These emphasis areas reflect Boise's status as the center of commerce and Idaho's significant high-tech industry. These Boise emphasis areas, like Moscow's, will be manifest in the specialized upper-level curriculum, including in-house clinical opportunities and externship opportunities; and in the research and service opportunities available to students and faculty.

We want to create "ties that bind" these campuses so that our students, faculty, and other constituents can get the benefit of what both will offer. Some ties will be administrative and technological. For example, we plan to have unitary admissions, financial aid, and development offices. Videoconferencing will facilitate governance by faculty committees with members on each campus. All such ties, of course, ultimately aim to create human ties and a sense of a shared mission. As additional measures to foster human ties and common purpose, we hope to provide incentives for faculty to spend time on each campus. For example, a faculty member could be encouraged to teach a course in the fall semester in Moscow and then teach the same course in the spring semester in Boise. We hope also to encourage collaboration in teaching and research between faculty and students in Boise and Moscow.

We would also facilitate the movement of students between the two campuses and interaction of students on each campus with students on the other campus. For example, we might hold the final rounds of our internal moot court competitions on different campuses in alternating years. We could plan to hold beginning-of-school-year convocations in a central location that would bring together students matriculating at each campus. Specialized short courses (e.g., winter intersession courses) at each campus could attract students from the other campus. Ultimately, we would expect most students to spend some time at each location, though none would be required to do so.

B. Next steps

It is probably appropriate as this paper nears its end to repeat that the College of Law is at the beginning of the process by which it hopes to expand and revise its operations to offer, at two locations, a JD program informed by insights of the Carnegie Report. This section briefly outlines the next steps of our process.

The next steps take us up the leadership ladder. At the end of February 2008, the College of Law will present to the University a document that fleshes out the two-location concept. The document will include preliminary budgeting information on capital costs and operating costs. It will also describe the first phase of establishing the full JD program in Boise, which will involve expanding our existing "Semester in Practice Program" to allow our students to spend their entire third year in Boise. The University will present the two-location approach concept to the State Board of Education in April. A business plan with initial specific steps -- such as those required to expand the current semester-in-practice program in Boise to a full third year of law -- is expected to be proposed to the State Board in August. A request for legislative support likely will be made in the 2009 legislative session.

Also in 2008, the College of Law will continue collaborating with the Idaho Supreme Court and Administrative Office of the Courts in developing the idea of an "Idaho Law Learning Center" that could contain a relocated State Law Library and much (perhaps all) of the University of Idaho's Boise JD program.

CONCLUSION

I feel fortunate that the College of Law's strategic planning for its second century coincides with the searching examination of legal education going on nationwide. We stand to learn much from the nationwide effort. We hope that our own experience may provide some food for thought for other legal educators seeking to transform their institutions.