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Taylor Times (January 1991)

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Taylor Times

A PUBLICATION OF THE GEORGE C. TAYLOR LAW CENTER AT THE UNIVERSITY OF TENNESSEE

JANUARY, 1991

JANUARY 1991						
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January 9

Classes begin
Grades mailed

Law Library returns to regular hours - see page 6 for schedule

Tennessee Supreme Court in session
12:00 p.m. - 7:00 p.m.
Moot Court Room
Open to the public

January 9 - 10

Career Services orientation for 1Ls at 11:00 a.m.

January 11

Georgia area alumni breakfast at the annual State Bar of Georgia Mid-year Meeting - 8:00 a.m. at the J.W. Marriott Hotel at Lenox in Atlanta

January 11 - 12

Career Services orientation for 1Ls at noon and 3:00 p.m.

January 12

1991 Tennessee High School Mock Trial Competition meeting beginning at 10:30 a.m. in Room 104

January 21

Martin Luther King Holiday - No classes and administrative offices and law library closed

January 23

Recruiting Administrators of Nashville 11:00 a.m. - Moot Court Room - the presentation will be on interviewing from the employer's perspective.

January 28

On-campus interviewing begins

You should know ...

Carolyn Dossett, Jackie Scruggs, and Bob Lloyd are at home mending and resting from hospital visits. Get well soon!

Elisha Sessions, son of Professor Fran Ansley, is a member of the Bearden High School academic team that competed in the 15th Knowledge Master Open in December. The team placed second in Tennessee and forty-eighth in the nation.

Carla Ainsworth, daughter of Dean Marilyn Yarbrough, has been awarded a \$1,000 scholarship by the Nissan Motor Manufacturing Corporation as Nissan's Student of the Year. Carla is a senior at Webb School.

Bob Dinerstein, Director of American University's Legal Clinic, and Rich Rosen, Director of the Legal Clinic at the University of North Carolina, visited our legal clinic last month for consultation.

Our condolences and deepest sympathy go to Betty Lett, Career Services, on the death of her mother this month.

TAYLOR TRIVIA: When did *Taylor Times* begin publication? Answer to last month's Taylor Trivia: Doris Gentry, receptionist in the Legal Clinic, was married on December 24, 1964; her daughter was married on December 24, 1990, and her mother and father were married on December 24, 1938 (all 26 years apart). As Doris says, "It's a delightful tradition during a busy time of the year."

Faculty Activities

Neil Cohen ...

... was interviewed and quoted by the *Knoxville Journal* in a December 12, 1990 article about public versus private ownership of a new penal farm in the area.
Grayfred Gray ...

... has accepted an invitation from Bill Blass, Associate Director of The University of Tennessee Computing Center, to participate in an academic advisory group in an effort to maintain, improve, and enhance the services provided to the academic and research users of the Computing Center.

... has completed editing *A Manual for Teaching Law Students to Teach Law* for the National Institute for Citizen Education in the Law and will make a presentation on the manual at the annual Street Law Project Directors meeting in Washington, D.C. in January.

Julie Hardin ...

... (Associate Dean on leave) was mentioned in the National Institute for Citizen Education in the Law's newsletter, *Street Law News*, for becoming the new executive director of Wake Forest University's Center for Research and Development in Law-Related Education. The newsletter also mentioned Julie's work as coordinator of the Knox County mock trial competition.

John Sobieski ...

... has just been appointed as an advisor to the Tennessee Supreme Court's Commission to Study Appellate Courts.

Marilyn Yarbrough ...

... received the 1991 Society of American Law Teachers Achievement Award for Contributions to Legal Education. Dean Yarbrough was presented the award at the 1991 annual awards dinner in Washington, D.C., on January 5. Legal Clinic founder and long-time director, Charlie Miller, received the award in 1977.

College of Law Hoods Eleven

The University of Tennessee College of Law presented eleven Juris Doctor (J.D.) degrees December 13, 1990 during a traditional Hooding Ceremony in the George C. Taylor Law Center's Moot Court Room. Professor R. Lawrence Dessem was the featured speaker. A reception for the graduates and their guests immediately followed in the Cumberland Avenue Lobby.

Dean Marilyn V. Yarbrough, Associate Dean Richard S. Wirtz, and Associate Dean Mary Jo Hoover hooded the J.D. candidates. The graduates were: Jerry Barkley Allen of LaFollette, Jesse Dwayne Bunch of Cleveland, Gary Dennis Jinkerson of St. Louis, Illinois, Terence Scott Jones of Knoxville, R. Stephen Lobertini of Knoxville, Robert Joseph Martin of Messena, New York, David Lambert McCord of Maryville, Leslie L. Pirtle of Manmelle, Arkansas, Benet Stewart Theiss of Kingston, Ernestine Thomas of Elizabethton, and Eileen M. Tucker of Knoxville. Ms. Theiss graduated with high honors, and Mrs. McCord and Ms. Tucker graduated with honors. Marshals for the ceremony were Carla Fox and Robin Kimmelman.

Hooding refers to placing the academic hood which signifies both the academic discipline and the university in which the degree was earned on the graduate. The study of law is always denoted by purple trim on the hood surrounding the colors of the university. Recipients of a J.D. wear gowns bearing three velvet stripes on each sleeve. It represents the successful completion of three academic years of professional study following completion of an approved undergraduate degree program.

Dennis Jinkerson is now associated with J.D. Lee Law Office in Knoxville. Terence Jones is now associated with William R. Banks and Associates in Knoxville. Stephen Lobertini is now associated with Ambrose, Wilson, Grimm and Durand in Knoxville. David McCord is now associated with McCord, Weaver and Troutman in Knoxville. Eileen Tucker is now associated with Susano and Sheppard in Knoxville.

Professor Dessem's address, entitled "Why do you think they call it 'practice,'" is now shared with *Taylor Times* readers.

I'm very happy that you asked me to be your speaker today. I practiced law for nine years, during which time I had a recurring dream. It was a dream many litigators have had, and one I first heard former Solicitor General Rex Lee mention in a speech several years ago. I dreamed that I was standing in a courtroom just like this. I would talk for some time. And there were people sitting opposite me in the courtroom, wearing black robes. After I would finish addressing my remarks to these people in their black robes, they would applaud! I never had a court appearance like that in practice, but if you clap at the end of my speech today you can make my dream come true.

Although I'm glad to be here, I'm still not sure why I was asked to give this talk. I think back on the other professors who I've heard give hooding addresses over the last few years. I certainly can't hope to match the wit of Jerry Phillips, or the urbanity of Durward Jones, or the wisdom of Dick Wirtz. So why me?

For some time I thought it was because of my knowledge of civil procedure. I was quite seriously working on a talk entitled "Rule 11 of the Federal Rules of Civil Procedure and Life," but then I came to my senses. I also realized that there wouldn't be a chalkboard in this room and Socratic questioning of you graduates and your parents would be considered poor form.

Unfortunately, my second choice for a speech topic already had been taken. Professor Howard Brill, whom some of you had as a visiting civil procedure professor, gave a commencement speech at the University of Arkansas several years ago entitled "Baseball and the Legal Profession." This was the speech that I, too, wanted to give, but I was afraid that if I merely read Professor Brill's speech it would get back to him. I nevertheless highly recommend his speech to you. Among the similarities that he discusses between baseball and law are the traditional openings of baseball ("Play Ball") and courts ("Oyez, Oyez,

Oyez, This Honorable Court is now in session"), the traditional, outmoded, and nonfunctional uniforms that baseball players and lawyers wear, and the unique vocabularies of baseball (including words such as "Southpaws" and "Texas leaguers") and the law (in which we speak of "holders in due course" and "res judicata").

I then realized that perhaps the real reason I was asked to talk is that I'm just as confused about law and about life as our students and many of you graduates. I then discarded my intention to talk about the Federal Rules of Civil Procedure or about baseball, and I chose as my speech's title: "Why do you think they call it 'practice?'"

This question was put to me several years ago by one of my young children. We were at the dinner table and one of my daughters said, "Daddy, why don't you stop practicing law and just be a lawyer?" It then struck me that, no matter how accomplished a lawyer is or how long he's been a lawyer, he is still said to be "practicing" law. That's both the burden and the beauty of the law.

My grandfather was a carpenter. He didn't "practice" carpentry. He was a carpenter, and he built houses. As a little boy, I'd sometimes go with him to work and he'd show me the houses that he'd built.

As a practicing lawyer, there was never anything concrete that I could show my own kids that I had built. I had a hard time explaining to my children what it was that I did all day. My son was a preschooler when the movie "Star Wars" came out, and for awhile he told his friends that his Daddy was a "warrior." Unfortunately, my wife soon disabused him of the notion that his father was another Luke Skywalker.

But even though we may not deal in things as concrete as lightsabers or carpentry, lawyers are builders. Lawyers don't build with lumber or bricks but with people and people's ideas and ideals and promises and dreams. As a lawyer you often won't have anything concrete to show for a day's work. But you'll be building something. You'll be building something for other people. One or more

of you graduates may become a lawyer whose work will affect and improve the lives of many others. Maybe you'll win a celebrated case, or write a pathbreaking judicial opinion, or draft some much needed legislation.

Most of you will build something for other people in a much quieter and more individual fashion. Maybe some parents will be able to rest easier knowing that you've drafted a will that protects their children. Maybe some disputants will be able to put a lawsuit behind them that you've helped them settle. Maybe a businessman will be able to expand his business because you've helped that business incorporate.

As you practice law you'll also be building something for yourself. You'll be building your legal career and your professional reputation. You'll build those careers and reputations on a day-to-day basis. You won't wake up one morning and say, "I'm going to work on my integrity today, or my resourcefulness, or my dependability." But by your day-to-day actions, you'll become known as someone who is honest, someone who is resourceful, and someone who is dependable. Or you won't. I trust that each of you will and that you'll keep in mind Martin Luther King's admonition that we should not be "more concerned about making a living than making a life."

The reason we talk about the practice of law is because lawyering is an ongoing process. Legal practice is not a final destination but a winding road. The journalist James Fallows has said:

I used to think that after you made the big decisions, life just sort of proceeded on its own. Once you studied a certain subject, chose a certain job, married a certain person, settled on a certain style of life, you could sit back and watch the consequences unfold. Life would be like going to a restaurant: you'd study the menu

carefully, then lay it down and look to see what the waiter would bring. *** But *** good luck and "right" choices are never permanent, and *** a fortunate life consists of continually making and remaking the big decisions, until time runs out.

So it is with the practice of law. You will be "continually making and remaking big decisions." You often won't know the consequences of those decisions for some time. And no one will be there to tell you whether you've made the "right" choices or decisions. In law, as in life, there often are no "right" answers, but only, in the words of Reinhold Niebuhr, "proximate solutions to insoluble problems."

That is why we talk about "practicing" law. Because you're a lawyer, you'll be asked to try to solve "insoluble problems." You'll keep on lawyering day by day and year after year. If you're a good lawyer, you'll always think about ways in which you could have done things a little more efficiently or a little more creatively or a little more justly. For the truly great lawyers are the ones who are never quite satisfied, but who keep on thinking and reflecting and dreaming.

Earlier I quoted Martin Luther King. I'd like to close with a quote from his namesake, Martin Luther:

This life therefore is not righteousness, but growth in righteousness; not health, but healing; not being, but becoming; not rest but exercise. We are not yet what we shall be, but we are growing toward it; the process is not yet finished, but it is going on; this is not the end, but it is the road.

As of this afternoon, you're on the road. It's a long journey that will last a lifetime. Best of luck in the practice of law. Welcome to the profession.

THE "LET'S GO FOR IT" SECTION FOR LAW STUDENTS

(1) The National Center for Preventive Law announces a writing competition for a \$1,000 prize for both students and faculty. The paper must be on preventive law. Deadline: March 1, 1991.

(2) The Intellectual Property and Unfair Competition Section of the Los Angeles County Bar Association announces its fifth annual entertainment law writing competition. Cash prizes will be awarded to top papers on any area of entertainment law. Deadline: June 1, 1991.

(3) The Roscoe Pound Foundation announces the Elaine Osborne Jacobson Scholarship for Women in Health Care Law for \$1,000 annually. Each nominee shall be currently enrolled in an accredited American law school on a full- or part-time basis who through law school academic and clinical work demonstrates an aptitude for and a commitment to a legal career of advocacy on behalf of the health care needs of children, women, the elderly or the disabled. Deadline: January 18, 1991.

(4) The American Law Institute-American Bar Association Committee on Continuing Professional Education announces its third annual CLE essay contest. Papers should address the question: "To What Extent Do Ethical Obligations, Including Those of Client Confidentiality, Limit a Lawyer's Use of Personal Experiences in Educating Other Lawyers?" The author of the top paper will receive \$1,000. Deadline: April 1, 1991.

For further information, see the Contest Bulletin Board or Mary Jo Hoover.

THE ROLE OF AUTOMATED LEGAL RESEARCH IN TODAY'S COURTS

**Donald P. Smith, Jr.
Judge, Colorado Court of Appeals**

As the American Judiciary prepares to enter the 21st century, our courts, at all levels, are faced with burgeoning case loads. The complexities of today's society have required intervention and regulation by the government in virtually all phases of modern life. Even the common law has found it necessary to expand exponentially into areas unknown a mere 50 years ago. Thus, while the role of the courts remains the same, today's judges must decide issues over an infinitely broader spectrum than ever before in our history.

To help deal with these issues, and to assist in the proper and timely disposition of judicial responsibilities, many judges are now turning to technology -- computer-aided legal research to be specific.

Decision making and dispute resolution in our legal-judicial system is basically accomplished by applying, to the facts presented, specific statutory or regulatory language, and/or "Rules of Law" previously announced in cases involving the same or similar facts. Therefore, perhaps the single, most important, step in the decision making process is effective legal research.

The efficacy of any legal research technique -- automated or otherwise -- must be measured by its ability to identify and locate specific regulatory enactments and precedential rulings 1) quickly, 2) economically, and 3) with a high degree of assurance that all applicable authority or precedent has been found.

Traditional research methods, while perhaps more comfortable, appear no longer adequate to reach these goals. The sheer volume of precedential decisions demonstrates the need for new and more efficient research methods and tools. For example, looking just at Colorado law, in 1955 there were 22,000 published opinions and the statutes comprised only six volumes. By 1987, the appellate reports comprised 74,000 cases, and the statutes had expanded to 18 volumes, plus several volumes of administrative rules and regulations.

If this expansion continues at the same rate in the future, as it surely must, we can look forward to the volume of precedential authority doubling again in the next 15 years.

We should not be surprised when law librarians tell us that the purchase price of a basic, minimal law library -- reporter system, digests and an index such as Shepard's -- costs in excess of \$150,000 and requires more than \$15,000 per year to maintain.

Modern technology, however, has provided us with a valuable tool which can significantly reduce the time spent, as well as cost, of legal research. The use of computer technology, which we have rather reluctantly accepted in our clerk's offices, has measurably increased efficiency. The use of computers for word processing is saving time and increasing accuracy. This same technology, I submit, is perhaps even more valuable in the area of legal research. Ever since the introduction of LEXIS in 1973 -- the first computerized electronic online information service -- studies have consistently demonstrated that computer-assisted legal research (CALR) locates more pertinent cases, faster, than manual research methods.

In essence, personal computers and terminals can become an entire law library on a desk, complete with reporters, digests or any other legal materials that might be found in an exhaustive university or Supreme Court library. In addition to PC-based services like LEXIS and Westlaw, there are online an amazing scope of non-legal general information services, such as NEXIS, Dow Jones and Dialog, which contain materials which may be applicable to legal issues. These are likewise accessible using the same PCs.

Once pertinent precedents are located and identified, judges then can go directly to books for more thorough and leisurely study. However, the online legal databases often include materials not yet published in books. Some opinions or rulings are available online within days of issuance. Such timeliness is a valuable asset provided by these services, an asset not available using

traditional research methods.

Although a cursory look might indicate that the costs of CALR are high, such is not the case when one looks at the cost of acquiring, maintaining and housing a law library adequate to a judge's needs.

Such library costs are prohibitively expensive to courts in smaller jurisdictions, such as those in rural communities. For instance, there are 63 counties in Colorado, one of which has a population of about 1,000. It is unlikely that the county courthouse can afford to maintain a complete law library. But it may well be able to afford an online legal service such as LEXIS or Westlaw, which provide all the materials available to the largest jurisdictions.

One solution to the cost of large law libraries is to automate and link jurisdictions using equipment already in place. The standard personal computers or word processors found in most courts today can also be used as terminals, and when connected to a central computer they can receive online legal information services. Such a system would eliminate the expense of dedicated equipment, and would mean that a jurisdiction of 1,000 could have at hand the same resources as one of 100,000.

Other legal research issues to be considered include speed, accuracy and completeness. Last year, I conducted an informal comparison study of computer-assisted legal research versus traditional legal research methods with the assistance of Mead Data Central and West Publishing -- providers of the LEXIS and Westlaw online services. The findings demonstrated that CALR enables researchers to find more applicable cases, faster.

I gave research attorneys and law clerks a variety of research assignments, and undertook some of the searches myself. Some of the searches were conducted online, others were done manually, using our law library facilities.

The results: the average computer-assisted search took approximately 15 minutes. The same research done manually took an average of 1.4 hours. Six years ago, I did a similar casual comparison study. In that test, the manual research took one hour, compared with 25 minutes

for the computer-assisted search. The ten minute differential between the CALR searches of six years ago and those conducted last year conclusively demonstrate that CALR is getting faster while the growing volume of law makes digest-based searching more and more time-consuming. This differential will continue to increase as the magnitude of materials to be searched grows and CALR technologies mature.

My informal studies also highlight how CALR enhances the thoroughness of legal research. We found cases online that had been decided only three or four days earlier, where the digests would not be able to include them for six months or longer.

The tests also demonstrated the completeness and accuracy of CALR. In almost every search we did, those using CALR located two or three cases not available through manual research. These cases were either not accurately digested or were too recent to have appeared in print. Access to all of the most recent rulings is obviously a crucial factor in rendering a thorough and correct opinion.

In addition to speed, computer-assisted legal research can help avoid research problems associated with the skill of the indexer. Since law books are indexed by concept, the judgement of the indexer can affect a manual search. The hierarchical system used to index the law -- going from broad to specific rules -- places the researcher at the mercy of the indexer's discernment. However, as CALR is fact and language-oriented, so the issue of the quality of the indexing becomes moot when conducting research online.

The indexer's ability is not the only variable affecting the accuracy and completeness of legal research. A new concept or rule of law may appear in several cases before it is judged worthy of its own index term. Once the new term or classification is adopted, there is no attempt to go back and index earlier cases that discuss the topic. There is often an interval of many months between the time a case is handed down and the time it is published with a new index term.

For example, until recently, cases pertaining to the liability of ski resorts

appeared in the digests under the topic of "theatres and amusements." If a researcher was not familiar with this digesting decision, those rules might not be found in a manual search. With CALR, classification is not important.

CALR search systems are based on language, not arbitrary categories. They are based on factual situations, and unique words and their relationship to one another. CALR provides a means by which a researcher can find an opinion based on the words used by the author judge, not by the category it would fall into in a digest. A digest might file a case under "master/servant," but it is perhaps unlikely that those words would be used in the opinion. However, the words "employer" or "employee" would most likely appear.

Computer-assisted legal research allows researchers to find cases simply by searching with words or facts unique to the rule sought. In addition, cases can be located by names of counsel, parties, judge, dates, etc. Basically, if a researcher can put himself into the mind of the judge writing the opinion and search for the words that would have been used to resolve the issue, the case can be found.

In summary, computers are not magic boxes; they are merely tools. The equation is simple: use a better tool, do a better job.

For computers, online legal information services and other courtroom technologies to be fully embraced requires a shift in attitude on the part of legal practitioners -- judges included. Instead of adopting the old Shibboleth, "If it ain't broke, don't fix it," we need to learn to use better tools to do the same job.

Over the past few years, I have recommended to various judicial bodies that all judges and court personnel be given access to online legal information services. Gradually, that is becoming a reality. In fact, the day may come when judges will research a legal problem from the bench during a trial, assuring a decision based on the most complete and timely information available.

The question regarding the use and application of computer-assisted legal research techniques in our courts is no longer "if"; it is "when."

LAW LIBRARY HOURS:

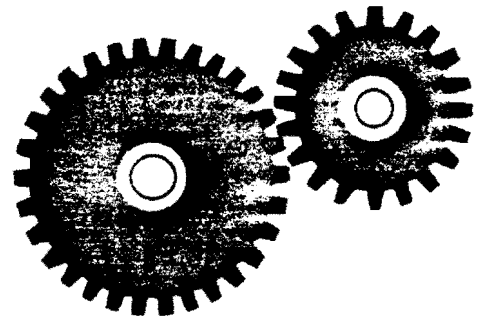
Monday - Thursday: 7:00 a.m. - midnight

Friday: 7:00 a.m. - 10:00 p.m.

Saturday: 9:00 a.m. - 10:00 p.m.

Sunday: 9:00 a.m. - midnight

Keep your semester running smoothly
and
remember these dates!



Wednesday, January 16

- * ADD Deadline
- ** Change to SNC, audit, etc. deadline
- *** DROP deadline for courses oversubscribed on the first day of registration

Wednesday, January 23

- * DROP without a "W" deadline
- ** DROP deadline for courses not oversubscribed on the first day of registration

The University of Tennessee, Knoxville, does not discriminate on the basis of race, sex, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits. UT does not discriminate on the basis of sex or handicap in the education programs and activities which it operates, pursuant to Title IX of the Education Amendments of 1972, Public Law 92-318, and Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Title IX and Section 504 should be directed to the Director of Affirmative Action, 403B Andy Holt Tower, University of Tennessee, Knoxville, TN 37996-0144, telephone 615/974-2498. Charges of violation of the above policy should also be directed to the office of the Director of Affirmative Action. E01-1610-006-91

Tennessee High School Mock Trial Competition



To further understanding of the law, court procedures, and the legal system.

To improve students' proficiency in basic life skills, including listening, speaking, reading, and reasoning.

To promote better communication and cooperation between the community of schools and the legal profession.

To heighten appreciation for academic studies and to stimulate interest in law-related careers.



An Educational Program of the Tennessee Young Lawyers Conference

First-year, second-year, and third-year law students are needed to coach teams of Knoxville area high school students in the 1991 Tennessee Mock Trial Competition.

Two law student advisors are needed per team.

Sign up now!

For further information, see Sybil Richards in the Admissions Office.

Schedule

from Career Services:



Recruiting Administrators of Nashville
January 23, 1991
11:00 a.m.
Moot Court Room

The presentation will be on interviewing from the employer's perspective. The speakers are the recruitment administrators for the following firms: Baker, Worthington, Crossley, Stansberry & Woolf; Bass, Berry & Sims; Boulton, Cummings, Conners & Berry; Dearborn & Ewing; Farris, Warfield & Kanady; Trabue, Sturdivant & DeWitt; and Waller, Lansden, Dortsch & Davis



On-campus Interviewing
and
Job Postings
for Spring Semester

On-campus interviewing for spring semester begins January 28. Several firms have scheduled to see 1Ls, and two firms will see 2Ls. Additional employers are expected to schedule so watch the Career Services boards. Firms may schedule through the last day of classes.

Many employers who hire in the spring list positions without actually visiting campus. These positions will be posted on the job boards as they come in.



The mother of Betty Lett, our Career Services Assistant, died Sunday. Ms. Lett plans to return to work on Thursday. Her mother's name was Lillie Vaughn. Send cards to: 325 Irwin Road, Powell, Tennessee 37849.



VOICES FROM THE LEGAL CLINIC

LIFE IN THE CIVIL CLINIC: AN OPPORTUNITY TO LEARN ABOUT YOURSELF

by
Kelley A. Gillikin
Third-Year Law Student

Last semester, while I was working as a student attorney in the UT Civil Legal Clinic, several of my fellow students asked what taking the clinic course was like and whether I thought that it was worth taking. I must admit that the answer I gave varied with the type of day I was having. For example, if someone asked me about the clinic just after I had participated in negotiating an agreed order "on the court house steps," I probably told them how exhilarating and rewarding the clinic course could be. In contrast, if the question were posed after I had just finished the tenth revision of three-page document that had to be filed in one hour and still needed a typo corrected, I probably warned that the questioner's sanity depended on his never coming within 200 yards of the clinic entrance.

As I write today, I have been away from the clinic for a little while. Even in retrospect, however, I can offer no less schizophrenic account of my experience in the clinic. It (the "clinic experience") can be rewarding and almost instantaneously frustrating. It can be exhilarating and, in the next moment, distressing.

On a practical level, it is obviously an opportunity to put some of the abstract concepts we have learned in the classroom to work. It involves resolving for very real clients substantive questions, procedural issues and ethical dilemmas. It requires that you manage cases (with the help of a supervising attorney), including setting goals with your client and developing a strategic plan to achieve these goals. It gives you an opportunity to draft legal documents and letters, to conduct your own investigations and discovery and to go to court and/or negotiate settlements on behalf of your clients. It sometimes involves working very long hours. (Yes, the rumors are true!)

Emotionally, it often involves feeling lost and very unsure about what to do. Not even the supervising faculty attorneys' willing and helpful guidance can alleviate all of this uncertainty, for although they willingly step in to keep you from committing malpractice (or something short of malpractice, but infinitely stupid), they do not run roughshod or constantly hold your hand. Your ideas are never rejected simply because they are different from the instructor's. Instead, you are allowed to (forced to?) exercise your own judgment about the legal and ethical issues with which you are confronted. For me, this freedom and the commensurate responsibility was at best disconcerting and at worst paralyzing. But, no other law school experience has paralleled the satisfaction that resulted from achieving something good for a real client through the exercise of this judgment. In contrast, no other law school experience has matched the distress that I felt when, through my own misjudgment, I did not serve my clients well.

Is it worth it? I can only speak for myself. The long hours, emotional ups and downs and practical experiences were nothing more (and probably a lot less) than what I will confront during my first years as a "real lawyer." (And I will get paid for that exercise in masochism.) But, the clinic experience was more than this for me. It was, most importantly, a unique opportunity for me to really think about my abilities and my attitude about practicing law.

Of course, the clinic course does not have a monopoly on promoting introspective thought about the practice of law. I have considered many of the same questions at other times during my law school career. Until now, however, the questions could be posed and answered only hypothetically. Now, I have some real answers. Yes, I do want to be a lawyer. (After five semesters, it is about time I figured this one out.) In addition, and probably more important in terms of growth, I know a lot more about my strengths and weaknesses. I know that I can do some things well, and that I do many more things not so well. I know that

I have a great deal to learn, but I now know more about where to concentrate my efforts. As a result, I think my first years of practice will be more productive for my clients and less frustrating and frightening for me.

Was it worth it? For me? Yes. For you? Maybe or maybe not, but I hope you will at least think about it.

.....
Make plans now to attend the

Mid-South
Law Placement
Consortium

Spring Recruiting Conference

Saturday, February 23, 1991
Park Suite Hotel
Nashville, Tennessee

Student sign-up date: February 7 & 8
Student sign-up deadline: February 8
Location: in Career Services, Suite 13

- *One-day job fair with regional legal employers.
 - *Open to all law students, December graduates, and judicial clerks.
 - *Total number of participating employers will be available after the employer registration deadline of January 25. However, information/firm resumes will be available as the employers register throughout the month of January.
- Sponsoring schools:
- *The University of Tennessee College of Law
 - *The University of Alabama School of Law
 - *Cumberland School of Law, Samford University
 - *University of Kentucky College of Law
 - *University of Louisville School of Law
 - *Memphis State University School of Law
 - *Mercer University School of Law
 - *The University of Mississippi School of Law
 - *Vanderbilt University School of Law