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Foreword: Behind the Classroom: An Examination of Law Schools in the 21st Century

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Foreword

Brandon Stump

This issue of the *Duquesne Law Review* provides readers with multiple opportunities to reconsider facets of legal academia many have probably considered static, immutable, or “just the way things are.” I have a background in critical race theory and civil rights law. I earned a J.D., practiced law, and then returned to school to earn an M.F.A. in creative writing. I am autistic, and despite my various challenges coping with change,¹ I find myself constantly at the epicenter of personal and professional alterations (see brief recitation of professional endeavors above), evolutions, and changes.² For these reasons, I find myself to be an expert on what changes are good versus those that are bad. Altering my morning routine or daily plans? Bad. Creating a more inclusive and thoughtful future? Good. The articles presented herein represent the most potent form of academic thought: The deceptively subversive presentation of facts and argumentation that require the reader to reconsider one of America’s most traditional institutions: law school.

All of the professional articles in this issue revolve around legal academia. On a macro level, Prof. Noah Kupferberg’s *Democracy Begins at Home: Agreements, Exchanges, and Contracts in the American Law School* presents a contractual approach to evaluating the various relationships between the various parties involved in legal education. Prof. DeShun Harris’s *Office Hours Are Not Obsolete: Fostering Learning through One-on-One Student Meetings* focuses on one specific relationship—that between professor and student—and she specifically calls for professors who write-off office hours as a mere formality to reconsider the educational value of the one-on-one time with students. Additionally, Prof. Diana J. Simon’s *Cross-Cultural Differences in Plagiarism: Fact or Fiction?* asks readers to consider the evidence regarding the way that one’s cultural background influences one’s concept of plagiarism. And in my own article, *Allowing Autistic Academics the Freedom to Be Autistic:*

1. *Obsessions, Repetitive Behaviour and Routines*, NAT’L AUTISTIC SOC’Y (Oct. 11, 2016), <https://www.autism.org.uk/about/behaviour/obsessions-repetitive-routines.aspx>.

2. THE YOUNG RASCALS, *How Can I Be Sure?*, on GROOVIN’ (Atlantic Records 1967) (singing the universally appropriate lyric, “[h]ow can I be sure in a world that’s constantly changing?”).

The ADA and A Neurodiverse Future in Pennsylvania and Beyond, I argue that autistic academics, like myself, should be protected from adverse employment action even though our disability commonly manifests in behavioral, personality, and social interactions that would be unprotected and unaccommodated, even under traditional notions of employment law. Each professional author is calling for some form of change to how we exist in, process, or evaluate some facet of law school—an academy in the midst of great change, itself.

As of 2014, 26 percent of students entering law school were students of color, a five percent increase over a decade.³ The ABA's statistics from 2018 reveal that this enrollment trend continues: Of the 38,390 law students enrolled in the last year, 11,981 were minority students.⁴ In other words, nearly thirty-one percent of all new law students are minority students.⁵ While the ABA does not track information regarding disability and law student enrollment, we do know that approximately eight percent of master's students and seven percent of doctoral students have some form of disability.⁶ Furthermore, law schools around the country are diversifying in other ways. In attempts to fill seats emptied by the massive decline in enrollment, some law schools are reaching out to foreign students interested in studying American law in a law school classroom. Currently, nearly 14 percent of all law school enrollees across the country are pursuing non-J.D. programs.⁷ Law schools are also attracting foreign students with LLM programs which allow foreign students to specialize in tax or entertainment law.

The academy is changing by finally admitting those students historically denied seats in schools—particularly people of color. If we as attorneys and academics teaching the law are to truly seek a

3. Kelly McEvers, *As Law School Applicant Pool Shrinks, Student Bodies Diversify*, NPR (Apr. 26, 2016, 4:28 PM), <https://www.npr.org/2016/04/26/475773282/nations-top-law-schools-face-near-record-enrollment-decline>; Aaron N. Taylor, *As Law Schools Struggle, Diversity Offers Opportunities*, CHRON. HIGHER EDUC. (Feb. 10, 2014), <https://www.chronicle.com/article/As-Law-Schools-Struggle/144631>.

4. *Statistics*, A.B.A., https://www.americanbar.org/groups/legal_education/resources/statistics/ (last visited Jan. 23, 2019) (follow “2018 1L Enrollment by Gender & Race/Ethnicity” hyperlink).

5. *See id.*

6. Council of Graduate Schools, *Data Sources: Graduate Students with Disabilities*, 44 COMMUNICATOR 1, 4 (July 2011), https://cgsnet.org/ckfinder/userfiles/files/comm_2011_07.pdf (explaining that disability includes “blindness/visual impairment, physical/orthopedic disability, deafness/hard of hearing, learning/cognitive disability, vocal/speech disability, and other/unspecified disabilities”).

7. Sara Randazzo, *Law Schools Find a Way to Fill Seats (No Lawyers Required)*, WALL ST. J. (Dec. 20, 2018, 12:19 PM), <https://www.wsj.com/articles/law-schools-find-a-way-to-fill-seats-no-lawyers-required-11545301800>.

more just world than the one we inherited, our only hope is to have more representatives from each underrepresented group in a legal classroom, behind a podium, and in administration. Once we have lawyers from underrepresented groups, the future of the academy is poised to become naturally and fully integrated. All of these changes require that the legal academy consider the arguments and research contained herein in order to equitably and fairly meet the demands of changing landscape. This issue, in which I'm proud to be featured, is a step toward a fair and thoughtful future for law professors, law students, and in turn, our world.