

Logging On to a Law Education

Dr. Roberto Lee, a Virginia surgeon for more than 30 years has always had a deep interest in the law but could never take the time away from the hospital and his private practice to go to law school. For many years, he was the only surgeon in the small town of Wytheville, where he saw first hand, the ills of the health care system, including many instances where patients who needed surgery were denied it by their managed care providers. As a consequence, they ended up going to the emergency room two or three times a week. “I found that my patients had been abused by managed care and even by Medicare, Medicaid regulations,” Dr. Lee said. “We’re required to call managed care to get permission to treat our patients and if they say no, there’s nothing we can do... the patients are so helpless.”

These experiences fueled his desire to get a law education, particularly in the area of health care law, so that he could navigate the

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system and better guide his patients. Four years ago, he heard about the nation’s first online law school based in California, called Concord University, where a student could earn a Juris Doctor degree wholly online via the Internet. Streaming audio and video lectures, asynchronous learning components [i.e., the content can be covered in ways that do not require the students to be online at the same time], live discussion sessions, web-based bulletin boards, and Internet-based listservs are all part of the mix of this delivery system.

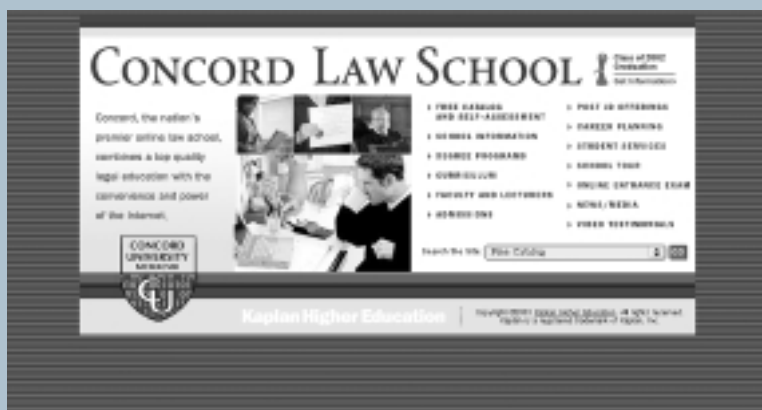
Improvements in technology make it possible for students across the globe to “virtually” attend the same lecture. Students

have their own web pages that link to their courses, assignments, lectures, and tests. They meet with their professors and classmates at least once a week to discuss and debate course content.

To Dr. Lee, such a setup meant no commuting and the flexibility of being able to attend classes from the comfort of his home. His professors were experts in their fields from all over the United States—some were authors of the textbooks that Concord students used. Most of all, this online option gave him access and opened a door that had been firmly locked before.

Gaining entry and staying the course required much discipline and perseverance. In his senior year, Dr. Lee had a rigorous schedule. “I woke up at 3 a.m. to do my homework. When 6 o’clock hit, I had to be in the shower because I had to be at the hospital by a quarter to 7 or 7 a.m. to start my surgery. Since this was my last year, the hospital helped me out quite a bit in the operating room. I had to finish by 10 a.m. to be in the courthouse because I was an intern with the district court. Our sessions there usually ended at about 12:30 or 1 p.m. I went to my office around 2–2:30 p.m. to see my office patients. I would be home around 7 p.m., eat, read a little, and then go to bed to be up again at 3 a.m.”

Like Dr. Lee, many Concord University students already have established careers in fields such as banking, engineering, the police and military, accountancy, and real estate.



www.concordlawschool.com

More than 42 percent of the 1,000 plus Concord students hold one or more advanced degrees. Laura Lamont, a lawyer for McShane and Bowie PLC, a Grand Rapids firm, was interested in obtaining an LLM in taxation and was looking for law schools that offered the program. She wandered into the Concord University website and began taking classes in September last year. "The professors are top notch and because of the way they interact with me, I have a great desire to always learn more and more of what they discuss," Lamont said. "Also, I have found that the professors are much more accessible either by telephone or by e-mail than at any fixed facility school that I have attended."

Second-career students are also drawn to the availability of classes that may not be offered in the traditional school setting because of a lack of numbers. For the past two years, Professor Peter Martin at Cornell University has been teaching an online course in Social Security Law, with students drawn from five participating law schools, including Concord.

"The other schools approve the course for their curricula, select and register their students for the course and pay Cornell for the instruction," said Professor Martin who has been offering upper-class electives focusing on federal statutory regimes. "My firm conclusion is that this form of learning is a valu-

able part of the mix, especially when it enables students to take courses that would otherwise be unavailable to them, either because it's not in the curriculum or because of class or other schedule conflicts. A significant number of students in my Social Security course are 'part-time' students in four-year programs, juggling employment, family responsibilities, and commuting. For them, having one or more courses that can be done around the edges permits better learning."



About a year ago, Professor Martin submitted a report to the American Bar Association on online courses. That report figured in deliberations over revision of the ABA accreditation rules that now allow law schools to provide online instruction for up to 12 credit hours. The American Bar Association, which is the accrediting body for law schools, has not accredited Concord University, nor has the school applied because of the ABA's standard that requires residential classroom experiences. Concord University is in fact accredited by the Distance Education Training



Council, which is approved by the U.S. Department of Education as a nationally recognized accrediting agency.

“We think the [current accreditation] standards are satisfactory and that they protect the public and the legal profession by establishing certain minimums that programs must include to be accredited,” explained Barry Currier, the ABA’s deputy consultant

for people who are trained to go out and work in a people profession, for folks to come together and learn and study together rather than doing it exclusively in an online environment,” Currier said. In his view, the evidence that the online environment is just as good as the physical environment has not been proven yet. “I think you find lots of universities that went ‘gung-ho’ into distance

there is a place for both mediums in education, Professor Bullock’s view is that online education is not as effective as the traditional classroom in conveying the complete learning experience and engaging all our senses.

“The traditional classroom can be a training ground for the student to learn how to communicate in emotional and perhaps highly politicized discussions. For example, in a criminal law class where the students discuss a hypothetical where the victim gets raped outside a bar, lively discussion can ensue with some students perhaps voicing insensitive and outmoded views. In the traditional classroom setting, the speaker would be immediately alerted to the state of affairs in a way that cannot be given or received over the Internet. The in-classroom speaker would most likely hear the audible gasps of fellow students, see the reactive body language of the offended listeners, and receive verbal retorts and admonishing. However, in the virtual environment, the student may only realize he or she has offended others but may not appreciate the number of people who disagreed with the point of view or the level of their discontent.”

According to Candace Elliott Person, a second-career attorney who has been on the faculty of Concord University since the fall of 1999 and is the Director of the Concord Law School Health Law LL.M. program, “people need to be aware of their learning style and what works for them. Some people really need the classroom—they need the comradeship of their colleagues right there. I have to say that our online law students have some of the best communications systems that I have ever seen. They are so creative—it’s amazing. They have a lot of tools available to them with the use of the Internet. They put together listservs, and they have their own online study groups, using bulletin boards, net meetings, and other kinds of group facilitative software. Their communication and sharing among themselves is far more extensive than I had with my classmates and professors when I was in law school.”

Person, who is also a member of the State Bar of Michigan’s Publications and Website Advisory Committee adds that to more fully meet the students’ needs, Concord University has developed some unique strategies—for

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on legal education. “The standards change over time as they just have with distance education and they may change some more. But just because someone comes along with something that doesn’t fit our standards and says ‘why won’t you?’ well, the answer to me is ‘why should we?’”

Currier pointed out that the traditional law schools are already using much of the new technology like extensive chat rooms, e-mail systems, limited online courses, hyperlinks to readings as well as web-based career services and registration systems.

“To many of us it seems rather obvious that there are significant benefits particularly

education, backing away. At the same time, some schools are doing more. Some schools are doing less. Big consortiums of elite universities that went into the business of distance education have now dissolved those businesses. So, we’re still in the middle of this paradigm shift and it’s not at all clear where it’s going to go... we’re willing to listen and to learn and to look at the experiences of Concord.”

Joan R. Bullock, a member of the State Bar of Michigan, who is a professor at Florida A&M University College of Law, has taught in both the “bricks and mortar” and virtual environments. Although she believes that



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example in the online trial advocacy course, in addition to written work, students submit videotapes of their trial performances for critique and assessment. Concord Law School has also added a Legal Education Experience Program, which is a nationwide clinical/internship program. Students are placed for internships in lawyers' and judges' offices.

While the online environment may not be for everyone, it is fast growing in popularity. *A Journal of Higher Education* report says that 96 percent of U.S. colleges today offer online

education, compared to 3 percent in 1990. It has also been estimated by the Sloan Foundation—a New York-based philanthropic organization that funds many online education projects and runs its own Internet-based courses, that “three million students across the nation are earning their degrees online and that the registration for online education is growing at a rate of 20 percent annually.”

Concord Law School graduated its first class of 12 students in November last year and Dr. Roberto Lee was one of the graduates.

Dr. Lee, who will be taking the California Bar Exam in February 2003, believes that the education that he got from Concord is at least equal to what students get at the top law schools and it is much cheaper. He spent a total of \$20,000 over the course of four years, compared to four times that amount that he had to pay [individually] for his son and daughter, who are also lawyers. Current Concord fees are \$7,000 per year for 22 to 24 credit hours. “I was able to use what I learned [at Concord] in my dealings with my patients and the hospital,” Dr Lee said. “In fact, when I recently got a partner for my [medical] practice I did not have to spend a legal fee. I negotiated the contract and it already paid for what I did.” ♦

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