



**NEW YORK CITY BAR ASSOCIATION
COMMITTEE ON FAMILY COURT AND FAMILY LAW**

**SURVEY OF FAMILY LAW CURRICULA IN
NEW YORK CITY AND LONG ISLAND LAW SCHOOLS**

January 2010

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ACKNOWLEDGEMENTS

The Committee on Family Court and Family Law of the New York City Bar Association extends its sincere thanks to all of the law schools that participated in our Family Law Curricula survey. They are Benjamin N. Cardozo School of Law, Yeshiva University, Columbia University School of Law, the City University of New York (CUNY) School of Law, Fordham University School of Law, Hofstra University School of Law, New York University School of Law, New York Law School, St. John's University School of Law, and Jacob D. Fuchsberg Law Center, Touro College. Their responses formed the basis of this report.

We thank all members of the Family Court and Family Law Committee, with special recognition to Judith Moran, who chaired the subcommittee that spearheaded the completion of this project, along with subcommittee members Stephanie Gendell and the Honorable Gerald Lebovits. Additionally, we thank Lisa Bagley and Karen Fisher Gutheil. We also thank the following for their editorial comments and assistance with the formulation of the survey instrument: Barbara A. Babb, Associate Professor of Law and Director, Center for Families, Children and the Courts, University of Baltimore School of Law, Jane C. Murphy, Associate Dean for Academic Affairs and Professor of Law, University of Baltimore School of Law and Andrew Schepard, Professor of Law and Director, Center for Children, Families and the Law, Hofstra University School of Law.

INTRODUCTION

This report summarizes the findings of a survey entitled, *Survey of Family Law*¹ *Curricula in New York City Law Schools*, which was conducted by the New York City Bar Association Committee on Family Court and Family Law in the spring of 2008.² Nine New York City and Long Island law schools participated: Benjamin N. Cardozo School of Law, Yeshiva University, Columbia University School of Law, the City University of New York (CUNY) School of Law, Fordham University School of Law, Hofstra University School of Law, New York University School of Law, New York Law School, St. John's University School of Law, and Jacob D. Fuchsberg Law Center, Touro College. The survey was undertaken as a follow-up to the Family Law Education Reform (FLER) Project Final Report (Final Report) published in the *Family Court Review*.³ The FLER Project was co-sponsored by the Association of Family and Conciliation Courts (AFCC) and the Center for Children, Families and the Law, Hofstra University School of Law.

The FLER Project was launched in 2004 by a group of concerned family law professionals who wanted to improve the education and preparation of law students for the real-world imperatives of family law practice. This desire to assist law schools in enhancing their family law curriculum spawned a series of discussions among experts from a variety of disciplines—lawyers, judges, mediators, psychologists, social workers, court administrators, and

¹ See Barbara A. Babb & Judith D. Moran, *Substance Abuse, Families and Unified Family Courts: The Creation of a Caring Justice System* 3. J. HEALTH CARE L. & POL'Y 1, 2 note 1 (1999) (defining family law as “cases involving divorce, annulment, and property distribution; child custody and visitation; alimony and child support; paternity, adoption and termination of parental rights; juvenile causes (juvenile delinquency, child abuse, and child neglect); domestic violence; criminal nonsupport; name change; guardianship of minors and disabled persons; and withholding or withdrawal of life-sustaining medical procedures, involuntary admissions, and emergency evaluations”).

² See Survey Instrument, Appendix I.

³ Mary E. O'Connell & Herbie DiFonzo, *The Family Law Education Reform Project Final Report*, 44 FAM. CT. REV. 524 (2006).

law professors—about what a law school graduate who intended to enter family law practice should know. The Final Report described the consensus reached by the participants: “What emerged [from those discussions] was a strongly shared sense that family law as it is presently taught in many American law schools bears only an attenuated relation to the family law that affects real people, the courts, and our larger society every day.”⁴ Because the experts’ consensus was that family law curriculum reform was necessary, the mission of the project conveners became clear; to gather and analyze descriptive data from law schools across the nation about the nature of family law courses. The data summarized in the Final Report⁵ attempted to:

“-Describe the divergence between family law in the classroom and family law in the courtroom, lawyer’s office, conference room, and home;

-Outline and elaborate upon the areas that a family law curriculum should cover if its goal is to prepare students who are well versed in the law, sensitive to legal context, and competent to serve their clients in an ethical manner.”⁶

In 2006, the New York City Bar Association Committee on Family Court and Family Law hosted a panel discussion of law professors from several local law schools.⁷ The discussion highlighted the gaps in family law pedagogy and the corresponding need for curriculum reform. Additionally, panelists noted their concerns about how best to ensure an ongoing supply of law graduates were being prepared for family law practice so as to meet the growing demands for legal representation in the family law arena.

Among the many recommendations contained in the Final Report and one that was underscored during the panel discussion, was “how law schools, the courts, professional

⁴ *Id.* at 525.

⁵ *See id.*

⁶ *Id.* at 526.

⁷ The panel was comprised of Professor Christine Gottlieb, New York University School of Law, Professor Andrew Schepard, Hofstra University School of Law and Hon. Stella Schindler (Adjunct Professor), New York Law School.

associations and others might work together to bring new directions and new emphases to family law teaching.”⁸ In light of the New York City Bar’s capacity to call attention to important issues facing the legal profession in New York City, and given the Committee’s interest in promoting and facilitating family law as a career objective, Committee members expressed a keen interest in using the City Bar to advance family law curriculum reform and the pursuit of careers in family law. As a means to this end, the Committee determined that it would undertake a survey of local law schools to discover whether and to what extent the recommendations of the Final Report⁹ had been implemented in New York City and Long Island law schools. In addition, the Committee hoped to learn whether careers in family law were supported beyond specific curricular offerings—specifically through scholarly activities, financial aid and mentoring.

With this research agenda in mind, the Committee embarked on developing a survey instrument, which is appended to this report.¹⁰ The document is organized according to three main topic areas: Family Law Courses,¹¹ Family Law Scholarship, and Family Law Mentoring and Financial Aid. The Family Law Courses section is further divided to include contextual issues identified in the Final Report as having a bearing on how best to reform a law school’s family law curricula. The subdivisions under the Family Law Courses section relate to the following course content areas: Alternative Dispute Resolution (ADR), unrepresented litigants,

⁸ *Id.* at 531.

⁹ *See id.* at 547 (enumerating the following: “1. Refocus the teaching of legal content to emphasize vital (and understressed) areas, especially intimate partner violence and child maltreatment 2. Incorporate discussions of legal policy, cultural diversity and international and comparative law into family law classes 3. Focus on financial issues and help students to develop skills in basic financial counseling 4. Foster professionalism, stressing both ethics and civility 5. Prepare students for the impact of the pro se explosion on the family courts 6. Prepare students to educate the public about the family law system 7. Teach students to be active listeners, to handle emotional content, to set professional boundaries, and manage cases and their law offices effectively. 8. Teach students about lawyer self-care 9. Increase efforts to recruit students who want to practice family law 10. Implement family law certification and focus programs”).

¹⁰ *See* Survey Instrument *supra* note 1.

¹¹ Courses listed include only those courses that have been offered within the past two years.

domestic violence, attorney conduct in the family law context, family law practice skills, family law reform, family court structures and processes, clinical law courses and other practice-based pedagogy, special training for representing children in child maltreatment matters, and cultural competency.

The section on Family Law Scholarship queries how scholarship is encouraged, whether the law school sponsors a family law-focused publication, and what other activities are directed toward scholarly endeavors in the family law arena.

The section devoted to Family Law Mentoring and Financial Aid attempts to elicit information about specific opportunities available to students interested in family law with respect to intern/externship programs and paid employment. It also inquires about specific financial aid prospects available to students with family law career goals.

The survey was distributed to the Deans of ten New York City and Long Island law schools.¹² As noted above, nine schools completed and returned the survey document. In the sections of this report that follow, we will describe the survey results from both a quantitative and qualitative perspective. The quantitative results stem from an SPSS analysis and are limited to findings related to family law course offering queries on page one through question 10 on page two of the survey document.¹³

In issuing this report, we seek to identify how New York law schools should engage the discipline of family law. We do not seek a reallocation of resources from other disciplines. We hope by this survey to show what the area's law schools are doing for law students to introduce them to this important field and aid their ability to pursue it.

¹² Brooklyn Law School did not complete the survey.

¹³ See Survey Instrument, *supra* note 1.

I. Family Law Courses

A. Participation in Family Law Education

Of the nine respondent institutions, all of them offer at least one family law-related course. The percentage of students studying family law in New York law schools, however, varies significantly among the six institutions that reported data for this particular survey query. Between 17 percent and 100 percent of students at the six respondent institutions¹⁴ (Fordham University School of Law, New York Law School, New York University School of Law, St. John's University School of Law, Jacob Fuchsberg Law Center, Touro College, and CUNY) enrolled in a family law course in the 2007-2008 academic year. The school reporting 100 percent participation¹⁵ requires all of its law students to take the introductory family law course, accounting for the school's total participation in basic family law studies.

Among the same group of respondent institutions, fewer students enrolled in more than one family law course during their law school career. The rate of participation in more than one family law course ranges from 1.5 percent to 65 percent, although among the schools below the 65 percent enrollment rate, the highest percentage of students taking multiple family law courses was 8.4 percent.¹⁶

B. Family Law Course Content

Among the many issues it addressed, the FLER Report concerned itself with the relevancy of family law course content in light of emerging trends in real-world family law issues. As a consequence, the survey sought particular information relating to the inclusion of

¹⁴ The data is qualified by distinguishing between "respondents" (schools that supplied answers to the specific query) from "survey participants" or "schools represented" (those schools that participated in the survey answering some but not all survey questions).

¹⁵ CUNY Law School requires all students to complete an introductory family law course.

¹⁶ The mean percent of students taking more than one family law class was 14.6% and the median was 5%.

specified family law topics in the family law courses taught at each institution surveyed. These topic areas included: ADR, self-represented litigants, domestic violence, attorney conduct, practice skills, family law reform, family court structures and processes, specific clinical opportunities, training for child dependency representation, and cultural competency.

Of these topics, clinical opportunities, including court appearances and exposure to family court judges and practitioners, is the most frequent among the topical areas addressed in family law courses—100 percent of the survey schools offer clinical opportunities. Next in frequency are the following areas of focus: domestic violence, attorney conduct, practice skills including specific training for representing children in child welfare matters, and cultural competency. These topics are covered by 89 percent of the schools represented.¹⁷ Family law reform, family court structures and processes, and ADR are addressed by 78 percent of the participating schools, while fewer (56 percent) included attention to the issues relating to self-represented litigants in the curricular offerings. More than half of the respondents acknowledge that they have plans to expand family law course options.

C. Frequency of Course Offerings

The researchers determined that a related issue to course content is the frequency with which family law related courses are offered. The data developed from researching this issue is divided among three descriptive categories: (1) Introductory Family Law, (2) Clinical Family Law, (3) Other Family Law Topics, and is based on an annual schedule (two semesters). Basic or introductory family law courses are offered during both semesters at slightly more than half of the participating schools (56%), while four out of the nine schools (44%) surveyed offer the

¹⁷ The data is qualified by distinguishing between “respondents” (schools that supplied answers to the specific query) from “survey participants” or “schools represented” (those schools that participated in the survey answering some but not all survey questions).

course one semester per year. Clinically-based family law courses range in frequency among the participating schools from one semester-long course a year to three clinical semester-long courses offered during both semesters. Under the “Other Family Law Topics” area, course offerings range from one to thirteen courses. Among the respondents, three schools provide one “other” family law course a year, one school offers three “other” courses annually, four schools offer four additional family law courses, and one school is distinguished by its thirteen-course roster of family law curricular options (separate and apart from the introductory course and clinical options).¹⁸

D. Student Enrollment

The number of students enrolled in family law courses across the schools surveyed is relatively small. For example, students enrolled in an introductory family law course account for fewer than ten percent of the average number of students¹⁹ attending an entire law school among the respondent group.²⁰ Clinical courses and other courses account for far fewer enrollees; the average number of students in family law-related clinical courses is 23 and the average number of students enrolled in other family law-related courses is 60.²¹

As noted above, one school (CUNY) requires all students to take a basic family law course. Of the remaining eight respondent schools, New York Law School has the highest percentage of students enrolled in a family law course (53 percent) and also the highest percentage of students taking more than one family law course (8.4 percent). As to the number of course offerings beyond the introductory level, Hofstra University School of Law leads the

¹⁸ Hofstra Law School

¹⁹ The average number of students enrolled in an introductory family law course is 90.

²⁰ The number of law students comprising the total law school population of the eight respondent schools ranged from 400 to 2167 (an average of 1190 in any one school).

²¹ Some schools did not provide student enrollment for courses being offered for the first time so the average could be slightly higher.

survey group and as a likely consequence also has the greatest number of students registered for family law courses (142).²²

E. Family Law Courses: School-by-School²³

Benjamin N. Cardozo School of Law:

- Family Court Clinic;
- Divorce Mediation;
- Domestic Violence;
- Sexual Orientation and the Law.

Columbia University School of Law:

- Child Advocacy Clinic;
- Child, Family and State;
- Domestic Violence and the Law;
- Race, Sex and Love;
- Topics in Jewish Law: Biomed Ethics;

CUNY School of Law

- Battered Women's Rights Clinic;
- New York Domestic Relations Law.

²² The number is likely not unduplicated: the same student could have taken more than one of the classes and so that person would be double counted on the roster for each class.

²³ This includes courses offered in the year predating the survey or were slated to be available the following year.

Fordham University School of Law

- CLN Externship: Integrative Law and Social Work Clinic;
- Family Advocacy Clinic and Fieldwork;
- Mediation Clinic Seminar and Fieldwork;
- Social Justice Clinic Seminar and Fieldwork;
- Sexuality and the Law;
- Women and the Law;
- Juvenile Justice Survey;
- Family Law Drafting;
- Interdisciplinary Approaches to Child Abuse and Neglect.

Hofstra University School of Law

- Child Advocacy Clinic;
- Matrimonial Externship;
- Mediation Clinic (PINS Mediation);
- Adoption and Family Formation;
- Child Abuse and Neglect;
- Domestic Violence Case;

- Domestic Violence Seminar;
- Family Court Review Seminar;
- Family Law with Skills;
- Interdisciplinary Seminar on Family Law Policy;
- International Family Law;
- Introduction to Child and Family Advocacy;
- Juvenile Justice;
- Matrimonial Law Drafting Skills;
- Matrimonial Externship;
- Matrimonial Law Trial Skills;
- Law's Response to Reproductive Technology;
- Modern Divorce Advocacy.

New York Law School

- Family Court Practice Seminar and Workshop;
- Anatomy of a New York State Divorce Action;
- Children and the Law;
- Domestic Violence and the Law;

-Juvenile Delinquency.

New York University School of Law

-Family Defense Clinic;

-Children's Rights Clinic;

-Child, Parent and State.

St. John's University School of Law

-Child Advocacy Clinic;

-Domestic Violence Clinic;

-Children and the Law.

Touro College, Jacob D. Fuchsberg Law Center

-Family Law Clinic;

-Family Law Practice Module;

-Child Welfare Seminar;

-Rights of Children.

II. Family Law Scholarship

Although the Final Report did not explicitly address the family law scholarship topic, the Committee's view is that scholarship in the family law arena is important to advance family law legal education and practice. An examination of the extent to which local law schools promote

and support faculty and student research, writing, and publication is therefore warranted. The Final Report does, however, identify issues that implicate the need to promote family law scholarship among law school faculty and students. First, the Final Report emphasizes the importance of incorporating policy and law reform issues in the family law curriculum. The report notes that, as the nature of family law has and continues to evolve significantly, it is important to engage students to investigate legal rules and practices to promote changes in family law legislation and family justice systems consistent with current social realities. Additionally, the report suggests that advocacy for change in this arena is often accomplished through published articles, academic conferences and other contexts that facilitate exchanging ideas.

Second, family law scholarship activities support specialization in the practice of law. As the Final Report authors observe, the issuance of the MacCrate Report in 1992²⁴ led to an acknowledgement of the necessity of subject matter expertise in legal practice. “[C]hanging law and new complexities have put an increasing premium on specialization to maintain competence and to keep abreast of subject matter.”²⁵ Academic and bar journals, conferences and symposiums focused on family law topics must be fueled by learned inquiry and analysis.

Third, scholastic endeavors such as research, writing, publishing, and facilitating academic conferences and symposiums highlight the subject area for students and attract students to family law-related courses of study. One of the FLER project’s aims is to generate a movement to increase law students’ exposure to family law with the hope that they will join the ranks of practicing lawyers, judges and policy makers in this area.

²⁴ American Bar Association Section on Legal Education and Admissions to the Bar, *Legal Education and Professional Development: An Educational Continuum, Report of the Task Force on Law Schools and the Profession: Narrowing the Gap* (1992) [hereinafter *MacCrate Report*].

²⁵ O’Connell & DiFonzo *supra* note 2 at 546(citing the *MacCrate Report*).

Lastly, nurturing the next generation of law professors who will take on the responsibility of educating family law students requires preparing law students to enter the legal academy as well as the legal practice arena. These would-be academics need guidance and opportunities to conduct research, formulate theses, and prepare written materials worthy of presentation at colloquiums and publication in academic and professional journals.

A review of the responses from the law schools surveyed indicates a range of commitments to and opportunities for family law scholarship activities among students and faculty. All nine law schools polled avow support for faculty and student scholarship activities. These family law-related undertakings include conferences, law school-sponsored and student-run journals and societies, student research and writing projects, published law journal and news articles, books, and other written materials authored by faculty members and students.

Specific mention of many of these activities was made in the survey responses and will be summarized in the following discussion.²⁶ For example, The Jacob D. Fuchsberg Law Center, Touro College, sponsored a day-long conference in the fall of 2008, entitled “Contextualizing Legal Education: MacCrate, Carnegie, Best Practices and Beyond.” The conference was devoted to an exploration of “how legal education is changing to reflect the best thinking of legal educators.”²⁷ Between 2000 and 2006, Fordham University School of Law professors published six articles on family law subjects in law reviews and one article in a special interest legal journal. St. John’s University School of Law’s Family Law Society has hosted events aimed at family law students and faculty and has recently underwritten two national symposiums on child welfare issues. New York University School of Law students

²⁶ Special mention of publications or conferences is made pursuant to what either was made explicit in the survey responses or what the authors of this report otherwise knew.

²⁷ *Touro Law Presents a One-Day Conference, Contextualizing Legal Education: MacCrate, Carnegie, Best Practices and Beyond*, N.Y.L.J., Sept. 23, 2008, at 2.

enrolled in the law school's Family Defense Clinic participated in researching and writing the City Bar's Committee on Family Court and Family Law's 2006 Report on Family Court Services.²⁸ New York Law School sponsors an annual conference on adoption law and Benjamin N. Cardozo School of Law's Program in Family Law Policy and Bioethics organizes lectures, conferences and workshops, including an annual named lecture series. Cardozo's students regularly publish the *Journal of Gender and the Law*, which features articles and notes related to family law issues. Hofstra University School of Law, in cooperation with the AFCC, sponsors the *Family Court Review*, also a student-run journal that publishes scholarly works by students, law professors and other professionals such as physicians, psychologists and social workers. The collaboration with AFCC includes an annual family law writing competition that garners submissions from national and international law schools. Two Hofstra law professors write the "Law and Children" column for the *New York Law Journal*, while students enrolled in the law school's L.L.M. program in family law are encouraged to submit theses for publication. CUNY School of Law promotes and supports student research by encouraging students to create independent study projects overseen by law school faculty members. All the journals published by Columbia University School of Law have, over time, published topical articles devoted to family law issues. More specifically, the school's *Journal of Law and Social Problems* recently published a symposium issue on family court reform, while the Law School sponsored two conferences on family law reform.

²⁸ See New York City Bar, Committee on Family Court and Family Law, Report on Family Court Services available at http://www.nycbar.org/pdf/report/FamilyCourt_CourtServicesReport.pdf.

III. Family Law Mentoring and Financial Aid

As noted above, the law professors' panel discussion that sparked the Committee's interest in exploring issues related to the teaching of family law in New York City and Long Island law schools included addressing a strategy to promote and support careers in family law. The need for practitioners in family law is evidenced by the ballooning family law caseloads reported by courts throughout the country.²⁹ These cases often involve individuals of limited means,³⁰ which translates into an increasing need for lawyers to work in public interest legal settings that provide low-cost legal representation to families. The salaries that young lawyers can expect in these arenas are modest. Accordingly, the issue is how best to promote interest in and support for pursuing a course of study in family law among the current and future crop of law students, in light of the realities of the high cost of legal education and the low salaries that family law aspirants can expect on entering the field of professional practice. The panelists were unanimous that these obstacles to entering the family law domain could be overcome by calling attention to the issue among practicing lawyers as well as law school faculty and administrators. They recommended increased efforts to provide mentoring to engender sustained interest in the field and financial aid to make possible a commitment to public interest careers in family law. Owing to the importance of these related issues—financial aid and mentoring—the Committee determined that it would be useful to include these areas in the survey.

²⁹ See Barbara A. Babb, *Reevaluating Where We Stand: A Comprehensive Survey of America's Family Justice Systems*, 46 FAM. CT. REV. 231 (2008) (providing data from several states that demonstrates "the significance and impact that family law cases occupy among states' trial court dockets.").

³⁰ See Babb & Moran *supra* note 1 (noting the prevalence of poverty among family court litigants in large urban jurisdictions).

A. Financial Aid

Although only one of the law schools surveyed, Hofstra University School of Law, has a specific financial aid package to underwrite family law internships,³¹ several survey responses indicate that public interest law scholarships and other aid grants are available to support students aspiring to family law careers. The Jacob D. Fuchsberg Law Center, Touro College, for example, has a number of general public interest law fellowships available to qualified students as well as paid summer internships. New York University School of Law students interested in careers in family law may avail themselves of funds earmarked for public interest law pursuits. Columbia University School of Law offers human rights-centered summer fellowships to students who have obtained placements with family law related organizations. Columbia's Loan Repayment Assistance Program (LRAP) has been significantly enhanced to "ensure that a career in public interest law is a choice that all students can embrace."³²

B. Mentoring

Mentoring opportunities for family law pursuits are universally available. Mentoring at the Jacob D. Fuchsberg Law Center, Touro College, is provided by the director of the school's family law clinic, who helps students to obtain externships and job placements. Fordham University School of Law provides mentoring to students in a variety of ways. The Family Advocacy Clinic enables students to experience the real world imperatives of family law practice under the tutelage of clinical law faculty. Guest lecturers from a variety of family law-related arenas are often invited to speak to Fordham students and provide a wealth of information about

³¹ The Child & Family Advocacy Fellowship Program provides scholarship assistance of \$ 10,000 per year as well as two summer stipends of \$ 7,500 per year to support summer internships at non-profit organizations serving children and families.

³² E-mail from Lynn Beller, Assistant Dean for Special Projects, Columbia University School of Law to Judith D. Moran (Jan. 13, 2009, 9:40 AM EST) (on file with the authors).

careers in family law. St. John's University School of Law facilitates numerous internships and externships with public interest law firms, family court judges, private law firms and other related venues. At New York University School of Law, career counselors have successfully placed students in a variety of family law internships and summer job placements. They have also assisted graduating students to obtain jobs in family law practice settings. The law school's Public Interest Law Center alumni network is a source of support to students seeking family law practice opportunities and the Center administers a paid internship for one student during the academic calendar at an organization that provides legal services to women in domestic violence and associated divorce proceedings.

Mentoring at New York Law School is largely achieved via the school's Elder Law Clinic and Urban Law Clinic, both of which handle a variety of family law cases. Additionally, the Family Court Seminar and Workshop provides eight to ten students each year with entrees into family law-related practice opportunities. In addition to dedicated funding for family law fellowships, Hofstra University School of Law provides mentoring through the Matrimonial Externship program, which offers placements with judges and practitioners, while the Family Law Program Coordinator is available to counsel students about jobs, coursework and practice issues. As is the case in other law schools, guest speakers such as judges and attorneys help promote interest in the field and link students to professional opportunities. The Benjamin N. Cardozo School of Law Program in Family Law, Bioethics and Policy Advisory Board is a source of networking and mentoring prospects, while family law faculty members also mentor students. CUNY Law School reported numerous internship and job placement options in such venues as New York City Family Court, legal services providers, non-profit organizations providing family law representation, public interest law firms, as well as placements in public

interest legal endeavors in other states. Lastly, Columbia University School of Law noted that its five full-time family law faculty and several adjunct faculty act as mentors to students by assisting them in career planning and overseeing independent study projects.

CONCLUSION

The survey results demonstrate that New York City and Long Island law schools provide a variable menu of curricular opportunities to study family law. All the participating schools offer an introductory family law course and at least one course that focuses on clinical practice. The clinical courses cover a range of specialty areas that encompass mediation, child advocacy, adoption, and domestic violence among others. The range of substantive family law course options, in addition to an introductory family law course, consists of at least one “other” family law course (three schools)³³ and, in most cases, three or more special-topic family law courses are available.³⁴ Moreover, introductory courses are offered with a reliable degree of frequency—approximately half of the respondent schools make an introductory family law course available at least once a year. Clinical law courses and other specialty courses, however, are offered less frequently. With the exception of the one school that requires an introductory family law course,³⁵ overall enrollment in family law courses is relatively low. Predictably, the law school with the greatest number of family law courses also reports the highest student enrollment census in family law areas of study.³⁶ Although a robust family law curricula may relate to developing and encouraging student interest in family law, it might also be important to develop that interest in pre-law students, in hopes of creating further demand for these courses in law schools.

It appears from the survey results that the local law schools have made strong contributions to family law scholarship. Law professors have written articles in numerous scholarly journals devoted to family law and its many facets, some law schools publish specific

³³ St. John's, NYU and CUNY.

³⁴ CUNY does not offer any substantive family law courses.

³⁵ CUNY.

³⁶ Hofstra.

family law-focused journals to which students contribute, and several schools have sponsored conferences drawing a wide-reaching audience of scholars and practitioners.

In the realm of financial aid, there is a notable lack of specific financial support for family law students, with the exception of Hofstra University School of Law's Child and Family Advocacy Fellowship Program. Several schools, however, use general public interest grants to help family law-focused students pay for their legal educations. Some of these grants support summer practice-based endeavors, while others defray loan indebtedness if a student obtains full-time work in the public interest legal sector after graduation. Mentoring opportunities, on the other hand, are abundantly available in the form of contact with law professors who offer career advice and oversee independent study projects, public interest law practice placements including legal services providers and other non-profit organizations providing such services, family court judicial internships, and public interest and private law firm internships.

In sum, New York City and Long Island law schools are making substantive attempts to provide family law education to address the changing landscape of family law, encourage and enable students, through financial aid, to pursue this field of study and relate to recommendations enumerated in the FLER report. These recommendations include an increased curricular focus on legal issues related to domestic violence and child maltreatment, the impact of increasing numbers of pro se clients, and practice issues including basic financial counseling, the structure and function of the current family law system, interdisciplinary practice, and cultural competency, to name a few. They also include an increased focus on recruitment and support for family law careers.

However, the current efforts by the law schools, while commendable, are not available to the same extent in each school. Although the Committee recognizes and applauds these efforts, it recommends that *all* New York City and Long Island law schools consider ways to introduce or expose students to become family law practitioners, to respond to the increasing demand for legal services to meet the myriad needs of family law litigants. Specifically, the Committee suggests the following steps:

1. Engage in law student recruiting initiatives specifically targeted to promote interest in family law careers.
2. Engage in development efforts to bolster financial aid and mentoring opportunities for family law-focused students.
3. Encourage members of the New York City Bar Association's family law-related committees to serve as mentors and guest speakers to provide insight and encouragement to law students interested in family law careers.
4. Continue to enhance family law curriculums by revamping existing courses consistent with the exigencies of the current family law landscape and by adding courses as necessary to address gaps in pedagogy in this area.
5. Convene academic symposiums and other colloquiums to facilitate interest in the numerous issues facing family educators, judges, practitioners and service providers, and to increase the impact of these issues on communities, families and the justice system.

The New York City Bar Association Committee on Family Court and Family Law is most grateful for the cooperation of the participating law schools in providing information about

the breadth and depth of opportunities made available to law students to educate them about substantive family law issues and the realities of family law practice, as well as to furnish them with avenues to conduct research, publish articles and papers, network with practitioners and judges, and minimize the costs incurred in attending law school. We hope that this report will further the FLER agenda and lead to an action plan based upon recommendations noted herein, in the FLER Final Report. We look forward to participating in the continuing conversation among legal academics, practitioners, judges and service providers devoted to improving the family justice system through enhanced legal education.

APPENDIX

**New York City Bar Association
Committee on Family Court and Family Law**

Survey of the Family Law Curricula in New York City Law Schools

Name of Institution: _____
 Contact Person/Title: _____
 Contact Information (email and telephone): _____
 Date: _____

I Family Law¹ Courses and Materials (include courses and seminars taught by full-time faculty as well as adjuncts)

| Course Title | Date of Last Offering | Frequency of Offering | Avg. No. of Students Enrolled Annually | Title of Textbook, Other Materials |
|---------------------|------------------------------|------------------------------|-----------------------------------------------|-------------------------------------------|
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Indicate the total number of students enrolled in your Law School_____.

1. What percentage of the student body takes a family law course before graduation?_____.
2. What percentage takes more than one family law course?_____.

Indicate whether the following content areas are covered in family law course offerings:

1. ADR²: yes____no____. If yes, list course title_____.

¹ Family law in this survey means divorce, annulment, and property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile matters (delinquency, child abuse and child neglect); domestic violence; criminal non-support; guardianship of minors and disabled persons; and withholding or withdrawal of life-sustaining medical procedures, involuntary admissions, and emergency evaluations.

² ADR includes mediation and other forms of non-litigious dispute resolution used in the family law context.

2. Issues related to self-represented family law litigants, e.g. rate of occurrence, pro se assistance initiatives, impact on the court system: yes____no____. If yes, list course title_____.
3. Domestic violence: yes____no____. If yes, list course title_____.
4. Attorney conduct in the family law context, e.g. family law ethics, civility, professional responsibility: yes____no____. If yes, list course title_____.
5. Practice skills taught in a family law context, e.g. active listening, crisis counseling, negotiation, financial, pension, direct and cross examination of court appointed expert witnesses, representation in mediation, collaborative law and health insurance counseling: yes____no____. If yes, list course title and indicate the skill(s) included_____.
6. Family law reform initiatives, e.g. court reform, policy/ law reform: yes____no____. If yes, list course title_____.
7. Family court structures and court processes, e.g. Unified Family Courts, therapeutic jurisprudence, problem solving courts, interdisciplinary practice, case coordination and case management: yes____no____. If yes, list course title_____.
8. Clinical law opportunities for students in the family law area (include law clinics and other policy/practice opportunities)?

Are students exposed to family court judges and practicing attorneys, e.g. do students attend court sessions and report on their observations, do judges/practicing lawyers serve as guest lecturers or adjunct professors (describe briefly) ?

Are students exposed to other professionals in the family law system, e.g. social workers, psychologists, mediators and financial planners (describe briefly)?

9. Training for representing children in child maltreatment matters e.g. manifestations of child abuse and neglect, interdisciplinary practice: yes____no____. If yes, indicate the course title_____.
10. Cultural competency, e.g. economic, social, racial, ethnic factors and their impact on family law practice: yes____no____. If yes, list course title_____.

Do you have any plans to expand your family law course offerings in the near future? If yes, indicate the course title and a brief description of the course content.

II Family Law Scholarship

- A. How is family law scholarship encouraged in your institution? Is there a journal or other publication devoted to topics in family law? If so, identify the name(s) and frequency of publications, and other relevant activities to promote family law scholarship.

III Family Law Mentoring and Financial Aid

- A. What family law related mentoring opportunities are available to students interested in family law, particularly in the area of internship and job placement? (describe briefly)
- B. Is any financial aid specifically designated for aspiring family law attorneys, e.g. specific scholarships, paid internships? (describe briefly)