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Rodney Smolla: Running a New Play PROFILE

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Rodney Smolla

Yale University recruited Rodney Smolla for football, and he credits athletics for developing his character and discipline. Smolla, 56, says lessons from the gridiron—“self-confidence, focus and a willingness to work hard for something you believe in”—also contributed to his boldness in trying new things.

Today, as dean of Washington & Lee University School of Law in Lexington, Va., Smolla is trying something very bold: rushing this fall’s 3Ls out of the classroom so they can tackle the rough and tumble of law practice.



It’s the school’s response to a major complaint from new lawyers, the firms that hire them and the clients of those firms—that law schools don’t teach their students how to practice law.

Washington & Lee is eliminating traditional third-year academic coursework altogether. The year is now wholly experiential, using simulated or real-work situations to teach students how to deal with clients, opposing counsel and judges. Training new lawyers will now be a “shared enterprise” between Washington and Lee and the firms that hire its graduates, Smolla says.

“We thought we were superb at teaching students to think like lawyers. But to be like lawyers? We were only scratching the surface,” he says. “Extremely bright students had very little sense of the complexities of client counseling, of working with opposing counsel—and they had no sense of judgment.”

Washington & Lee’s program promises a heavy emphasis on professionalism, including ethics, civility in practice, civic engagement and pro bono service. For the next two years, the revamped curriculum will be voluntary. Still, more than 50 percent of the 3Ls signed up—testament, perhaps, to the outdated nature of traditional coursework as well as student willingness to try something new in



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challenging times.

Mary Natkin, assistant dean for clinical education and public service, says, “Having [students] work with the same clients across various points in the representation has allowed for true reflection on their roles and on the skills they are utilizing to work through their disputes. As an example, drafting a complaint or an answer has forced them to think back through their interviews and fact investigations.”

Entirely Smolla’s brainchild, the idea for the program came to him “in a flash, in the adrenaline rush of the new position as dean,” he recalls. Though he has been dean for only two years, Smolla says, “I had been brooding for years about the distance between law schools and the profession, and what we should do about this gulf.”

Once he figured it out, Smolla embarked on something akin to a political campaign because it was such a radical departure. “But the idea caught on because its time had come,” says Smolla, who adds that he “encouraged others to design the details.”

Hear Dean Natkin and WLU 3Ls talk about the school's new skills-based program.

Michele Smolla sums up her husband this way: “Rod turns ideas into action. He’s not just a visionary with a vision; he’s a consensus-builder who has a knack for inspiring others to join in his vision and turn creative ideas into real programs.”

News of the innovative curriculum resulted in a “remarkable admissions year,” with applications up 33 percent. Smolla says there’s no other explanation for the spike. (*U.S. News & World Report* recently ranked Washington and Lee 30th among law schools.) It’s also served as a faculty recruiting tool: “It gave us an identity and it was a magnet to a number of people.”

“The amazing part of the program so far,” Natkin says, “has been how enthusiastic and committed the students have been to the process and the work. They make me want to be a better teacher, and I am learning as much as they are.”

Smolla hopes his contribution to “the pace of change” encourages other law schools to overhaul their programs. “We’ve given schools permission to be more creative in their thinking.”

Creativity is something highly valued by Smolla’s family, which he describes as

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large and blue-collar. “Most people think of me as creative, and it runs in my family. My siblings are all musicians and creative people,” says Chicago-raised Smolla, who describes his younger self as “an all-around kid.” He served as senior class president in high school and captain of the football team at Yale, then graduated first in his Duke law school class.

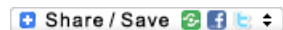
As dean, Smolla still dresses like a practicing lawyer. “On a university campus, I stick out as one of the suits,” he quips. He views his office as a public space “suitable for company at any moment,” keeping it strictly neat. But on weekends, Smolla sports sweatpants and T-shirts, harkening back to his athletic days. (He still plays racquetball and tennis.)

Smolla has written plays and scholarly books that, he says, “read more like novels.” A First Amendment scholar, he also blogs for the [Huffington Post](#) and has written for Slate. But his current project has him very excited.

“It’s a really bold experiment,” Smolla concedes. “We’re going to do everything to give them the greatest third year anyone’s ever had in law school.”

More from WLU law students talking about the two-week skill immersion program [here on the school's YouTube channel](#).

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1. Posted by HuskerGrad - 4 months, 3 days, 18 hours, 9 minutes ago

Experiment, maybe at his school. However, the University of Nebraska College of Law has had a civil clinical program, and the UMKC School of Law has had a tax clinic program for a long time.

2. Posted by W&L alum - 4 months, 3 days, 14 hours, 33 minutes ago

HuskerGrad: W&L has had many clinical programs as does most if not all law schools. The point is that ALL the classes are now going to be application. Not just a tax clinic, or a death penalty clinic. Going into the third year is now like entering the job market with actual skills instead of mere academic learning.

3. Posted by drd - 4 months, 2 days, 9 hours, 25 minutes ago

law readers in virginia have the opportunity to combine academics with actual skills during 3 years of studies to complete the law reading program. law students usually need a year or two of practical experience to catch up.

4. Posted by JW - 2 months, 1 week, 1 day, 14 hours, 41 minutes ago

W&L is doing some great things, and Dean Smolla is to be commended. A real trendsetter on this front, as well, is Elon University School of Law in Greensboro—Their whole law school career—not just 3rd year—has a leadership focus. Two aspects warrant particular mention—Elon’s Preceptor program, through which each 1st year student is paired with a practicing attorney who takes them along on depositions, mediations, to the courthouse, and is generally available to the student as a mentor. Second, the students’ favorite part of the leadership curriculum is the January term for second years, in which the students form “law firms” and take on

a pro bono legal project for a local non-profit. Last year, for example, one group researched and advised a development corporation seeking to improve conditions in an underserved area of town.

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