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**Building Civic Responsibility
Within Higher Education**

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Civitas & the Professional School: A Look at the Civic Responsibility of Higher Education

david k trevaskis morris jenkins

Bob and Li glared at each other across the table. Harsh words and a hallway scuffle were still fresh in the minds of these two students. Assigned at random to share a locker, Bob and Li developed a friendship over time that worked for both of them. Bob liked Li's humor, and it didn't hurt that Li was great in science, Bob's worst subject. Li enjoyed the attention of the football hero, and it didn't hurt that Bob let Li borrow his books. Yet, just a few minutes ago, all of the good will between the high school seniors gave way to a near brawl before Mr. Catina, the football coach, intervened. Bob had confronted Li over a missing math book.

The challenge, "Where's my book? I can't find it in the mess you've made of our locker," escalated into a pushing match right after Li questioned Bob's need for any books since he was "a stupid jock." Now the two students sat before Mrs. Sagan, an assistant principal known for her toughness. Bob and Li knew the rules. Fighting meant suspension and suspension could mean other things, from being grounded to losing a scholarship. But Mrs. Sagan began telling them about an alternative to suspension.

"We have a new program called peer mediation here at Artemus Carter High School. If you both agree to meet with two of your fellow students who have trained as mediators to try to work out your problems, I won't suspend you for this fight." Li asked what mediation meant. Bob agreed even before hearing the explanation because anything was better than suspension. When Mrs.

Sagan explained that mediation involves neutral third parties who assist people in trying to resolve their problems with the consent of all parties, Li also agreed.

This scene is not from a new television series on life in an urban high school. Rather, it is one from an ongoing course where a group of students in the Penn's Connection program, a small learning community for older students who have had little school success, are learning about the law, citizenship, and non-violent means of conflict resolution. Lawyers, law students, and pre-law students teach in this multi-faceted partnership² under the auspices of the Law, Education and Participation Project of the Temple University School of Law (Temple-LEAP). The Penn's Connection program highlights how higher education can fulfill its civic responsibility and have a positive effect on the life of the larger community.

Temple-LEAP³ promotes law-related and civic education (LRCE), teaching students of all ages about the law and the rights and responsibilities of citizenship. Given the fundamental place of law in our society, every citizen needs to know how legal and political systems function, how the law affects them, and how to influence the law. Participation of professionals and pre-professionals in LRCE activities is essential for success where success is measured by the development of positive attitudes towards and active involvement in

society. Learning about the law with the involvement of law and justice professionals and pre-professionals will increase young people's self-esteem and promote a more favorable attitude towards adults in positions of authority and towards society as a whole. Students are engaged in activities such as mock trials and mediation showcases that require authentic skills transferable to real life situations. Professionals and pre-professionals involved in LRCE programs thus render important pro bono service. However, the most significant service (both quantitatively and qualitatively) is provided by the pre-professional, higher education students, staff, and faculty. Higher education can provide quantitatively more LRCE service than practicing professionals in such pro bono endeavors because the professionals' service is necessarily limited by the economic demands of his or her work. Pre-professional students generally have more time to devote to such efforts. A pre-professional student in an LRCE-focused, service-learning setting has an obvious incentive to give more time since the service is intimately tied to education. Higher education can provide qualitatively better LRCE service than practicing professionals because the service is tied to the curriculum through service-learning which allows for prior training, practice, and reflection unavailable to the professional. Thus, the service-learning process offers the pre-professional student more complete training in law-related and civic education than other volunteers receive by combining academic and real-life experience so important to the student's education but already part of the professional's daily activity. The professional's role as an outside resource supporting the LRCE teaching provides important service essential to a successful program, but the role of higher education in such service is potentially even greater.

Higher education's role in the pro

bono Penn's Connection project is central. The pre-professional undergraduate and law school students, under the direction of higher education faculty and staff, share with the Penn's Connection teachers the primary responsibility for making the program work on a day-to-day basis. The pre-professional students plan the classes using materials and strategies presented to them in their own classes. They practice the lessons prior to teaching and reflect on the successes and opportunities of each experience afterwards. The philosophy guiding the entire range of Temple-LEAP activities⁴, including the Penn's Connection collaboration, is that institutions of higher education have a civic responsibility to inculcate a sense of public service among students and that the best way to do that is through LRCE service-learning experiences. Public service is an integral aspect of the legal profession. The American Bar Association asks lawyers to perform 50 hours of pro bono work annually.⁵ Numerous law schools have public service programs to provide structured pro bono experiences, some mandatory and some voluntary, for law students.⁶ Many pre-law programs also incorporate a service element.⁷

Penn's Connection students receive LRCE instruction once a week in a two-hour class that meets at Temple University Law School. Pre-law and law students, assisted by law and justice professionals, work through interactive lessons with high school youth. Temple-LEAP staff attorneys, supported by the Philadelphia Bar Association, use the Penn's Connection class as a lab for their clinical course that trains third-year law students to teach LRCE. Pennsylvania State University faculty use the class as a field experience for undergraduate students learning basic legal theory in an administration of justice/sociology course, Law and Society, at the Abington-Ogontz campus.



Kevin and Rory looked at Bob and Li and at each other. The mediation was going smoothly. The earlier hostility between the two disputants disappeared as Bob and Li both told their side of what happened. The mediators summarized each disputant's story and asked Bob and Li to talk about the underlying problem. Rory asked Bob and Li to brainstorm ideas for how to resolve their dispute. Kevin listed all of the suggestions, then asked Bob and Li to evaluate which solutions might work and to see if they could agree on any solutions.

"Well," Bob said, "Li could ask me before taking my books."

"And Bob could ask if I took the book instead of assuming I did," Li responded.

"What about cleaning up the locker?" Bob questioned.

"You keep the locker clean and I'll keep helping you with math," Li replied.

There are obvious educational benefits that law and pre-law students receive by teaching about concepts that they are themselves in school to learn. One Penn State administration of justice senior stated "...after participating in the program at Temple Law School, I felt more comfortable in my criminal justice courses. In fact, my grades improved for the semester. Also, working with the law students made me feel more relaxed at my LSAT." That is just the tip of the iceberg. Substantive LRCE teaching also educates young people — both the law and pre-law students teaching the classes and the youth being taught — about the law and citizenship and enables them to become active participants in our constitutional democracy. Equally important, the post-secondary students develop an appreciation for service while modeling that service ethic for the youth in their classes.

"I saw the students in my LEAP class become committed to our system of justice as they learned about their legal rights and obligations, even as we talked about

the flaws in the system," one Temple third-year student noted. "The young people saw our classes as a way to bridge the gap as they became empowered to resolve issues peacefully without violence. I saw how important and positive a role I can play in the community. It wouldn't surprise me at all if one day a Penn's Connection student gets to teach this class, either as a Penn State undergraduate or as a Temple Law student."

There remains debate on campuses today about the real duty of higher education. Some may argue that Penn State does enough if it prepares its students well enough to get into Temple Law School. Concomitantly, these same people might argue that Temple Law School fulfills its mission if its graduates are hired as practicing attorneys. Law and pre-law students involved in the Penn's Connection collaboration disagree. These students believe that the purpose of higher education is broader than preparing individuals for a profession. The experience of law and pre-law students is that service-learning provides opportunities for professional achievement over and above merely establishing professional qualifications.

"With there being such fierce competition to get into law school today, my experience with the Penn's Connection students gives me something special to write about in my law school application," a Penn State junior explained.

"Did you learn anything by watching Bob and Li mediate their dispute?" the law student asked. A showing of hands led to a discussion about the differences between mediation and adjudication.

"In mediation, we get to decide what to do," one youth declared. Another added, "If they work it out by themselves, they won't have to fight it out later on."

"We should use this in the neighborhood," a third young person stated. "So many people are killing each other over

stupid things...it'd be nice if people could just get along like Rodney King said."

"You might be interested to know that there are a number of neighborhood mediation programs in Philadelphia, but none near your school," a Penn State student shared. "If you're interested in starting a program, we can help you get it going. Think about it for next class."

The Penn State and Temple students began reflecting on what they observed. Much of the discussion focused on the idea about starting a mediation program in the neighborhood or at the school.

"We can conduct a survey to see what is already in place," the Temple Law student concluded. "Then we can share with the students how they might get involved in peer and community mediation."

The Penn State professor interjected, "Why don't you ask the students to conduct that survey? Start in the blue pages of the phone book then move on to developing a survey instrument. Just as we don't do your work for you, remember to let the students have the power to develop their own service-learning directions."

"I have met and worked with lawyers, judges, cops, legislators, and students of all ages through the Penn's Connection/Temple-LEAP program," a Temple Law graduating senior said. "I've made more contacts here than I did in all of the rest of my law school career! But I also feel like I did more good, too."

Postscript

At present, the plans for developing a mediation program through the Penn's Connection class are moving slowly forward. A survey of local resources was completed and shared with school and community leaders. The survey was cooperatively completed by the higher education and Penn's Connection students. A plan is being developed to train all of the Penn's Connection students more fully in the

skills of mediation with the goal of having the students present a mediation showcase highlighting this non-violent form of conflict resolution at a community center.

David K. Trevaskis is executive director of the Law, Education and Participation Project at Temple University School of Law.

Morris Jenkins is an assistant professor of administration of justice, Pennsylvania State University, Abington-Ogontz.

Notes

¹McMahon, Edward T., Zimmer, Judith A., Modglin, Terrence W. and O'Neil, Jean F., (1992) *Teens, Crime and the Community*, 2nd Edition, West Publishing Company: St. Paul, pp. 91-92.

²The model partnership involves Temple-LEAP staff attorneys, faculty, and law students from Temple Law School; faculty and students from the Administration of Justice Program at Pennsylvania State University, Abington-Ogontz campus; law and justice professionals from the Philadelphia area; and Penn Connection staff and students from William Penn High School in Philadelphia.

³LEAP LRCE activities have provided service-learning opportunities for hundreds of law students over the years. In 1995-96, 137 law students from Temple and the University of Pennsylvania Law Schools taught 2,600 students in 57 elementary and secondary schools in a program called PULSE (Philadelphia Urban Law Student Experience) which is completing a three-year grant from the Corporation for National Service.

⁴In addition to classes taught by law students, Temple-LEAP conducted short programs at over 100 sites, reaching nearly 10,000 educators, students, parents, community leaders, and law and justice professionals during the year. Those individuals train and teach in Pennsylvania and around the nation; consequently, more than 100,000 people annually are touched by the LRCE work of Temple-LEAP.

⁵Model Rules of Professional Conduct, Rule 6.1 (1993).

⁶Although there is a wide range in program structure since each institution defines pro bono for itself, recent American Bar Association Section on Legal Education surveys have shown over 100 law schools having public service programs.

⁷No comprehensive surveys of undergraduate pre-law program public service have been completed to date, but anecdotal information among pre-law advisors interviewed for this article suggests that public service with a pre-law focus is gaining widespread acceptance among undergraduate educators.