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The Opperman vision
A Pioneer in Practice

By Kristy Nied and Laura Quirk

Since 1972, thousands of Drake law students have served tens of thousands of clients, at no charge, in central Iowa.

Twenty-five years ago, it was little more than a concept, although one with an abundance of possibilities. If the people who needed legal advice the most couldn’t get to those who could help them, then those who could help would go to those in need. And if law students could benefit from the scenario by practicing in a real setting the theories they had learned in the classroom, so much the better.

Thus was the beginning of the Boone and Jasper County Legal Aid programs, the nation’s first rural legal clinics affiliated with a legal aid office.

It is a beginning that Steve Johnson, one of the program’s first student participants, remembers vividly. He remembers walking up 35 narrow, creaky steps in an old rustic building in Newton. He remembers an office so sparsely equipped that he hafted in his own typewriter so he could do his work. He remembers feeling slightly overwhelmed at the number of cases generated in just a few short months.

“We started from ground zero,” says Johnson, LW’74, a Jasper County attorney with a private practice in Newton. Still, he describes that first, hectic year as one of “quick exposure” that benefited him greatly when he began his own practice. “My clinical experience was one of the best things about Drake University’s Law School.”

The programs were developed by Dan Power, former director of Drake Legal Clinic. Ask him what clinical education means to law students and he has a quick and favorite reply.

“It’s one thing to load the gun, it’s another thing to fire it,” he says, explaining that while going to class teaches students the theory of law, the only way to be prepared for the real world is to have practiced in it.

Power grew up in a small town and knew the programs would be helpful to both the community and Drake students. By working with real clients with real problems, law students learn the ins and outs of interviews, negotiations, trial preparation and the art of listening. He describes the county and student-lawyer relationship as a win-win situation. “The client benefits, the student benefits, the system of justice benefits. There is not a negative there,” says Power, now director of the Law School’s Center for Public Service Attorneys.

Alan Schroeder, LW’74, supervising attorney for the Boone County Legal Aid Clinic, agrees. “(Boone County citizens) get very good legal representation at no cost to them, and they get to work with energetic and enthusiastic students,” he says.

Drake has set the pace for other law schools and clinics across the country. Its rural programs were in place before the 1974 formation of the National Legal Services Corporation in Washington, D.C., established to provide legal assistance and representation in civil cases to people who otherwise could not afford the services of an attorney. Clients must meet federal poverty guidelines to receive aid.

Power estimates that the clinics of 125 to 150 other law schools have been modeled after Drake’s program. In fact, Iowa has been the greatest contributor to the development of legal clinics nationwide. Former Congressman Neal Smith, LW’50, pushed for federal funds for all U.S. legal aid clinics with the Law School Clinical Experience Program Bill, part of a 1985 supplemental budget appropriation bill.

“My wife, Bea, was a welfare worker for $125 a month,” says Smith, who represented Iowa’s Fourth District in central Iowa for 36 years. “I knew that there were a lot of people who needed access to justice.” Bea Smith also graduated from Drake Law School in 1950.

In 1987, as a result of that legislation, Drake received a $4 million grant and endowment from the U.S. Congress to support its clinical programs and to construct the Neal and Bea Smith Law Center, a 10,000-square-foot modern office building that houses the Legal Clinic. In 1994, a $1.75 million addition was constructed, which includes a courtroom with sophisticated equipment and technology as part of a national center for the training and development of public service attorneys.

Each law student participating in the Drake program handles eight to 12 cases a semester involving anything from automobile accidents to criminal defense cases. Approximately 25 to 45 students a semester participate in this four-credit program.
one of three clinic courses offered at the Law School. Power estimates that about 2,000 students have benefited from the program since 1972.

Much of the learning in the clinics is about contributing a public service to the residents in the counties. Russell E. Lovell II, executive director of the Legal Clinic, says this aspect of clinical legal education is relatively new.

“The notion of legal services for the poor is really only about one generation old in this country,” he says. “Drake’s ability to offer its students both urban and rural practice settings is one of the features which makes the Drake Legal Clinic unique in the world of clinical education.”

Power says the experience gained in the program is invaluable. “Students witness the plight of the citizens of the poor rural community. This engenders an appreciation for public service,” he says.

The history of the legal clinic experience extends through generations too.

Lee Walker, LW’75, and his son, Corey Walker, LW’97, both participated in the Boone County program as students. Corey says his father encouraged him to get involved in clinic work and the roughly $10,000 in Boone County and $12,000 in Jasper County. These figures are approximately $5,000 less than in prior years, and are the result of the state legislature’s cap on property taxes. The Law School’s financial responsibilities include rent for the office in Newton, the salaries of a part-time secretary and adjunct faculty, and miscellaneous expenses. In Boone, the clinic’s office is in the Court House.

Schroeder, the Boone County supervising attorney, says the reduction in funding has been an obstacle the clinic has had to work around. “[It] has not allowed the clinic to upgrade its technology to where it wants to be,” he says. Even so, “students still learn how to practice law, plain and simple,” he says, and adds that community support has really made the program thrive.

Supervising attorney for Jasper County Legal Aid, John Billingsley, LW’81, says there is an obvious transition from student to practicing attorney. “For the first time out of school, students are suddenly not working with book work and theory, but real people and situations they have to respond to and receive justice for,” he says. Billingsley says he to go through county sheriffs,” says Hummel, from Fargo, N.D.

“IT taught me what it really takes to process a divorce in certain situations. Through my clinic experience, I know now I can do what a lawyer needs to do.”

Tim Schelwat, 3L, from Glendale, Wis., worked with Hummel in Boone and is currently working in an advanced criminal defense program at the Drake Legal Clinic. He says his clinic experiences have helped him realize that, through research, he can find answers for his clients.

“I only know one one-thousandth of what my supervisor does. But I know how to find 95 percent of what I need,” says Schelwat. “You don’t just learn how to handle hearings and trials. You use a lot of your lawyering skills to deal with clients and district attorneys.”

Drake Law School alumna Deanna Clingan-Fischer, LW’89, works for the Department of Elder Affairs in Des Moines. As a student, she worked in the Jasper County Legal Aid Clinic. “I was working with older clients at the senior clinic and knew it was something I wanted to do. There was a real satisfaction with helping people there.”

Events throughout the year commemorated the anniversary celebrations of the clinic’s flourishing programs.

In July, the Boone County Legal Aid program hosted a train ride on the Boone & Scenic Valley Railroad for Drake law alumni, faculty, staff and students, as well as judges and courthouse staff members.

In late September, a similar celebration occurred in recognition of the Jasper County Legal Aid program, this time at the Walnut Creek National Wildlife Refuge and Prairie Learning Center near Prairie City, Iowa.

There is an overall sense of accomplishment after working in a clinic situation, says Lovell.

“Our program has enabled Drake law students to experience the satisfaction and reward that comes with serving those in need,” he says. Then adds that practical experience also gives the students an edge in the job market. “Students have the ability and confidence to hit the ground running.”

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