



2018

A Tribute to Douglas Scherer

Howard A. Glickstein

Touro Law Center, hglickstein@tourolaw.edu

Follow this and additional works at: <https://digitalcommons.tourolaw.edu/scholarlyworks>



Part of the [Legal Education Commons](#), and the [Legal Profession Commons](#)

Recommended Citation

Howard A. Glickstein, A Tribute to Douglas Scherer, 22 EMP. RTS. & EMP. POL'Y J. 187 (2018).

This Article is brought to you for free and open access by the Faculty Scholarship at Digital Commons @ Touro Law Center. It has been accepted for inclusion in Scholarly Works by an authorized administrator of Digital Commons @ Touro Law Center. For more information, please contact lross@tourolaw.edu.

A TRIBUTE TO DOUGLAS SCHERER

BY
HOWARD A. GLICKSTEIN*

Doug Scherer was mostly a one-note advocate, but that note could not have been more meaningful. Doug was a member of the Touro faculty when I joined Touro as Dean in 1986. Doug was the first faculty member with whom I had dinner. Since I had been a civil rights lawyer for most of my career, I knew that Doug and I had a great deal in common. Prior to his teaching career, Doug had been the Legislative Chairman of the Boston NAACP, the Legal Advisor on Civil Rights to the Governor of Massachusetts, and a member of the Massachusetts Commission Against Discrimination.

Doug and I had a full agenda to discuss. In 1986, there were no persons of color on the Touro faculty and the student body was 95 percent white. While Doug always had been a strong advocate for the interests of students, he was especially vocal in urging that we do more to increase the enrollment of people of color. Soon after my arrival at Touro, Doug presented me with a proposal to establish the Legal Education Access Program (LEAP). The theory behind LEAP was that minority students did not have the same access to many of the channels that helped white students succeed in law school. For example, minority students generally were excluded from study groups, they did not share the informal study aids, such as course outlines, that white students had access to, and they did not have access to a cadre of minority lawyers to act as mentors. LEAP was intended to help minority students reach the starting line with some of the pre-first semester advantages that were common among white students.

The LEAP program began with a summer program of a few weeks prior to the beginning of the first semester. In addition to introducing the students in the program to a sample of the first semester curriculum, students were given a road map of various

* Dean Emeritus and Professor of Law Touro Law Center.

techniques that would facilitate their progress through law school. The program had an impact from the very first meeting of first semester classes.

Prior to LEAP, most minority students would huddle in the rear of classrooms and very rarely volunteer in class. After LEAP was inaugurated, most minority students could be found seated near the front and among the first with their hands up to answer questions. Not only did this give minority students greater confidence in themselves and their minority peers, but it also developed respect in the white students for the abilities of their minority classmates.

Doug developed, ran and promoted the LEAP program. He was available to LEAP students virtually at all hours. He held an annual reception in his home for current and former LEAP participants. There was a much higher incidence of academic success among LEAP students and their bar passage rate increased. Many LEAP graduates today hold significant positions in law firms, public interest groups and government agencies. The LEAP program was a major factor in helping Touro recruit minority students. Our minority student population rose from 5 percent to a high of 50 percent one year.

Doug also was instrumental in efforts to improve Touro's bar passage rates. For some years, he conducted a special bar review program and personally counseled students on bar preparation.

When the faculty discussed new programs and policies and Doug sought to participate, I always could predict the point he was about to make. He asked if the impact of the program or policy on minority students had been considered. Often if had not and the policy or program was reevaluated in terms of its impact on minority students.

On most faculties, there are one-note advocates. There are those who never want to change anything and there are those who favor major revisions. There are those who would abolish or drastically change clinics, and there are those who would like most courses to have significant clinical components. But considering our history of discrimination and the still low rate of participation of people of color in the legal profession, there are no one-note advocates that I admire more than those who seek to make the law schools more inclusive. Doug Scherer has been one of the leading voices calling for greater minority participation in law schools as students and faculty members. Doug's one note is a ringing clarion call for change and progress. We all should be indebted to Doug for the contribution he has made over the years to bettering the legal profession.