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# Scholarship with Purpose: The View from a Mission-Driven School

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## SCHOLARSHIP WITH PURPOSE: THE VIEW FROM A MISSION-DRIVEN SCHOOL

*Christine N. Cimini\**

In this essay, I reflect upon the role of the Associate Dean for Scholarship.<sup>1</sup> Some might argue that this is a time to focus less on the role of the Associate Dean for Scholarship and more on how to reform legal education. Responding to a confluence of factors including a declining market for large law firm lawyers, declining partner earnings and associate salaries, and a corresponding increase in law school tuition that leaves students with large amounts of debt, the ABA and individual law schools are exploring various ways to improve the educational experience of law students. With the legal market remaining relatively flat and employers pressuring law schools to prepare “client-ready”<sup>2</sup> law students upon graduation, there

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\* Professor of Law and Associate Dean of Research and Faculty Development, Vermont Law School. Thanks to my Vermont Law School colleagues who provided feedback on this essay including: Susan Apel, John Echeverria, Jackie Gardina, Janet Milne, Sean Nolon, Laurie Ristino, Gus Speth, and Jessica West. I dedicate this article to Professor Cheryl Hanna who was a wonderful mentor to me and who suggested I write this essay. I hope that I do justice in describing the special place that is Vermont Law School and I want to acknowledge Cheryl’s invaluable contributions in shaping the culture of Vermont Law School. Your presence is greatly missed. All errors are mine alone.

<sup>1</sup> The term conveyed to us by the law review editors was Associate Dean of Research and Scholarship. This position has many different titles to refer to faculty whose job it is to support the intellectual life of the law school. The title can also vary depending upon the scope of work expected from the associate dean. For example, my official title is Associate Dean of Research and Faculty Development and while I am responsible for supporting the scholarly life of the faculty I am also responsible to support the teaching growth of the faculty. For ease of drafting I will just refer to this position generically as the Associate Dean for Scholarship. See, e.g., *Associate Dean for Research and Scholarship*, KANSAS STATE UNIVERSITY, <http://www.ksu.edu/employment/20140805-he-assoc-dean-res-schol.html> (last visited Dec. 9, 2014); see also *Professor Klass Appointed Associate Dean for Research and Academic Programs*, GEORGETOWN LAW, (Jan. 18, 2012), <http://www.law.georgetown.edu/news/Professor-Klass-Appointed-Associate-Dean.cfm>.

<sup>2</sup> The term “practice-ready” is a common term used to refer to the level of skill that practitioners are seeking from recent graduates of law school. I use the term “client-ready” as a way to focus the inquiry on the clients that we as lawyers serve. This term is not mine and I

is an increasing demand to focus, not on scholarship, but on experiential opportunities in law schools across the country.

In my mind, however, the very fact of upheaval and eventual reform in the legal academy makes this a fertile moment to explore the role of the Associate Dean for Scholarship. When I was asked to write an essay for this symposium I initially wondered why ask a newly appointed Associate Dean. Why not ask the faculty from other schools who have experience at this job for their insights? After all, Vermont Law School just created this position in November of 2013. What would I have to add to the conversation? But after thinking about what I might bring to the conversation I realized that, in some ways, I am uniquely situated to talk about the role.

I am the first faculty member to hold this position at Vermont Law School. I am a clinician<sup>3</sup> and I am relatively new to the school.<sup>4</sup> What I learned from being new to Vermont Law School was just how different the culture of law schools can be and, as it pertains to this essay, how those differences impact the role of the Associate Dean of Scholarship.<sup>5</sup>

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want to acknowledge that I first heard it used by Professor John Garvey of the University of New Hampshire who oversees the Daniel Webster Scholar Honors Program. He used this term during a panel on innovative changes in legal education at the Second National Symposium on Experiential Education in Law held at Elon School of Law in June of 2014. For more information about the program, see *Daniel Webster Scholar Honors Program*, UNIV. NEW HAMPSHIRE LAW, <http://law.unh.edu/academics/jd-degree/daniel-webster-scholars> (last visited Dec. 9, 2014).

<sup>3</sup> As far as I have been able to discern, Vermont Law School and American University College of Law are the only two schools that appointed clinical faculty as Associate Deans of Research and Scholarship. See VERMONT LAW SCHOOL FACULTY, <http://www.vermontlaw.edu/directory/person?name=Cimini,Christine> (last visited Dec. 9, 2014). American's position is held by Professor Jenny Roberts. See AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW FACULTY, <http://www.wcl.american.edu/faculty/jroberts/> (last visited Dec. 9, 2014); see also *Be the Lawyer*, CLINICAL PROGRAM AT AM. UNIV., WASHINGTON COLLEGE OF LAW, <http://wclclinicblog.wordpress.com/> (last visited Dec. 9, 2014).

<sup>4</sup> I began as a visitor at Vermont Law School in August 2011 and became a permanent, tenured member of the faculty in 2013. VERMONT LAW SCHOOL DIRECTORY, <http://www.vermontlaw.edu/directory/person?name=Cimini,Christine#> (last visited Dec. 9, 2014).

<sup>5</sup> While this essay explores the relationship between a law school's mission/culture and the role of the Associate Dean of Scholarship, it is in no way intended to devalue the meaningful contributions to legal scholarship made by faculty who write traditional law review articles. Nor is it meant to diminish the work of Associate Deans of Scholarship who have made strides at their own institutions and in the legal academy in general. See, e.g., James Lindgren, *Fifty Ways to Promote Scholarship*, 49 JOURNAL OF LEGAL EDUCATION 126-28 (1999); Joseph P. Tomain and Paul L. Caron, *The Associate Dean for Faculty Research Position: Encouraging and Promoting Scholarship*, 33 UNIVERSITY OF TOLEDO L. REV. 233 (2001).

Vermont Law School has a strong sense of mission and the role of the Associate Dean of Scholarship should account for that. When I arrived at Vermont Law School several years ago from the University of Denver, I struggled to put my finger on what made Vermont Law School so different from the other law schools<sup>6</sup> and how those differences impacted the Associate Dean role. At Vermont Law School, the role of the Associate Dean of Scholarship and the mission of the law school are intertwined. The mission defines the job and the job supports the mission. It is the combination of the place and the people who self-select to come to Vermont Law School, the type of scholarship and the broad support provided to all faculty that helped to define the role. In this essay, I will touch on the unique features of Vermont Law School and the scholarship that is produced here and articulate a vision for the position. Ultimately, I conclude that the most effective associate deans of scholarship will be those who define their role and set their goals in line with the overall mission of their respective law schools.

## I. VERMONT LAW SCHOOL: A UNIQUE PLACE

This small, committed law school in rural Vermont is educating law students who hope to change the world. The mission statement of Vermont Law School reads that, “we are committed to developing a generation of leaders who use the power of the law to make a difference in our communities and the world because the status quo is no longer acceptable.”<sup>7</sup>

It is quickly apparent to visitors that Vermont Law School is a unique and special place that is the number one ranked environmental law school in the country.<sup>8</sup> But what is it about the Vermont Law

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<sup>6</sup> My experiences at other schools were diverse. I graduated from the University of Connecticut School of Law, a state school, and then spent three years as a clinical teaching fellow at The Yale Law School, a private school in the same state. I spent the 2002-03 academic year as a visitor in the clinic at Cornell Law School during my tenure at the University of Denver Sturm College of Law where I was a faculty member from 1999-2011. *Christine N. Cimini Academic Experience*, UNIV. OF DENVER STURM COLLEGE OF LAW, <http://www.law.du.edu/documents/directory/full-time/christine-cimini.pdf> (last visited Dec. 9, 2014).

<sup>7</sup> See *History & Mission*, VERMONT LAW SCHOOL, <http://www.vermontlaw.edu/community/about-vls/history-mission> (last visited Dec. 9, 2014).

<sup>8</sup> VERMONT LAW SCHOOL, <http://www.vermontlaw.edu/> (last visited Dec. 9, 2014). For a list of the top ranked environmental law schools in the country see *Environmental Law*, U.S. NEWS AND WORLD REPORT, <http://grad-schools.usnews.rankingsandreviews.com/best->

School that provides students with a unique law school experience and how does that relate to the scholarly mission of the school? It is a combination of things that come together to form at its core a powerful sense of community: the place; the students; and the faculty and staff. And, this sense of community, rooted in a common desire to make a positive difference in the world, impacts the scholarship of students and faculty.

When you pull up over the bridge that leads to the Vermont Law School campus in South Royalton it is hard not to be struck by the natural beauty that abounds. The school sits atop a hill overlooking the White River. The main administrative building is located in a landmark historic 1893 schoolhouse. With no stoplight in town the atmosphere exudes the feel of a small Vermont town. The centerpiece of town is the green, surrounding which is a community supported food co-op, a post office, and a few restaurants, all of which are local and include no chains. Aside from the law school, the town's main attraction is a locavore burger joint that draws Vermonters from all over the state for its great food and 25 taps of locally brewed beer.

The campus has a purposeful sense of quiet and connection to the local community. Students see actual farmers bring eggs to the market in the morning and hike between classes in the afternoon. It's a place where classes get cancelled after a major tropical storm so students can help neighbors clean up.<sup>9</sup> Within this rural community, students necessarily come together to inspire each other and form life long friendships. Because the community is tight knit and social life revolves around the law school community, students and faculty get to know each other well, provide support and encouragement, and show respect for others. Faculty cannot distance themselves from students and students cannot distance themselves from each other.

Unlike other communities where difference might lead to dis-

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graduate-schools/top-law-schools/environmental-law-rankings (last visited Dec. 9, 2014).

<sup>9</sup> VT Law School Continues Aid to Irene-Damaged Communities, VERMONT LAW SCHOOL (Sept. 2, 2011), [http://vls.vermontlaw.edu/News\\_and\\_Events/News\\_Releases\\_VT\\_Law\\_School\\_Continues\\_Aid\\_to\\_Irene-Damaged\\_Communities.htm](http://vls.vermontlaw.edu/News_and_Events/News_Releases_VT_Law_School_Continues_Aid_to_Irene-Damaged_Communities.htm) (stating the most recent graduating class started school when Tropical Storm Irene hit; and instead of focusing on the transition to law school and the start of the school year, the administration, faculty and students stopped classes, put on boots, rolled up their sleeves and helped neighbors literally dig out their belongings and that the sense of community fostered among students and between the law school and the South Royalton community was strengthened by the acts of volunteerism on behalf of the law school community).

tance, the Vermont Law School community is too tight knit to avoid them. Whether we agree or disagree, we are bound together through a common experience that is unique to Vermont Law School because of its location, its small town size, and the sense of community that exists. The faculty, male and female, gay and straight, participate in a drag show designed to help raise money for the student GLTBQ alliance. The state where the law school resides supports that sense of community. There is more community-supported agriculture (CSAs) in Vermont per capita than in any other state.<sup>10</sup> Civil unions began here.<sup>11</sup> The power needed to run the school's buildings and services comes from wind, solar, and hydro sources.

But our true strength comes from the law school community of students, faculty, staff and administration who work together to change the community where we teach and live for the better. The community is made stronger by the diverse backgrounds of the students who come to Vermont Law School including scientists, military personnel, environmentalists, hackers, hikers, professional athletes, and musicians. They may come from different backgrounds and have different opinions, but they are advocates who share a desire to change the world—not fit into it. They come to Vermont Law School to obtain the variety of tools needed to truly make an impact on the world—to learn first-hand what it means to work on behalf of the underserved, to advocate for communities who feel powerless in the face of powerful economic interests, to fight for the health of the planet, and for social justice. This desire to positively impact the world is the same motivation that drives faculty scholarship. In this united desire, faculty and students create a powerful synergy.

Vermont Law School faculty, staff and administration make decisions that are based upon principle as opposed to simply what is in the law school's economic interest or what represents the path of least resistance. For example, while many law schools around the country initially supported the repeal of the "Don't Ask, Don't Tell" policy on gays and lesbians serving in the U.S. military, only two—including Vermont Law School—gave up federal funding by prohib-

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<sup>10</sup> *Vermont Agricultural Overview*, VERMONT AGENCY OF AGRICULTURE, FOOD, AND MARKETS, [http://agriculture.vermont.gov/news\\_media/agricultural\\_overview](http://agriculture.vermont.gov/news_media/agricultural_overview) (last visited Dec. 9, 2014).

<sup>11</sup> Greg Johnson, *Civil Union, A Reappraisal*, 30 Vt. L. Rev. 891, 891 (2006).

iting military recruiters on campus.<sup>12</sup> This principled stance cost the school over \$3.5 million until the policy was repealed.<sup>13</sup> The law school walks the talk on the environmental issues of the day. The law school supports itself with solar power, composting toilets, extensive recycling programs, battery stations for electric cars, and a cafeteria that purchases a substantial amount of its food from local, organic farms and serves a vegan and vegetarian option at each meal. There is no separate parking for faculty; faculty, staff, and students all park in the same lot on a first come, first serve basis. The only privileged parking is for electric vehicles and carpools.

In keeping with this culture, faculty and students work closely together on a variety of projects and students engage in meaningful ways in our scholarly dialogue. Vermont Law School's Institute for Energy and the Environment is modeled on the fundamentals of a successful public policy consulting firm—committed to delivering vital services that are on point and timely. Students work with some of the top energy thinkers in the country<sup>14</sup> to solve real problems on behalf of real clients. Students and faculty work together closely on the U.S.-China Partnership for Environmental Law. Founded in 2006, the Partnership is designed to “further the work of governmen-

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<sup>12</sup> Janet Babin, *Colleges Make Up for Financial Loss on “Don’t Ask, Don’t Tell,”* MARKETPLACE LIFE (May 2, 2011), <http://www.marketplace.org/topics/life/colleges-make-financial-loss-dont-ask-dont-tell>.

<sup>13</sup> *VT Law School Lifts Ban on Military Recruiters on Campus*, VTDIGGER (July 11, 2011) <http://vtdigger.org/2011/07/22/vt-law-school-lifts-ban-on-military-recruiters-on-campus/> (stating that the faculty and students went beyond a simple bar of employers on campus; while some law schools were passive in their opposition, Vermont Law School was a vocal, national leader and its faculty presented white papers on the policy’s legal issues while some 20-40 students traveled each year to Washington, D.C. to lobby Congress); Brian Wallstin, *Vermont Law Students Travel to D.C. to Lobby for Repeal of “Don’t Ask, Don’t Tell,”* SEVEN DAYS (Mar. 5, 2008) <http://www.sevendaysvt.com/vermont/vermont-law-students-travel-to-dc-to-lobby-for-repeal-of-dont-ask-dont-tell/Content?oid=2132955> (stating that students held bake sales to fund their trips; Vermont Law School faculty and staff members made donations; and the DC area alumni opened their homes for lodging while on campus, the administration used its recruiting policy as an ongoing opportunity to articulate and defend the school’s position—and to keep the conversation alive in a community that is unusually engaged in matters of fairness and principle).

<sup>14</sup> *Success of Environmental Public Policy Graduate Program Proves the Future is Here*, PRWEB (Apr. 22, 2006) <http://www.prweb.com/releases/2006/04/prweb375416.htm> (stating that Michael Dworkin is the director of the Institute for Energy and the Environment; Ralph Cavanagh, Co-director, Energy Program, Natural Resources Defense Council stated of Michael that he “is the universally acknowledged environmental superstar of utility regulation. If I were looking to build a world-class law school center to address these crucial issues, he would be at the very top of my list.”).

tal and private organizations that address critical environmental and energy challenges; improve policy, law, and regulation; and develop sustainable best practices in environmental protection and energy regulation.”<sup>15</sup> The law school’s Center for Agriculture and Food Systems (Center) develops the next generation of sustainable food and agriculture law and policy leaders through an innovative curriculum while providing legal and policy resources for citizens to build and support sustainable food systems. Specifically, the Center supports scholars, students and practitioners in producing robust scholarship for use by the food and agriculture community. At the same time, the Center offers training and legal tools through its clinic to help build sustainable local and regional food systems. Vermont Law School is uniquely positioned to train the leaders who will shape change in this field, as we are located in a state known for sustainable agricultural practices and progressive food entrepreneurs. This combination of place, students, and faculty/staff creates a unique and supportive culture that provides students the tools they need to make a difference in the world.

## II. THE SCHOLARLY DIFFERENCE

Vermont Law School’s mission and culture impact faculty scholarship. While we value the variety of scholarly contributions of our faculty including those faculty who publish traditional scholarly articles,<sup>16</sup> many of the Vermont Law School’s faculty choose to write about and connect their scholarship to the world. Our faculty is comprised of motivated scholars who challenge convention. They are advocates determined to have a positive impact on the world around us. They pursue collaborations and partnerships with researchers and organizations in the U.S. and abroad, litigate major cases before the U.S. Supreme Court and other major courts, and organize political

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<sup>15</sup> *U.S.-China Partnership for Environmental Law*, VERMONT LAW SCHOOL, [http://vls.vermontlaw.edu/Academics/Environmental\\_Law\\_Center/Institutes\\_and\\_Initiatives/Introduction.htm](http://vls.vermontlaw.edu/Academics/Environmental_Law_Center/Institutes_and_Initiatives/Introduction.htm) (last visited Dec. 9, 2014) (quoting U.S. Senator Patrick Leahy: “By helping to strengthen China’s environmental laws and policies and increasing the Chinese public’s awareness of environmental issues, Vermont Law School will open doors for future cooperation between our two countries on global environmental challenges.”).

<sup>16</sup> *See generally Loquitur*, VERMONT LAW SCHOOL MAGAZINE FOR ALUMNI (2013), available at <http://connect.vermontlaw.edu/file/vlsc-loquitur-document-uploads/VLS-Loquitur-Summer-2013.pdf>.



and public action campaigns. This connection between scholarly exploration and real world impact defines our community of scholars.<sup>17</sup>

While not exhaustive, below are a few of the many examples that help illustrate the impact that this interconnection has in our community. Professor Betsy Baker worked on the U.S. Coast Guard icebreaker Healy as a member of the science crew for two Arctic extended continental shelf mapping deployments to the Beaufort and Chukchi seas.<sup>18</sup> After collaborating with scientists in the field, Professor Baker served as a Visiting Scholar with the inter-agency Extended Continental Shelf Task Force in Washington, D.C., at the U.S. State Department, Office of Ocean and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs working to establish the extent of the nation's continental shelf.<sup>19</sup> Professor Baker acquired a sophisticated enough understanding of the science behind the treaty's requirements for mapping that she could lead a team of government and university scientists in documenting the legal and scientific basis for U.S. continental shelf rights that may amount to an area twice as large as California.

In his five years since joining the Vermont Law School faculty Professor John Echeverria has made an enormous impact in the courts and Congress through his brief writing and testimony in areas

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<sup>17</sup> For a description of the importance of scholarship in the real world, see Jorge R. Roig, *The First Thing We Do*, J. MARSHALL L. REV. (forthcoming 2014), available at [http://works.bepress.com/cgi/viewcontent.cgi?article=1004&context=jorge\\_roig](http://works.bepress.com/cgi/viewcontent.cgi?article=1004&context=jorge_roig).

Law faculties are and must continue to be one of the primary storehouses of critical thought in our society. It is not mere happenstance that individuals such as Abraham Lincoln and Mohandas Ghandi and Robert F. Kennedy were lawyers. It is not just chance that the attorneys of the NAACP Legal Defense Fund and the American Civil Liberties Union have fought and won some of the greatest victories for civil rights in America. The attack on a well-educated populace starts with the lawyers because they are the civil society's first line of defense. A lawyer is more than a legal technocrat. Lawyers are policy makers and public defenders. They are prosecutors and activists. And the development of a critical and independent mind is no more important in any area of human action than in the law.

*Id.* at 12.

<sup>18</sup> Betsy Baker, *International Arctic Change and the Law and Politics of the Arctic Ocean Seabed*, 34 VT. L. REV. 1 (2009); Profile of Betsy Baker, *Contributing Authors*, OIL, GAS, & ENERGY LAW, <http://www.ogel.org/about-author-a-z-profile.asp?key=2052> (last visited Dec. 9, 2014).

<sup>19</sup> Austen Parrish, *Arctic Law: The Challenges of Governance in the Changing Arctic*, 107 Am. Soc'y Int'l L. Proc. 271, 271 (2013).

of environmental expertise. Professor Echeverria has filed four briefs in the U.S. Supreme Court, two briefs in the Federal Appellate Courts, two briefs in the Federal Circuit Courts, two briefs in the U.S. Court of Federal Claims; and two state level briefs.<sup>20</sup> Most were intended to promote a carefully designed, public discourse regarding interpretation of the Takings Clause of the Fifth Amendment.

Having an impact on the world does not stop with the written or spoken word; it also extends to the actions of our professors. Professor Gus Speth, the author of seven books and many book chapters, articles and reports far too numerous to count,<sup>21</sup> went to Washington, D.C. to participate in a protest designed to draw awareness to the environment and was arrested for his civil disobedience.<sup>22</sup>

Providing a model for students to stand up for what they believe in, Professor Gardina made a crucial impact on the federal government's "Don't Ask, Don't Tell" policy. Working closely with an NGO, Professor Gardina produced a transition paper for then President-Elect Obama on how his administration could implement "Don't Ask, Don't Tell" differently pending repeal of the statute.<sup>23</sup> Eighteen months after taking office, Secretary of Defense Gates announced changes to the implementing regulations that mirrored her suggestions.<sup>24</sup> Professor Gardina then converted her research to a law review article exploring the scope of executive authority in this area.<sup>25</sup>

A second difference is who is considered a scholar at the law school. We function as a collective and all faculty, regardless of status or area of expertise, are included in the scholarly dialogue. In conceptualizing the role of an Associate Dean for Scholarship at Vermont Law School it was clear that the position was designed to support all faculty, regardless of status or prior publication history. The goal is to raise the level of intellectual productivity and engagement of all faculty members. The position supports faculty who are

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<sup>20</sup> See *Faculty Directory*, VERMONT LAW SCHOOL, <http://www.vermontlaw.edu/directory/person?name=Echeverria,John> (last visited Dec. 9, 2014).

<sup>21</sup> See *Gus Speth*, NEW ECONOMY COALITION, <http://www.vermontlaw.edu/directory/person?name=Speth,Gus> (last visited Dec. 9, 2014).

<sup>22</sup> Wen Stephenson, *Gus Speth: 'Ultimate Insider' goes radical*, GRIST (Sept. 17, 2012) <http://grist.org/climate-energy/gus-speth-ultimate-insider-goes-radical/>.

<sup>23</sup> Jackie Gardina, *Let the Small Changes Begin: President Obama, Executive Power, and "Don't Ask, Don't Tell,"* 18 B.U. PUB. INT. L.J. 237, 238-40 (2009).

<sup>24</sup> Jackie Gardina, *Gardina: Anatomy of Social Change*, VTDIGGER (May 5, 2011 12:00 AM), <http://vtdigger.org/2011/05/05/gardina-anatomy-of-social-change/>.

<sup>25</sup> See Gardina, *supra* note 23.

full-time and part-time, tenured, on the tenure-track, on a long or short-term contract, and does not distinguish between faculty who teach doctrinally, clinically, or in the legal writing or academic success program. Writing goals for each segment of the faculty might differ, but the Associate Dean position needs to be able to support the wide range of scholarly efforts.

Some of the specialized writing in the environmental field requires publication in very technical and substantively diverse areas.<sup>26</sup> Vermont Law School's Institute on Energy and the Environment engages in a field of study that covers a wide spectrum of disciplines—including law, science, engineering, finance, and economics. Meaningful placements that will reach the identified target audiences are not always in traditional law reviews. In many instances, faculty are publishing in collaboration with others, using science, engineering, finance and other technical experts as part of their work. As such, peer placements in technical or industry journals may prove much more valuable to their overall body of work.<sup>27</sup> In addition, students

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<sup>26</sup> I acknowledge that the interdisciplinary nature of legal scholarship has been discussed for some time. See Richard A. Posner, *The Decline of Law as an Autonomous Discipline: 1962-1987*, 100 HARV. L. REV. 761 (1987); Richard A. Posner, *The Present Situation in Legal Scholarship*, 90 YALE L.J. 1113 (1981); Jack M. Balkin & Sanford Levinson, *Law and the Humanities: An Uneasy Relationship*, 18 YALE J.L. & HUMAN. 155, 166-73 (2006) (documenting the turn to interdisciplinary legal scholarship in the legal academy); Roger C. Park & Michael J. Saks, *Evidence Scholarship Reconsidered: Results of the Interdisciplinary Turn*, 47 B.C. L. REV. 949, 949 (2006) (noting how evidence law scholarship has become “decidedly interdisciplinary”); Jeremy A. Blumenthal, *Law and Social Science in the Twenty-First Century*, 12 S. CAL. INTERDISC. L.J. 1, 1-2 (2002) (discussing the “growing trend” and “increasing number” of law review articles that use “social science—[and] psychology in particular—to inform legal theory”); Mark Tushnet, *Interdisciplinary Legal Scholarship: The Case of History-In-Law*, 71 CHI.-KENT L. REV. 909, 909-10 (1996) (noting trend toward interdisciplinary scholarship and, for law and history scholarship, questioning whether it can satisfy the quality standards of historical scholarship); Graham C. Lilly, *Law Schools Without Lawyers? Winds of Change in Legal Education*, 81 VA. L. REV. 1421, 1427-35 (1995) (discussing decline of doctrinal approach to law and rise of theoretical approach, including interdisciplinary legal studies); George L. Priest, *The Growth of Interdisciplinary Research and the Industrial Structure of the Production of Legal Ideas: A Reply to Judge Edwards*, 91 MICH. L. REV. 1929, 1931-32 (1993) (defending increased volume of interdisciplinary legal scholarship); William M. Landes & Richard A. Posner, *Influence of Economics on Law: A Quantitative Study* (Program in Law and Economics Working Paper No. 9, 1992) (concluding that through the 1980s, “the traditional approach [to legal scholarship]—what we call ‘doctrinal analysis’—was in decline . . . relative to interdisciplinary approaches”). It is certainly true that environmental law does not represent the only field in which interdisciplinary scholarly exchanges are common.

<sup>27</sup> See, e.g., *Institute for Energy and The Environment*, VERMONT LAW SCHOOL, <http://www.vermontlaw.edu/IEE/publications> (last visited Dec. 9, 2014).

are included in the publication process in meaningful ways. Students work on teams with faculty and experts from other disciplines to examine pressing issues in the energy field and produce written publications with proposed solutions.<sup>28</sup>

In the field of environmental taxation Professor Janet Milne relies on a merger of expertise that crosses the boundaries of traditional academic legal disciplines. Her work is interdisciplinary in the broad sense; economic theories drive the design of environmental tax policy, law governs design and legal-authority issues, and political economy determines the ability to put theory into action. In addition, it is critical to Vermont Law School's Environmental Tax Policy Institute that knowledge is shared across international boundaries. Working with a political economist from Aarhus University in Denmark, Professor Janet Milne edited the Handbook of Research on Environmental Taxation that collected state-of-the-art research from multiple disciplines and focused on themes relevant to countries around the world in order to enhance understanding of environmental taxation.<sup>29</sup> The Environmental Tax Policy Institute also plays a role in the annual Global Conferences on Environmental Taxation and each year yields a book of peer-reviewed papers designed to help inform the United States climate change debate by bringing to the United States a better understanding of how other countries are using carbon and energy taxes.<sup>30</sup>

Our scholarly connection with real problems, our broad definition of who is a scholar and the specialized and technical writing of some of our faculty all impact the role of the Associate Dean for Scholarship at Vermont Law School.

### III. A NEW VISION FOR THE ASSOCIATE DEAN OF RESEARCH AND FACULTY DEVELOPMENT

How does this all impact the vision of the role at Vermont Law School? It is the place and the people (faculty, staff and students) that define the mission of Vermont Law School and that mis-

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<sup>28</sup> *See id.*

<sup>29</sup> JANET E. MILNE ET AL., HANDBOOK OF RESEARCH ON ENVIRONMENTAL TAXATION (Janet E. Milne & Mikael Skou Andersen eds., Edward Elgar, 2012).

<sup>30</sup> Janet E. Milne, *The Reality of Carbon Taxes in the 21<sup>st</sup> Century*, 10 VT. J. ENVTL. L. 1, 2-3 (2008).

sion is what defines the school. This makes the Associate Dean role distinct from the same role at other institutions. For one, the decision to appoint a clinical faculty member was a deliberate choice intended to bridge the divide between theory and real-world application. At Vermont Law School, faculty scholarship often seeks to bridge that divide so having a clinician in the position makes good sense.

The position serves a broader constituency than at other schools by supporting all faculty no matter their status. This is a community to which all people at Vermont Law School belong and into which they all invest.<sup>31</sup> The faculty writes not simply as a requirement of tenure, but as a way to make a difference in the world. This motivation to impact the world is something that the Associate Dean should nurture and cultivate. This motivation is also present in our student body. Having faculty as role models who successfully use their scholarly voices to impact change helps students realize the power of their own voices and feeds the culture of the school.

The Vermont Law School faculty writes for a broad audience. This is not a faculty that seeks to submit articles to traditional law reviews each cycle. Faculty at Vermont Law School want to access a broader audience and faculty publish in a variety of fora. They publish books for those steeped in the legal world and for lay people who are not; they publish in technical, peer review journals that are steeped in the sciences related to environmental law; they write briefs in major pending cases; and they publish op-ed pieces in major newspapers, serve as columnists and contribute to blogs. The Associate Dean of Scholarship at Vermont Law School needs to be conversant in all of these areas in order to be able to support the diverse work of the full faculty.

The faculty and administration at Vermont Law School believe that scholarship and teaching are intertwined.<sup>32</sup> As such Vermont Law School officially defined the role as one that focuses not

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<sup>31</sup> See Roig, *supra* note 17, at 4-5 (stating that “[t]o be effective, a university must be a community to which people belong and about which they care”) (quoting James J. Fishman, *Tenure and Its Discontents: The Worst Form of Employment Relationship Save All of the Others*, 21 PACE L. REV. 159, 180 (2000)).

<sup>32</sup> See, e.g., John R. Nolon, Michelle Bryan Mudd, Michael Burger, Kim Diana Connolly, Nestor Davidson, Matthew Festa, Jill I. Gross, Lisa Heinzerling, Keith Hirokawa, Tim Iglesias, Patrick C. McGinley, Sean Nolon, Uma Outka, Jessica Owley, Kalyani Robbins, Jonathan Rosenbloom, and Christopher Serkin, *Towards Engaged Scholarship*, 33 PACE L. REV. 821 (2013).

only on scholarship, but also on teaching. The faculty view teaching, scholarship and service not as separate and distinct pieces of the pie that make up our work, but instead as overlapping pieces that feed and foster the development of each other to create a rich and unified approach to our jobs. While we are teaching we are transmitting knowledge; while we are working on scholarship we are generating knowledge and while we are providing service we are applying knowledge to solve problems.<sup>33</sup> Scholarship is a critical component of our work and engaging in meaningful and thoughtful scholarship makes us better teachers at Vermont Law School, better public citizens in the legal profession and better problem solvers.

This vision of the role of the Associate Dean for Scholarship, as implemented at Vermont Law School, includes the appointment of a clinician, the broad definition of who is considered faculty, the broad audience that our faculty speak to, and the broad definition of the role adopted by the faculty and administration to support both writing and teaching.

#### IV. CONCLUSION

At a time when there may be criticism of faculty time spent on scholarship and calls to remove the system of tenure,<sup>34</sup> Vermont Law School is embracing scholarship as part of our critical role. Engaging in meaningful scholarship is critical because it makes us better teachers, better citizens in the world, supports our students and provides them role models of how to use the law to impact the world in positive ways.<sup>35</sup>

At Vermont Law School the faculty and administration decided to use this role to support the overall mission of the law school that students, faculty, staff and administrators all support. As our mission statement explains we are a school “committed to developing a generation of leaders who use the power of the law to make a dif-

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<sup>33</sup> See Gary S. Krahenbuhl, *Faculty Work: Integrating Responsibilities and Institutional Needs*, CHANGE, November/December 1998, at 21 (constructing the concept of teaching, research and service in terms of knowledge transmission, knowledge generation, and knowledge application).

<sup>34</sup> Karen Sloan, *ABA Panel Favors Dropping Law School Tenure Requirement*, THE NAT'L LAW J., Aug. 12, 2013, <http://www.nationallawjournal.com/id=1202614832071/ABA-Panel-Favors-Dropping-Law-School-Tenure-Requirement>.

<sup>35</sup> See Roig, *supra* note 17, at 7.

ference in our communities and the world because the status quo is no longer acceptable.”<sup>36</sup> The job of the Associate Dean of Research and Faculty Development at Vermont Law School is to enhance that mission by encouraging, supporting, and publicizing the diversity of writing that our full faculty engages in as they attempt to make a positive impact in the world.

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<sup>36</sup> See *History & Mission*, *supra* note 7.