

Memorandum

DATE: February 26, 1996

TO: John Sexton and Harvey Dale

FROM: Peter Martin

RE: Locating Technology Leadership Within a Law School

In preparation for our Feb. 27th meeting I've tried to organize the issues I see for a school like NYU. As I warned you both in our brief January conversation my observations begin some distance from specific infrastructure questions about network configuration, hardware budget, or even staffing levels. My Legal Institute partner Tom Bruce and others can advise on such matters. My long term interest has concentrated on the larger institutional issues of how law schools can explore and implement fundamentally new ways of carrying out teaching and research based on the technologies of communication and information exchange that are rapidly transforming many other related activities.

Assume a law school with both Internet and local area network resources on every faculty desk, in most classrooms, and widely available to students. Assume further that the school's classrooms are equipped with power and network connections that make it easy for both faculty and students to use computers in support of the exchange that goes on there. Finally, let's take it as a given that the school has joined the rest of the world on the World Wide Web with a flashy set of pages providing information about the school to prospective students and others. Without venturesome and effective leadership in the use of these new resources there is little assurance that they'll add anything beyond substantial cost to the school's performance.

Where should responsibility for addressing the wide range of "what can we do with it" and "should we try" questions be lodged within the typical law school structure? (See attached sheet.) For different reasons, the most likely contenders for significant assignments (library, the faculty individually or through committee, an administrative person) all have major drawbacks. Of course, with the right person in one or more of those spots those drawbacks can be overcome.

As my earlier memo to Kathy Price and Brookes Billman noted, my experience at Cornell and elsewhere leads me to believe the following:

- Technology has the capacity to transform law schools
- Transformation consists of much more than doing what we are now doing faster/better/cheaper
- It is far better to guide or lead transformation of this magnitude than be its unwitting subject
- Since the pace of change is so rapid most faculty members do not realize technology's potential impact on their own work, let alone the larger institution
- Students, on average, are at a very different place on the curve than faculty
- The typical organization of a law school (or academic institution more generally) does not have a place for leadership or responsibility on the full range of the important issues and opportunities posed by technology (the library may be seen as the location for using technology to bring information into the institution but may have difficulty seeing itself or being seen as the school's

center for electronic publication or interchange with other institutions or support of faculty research depending on large non-textual data sets)

These views lead me to believe that a law school's technology leadership needs to be in the hands of someone who is and is seen as a serious intellectual -- with wide ranging interests. Even more important the person needs to be a powerful communicator, able to listen and understand the work of diverse faculty members and to help them see individually how computer technology might enhance or even enlarge their work. Finally, the person must be able to assist the school's other leaders explore new opportunities (and risks) for the school as a whole created by these developments and must have both capacity and license to push an uncertain institution to make commitments that are important to the future but not grounded in demonstrable present need defined in terms of present work patterns of faculty and students.

Some Issues or Dimensions Easily Overlooked if Technology Leadership is Not Taken Seriously

Electronic publication of the work of faculty and students

- School has always been a publisher
- Digital technology allows school to reclaim publishing that has, with print, been owned by others, commercial book publishers, scattered journals
- Digital technology allows school to engage in new forms of publication and reach totally new audiences

Use of new technologies in support of teaching (more or less synchronous activity involving "faculty" and "students")

- How to create encouragement and support for experimental deployment of technology into current teaching patterns
- How to use technology to expand the teaching resources (effective faculty) of the school
- How to use technology to reach new students

Electronic communication with constituencies other than current faculty and current students

- Alumni and other financial supporters
- Potential fee-paying students (over whom there is in serious competition)
- Other elements within the university
- Law professionals (lawyers, judges ...)
- Other law schools (U.S. and foreign)

Use of computer-based technologies to expand the scope or reach of school

- In the international dimension suggested by "Global Law School" rubric
- Other potential vectors for greater reach or influence (bearing in mind that geography and prior institutional affiliation have far less determining force than they have exerted in the past)