
RUTGERS LAW REVIEW

VOLUME 61

Fall 2008

NUMBER 1

CENTENNIAL ESSAYS

The editors of the *Rutgers Law Review* respectfully dedicate Volume 61 to Rutgers School of Law's 100th Anniversary.

ESSAY: A UNIQUE EXPERIENCE AT RUTGERS SCHOOL OF LAW

*The Honorable Jaynee LaVecchia**

I congratulate the Rutgers School of Law–Newark on its 100th Anniversary. It is admirable of the *Rutgers Law Review* to give attention to this fine institution of legal education to commemorate the occasion. Thank you for inviting me to contribute an essay on what was unique or distinctive about my experience at Rutgers School of Law–Newark and how that helped to shape my legal career.

Born, bred, and educated wholly within New Jersey, I have an abiding fascination of and concern for the people and government of our State. Thus, when pursuing a desire to study law, my preferred school was easily identifiable. I wanted to attend the Rutgers School of Law–Newark above all others, and for several reasons.

There was the law school's reputation for academic excellence that enticed. Prior to my entry in 1976, and thereafter, the school boasted a faculty that was involved in cases that concerned major federal constitutional questions. I am sure that others will wax eloquently about the many constitutional issues that the great Professor Arthur Kinoy and others were involved in during the 1960s and into the 1970s—cases like *Dombrowski v. Pfister* and *Powell v. McCormick*.¹

* Justice of the New Jersey Supreme Court, February 2000–Present. She has been granted tenure until 2024. Justice LaVecchia was born in Paterson, New Jersey and graduated Douglass College in 1976 and Rutgers School of Law–Newark in 1979.

1. *Powell v. McCormack*, 395 U.S. 486 (1969); *Dombrowski v. Pfister*, 380 U.S.

Equally important, members of the school's faculty were involved in the advancement of state issues that were shaping the development of rights enshrined in New Jersey's still relatively recently revised 1947 State Constitution. Although the modern New Jersey Constitution was created by delegates gathered in the Rutgers "Barn" on College Avenue in New Brunswick,² it was farther north, on the Rutgers Law School campus in Newark, that casework by faculty and students in clinical programs was occurring, which would expound on the rights sketched out in the New Jersey Constitution. The school funding litigation that began with *Robinson v. Cahill*,³ and later continued with *Abbott v. Burke*,⁴ was fully engaged when I attended the law school. Many students were involved or following closely the work of Professor Paul Tractenberg and others in that endeavor. Other students were drawn to the work of the constitutional law clinic, which had many areas of interest, but over the decades has proven to be instrumental in advancing the protection of expressive rights.⁵

Importantly, the 1947 New Jersey Constitution's statement of the rights and privileges of our citizens, and of the organization and obligations of our government, had brought New Jersey's organic document into the modern age and set an example for other states' constitutional reforms.⁶ That said, it was a living document whose application was being tested and the breadth of its reach extended by cases in which Rutgers–Newark personnel were involved. Not surprisingly, then, as one interested in the law and its application in New Jersey, my eyes were drawn to the north to the law school in Newark.

As I said, the law school's reputation for academic excellence enticed. Equally important, I knew in advance of attending about

479 (1965).

2. See Alfred E. Driscoll, Governor, State of New Jersey, Governor's Proclamation Designating Place of Convention (June 6, 1947), in 2 N.J. CONSTITUTIONAL CONVENTION 946 (1947). New Brunswick was selected because it offered a central meeting place and rail transportation. *Id.* Rutgers University's President, Dr. Robert Clothier, a delegate from Middlesex County, was selected to preside over the proceedings. Bennett M. Rich, *A New Constitution for New Jersey*, 41 AM. POL. SCI. REV. 1126, 1127 (1947).

3. 303 A.2d 273 (N.J. 1973) ("Robinson I").

4. 495 A.2d 376 (N.J. 1985) ("Abbott I").

5. See, e.g., *Green Party of N.J. v. Hartz Mountain Indus. Inc.*, 752 A.2d 315 (N.J. 2000); *N.J. Coal. Against War in the Middle E. v. J.M.B. Realty Corp.*, 650 A.2d 757 (N.J. 1994); see also *State v. Fuller*, 862 A.2d 1130 (N.J. 2004).

6. See Maxine N. Lurie, *New Jersey's Three Constitutions: 1776, 1844, 1947*, 59 J. RUTGERS U. LIBR. 5, 14 (2001), <http://jrul.libraries.rutgers.edu/index.php/jrul/article/view/10/29> (summarizing, for example, the New Jersey Constitution's revolutionary reforms to the executive and judicial branches and the requirement of a merit-based civil service system).

how faculty members had bonded with local practitioners to form the earliest legal services unit for the Newark-Essex vicinity in the wake of the riots and general social unrest that was present in the law school's community. That commitment to public interest law was felt every day while attending the law school. It was something one would do—should do—not just talk about or write about. Legal skills were learned to put into work, which included an ongoing, lifelong obligation to use our trade to help people, somehow. For me, that feeling inspired and accelerated my own interest in public service of some variety.

The law school's diverse student population also drew me, and others, to its doors. My entering class was richly diverse in terms of race, sex, and age. Forty-seven percent of the class was female, the highest percentage of women in any law school in the country at the time, although many schools now enroll such numbers of women and more. The median age was twenty-seven.

Our different life experiences sparked our classroom and coffee-break discussions. They also, in the process, brought us closer to one another as we recognized our similarities—in our hopes and dreams about how to use the skills we were learning—and appreciated the various challenges individual classmates overcame in order to be in that law school class every day throughout the semesters and years it took to reach the goal of graduation. Our empathy for one another grew during our years at Rutgers–Newark and lent itself, I believe, to our becoming a more compassionate and understanding workforce of lawyers.

In my own experiences in government, I witnessed women lawyers being valued more quickly in governmental settings than was happening in the private sector. Coincidentally, those valued employees were accommodated to a greater degree than in private practice, by part-time programs, job-sharing, and generous leave programs to encourage women to stay in the practice. I truly believe that it was the experiences obtained in law school that helped me especially appreciate and, when I could, cultivate more such accommodation to women lawyers working in the institutions of government that I have been privileged to lead for a while. Moreover, such experiences provide a rich background for the cases that I participate in as an Associate Justice on the New Jersey Supreme Court, the Court that is responsible for ensuring the promises of the 1947 New Jersey Constitution that still fascinates, impresses, and inspires this member of the Court.

In sum, the Rutgers School of Law–Newark has been a fixture, and a gem, among legal educational institutions for 100 years and, for that, it richly deserves the Law Review's commemorative tributes. In fashioning my own tribute, however, I find that I am bringing to

my essay an intensely personal appreciation for my law school. I have so much to thank Rutgers School of Law–Newark for: professors that I admired, classes that challenged and broadened me, and classmates that to this day I treasure. I will always appreciate my years as its student and I trust that future students at the law school similarly will be rewarded and inspired by their studies there.