

Notre Dame Law School

NDLScholarship

Journal Articles

Publications

2020

The Professor as Institutional Entrepreneur

Roger P. Alford

Follow this and additional works at: https://scholarship.law.nd.edu/law_faculty_scholarship



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

The Professor as Institutional Entrepreneur

Roger P. Alford*

Abstract

Law professors are all about ideas, and the creation of an institute, clinic, or center within a law school is the instantiation of an idea. Ideas embodied in law school institutions become crystallized in the fabric of a school, changing its culture, internalizing its values, and reflecting its priorities. Robert Cochran has helped to establish multiple institutes, centers, and clinics at Pepperdine Caruso Law School, and in so doing he has become the law school's great serial entrepreneur. The institutes Cochran helped to establish have become laboratories to give expression to his ideas about the relationship between faith, ethics, and the law.

* Professor of Law and Concurrent Professor at the Keough School of Global Affairs, University of Notre Dame. This essay is based on remarks presented at a conference, Celebrating the Work of Robert F. Cochran, Jr., hosted by the Herbert and Elinor Nootbaar Institute on Law, Religion, and Ethics at Pepperdine Caruso School of Law on February 1, 2019. I am grateful to the leadership and staff of the *Pepperdine Law Review* for including my remarks in this volume. I am deeply grateful to Bob Cochran for being a mentor, model, colleague, teacher, and friend.

TABLE OF CONTENTS

I. INTRODUCTION.....	271
II. LEGAL AID CLINIC AT UNION RESCUE MISSION.....	272
III. WM. MATTHEW BYRNE, JR., JUDICIAL CLERKSHIP INSTITUTE.....	275
IV. NOOTBAAR INSTITUTE ON LAW, RELIGION, AND ETHICS.....	278
V. SUDREAU GLOBAL JUSTICE PROGRAM.....	279
VI. CONCLUSION.....	282

I. INTRODUCTION

We often measure the success of a professor based on his or her scholarly impact. Much of the discussion in this issue honoring the life and work of Robert Cochran will be about his scholarship.¹ That is an appropriate, but incomplete, measure of the man. For anyone who knows Bob Cochran, he was much more than a scholar. During his time at Pepperdine, Bob Cochran mentored hundreds and taught thousands of students. His impact on the lives of those individuals is difficult to measure, but impossible to deny. He also has mentored young faculty over the years, including myself when I arrived at Pepperdine in the early 2000s. Just as Thomas Shaffer had a lasting impact on Bob Cochran,² so too has Bob Cochran had a lasting impact on students and colleagues who have been inspired by his life and work.

There are many things that one could say about Bob Cochran's career above and beyond his work as a scholar. As one who worked alongside him at Pepperdine for almost a dozen years, I would like to focus on Cochran's lasting influence on Pepperdine Caruso Law School as an institution. I think it is safe to say that since Pepperdine Caruso Law School was established in the 1970s, Bob Cochran has been one of the most significant members of the faculty in shaping its future. Remarkably, he has done this without ever holding an administrative position as Dean or even Associate Dean.

What Bob Cochran has done better than perhaps anyone else in the history of Pepperdine Caruso Law School is to establish institutes, centers, and clinics that have become permanent fixtures at the law school. Among the institutes he was instrumental in establishing at Pepperdine are the Legal Aid Clinic at the Union Rescue Mission, the Judicial Clerkship Institute, the Herbert and Elinor Nootbaar Institute on Law, Religion, and Ethics, and the Sudreau Global Justice Program, which is housed in the Nootbaar Institute.³ This is not to mention his broader initiatives in creating a network of Religiously-

1. *Robert F. Cochran, Jr.*, Curriculum Vitae, PEPP. U. (2016), <https://law.pepperdine.edu/faculty-research/robert-cochran/cv-robert-cochran.pdf> [hereinafter Cochran CV].

2. Richard W. Garnett, *The Communitarian Work and Vision(s) of Robert Cochran (and Thomas Shaffer)*, 47 PEPP. L. REV. 361 (2020).

3. See JENNY ROUGH & JIM GASH, IN GOOD FAITH 191–94, 201–04 (detailing the beginning of the Judicial Clerkship Institute, the Legal Aid Clinic, and the Nootbaar Institute). In addition to these institutes Bob Cochran initiated, Professor Randy Lowry was instrumental in founding the Straus Institute for Dispute Resolution, and he served as the founding director when it opened in 1986. *Id.* at 130–31. Additionally, Professor Janet Kerr was the founding director of Pepperdine's Palmer Center for Entrepreneurship and the Law. *Id.* at 192–93.

Affiliated Law Schools and the Law Professors' Christian Fellowship. Bob Cochran is Pepperdine Caruso Law School's great serial entrepreneur, who has established one successful start-up after another.

It is worth pondering the importance of creating permanent institutional structures at law schools. Law professors are all about ideas, and the creation of an institute, clinic, or center is the instantiation of an idea. Many ideas reflected in scholarship are abstract, fleeting, and trivial. By contrast, ideas embodied in the architecture of a school are concrete, permanent, and consequential. Embodied ideas become crystallized in the fabric of a school. They change a school's culture, internalize specific values, and come to reflect its institutional priorities. In other words, if a professor wants to have a lasting impact at his or her law school, one of the best ways to do so is to become an institutional entrepreneur.

Bob Cochran understood this well. His ideas are permanently etched in the white stucco and red tiles of the Pepperdine Caruso School of Law.⁴ Of course, Cochran is quick to point out that none of the programs that he helped launch would have been possible without colleagues who were excited about the programs and became co-laborers in starting them. Nonetheless, his work in establishing all of them was critical and undeniable. His role as an institutional entrepreneur will secure his legacy as one of the most influential members of the Pepperdine Caruso School of Law faculty.

II. LEGAL AID CLINIC AT UNION RESCUE MISSION

Cochran started working at Pepperdine in 1983 and became a tenured professor in the early 1990s.⁵ In 1998, he created a class on "Christ, the Law, and the Legal Profession" that had a profound impact on his students.⁶ They expressed an interest in integrating their faith with their skills, and thus, the Legal Aid Clinic was born.⁷ It started as a pilot project by volunteers, and then expanded to include faculty, lawyers, and law students.⁸ Professors Peter Robinson, Harry Caldwell, Greg Ogden, and Dan Martin, and student Jill

4. See ROUGH & GASH, *supra* note 3 (chronicling Professor Cochran's influence on Pepperdine Caruso School of Law's history, culture, and programs).

5. See Cochran CV, *supra* note 1.

6. *Legal Aid Clinic Opens for Homeless*, L.A. TIMES (Nov. 3, 1999), <https://www.latimes.com/archives/la-xpm-1999-nov-03-me-29305-story.html>.

7. *Id.*

8. *Id.*

Jones Cucullu, joined Cochran in actively supporting this initiative.⁹

During the first year of the pilot project, Pepperdine students and faculty members worked at the Union Rescue Mission on a volunteer basis and interviewed clients.¹⁰ Union Rescue Mission, located on Skid Row in Downtown Los Angeles, is one of the largest homeless shelters in the country.¹¹ The Union Rescue Mission helps those who are experiencing poverty and are powerless to address legal violations that often create insurmountable difficulties and barriers as they try to rebuild their lives and re-enter society.¹²

There is a high cost to being poor. Poverty can lead to a downward spiral in which minor legal issues become major barriers to reintegration. The Pepperdine Legal Aid Clinic provides free legal advice covering a host of issues to help reverse this downward spiral, including assistance in resolving tickets and warrants, child custody cases, government benefits, and income tax controversies.¹³

What began as a small venture with a few professors and students is now one of the most important legal aid clinics for the homeless in the United States.¹⁴ Other staff joined the initiative, including leaders like Jill Jones Cucullu and Brittany Stringfellow Otey.¹⁵ Countless students have participated in the clinic and provided legal aid to the poor. Hundreds of men and women suffering from homelessness and poverty visit the legal aid clinic every year, which means that thousands have benefited from the legal aid clinic since its inception in the late 1990s.¹⁶ Today, the Los Angeles Union Rescue Mission is the largest private mission serving the homeless in the United States.¹⁷

In those early years, the legal aid work at Union Rescue Mission was

9. See ROUGH & GASH, *supra* note 3, at 193.

10. *Id.*

11. *Learn More About Us*, UNION RESCUE MISSION, <https://urm.org/about/> (last visited Nov. 4, 2019).

12. *Id.*

13. *Pepperdine Legal Aid Clinic*, UNION RESCUE MISSION, <https://urm.org/services/clinics/> (last visited Nov. 4, 2019).

14. *Id.* (stating that Pepperdine's Legal Aid Clinic makes a "significant difference" in the downtown community and receives more than 1,000 visits per year); see also UNION RESCUE MISSION, 2018 ANNUAL REPORT 10–11 (2018), <https://urm.org/wp-content/uploads/2019/02/2018-Annual-Report.pdf> [hereinafter URM REPORT].

15. See ROUGH & GASH, *supra* note 3, at 193; see also BILL HENEGAR ET AL., PEPPERDINE UNIVERSITY 2003 ANNUAL REPORT 13 (2003), <https://www.pepperdine.edu/annualreports/2003/annual-report-2003.pdf>.

16. See URM REPORT, *supra* note 14 and accompanying text.

17. See *id.* at 6–7, 10–11.

fluid, and its organization haphazard. It began with Bob Cochran and a couple of other law professors, together with five or six students, volunteering on a regular basis. From that small seed, the program slowly grew. The first Legal Aid Clinic Director, Jill Cucullu, remembers taking notes in her notebook on the various legal problems her clients were facing.¹⁸ That notebook eventually become a filing cabinet, and then the filing cabinet expanded to a desk, then an office, and then a clinic. Eventually, the volunteering became more organized, and soon there were externships and then clinical classes. Jill Cucullu recalls that those early years were difficult, and that she would frequently call Bob Cochran in dismay.¹⁹ He would encourage her to stay the course.²⁰

When Brittany Stringfellow Otey became the Director of the Legal Aid Clinic in 2003, the clinic came into its own.²¹ It was no longer simply legal aid outreach; rather, it became institutionalized within the law school. It developed to such an extent that the students, rather than the Director, began to manage the caseload.

Pepperdine's legal aid work at Union Rescue Mission changed its reputation in the legal community.²² Both Jill Cucullu and Brittany Stringfellow Otey recall that in the early years, everyone in the Los Angeles legal aid community was shocked that a school like Pepperdine would be involved in helping the poor and homeless.²³ At the time, Pepperdine did not have a reputation of care and concern for the poor. "Conservatives don't do legal aid" was a common reaction from many skeptics at the time. Jill Cucullu said that in the early days, "Pepperdine students were viewed as novelties in the legal aid world."²⁴ But, over the years, Pepperdine earned a reputation through its work at the Union Rescue Mission, linking arm-in-arm with a variety of people across the ideological spectrum. The Union Rescue Mission reflects the law school's commitment to remain steadfast over the course of almost twenty years now.

18. Interview with Jill Cucullu, Founding Dir., Pepperdine Legal Aid Clinic (Jan. 9, 2019).

19. *Id.*

20. *Id.*

21. See *Brittany Stringfellow Otey*, PEPP. U., <https://law.pepperdine.edu/faculty-research/brittany-stringfellow/> (last visited Nov. 4, 2019).

22. Interview with Brittany Stringfellow Otey, Dir., Pepperdine Legal Aid Clinic (Jan 9, 2019); see also URM REPORT, *supra* note 14, at 10–11 (summarizing the work Pepperdine Legal Aid Clinic students performed in 2018).

23. See Interview with Brittany Stringfellow Otey, *supra* note 22; Interview with Jill Cucullu, *supra* note 18.

24. See Interview with Jill Cucullu, *supra* note 18.

The Union Rescue Mission also has changed Pepperdine law students.²⁵ At the start of every semester, Brittany Stringfellow Otey tells law students that working at the legal aid clinic should bother them for the rest of their lives.²⁶ The clinic is transformative in the lives of students, and numerous alumni have become public interest lawyers, legal aid lawyers, and public defenders. As the work at Union Rescue Mission changed students' lives, that change also altered the culture of Pepperdine.

III. WM. MATTHEW BYRNE, JR., JUDICIAL CLERKSHIP INSTITUTE

At a faculty retreat in 2000, Bob Cochran proposed the creation of a training program for students from around the country who have been accepted to judicial clerkships.²⁷ Cochran recognized that students who have been accepted to serve as judicial law clerks typically come to the job with little preparation for their work as law clerks. Rather than forcing recent law graduates to learn on the job in the initial weeks of their clerkships, Cochran had the idea to provide a service to the judiciary by offering a three-day training course for future law clerks. His idea was to invite prominent district and appellate judges to teach in the program on topics such as drafting bench memos and judicial opinions, judicial ethics, and research skills.

The first Judicial Clerkship Institute was held in January 2001 and included four federal appellate judges and three federal district court judges.²⁸ With the support of Professors Shelley Saxer and Doug Kmiec, and Judges such as Pam Rymer, Matt Byrne, Ken Ripple, and Tom Reavley, the inaugural Judicial Clerkship Institute far exceeded expectations. Cochran expected approximately thirty future clerks to participate in the first annual conference, but was pleasantly surprised when one hundred and thirty attended from almost every circuit in the country.²⁹

25. See Interview with Brittany Stringfellow Otey, *supra* note 22; Larisa Kline, *Finding Worth and a Calling*, #SHEISNOBLE (Feb. 11, 2015), <http://sheisnoble.com/nomination/brittany-stringfellow-otey/> (summarizing an interview with Stringfellow Otey, where she discusses the "culture-shock" for the clinic students).

26. See Interview with Brittany Stringfellow Otey, *supra* note 22.

27. See ROUGH & GASH, *supra* note 3, at 191.

28. The initial faculty included Judge Pamela Rymer, Judge Ken Ripple, Judge Carol Bagley Amon, Judge William Canby, Judge William Matthew Byrne, Judge Thomas Reavley, and Judge Schwarzer.

29. Interview with Shelley Saxer, Professor of Law, Pepperdine Caruso Sch. of Law (Aug. 15, 2019).

The reviews of the program have been superlative. Student evaluations have been extraordinarily positive. Justice Anthony Kennedy personally called Bob Cochran to praise him for the initiative.³⁰ Judge Carol Bagley Amon of the U.S. District Court for the Eastern District of New York, who has taught at the Judicial Clerkship Institute every year since its inception, said, “It showed real vision on Bob Cochran’s part to establish the Judicial Clerkship Institute. It has raised the profile of Pepperdine Law School among federal judges and provided a real service to the judiciary.”³¹

The program slowly expanded and is now co-sponsored by the American Bankruptcy Institute and the Federal Judicial Center.³² Professor Shelley Saxer, who served as the director of the Institute for ten years,³³ said that one of the most important aspects of the Institute is that it has opened doors for top Pepperdine students to secure judicial clerkships.³⁴ The Institute has enhanced the reputation of Pepperdine Caruso Law School among the federal judiciary, and as a result, has increased clerkship opportunities for Pepperdine students.³⁵ But she also noted that the \$3 million endowment from the Institute has benefited students from law schools around the country, by allowing them to attend the program at reduced costs.³⁶

Dean Naomi Goodno, who is the current Co-Director of the Institute,³⁷ said that Cochran was able to see the big picture and implement his vision. “These are huge projects, and it takes real vision to create an institute of this size and nature,” she recalled.³⁸ She also emphasized that the Institute has raised the profile of the law school with students who have participated in the program.³⁹ “These clerks will be future leaders in the legal community, and their impressions of Pepperdine are based on their time at the Institute,” she

30. *Id.*

31. Interview with Carol Bagley Amon, Senior Judge, U.S. Dist. Court for the E. Dist. of N.Y. (Aug. 15, 2019).

32. JUDICIAL CLERKSHIP INSTITUTE 2020, at 2 of 6 (Byrne Judicial Clerkship Inst. ed., 2019), <https://law.pepperdine.edu/judicial-clerkship-institute/content/jci-2020-brochure.pdf>.

33. *Shelley R. Saxer*, Curriculum Vitae, PEPP. U., <https://law.pepperdine.edu/faculty-research/content/shelley-saxer-cv.pdf> (last visited Nov. 4, 2019).

34. Interview with Shelley Saxer, *supra* note 29.

35. *See* Interview with Carol Bagley Amon, *supra* note 31 and accompanying text.

36. Interview with Shelley Saxer, *supra* note 34.

37. *Naomi Harlin Goodno*, PEPP. U., <https://law.pepperdine.edu/faculty-research/naomi-harlin-goodno/> (last visited Nov. 4, 2019).

38. Interview with Naomi Goodno, Co-Dir., Byrne Judicial Clerkship Inst. (Aug. 16, 2019).

39. *Id.*

said.⁴⁰ Over 2,000 clerks and nearly 800 judges have participated in the program.⁴¹ For the vast majority, their opinions about Pepperdine were formed based on their time with the program.

Judge Kenneth Ripple, who taught with the program for numerous years, said that Cochran was skillful and diplomatic in implementing the program.⁴² “Every applicant had to receive permission from the judge with whom they would be clerking in order to participate in the program. This served as an important means to include judges in the decision making.”⁴³ He also was “careful to avoid establishing a program with an ideological label attached to it.”⁴⁴ Every year, the program includes a Supreme Court review from leading scholars on the left and the right.⁴⁵ By inviting judges and scholars from around the country without regard to ideology, the Pepperdine program quickly earned a national reputation.

From the start, Cochran’s vision was to include judicial ethics and professional formation in the program.⁴⁶ Judge Ripple noted that, outside of their clerkship interviews, their training at the Institute was typically the first time law students interacted with judges.⁴⁷ By spending a weekend with the judges, the participants were able to observe firsthand how judges think and act.⁴⁸ It was an early introduction to the professional vocation of judicial service.

The Byrne Judicial Clerkship Institute has continued this trajectory for the past twenty years, and now is one of the most respected training programs in the country for future law clerks.⁴⁹ It is also a perfect example of Cochran identifying a gap in the educational offerings of law schools, and strategically filling that gap to the edification of everyone involved.

40. *Id.*

41. *Id.*

42. Interview with Kenneth Ripple, Judge, U.S. Court of Appeals, Seventh Circuit (Aug. 21, 2019).

43. *Id.*

44. *Id.*

45. See JUDICIAL CLERKSHIP INSTITUTE 2020, *supra* note 32, at 5 of 6 (Supreme Court review program with Dean Erwin Chemerinsky and Professor Barry McDonald).

46. See *id.* at 2 of 6.

47. See Interview with Kenneth Ripple, *supra* note 42.

48. *Id.*

49. See *Programs and Resources for Court Attorneys*, FED. JUD. CTR., <https://www.fjc.gov/education/programs-and-resources-court-attorneys> (last visited Nov. 7, 2019) (giving the Byrne Judicial Clerkship Institute as an important training resource for judicial clerks).

IV. NOOTBAAR INSTITUTE ON LAW, RELIGION, AND ETHICS

The Nootbaar Institute on Law, Religion, and Ethics began in the early 2000s in response to various internal and external grants.⁵⁰ From the beginning, Bob Cochran enlisted other faculty members, like Sam Levine and myself, to support the initiative.⁵¹ In the early years, we did not have the resources to hire someone to staff the project, but we also did not want to staff it ourselves, given our scholarly and teaching commitments. So, our approach was to cobble together temporary funds from various sources to hire a part-time director. In the early years, we used grant money to start an institute that focused on law, religion, and ethics, and we hired our first director, Melanie Howard, who worked part-time for the Institute and part-time for the Palmer Center for Entrepreneurship and the Law.⁵² This arrangement evolved over time, and eventually we were able to hire a full-time director, more staff, and finally, a permanent endowment.⁵³

Every year since the mid-2000s, the Nootbaar Institute has focused on the intersection of faith and the law to address concrete issues, such as religious liberty, social justice, inter-country adoption, and property disputes.⁵⁴ It also has addressed more philosophical issues such as love and the law, earthly law and higher law, and vocational calling.⁵⁵ The real focus of the Institute and its conferences has been to deepen the dialogue on the relationship between religion and ethics, and to explore the intersection of religion, law, and ethics through interdisciplinary seminars and conferences.⁵⁶ In many respects, the Nootbaar Institute provided an umbrella organization to promote what many of the faculty were already doing in their work.

As with the Union Rescue Mission and the Byrne Judicial Clerkship Institute, Bob Cochran identified like-minded faculty and persuaded the Dean to support the program. As Melanie Howard, the first director said, “Bob

50. See ROUGH & GASH, *supra* note 3, at 201 (detailing the Institute’s beginning).

51. See *id.* (naming faculty members who were active in the Institute’s foundation).

52. *Melanie J. Howard*, Resume, LOEB & LOEB LLP, <https://www.linkedin.com/in/melaniejhoward/> (follow “More”; then click “Save to PDF”) (last visited Nov. 4, 2019).

53. *Nootbaar Endowment*, PEPP. U., <https://law.pepperdine.edu/nootbaar-institute/about/endowment.htm> (last visited Nov. 4, 2019).

54. *About the Institute*, PEPP. U., <https://law.pepperdine.edu/nootbaar-institute/about/> (last visited Nov. 4, 2019).

55. See *id.*

56. See *id.*; see also ROUGH & GASH, *supra* note 3, at 203 (listing past Nootbaar Institute annual conferences).

Cochran was respected and trusted by everyone on the faculty, and he was careful in how he managed that trust. So, as a result, he could take risks because of the trust that he had earned.⁵⁷ I recognized this early on as a young, untenured faculty member, and so I would often push ideas through him because I knew that if Bob Cochran was promoting the idea, it would likely find greater traction among the faculty.

Permanent funding for the Institute came earlier than expected with the support of Herb and Elinor Nootbaar.⁵⁸ In the fall of 2007, the Institute was named the Herbert and Elinor Institute on Law, Religion, and Ethics following the Nootbaar's \$5 million gift.⁵⁹ "When we realized the extent of their work and the programs and missions, we were so inspired that we wanted to help," recalled Elinor Nootbaar.⁶⁰ Her hope was that the Institute would instill "moral and ethical values in our young people for the future of our country and for the world."⁶¹

Cochran's vision for the Institute was about exploring the relationship between law and religious principles. With the establishment of the Nootbaar Institute and its annual conference, that question would be permanently on the agenda at Pepperdine Caruso Law School. As a result of this annual conference, scholars from around the country gather together every winter to embrace the warm hospitality of Cochran and his colleagues, while they address different aspects of the intersection of law and religion.

V. SUDREAU GLOBAL JUSTICE PROGRAM

Closely related to the Nootbaar Institute is the Sudreau Global Justice Program.⁶² In many respects, the Global Justice Program is the international parallel to the Legal Aid Clinic. The core idea of the Global Justice Program is to provide students with the opportunity to promote the rule of law and engage in international social justice work around the world.⁶³ For example,

57. Interview with Melanie Howard, Former Assoc. Dir., Nootbaar Inst. (Jan. 22, 2019).

58. See *Nootbaar Endowment*, *supra* note 53.

59. Shannon Kelly, *Law School Receives \$5 Million Endowment*, PEPP. GRAPHIC (Sept. 6, 2007), <http://pepperdine-graphic.com/law-school-receives-5-million-endowment/>.

60. *Id.*

61. *Id.*

62. See ROUGH & GASH, *supra* note 3, at 203.

63. *Global Justice Program: Vision and Purpose*, PEPP. U., <https://law.pepperdine.edu/nootbaar-institute/global-justice/about/vision.htm> (last visited Nov. 7, 2019).

the Program allows students to receive credit while engaging in legal externships around the world.⁶⁴ As with his other initiatives, Cochran enlisted the support of like-minded professors.⁶⁵ In the case of the Global Justice Program, that initially included Professor Lee Boyd and myself, and later Professor and current President Jim Gash.

As Dean Ken Starr noted, while other law schools have human rights clinics, Pepperdine's "Christian mission gives an organizing force and cohesiveness as to *why* we [engage in human rights movements]. It's born out of the vision and the moral commitment to serve those who have the least"⁶⁶ Of course, the timing was fortuitous because the Program developed within the law school at the same time that Protestant evangelicals like Gary Haugen, of the International Justice Mission, and Bob Goff, of Love Does and Restore International, were publishing books and developing international organizations that promoted these same causes.⁶⁷

Pepperdine's core student demographic was open and receptive to the message. As Jay Milbrandt, the second director of the Global Justice Program put it, so many students were interested in doing international human rights work, that the demand far exceeded the supply of available student internship opportunities.⁶⁸ So, Pepperdine built a program within the law school.⁶⁹

Many students who participated in these programs around the world were forever changed. They would come back to Pepperdine with a different perspective, and that diversity of thought permeated the law school. Students were coming to Pepperdine to engage in Christian social justice. The Global Justice Program helped Pepperdine attract higher quality and more passionate students, who had strong senses of mission and purpose. According to recent statistics provided by President Gash, 25% of incoming law students said that the reason they came to Pepperdine was because of the Global Justice Program, and 50% of the Faculty Scholars who receive full scholarships applied

64. *See id.*; *see also Global Justice: Student Programs*, PEPP. U., <https://law.pepperdine.edu/nootbaar-institute/global-justice/student-experience/> (last visited Nov. 7, 2019).

65. *See discussion supra* Parts II–IV.

66. ROUGH & GASH, *supra* note 3, at 203.

67. BOB GOFF, *LOVE DOES: DISCOVER A SECRETLY INCREDIBLE LIFE IN AN ORDINARY WORLD* (2012); GARY A. HAUGEN, *GOOD NEWS ABOUT INJUSTICE: A WITNESS OF COURAGE IN A HURTING WORLD* (1999); GARY A. HAUGEN, *JUST COURAGE: GOD'S GREAT EXPEDITION FOR THE RESTLESS CHRISTIAN* (2008).

68. Interview with Jay Milbrandt, Former Dir., Sudreau Glob. Justice Program (Jan. 24, 2019).

69. *Id.*

to Pepperdine because of it.⁷⁰

In 2017, Laure Sudreau endowed the program with an \$8 million gift.⁷¹ Her gift established funding for law students and recent graduates to live and work in developing countries, and to broaden and deepen current curricular offerings related to global justice, religious freedom, the rule of law, and human rights.

There is no doubt that the Sudreau Global Justice Program changed the culture at Pepperdine. In the late 1990s, when Gary Haugen of the International Justice Mission came to Pepperdine, only twelve students attended his presentation.⁷² Within a decade, Pepperdine had one of the most robust global justice programs of any law school in the country, and now it is part of the DNA of the law school and one of its signature initiatives. Gary Haugen and Bob Goff have each taught justice-related courses annually at Pepperdine, both since 2011.⁷³ In March 2018, Gary Haugen was the keynote speaker at the law school's annual dinner, with hundreds of students, faculty, and friends of the law school in attendance. He declared that Pepperdine Caruso School of Law was the leading law school pioneering in the effort to protect the most vulnerable around the world.⁷⁴

With the inauguration of Jim Gash as President of Pepperdine University, the influence of the Sudreau Global Justice Program, where he served as director for seven years, will extend far beyond the law school.⁷⁵ Gash has spoken and written often about how his work with the Global Justice Program changed the trajectory of his life.⁷⁶ Now, with Gash serving as President, that

70. Interview with Jim Gash, President, Pepperdine Univ. (Jan. 28, 2019).

71. *Pepperdine School of Law Announces \$8 Million Endowment of Sudreau Global Justice Program*, PEPP. U., <https://www.pepperdine.edu/newsroom/2017/09/pepperdine-school-law-announces-8-million-endowment-sudreau-global-justice/> (last visited Nov. 7, 2019).

72. Interview with Jill Cucullu, *supra* note 18.

73. See *The Team*, PEPP. U., <https://law.pepperdine.edu/nootbaar-institute/global-justice/about/team.htm> (last visited Nov. 7, 2019).

74. Hadley Biggs, *School of Law Recognizes 45 Years*, PEPP. GRAPHIC (Mar. 14, 2018), <http://pepperdine-graphic.com/school-of-law-recognizes-45-years/>; Pepperdine Law, *Our Place in the World*, YOUTUBE (July 13, 2018), https://www.youtube.com/watch?v=6IG_mXuhyQQ.

75. *James A. Gash Named Eighth President and CEO of Pepperdine University*, PEPP. U. (Feb. 14, 2019), <https://www.pepperdine.edu/newsroom/2019/02/james-gash-named-eighth-president-and-ceo-pepperdine-university/>.

76. *Inauguration of James A. Gash, Full Inauguration Address*, YOUTUBE (Oct. 15, 2019), <https://youtu.be/4XrW0LESy3U> [hereinafter *Gash Inauguration Address*]; *President-Elect Jim Gash Presents "Pepperdine's Footprint in the Developing World,"* PEPP. U. (April 17, 2019), <https://law-comm.pepperdine.edu/president-elect-jim-gash-presents-pepperdines-footprint-in-the-developing->

trajectory will shape the future direction of Pepperdine University. As Gash stated in his inauguration address,

The question to be asked at the end of the educational enterprise is not what has a student learned, but instead, who has a student become. We need to strengthen students intellectually, spiritually, and relationally so that they . . . have the courage to pursue leadership and service where it matters. . . . We have campuses around the world in places of power and influence. . . . But we do not have a sustained presence in the developing world. I believe it is important . . . to expose our students to places where developing nations are fighting political and economic poverty and injustice.⁷⁷

VI. CONCLUSION

One way to think about Bob Cochran's institutional work is that by helping to establish institutes, centers, and clinics, he has implemented his philosophy on Christian ethics. Think about how his scholarship on moral empowerment, sensitivity, judgment, and motivation has been implemented at Pepperdine.⁷⁸ His institutional work has empowered students (1) to assume control early in their legal careers, (2) to be sensitive to the consequences of their actions on others, (3) to make good moral judgments, and (4) to create incentives and opportunities to follow their conscience. The moral discourse between professor and student has been enriched through the institutional framework he helped create, leading to the formation of lawyers who are morally sensitive. A common thread running through all of his initiatives is finding creative ways to promote the rule of law and enhance the quality of justice.

Another way to reflect on his institutional impact is that Bob Cochran loved the theory behind these institutions, as well as the institutions themselves. They were laboratories for him to give expression to his ideas about the relationship between faith, ethics, and the law. He became a center of gravity within the law school for people interested in expressing their faith and values through the law.

world-pepperdine-seaver-college/; see also JIM GASH, *DIVINE COLLISION* (2016).

77. *Gash Inauguration Address*, *supra* note 76.

78. THOMAS L. SHAFFER & ROBERT F. COCHRAN, JR., *LAWYERS, CLIENTS, AND MORAL RESPONSIBILITY* 113–34 (1994).

Of course, the impact of these institutional changes is not limited to Pepperdine. The hundreds of clients that Pepperdine students have served at home and abroad have also greatly benefited from his vision, as have the scholars who have become interested in faith and the law based on ideas generated at Nootbaar Institute conferences. Other law schools, like Regent University School of Law and Baylor Law School, have instituted similar global justice programs.⁷⁹ The Los Angeles County court system now has a homeless court program in order to better serve the needs of the poor and homeless, and it all started at the Union Rescue Mission.⁸⁰ Uganda has modified its laws and practices as a result of the work of Pepperdine students and faculty.⁸¹

The average shelf life of a typical law review article is a few years, perhaps a decade. But through the institutes, clinics, and other initiatives that Bob Cochran helped to create at Pepperdine, his ideas and vision will inspire students and faculty for decades. Bob Cochran is an exemplar of a professor who became an institutional entrepreneur, successfully embedding his ideas into the architecture of Pepperdine Caruso Law School.

79. See *Seeking Justice*, 5 *IMPACT* 1, 1–3 (2014), <https://www.regent.edu/publications/impact/issues/impact-sept-2014.pdf> (describing the work Regent University Law School students did during their summer internships through their global justice program); Monica Rodriguez, *Baylor in Zambia Program a Possibility for Students Next Year*, *BAYLOR LARIOT* (Sept. 4, 2017), <https://baylorlariat.com/2017/09/04/baylor-in-zambia-program-a-possibility-for-students-next-year/> (describing how Baylor Law School was inspired by Pepperdine’s Uganda program).

80. See Twila Decker, *Skid Row Court Gives Defendants a Clean Slate*, *L.A. TIMES* (Nov. 21, 2000, 12:00 AM), <https://www.latimes.com/archives/la-xpm-2000-nov-21-me-55089-story.html> (describing the first session of Los Angeles’s Homeless Court, which was held in the Union Rescue Mission downtown).

81. See *Gash Inauguration Address*, *supra* note 76; *Pepperdine, Uganda Sign Memorandum of Understanding in School of Law Ceremony*, *PEPP. U.* (Oct. 28, 2015), <https://lawcomm.pepperdine.edu/pepperdine-uganda-sign-memorandum-of-understanding/>.

[Vol. 47: 269, 2020]

The Professor as Institutional Entrepreneur
PEPPERDINE LAW REVIEW

Agape, Justice, and Law
