

Legal Literacy: Self-Help Training for Recreation Advocates

Everyone is familiar with the old adage, “Ignorance of the law is no excuse.” This maxim is equally applicable to the park and recreation profession which is held accountable to the public under a wide variety of laws, from local ordinances to federal statutes. Since public and private leisure delivery systems are defined within a legal context, it is imperative that park and recreation professionals have a working knowledge of the law and legal processes. This understanding can be best attained through law-related education.

Training in the legal process, including basic legal research methods, allows students and administrators alike to keep abreast of most legal topics. Such training is not designed to produce amateur lawyers or prepare individuals for the legal profession. Neither does it purport to replace the need for legal counsel. Instead, it seeks to apprise the professional of his or her rights and responsibilities under the law.

Studies conducted by the American Bar Association suggest that law-related education leads to a better understanding of legislative processes, as well as the law itself. Further, those who receive instruction in law-related subjects not only learn how the legislative systems work, but they also tend to think that they can make a difference in effecting change within that system.

It should be no surprise that most state legislatures and the Congress of the U.S. are numerically dominated by attorneys.

In recent years, NRPA has called for increased political action and legislative advocacy among its membership. Yet, despite a general interest and willingness to influence the legislative process at the local, state, and federal levels, many would-be advocates are oftentimes intimidated by the legal jargon and documents inherent in the process. Substantive training in legal processes and research methods would enable park and recreation advocates to overcome this perceived barrier which surrounds the law.

The framework for promoting law-related education within park, recreation, and leisure studies curriculum is in place. The existing NRPA accreditation plan requires academic training in the legal aspects of recreation and parks for the professional core curriculum and each specialty area. However, despite these requirements, law-related educational opportunities appear inadequate, in all but a few park and recreation curricula. A perusal of offerings in the NRPA curriculum catalog indicates that very few departments provide specific law-related courses. Although law-related topics may be addressed as elements in some courses, essential training in legal reasoning and research skills may still be lacking.

Absent even basic law library skills, an individual cannot find, let alone understand, the applicable law in a given situation. Without access to the law itself, park and recreation advocates must rely upon secondary materials developed by others. These may or may not provide a valid interpretation of the law as it affects the parks and recreation profession.

A recently established liaison between NRPA and the American Bar Association (ABA) offers an important opportunity to promote law-related education within the park and recreation field. The general purpose of the ABA liaison is to develop joint ventures with NRPA in areas of mutual interest, including forums, other educational events and, potentially, advocacy functions. One such venture could include specific curriculum development and skill training in the legal aspects of recreation and parks. Professional recreation managers and lawyers alike could benefit from such activities.

The “state of the art” for law-related education in parks and recreation needs to be assessed, and proposals developed for improving our collective knowledge of the legal process.