

**Resolution of Faculty of the University of Maryland School of Law
in Response to the Proposed Changes to the Existing ABA Standards
Regarding Security of Position, Academic Freedom, and Attraction and Retention of Faculty**

The Standards Review Committee of the American Bar Association's Section of Legal Education and Admissions to the Bar ("Committee") has proposed substantial changes to ABA Standards 206, 405, and 603. Several organizations and individuals have filed comments in response to these proposed changes. On April 2, 2011, the Committee heard oral testimony regarding these changes.

These changes would dramatically reduce the ABA's longstanding commitment to a system of tenure and of security of position for law school deans, traditional faculty, clinical faculty, legal writing faculty, and librarians. Specifically, the proposed changes would weaken or eliminate:

- (1) Standard 206(c)'s mandate of tenure for law school deans;
- (2) Standard 405(b)'s requirement of an established tenure policy for traditional faculty;
- (3) Standard 405(c)'s mandate of security of position for clinical faculty members;
- (4) Standard 405(d)'s mandate of security of position for legal writing faculty; and
- (5) Standard 603(d)'s support for security of position for directors of law libraries.

The University of Maryland School of Law has a rich tradition of providing a sound legal education that connects theoretical and practical dimensions throughout the curriculum. The School of Law's commitment to theory and practice has been advanced through its long-standing commitment to provide security of position to its full-time faculty.

Several law schools have passed resolutions opposing the proposed changes to ABA Standards 206, 405 and 603 as presently outlined in the Committee's draft for the April, 2011 meeting. We also oppose these proposed changes on the grounds set forth in these resolutions, specifically that they would:

- (1) Undermine the quality of legal education;
- (2) Undermine academic freedom in the legal academy;
- (3) Undermine faculty governance in the legal academy; and
- (4) Undermine the movement to bring clinical law professors, legal writing professors, and library directors into full membership in the academy.

IT IS THEREFORE RESOLVED:

The faculty of the University of Maryland School of Law opposes the proposed changes to ABA Standards 206, 405, and 603 as presently outlined in the Committee's draft for the April, 2011 meeting.

Dated: April 7, 2011