

American Bar Association
Section of Legal Education and Admissions to the Bar
Standards Review Committee

CHAPTER 5:
ADMISSIONS AND STUDENT SERVICES

DRAFT FOR November 2010 Meeting

Redlined to current Standards

Standard 501. ADMISSIONS

(a) A law school shall maintain sound admission policies and practices, consistent with its mission and the objectives of its educational program ~~and the resources available for implementing those objectives.~~

(b) A law school shall not admit applicants who do not appear capable of satisfactorily completing its educational program and being admitted to the bar.

~~(c) Standard 505. Previously Disqualified Applicant~~ A law school ~~may~~ shall not admit or readmit a student who has been disqualified previously for academic reasons ~~upon~~ without an affirmative showing that the student possesses the requisite ability and that the prior disqualification does not indicate a lack of capacity to complete the course of study at the admitting school. ~~In the case of admission to a law school other than the disqualifying school, this showing shall be made either by a letter from the disqualifying school or, if two or more years have elapsed since that disqualification, by the nature of interim work, activity, or studies indicating a stronger potential for law study.~~ For every admission or readmission of a previously disqualified individual, a statement of the considerations that led to the decision shall be placed in the admittee's file. [Moved from 505]

Interpretation 501-1

Sound admissions policies and practices may include consideration of admission test scores, undergraduate course of study and grade point average, extracurricular activities, work experience, performance in other graduate or professional programs, performance in a law school pre-admission program, relevant demonstrated skills, and obstacles overcome.

Interpretation 501-2

A law school's admission policies shall be consistent with Standards 211 and 212.

Interpretation 501-3

Among the factors to consider in assessing compliance with Standard 501(b) are the academic and admission test credentials of the law school's entering students, the academic attrition rate of the law school's students, the bar passage rate of its graduates, and the effectiveness of the law

school's academic support program. Successful bar passage alone does not demonstrate compliance with Standard 501(b).

Interpretation 501-4

~~A law school may not permit financial considerations detrimentally to affect its admission and retention policies and their administration. A law school may face a conflict of interest whenever the exercise of sound judgment in the application of admission policies or academic standards and retention policies might reduce enrollment below the level necessary to support the program.~~

Standard 502. EDUCATIONAL REQUIREMENTS

~~(a) Except as set forth in Subsections 502(b) and (c), a~~ **A law school shall require a bachelor's degree for admission to its J.D. degree program, a bachelor's degree, or successful completion of three-fourths of the work acceptable for a bachelor's degree, from For graduates of U.S. schools, the degree must have been awarded by an institution that is accredited by an accrediting agency recognized by the U.S. Department of Education. For graduates of schools outside of the U.S., the law school shall assure that the quality of the educational program is equivalent to that of schools accredited by an accrediting agency recognized by the U.S. Department of Education.**

~~(b) A law school may admit applicants who have completed three-fourths of the work leading to a bachelor's degree as part of a bachelor's degree/J.D. program if the undergraduate institution is accredited by an accrediting agency recognized by the Department of Education.~~

~~(b)(c) In an extraordinary case~~ **Under special circumstances, a law school may admit to its J.D. degree program an applicant who does not possess the educational requirements of subsections (a) or (b) if the applicant's experience, ability, and other qualifications characteristics clearly show an aptitude for the study of law. The admitting officer shall sign and place in the admittee's file a statement of the considerations that led to the decision to admit the applicant.**

Interpretation 502-1

~~Before an admitted student registers, or~~ **Within a reasonable time thereafter an admitted student registers, a law school shall should have on file the student's official transcript showing receipt of a bachelor's degree, if any, and verifying all academic work undertaken and degrees conferred.** "Official transcript" means a transcript certified by the issuing school to the admitting school or delivered to the admitting school in a sealed envelope with seal intact. ~~A copy supplied by the Law School Data Assembly Service is not an official transcript, even though it is adequate for preliminary determination of admission.~~

Standard 503. ADMISSION TEST

~~A law school shall require each applicant for admission as a first year J.D. student to take a valid and reliable admission test to assist the school and the applicant in assessing the applicant's capability of satisfactorily completing the school's educational program. In~~

~~making admissions decisions, a law school shall use the test results in a manner that is consistent with the current guidelines regarding proper use of the test results provided by the agency that developed the test.~~

Interpretation 503-1

~~A law school that uses an admission test other than the Law School Admission Test sponsored by the Law School Admission Council shall establish that such other test is a valid and reliable test to assist the school in assessing an applicant's capability to satisfactorily complete the school's educational program.~~

~~**Interpretation 503-2** This Standard does not prescribe the particular weight that a law school should give to an applicant's admission test score in deciding whether to admit or deny admission to the applicant.~~

Interpretation 503-3

~~A pre-admission program of coursework taught by members of the law school's full-time faculty and culminating in an examination or examinations, offered to some or all applicants prior to a decision to admit to the J.D. program, also may be useful in assessing the capability of an applicant to satisfactorily complete the school's educational program, to be admitted to the bar, and to become a competent professional. ["pre-admission" added to 501-1]~~

Interpretation 503-4

~~The "Cautionary Policies Concerning LSAT Scores and Related Services" published by the Law School Admission Council is an example of the testing agency guidelines referred to in Standard 503. [See Appendix 2]~~

Standard 504. CHARACTER AND FITNESS

~~(a) A law school shall advise each all applicants at the time they apply that there are character, fitness and other qualifications for admission to the bar and encourage them the applicant, prior to matriculation, to determine what those requirements are in the state(s) in which they intend the applicant intends to practice. The law school ~~should~~shall, as soon after matriculation as is practicable, take additional steps to apprise entering students of the importance of determining the applicable character, fitness and other qualifications.~~

~~(b) The law school may, to the extent it deems appropriate, adopt such tests, questionnaires, or required references as the proper admission authorities may find useful and relevant, in determining the character, fitness or other qualifications of the applicants to the law school.~~

(e) Interpretation 504-1

~~If a law school considers an applicant's character, fitness or other qualifications, it ~~shall~~should exercise care that the consideration is not used as a reason to deny admission to a qualified applicant because of political, social, or economic views that might be considered unorthodox.~~

Standard 505. PREVIOUSLY DISQUALIFIED APPLICANT

~~A law school may admit or readmit a student who has been disqualified previously for academic reasons upon an affirmative showing that the student possesses the requisite ability and that the prior disqualification does not indicate a lack of capacity to complete the course of study at the admitting school. In the case of admission to a law school other than the disqualifying school, this showing shall be made either by a letter from the disqualifying school or, if two or more years have elapsed since that disqualification, by the nature of interim work, activity, or studies indicating a stronger potential for law study. For every admission or readmission of a previously disqualified individual, a statement of the considerations that led to the decision shall be placed in the admittee's file. [Moved to 501 (c)]~~

~~Interpretation 505-1~~

~~The two-year period begins on the date of the original determination to disqualify the student for academic reasons.~~

~~Interpretation 505-2~~

~~A student who enrolled in a pre-admission program but was not granted admission is not a student who was disqualified for academic reasons under this Standard.~~

**Standard 506. APPLICANTS FROM LAW SCHOOLS NOT APPROVED BY THE ABA
ADMISSION OF APPLICANTS WITH ADVANCED STANDING, INCLUDING
TRANSFERS**

(a) A law school may admit a student with advanced standing and allow grant credit for studies in at a law school in the United States that is not approved by the American Bar Association (“non-ABA approved law school”) if:

~~(1) the non-ABA approved law school has been granted the power to confer the J.D. degree by the appropriate governmental authority in the unapproved law school's jurisdiction, or graduates of the non-ABA approved law school are permitted to sit for the bar examination in the jurisdiction in which the school is located;~~

~~(2) the studies were “in residence” as provided in Standard 304(b), or qualify for credit under Standard 305 or Standard 306; and (3) the content of the studies was such that credit therefore would have been granted towards satisfaction of degree requirements at the admitting school.~~

(1) a law school approved by the American Bar Association;

(2) a law school in the United States that is not approved by the American Bar Association (a non-ABA approved law school) if the law school has been granted the power to confer the J.D. degree by the appropriate governmental authority in the unapproved law school's jurisdiction, provided the studies were “in residence” as defined in Standard 304, or qualify for credit under Standard 305 or Standard 306,

and if the quality of the law school and content of the studies are such that credit therefor would have been granted toward satisfaction of degree requirements if earned at the admitting school; or

(3) a law school outside the United States if the studies were “in residence” as defined in Standard 304, or qualify for credit under Standard 305 or 306, and if the quality of the law school and content of the studies are such that credit therefor would have been granted towards satisfaction of degree requirements if earned at the admitting school.

(b) Advanced standing and credit hours granted for study at a non-ABA approved law school or for study at a law school outside the United States may not exceed one-third of the total required by an admitting school for its J.D. degree.

Standard 507. ~~APPLICANTS FROM FOREIGN LAW SCHOOLS~~

~~(a) A law school may admit a student with advanced standing and allow credit for studies at a law school outside the United States if:~~

~~(1) the studies were “in residence” as provided in Standard 304, or qualify for credit under Standard 305;~~

~~(2) the content of the studies was such that credit therefore would have been granted towards satisfaction of degree requirements at the admitting school; and~~

~~(3) the admitting school is satisfied that the quality of the educational program at the foreign law school was at least equal to that required by an approved school.~~

~~(b) Advanced standing and credit hours granted for foreign study may not exceed one-third of the total required by an admitting school for its J.D. degree.~~

Interpretation 507-1

~~This Standard applies only to graduates of foreign law schools or students enrolled in a first degree granting law program in a foreign educational institution.~~

Standard 508. ENROLLMENT OF NON-DEGREE CANDIDATES

Without requiring compliance with its admission standards and procedures, a law school may enroll individuals in a particular course or limited number of courses, as auditors, non-degree candidates, or candidates for a degree other than a law degree, ~~provided that~~ only if such enrollment does not adversely affect the quality of the course or the law school program detract from the law school’s ability to maintain a J.D. program that meets the requirements of the Standards.

[Standard 509 and interpretations to be reviewed by another subcommittee

Standard 509. BASIC CONSUMER INFORMATION

A law school shall publish basic consumer information. The information shall be published in a fair and accurate manner reflective of actual practice.

Interpretation 509-1

The following categories of consumer information are considered basic:

- (1) admission data including admission of students who transfer into the law school;
- (2) tuition, fees, living costs, financial aid, and refunds policy;
- (3) enrollment data and graduation rates;
- (4) composition and number of faculty and administrators;
- (5) curricular offerings;
- (6) library resources;
- (7) physical facilities; and
- (8) ~~placement~~ employment rates and bar passage data.]

Standard 510. STUDENT LOAN PROGRAMS

A law school shall ~~take~~ demonstrate reasonable steps to minimize student loan defaults, including provision of debt counseling at the inception of a student's loan obligations and prior to graduation.

Interpretation 510-1

The student loan default rates of a law school's graduates, including any results of financial or compliance audits and reviews, ~~shall be considered~~ are relevant in assessing the extent to which a law school complies with this Standard.

Interpretation 510-2

The law school's obligation ~~shall be~~ is deemed satisfied if the university, of which the law school is a part, provides to law students the reasonable steps described in this Standard.

Standard 511. STUDENT SUPPORT SERVICES

A law school shall provide all its students, regardless of enrollment or scheduling option, with basic student services, including maintenance of accurate student records, academic advising and counseling, financial aid counseling, and an active career counseling service to assist students in making sound career choices and obtaining employment. If a law school does not provide these types of student services directly, it ~~must~~ shall demonstrate that its students have reasonable access to such services from the university of which it is a part or from other sources.

Standard 512. Notification of Established Policies

A law school shall establish and publish policies with respect to handling violations of the school's conduct code and for handling student complaints and grievances.