



Southern
Illinois University

December 2, 2010

TO: ABA Questionnaire Committee

FROM: Mark Brittingham, Faculty Advisor to Career Services
Cynthia Fountaine, Dean and Professor of Law *CF*

RE: Southern Illinois University School of Law Comments Regarding ABA Questionnaire Reporting of Placement Data by Law Schools

The SIU School of Law is a small public law school. We are still relatively young, having graduated our first class in 1976. The State of Illinois created the Law School to meet the need for lawyers in rural, downstate areas. As a consequence, very few of our graduates compete for positions with large urban law firms. To fulfill our mission, we have always kept our tuition very low. Our endowment is small as well. In short, we are not a moneyed institution.

In recent years, our ranking in U.S News and similar publications has fallen due to our graduates' employment experience. Finding it hard to believe that graduates of other institutions have an easier time finding employment than our graduates, we have investigated the situation. We have found that a number of institutions are providing fellowships and the like to students who are unemployed at the time that the institution must report. The University of Miami adopted such a program recently, and Columbia announced a similar program more than a year ago. Even the University of Illinois College of Law has begun paying the salary of unemployed graduates to work in public interest positions so that it can report to the ABA and NALP that these students are employed. The University of Illinois cannot pay these salaries out of the funds they receive from the State of Illinois, but the Law School's endowment is sufficiently great to cover this cost.

We believe that these practices provide an incorrect view of the institution's employment history. Reporting this incorrect or misleading information to the ABA and NALP also misleads the public. Students considering law school rely on this information in choosing which school to attend. Using the fellowships and other programs allows a school to report much higher employment among its graduates than schools that do not have similar programs. However, the factor that distinguishes one school from the other is the size of their endowments, not the actual employment experience of their graduates or the quality of legal education they provide.

We submit that the ABA (and NALP) should require all law schools to report the number of graduates being paid by the Law School, by the University of which the law school is a part, or by someone other than the entity for whom the graduate provides services. Otherwise, the ABA is encouraging its member law schools to provide misleading and, indeed, false information.

General-- http://econlog.econlib.org/archives/2010/10/recalculation_w.html

Duke, SMU & Texas-- <http://onward.justia.com/2010/10/27/law-school-of-hard-knocks-subsidizing-unemployed-new-jds/>

Columbia--<http://abovethelaw.com/2009/05/alms-fellowships-for-the-poor-only-unemployed-columbia-law-grads-need-apply/>

Miami--[http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202473548506
&University_of_Miami_provides_paid_fellowships_for_unemployed_graduates](http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202473548506&University_of_Miami_provides_paid_fellowships_for_unemployed_graduates)

Boalt Hall-- <http://www.law.berkeley.edu/6167.htm> (unclear that the fellowships are used for this specific purpose)

Boston College-- <http://www.mcca.com/index.cfm?fuseaction=page.viewPage&pageID=2072>
(note 2).

Minnesota-- <http://scammedhard.blogspot.com/2010/08/jobless-grads-thrown-bone-manipulated.html>