

Petition Requesting That the ABA Council for the Section of Legal Education and Admissions to the Bar Suspend Implementation of the Proposal Approved at its June Meeting Regarding Changes to the Employment Summary Report and the Classification of Law-School Funded Positions

At its June 1-2 meeting, the ABA Council for the Section of Legal Education and Admissions to the Bar approved a proposal submitted on May 30 to dramatically change the format of the Employment Summary Report.

The proposal called for a reversal in policy regarding the treatment of law-school-funded positions from the policy and definitions the Council approved nearly unanimously in 2015 (after notice and an opportunity to comment had been provided to law schools and others). The proposal calls for the elimination of the separate "above the line" classification of law-school-funded positions, and the reclassification of some positions so that they no longer count as law-school-funded positions, eliminating transparency for such positions. The proposal involved other changes as well, involving part-time and short-term positions.

The Council considered the proposal at its June 1-2 meeting without presenting the proposal to the Standards Review Committee for comment and without notifying the broader community and requesting comment. In what could be considered a "contested matter" given the extensive dialogue that took place in 2015, the Council heard the proposal as an "ex parte" request for changes to the policy, without providing opportunity for hearing other viewpoints.

Some aspects of the proposal may make sense after due consideration in terms of simplifying the reporting of graduate employment outcomes. That said, the complete reversal of policy regarding law-school-funded positions, and the elimination, without discussion, of several other categories of employment outcomes that are being consolidated, highlight the profound need for more deliberate process with notice and opportunity to comment.

Accordingly, we, the undersigned, concerned about transparency and consistency in reporting law school graduate employment outcomes, hereby:

- 1) petition the Council to suspend implementation of the proposal until at least the Class of 2018, and direct the Section to implement for the Class of 2017, the Employment Questionnaire as approved at the June meeting, together with the Employment Summary Report used for the Class of 2016, and
- 2) petition the Council to direct the Standards Review Committee to
 - a. delineate all of the changes in the Employment Questionnaire that would be necessary to implement the proposal, and
 - b. provide notice of all proposed changes to the Employment Questionnaire and Employment Summary Report and an opportunity to comment on the proposed changes before the Council takes any further action to implement the proposal.

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