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March 27, 2017

MEMORANDUM

TO: Deans of ABA-Approved Law Schools
Chief Justices of State Supreme Courts
Bar Admission Authorities
Licensing Agency for the State of Arizona:
Arizona State Board for Private Postsecondary Education
Committee on Examinations and Character & Fitness of the
Supreme Court of Arizona
U. S. Department of Education
ABA Section of Legal Education and Admissions to the Bar –
Website Posting

FROM: Barry A. Currier, Managing Director of Accreditation and Legal
Education

SUBJECT: **Public Notice Regarding Probationary Status of Arizona
Summit Law School**

At its March 10-11, 2017 meeting, the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association determined to place the Arizona Summit Law School, located in Phoenix, Arizona, on probation, and directed that the School take specific remedial actions. The Arizona Summit Law School was notified in writing of the Council's decision on March 27, 2017.

Pursuant to ABA Internal Operating Practice 4 of the Section of Legal Education and Admissions to the Bar, this public memorandum is being issued within 24 hours of the time the School was notified of the Council's decision. The public statement regarding this matter is attached.

Attachment

cc: Council of the Section of Legal Education and Admissions to the Bar
Accreditation Committee
Interim Dean Penny Willrich

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**Section of Legal Education
and Admissions to the Bar**

COUNCIL DECISION

NOTICE OF PROBATION AND SPECIFIC REMEDIAL ACTION

Arizona Summit Law School

March 2017

Background

At its March 10-11, 2017 meeting, the Council of the Section of Legal Education and Admissions to the Bar (the "Council") conducted a hearing pursuant to Rules of Procedure 2, 16 through 17, and 23 through 25 with respect to the recommendation of the Accreditation Committee (the "Committee") that the Arizona Summit Law School (the "Law School") be placed on probation and be directed to take specific remedial action with regard to its non-compliance with ABA Standards 301(a), 308(a), 309(b), and 501(b) and Interpretations 501-1 and 501-2.

Following the hearing and a consideration of the record in the matter, the Council adopted the Committee's findings of fact as supported by substantial evidence in the record and uncontested by the Law School. The Council affirmed the Committee's conclusions as to non-compliance with the designated Standards and determined that the action recommended by the Committee is appropriate and warranted under the circumstances and applicable Standards and Rules of Procedure. The Council determined that the Law School's admissions practices, academic program (including its academic standards and academic support), and outcomes (graduation and bar passage) have resulted in the Law School now being in a position where only immediate and substantial action can bring about sufficient change to put the Law School on a realistic path back to being in compliance within the time allowed by the Standards and Rules of Procedure. Because of the critical nature and urgency of this matter, the remedial action that the Law School is directed to take includes further hearings before the Accreditation Committee in September 2017 and the Council in November 2017 to review the Law School's progress and to consider whether to direct any additional remedial action or impose any additional sanction, up to and including withdrawal of the Law School's approval.

Probationary Status of Arizona Summit Law School
and
Remedial Actions Required

Pursuant to Rules of Procedure 2(f), 16, and 25(b), the Council placed Arizona Summit Law School on probation, effective March 27, 2017. Further, the Council directed the Law School to take the following specific remedial actions:

- (1) Develop a written reliable plan for bringing the Law School into compliance with Standards 301(a), 308(a), 309(b), and 501(b) and Interpretations 501-1 and 501-2. In developing its plan, the Law School must address each of the factors identified in Interpretation 501-1 and demonstrate that the actions described in the plan have and will positively affect those factors. The Law School shall submit that plan to the Managing Director by May 15, 2017.
- (2) Provide its admissions data and methodology for the Spring and Summer 2017 classes (applicants, acceptances, matriculants, and matriculants' UGPA and LSAT data) to the Managing Director by May 15, 2017, and for the Fall 2017 class by August 15, 2017. Where factors other than grade point average and LSAT were used to support an admissions decision, the Law School shall report those factors and state why it concluded that they were sufficient to overcome concerns inherent in the applicant's academic qualifications and LSAT score.
- (3) So long as the Law School remains on probation, report within five days of receiving them, bar examination results for its graduates who sat for the bar examination in the State of Arizona, separately the number of takers and number and percentage of passers for both first-time takers and repeaters and overall. Further, the Law School shall report any additional bar passage data for its graduates for all jurisdictions on the February 2017 bar examination by May 15, 2017, and July 2017 bar examination, to the extent available, by November 1, 2017. The Law School shall make diligent efforts to obtain bar examination outcomes for graduates who sat for bar examinations outside the State of Arizona.
- (4) Within five business days of the date of the letter transmitting the Council's decision, provide to all admitted students a letter reporting the fact that the Law School has been placed on probation and of the specific remedial actions the Law School is required to take and including a copy of this statement.
- (5) Publish this statement, which shall be published on the website of the Section of the Legal Education and Admissions to the Bar, or a link to this statement on the Law School's website in a form and place acceptable to the Managing Director's Office.
- (6) So long as the Law School remains on probation, each semester, within 30 days of the completion of the assignment and distribution of semester grades for the Law School's students, advise each Law School student, in writing, of the following, in the same communication: (a) Arizona first-time bar examination passage rates, by class quartiles, for Law School graduates sitting for the Arizona bar examination over the six administrations preceding the semester; and (b) the class quartile into which the student then falls. The Law School shall provide evidence to the Managing Director's office, within five days of its distribution to

students, that the required information has been appropriately and timely communicated.

- (7) The Managing Director shall appoint a fact finder to visit the Law School to review the admissions data and admissions methodology provided by the Law School, as well as the overall rigor of its program of legal education and provide a report. In advance of the visit by the fact finder, the Law School shall:
- (i) Submit any plan or program not discussed in the reliable plan that the Law School has adopted to prepare its students to be admitted to the bar and become responsible members of the legal profession;
 - (ii) Provide a report on the finances of the Law School, including the budget for the 2017-2018 academic year, projected budget for the 2018-2019 year, and information on the amount of tuition discount, and the range of net tuition paid by class quartile for the Spring, Summer, and Fall 2017 entering classes.
 - (iii) Report the Law School's admissions policies and plans for the 2018-2019 academic year, including class size, credential ranges and targets, and tuition discounting targets.

In light of the critical nature and urgency of this matter, the Committee is directed to conduct a hearing pursuant to Rule 18 at its September 2017 meeting in order to monitor the Law School's compliance with the requirements for remedial action and conditions of probation. The Committee will evaluate the Law School's compliance with Standards 301(a), 308(a), 309(b), and 501(b) and Interpretations 501-1 and 501-2, and its compliance with the requirements for remedial action and the conditions of probation based on the record and the fact finder's report and the Law School's response. If, after considering the fact finder's report and the Law School's response, the Committee concludes that the Law School is not in compliance with Standards 301(a), 308(a), 309(b), and 501(b) and Interpretations 501-1 and 501-2, and/or is non-compliant with the requirements for remedial action and the conditions of probation, the Committee may recommend any further appropriate action pursuant to Rules 12(b) and 16-18. The Council will conduct a hearing at its November 2017 meeting to consider any such recommendation and to itself evaluate the Law School's compliance with Standards 301(a), 308(a), 309(b), and 501(b) and Interpretations 501-1 and 501-2, and with the requirements for remedial action and the conditions of probation.

Pursuant to Rule 53(c)(4) and (5) and Internal Operating Procedure 4 of the Section of Legal Education and Admissions to the Bar, the Managing Director is directed to provide public notification of this Decision of the Council to place the Law School on probation and to impose specific remedial action on the Law School within 24 hours of the time the Managing Director notifies the Law School of the Council's Decision.