

**Section of Legal Education and Admissions to the Bar
American Bar Association
Council Meeting, Open Session
August 11, 2017
New York, NY**

Council Members present: Professor Jane H. Aiken; the Honorable Rebecca White Berch; Diane F. Bosse, Esq.; Mr. David Byers; Professor Roger J. Dennis; The Honorable Christine M. Durham (Section Liaison to the House of Delegates); Dean Emeritus and Professor Antonio Garcia-Padilla; James J. Hanks, Jr., Esq.; Professor James M. Klein; Dean Emeritus and Professor Jeffrey Lewis; Professor Paul G. Mahoney; Professor Leo Martinez; Gregory G. Murphy, Esq. (Chair); Dean Emeritus and Professor Cynthia Nance; the Honorable Jequita H. Napoli; Vice Chancellor Charles Ray Nash; the Honorable Solomon Oliver, Jr. (Section Liaison to the House of Delegates); Dean Maureen O'Rourke; Raymond C. Pierce, Esq.; the Honorable Mary R. Russell; Mr. Edward N. Tucker; Joseph K. West, Esq.

Council Members absent: David L. Morrow II, Esq. (Young Lawyers Division Liaison); E. Fitzgerald (Jerry) Parnell III (Section Liaison to the Board of Governors); Mayra Salinas-Menjivar (Law Student Division Member)

Staff present: Deputy Managing Director Bill Adams; Director of Operations Carl Brambrink; Managing Director Barry Carrier; Associate Deputy Managing Director Camille deJorna; Accreditation Counsel Stephanie Giggetts; Deputy General Counsel Lauren Robinson; Section Director Erin Ruehrwein; Accreditation Counsel Becky Stretch

Guests and Affiliates present: Various guests and affiliates attended the Open Session.

Minutes

The minutes of the June 2, 2017 Open Session Council Meeting were approved as submitted, by voice vote, without dissent.

Standards Review Matters

Matters Approved for Notice and Comment

The Council approved for Notice and Comment proposed revisions to Standard 106 (Separate Locations and Branch Campuses) of the ABA Standards and Rules of Procedure for Approval of Law Schools. The proposed revision seeks to resolve an inconsistency between Standard 106(b)(1) and Rule 30(b)(1) regarding acquiescence and branch campuses.

Matters Currently out for Notice and Comment

Regarding Standard 403, the SRC will review the received comments at its October Meeting and provide a recommendation to the Council at its November meeting.

Roundtable Summary

SRC Chair Pam Lysaght reported on the Roundtable hosted by the Committee in July. The session included 20 entities and focused on current issues facing legal education, including cost, declining job opportunities, and declining bar passage. The ways in which the Standards can encourage innovation or be revised to address these challenges was also discussed. Overall, the Roundtable was successful and the Committee asks that going forward, the Council charge the SRC's proposed Global Review Working Group with reviewing the Standards from the perspective of the questions posed at the Invitational Roundtable as it considers the scope and timing of the next comprehensive review.

Proposed Agenda

The SRC proposed agenda for 2017-18 includes:

- Consider changes to the Rules to promote greater transparency in the site inspection process;
- Review those Standards that dovetail or overlap with other Standards and determine if they need to be reconciled or harmonized;
- Continue to streamline the site inspection process through the templates and questionnaires; and
- Consider a more global review of the Standards, especially in light of issues identified in the roundtable discussions, with the goal of making recommendations for the next comprehensive review.

Employment Outcomes Reporting Form Matter

The Council approved a motion that the SRC review the 2016 form and proposed changes and report back to the Council in November. The SRC will take into consideration that the current form is susceptible to misunderstanding.

Comments from Director of Law Society of England/Wales and Solicitors Regulatory Authority

Stephen Denyer and Mickael Laurans addressed the Council and provided an update on their work. Mr. Denyer is Director of Strategic Relationships at The Law Society of England & Wales. Mr. Laurans is Head of the International Department of the Law Society of England and Wales.

Affiliate Oral Reports

Erica Moeser of the National Conference of Bar Examiners reported on the NCBE's Annual Meeting and her upcoming retirement. Her successor as President and CEO will be Judy Gunderson and Rebecca Berch will serve as Chair for 2017-18.

Judy Areen and Wendy Perdue of the Association of American Law Schools reported on the AALS Annual Meeting in San Diego which has a theme of “Access to Justice”. They also discussed the “Before the JD” study and the need for an improved undergraduate pipeline to law school.

Report on Changes to IOP 4 & 5

These changes, approved by the Council’s Executive Committee prior to this meeting, establish compliance with current U.S. Department of Education requirements for public reporting of certain Council and Accreditation Committee decisions.

Update on Bar Pass Outcomes Survey

At the Council’s direction, the office distributed the ultimate bar pass survey to ABA law school deans following the June Council Meeting. Schools were asked to submit information by September 1, so that data could be compiled and available for the October meeting of the SRC.

By the meeting date, 21 responses had been received. Responding schools had a wide range of credential profiles; they are located in states that have bar pass cut scores ranging from 132 to 144. None of these schools report an ultimate bar pass rate computed as it would be required by the revised version of Standard 316 that falls below the 75 percent minimum passing percentage called for by that revised Standard. Schools had data on almost all graduates and only a small percentage of graduates had not sat for a bar exam within two years of graduation.

Report of the Working Group on Restructuring

The Working Group on Restructuring reported on its proposal to combine the SRC, Council, and Accreditation Committee into one entity that would focus on both Section and Accreditation activities. The Working Group will proceed and suggest amendments to the Rules of Procedure, Standards, and Bylaws to be submitted for comment at the October Meeting of the SRC. The Council approved a motion to endorse the recommendation.

Reports

Section Director’s Report

Section Director Erin Ruehrwein reported on the Section’s membership and provided a summary of the Section’s recent programming including the Associate Deans Conference, webinar on the Uniform Bar Exam, Annual Meeting Student Debt program and 2018 Law School Development Conference. She also discussed the work of the Conferences and Programming and Publications committees, the various programs the Section has co-sponsored, the recent publications the Section has published, and provided a staffing update.

Managing Director's Report

Managing Director Barry Currier reported on several items including the California Bar Exam and cut score report, Public Service Loan Forgiveness, Yale Law School's "A Portrait of Asian Americans in the Law" report, the Higher Learning Commission project, CHEA's Op-Ed Series, a NCBE presentation that provides an overview of the Uniform Bar Exam, and CHEA's letter on changes to the DOE requirements.

There being no further business to conduct in Open Session, Chair Murphy adjourned the Open Session of the Council at 2:55 p.m.