MEMORANDUM

TO: Council of the American Bar Association Section of Legal Education and Admissions to the Bar

FROM: Judith Areen, Executive Director

SUBJECT: AALS Activities Report

This report summarizes the major activities of the AALS through mid-October 2017.

We extend our thanks to the Council and your Chair, Dean Maureen A. O’Rourke, Chair-elect, Jeffrey Lewis, and Managing Director of Accreditation and Legal Education, Barry Currier, for your willingness to work with the AALS on issues of common concern to our organizations and constituencies.

Overview

In July, the AALS Executive Committee approved the establishment of a new AALS Section on the Empirical Study of Legal Education and the Legal Profession. It will be the Association’s 102nd section. The section will focus on empirical studies of diverse aspects of legal education practices (including but not limited to studies using evidence-based methods to research effective teaching, educational program design, student learning, professional formation, continuing legal education, pre-legal education, and legal literacy). It will also consider empirical studies of legal education organizations and structure, the attractiveness of law as a career, the role of law schools in social mobility, and the careers of law professors and others in the law school community. The section will also be concerned with methods for fostering increased capacity among faculty and professional staff to engage in the empirical study of legal education (including podium faculty, clinicians, legal writing faculty, as well as academic support, admissions and student affairs professionals). Judith Wegner (University of North Carolina), a former president of AALS, will serve as the first chair of the section.
Also in July, AALS announced that the Association of American Law Schools (AALS) had relocated its 2018 Conference on Clinical Legal Education from Austin, Texas, to Chicago, Illinois. It will be held there on April 29 to May 2, 2018. AALS decided to make the move, and will not hold any other meetings in Texas because of actions by the Texas legislature to discriminate against individuals seeking to immigrate to the United States and against members of the LGBTQ community.

In addition, the Association continued to work on showcasing the innovations and accomplishments of member law schools on through expanded content on our website, in our quarterly newsletter, and on social media. We engage in these efforts to help inform policymakers, leaders of the bar and bench, the media, prospective law students, and the general public about the state of modern legal education and the value of a law degree.

**New Executive Committee Nominees**

The Nominating Committee for the 2018 Officers and Members has nominated Vicki Jackson, the Thurgood Marshall Professor of Constitutional Law at Harvard Law School, to become President-elect. Jackson recently completed a three-year term on the Executive Committee and is well-prepared to serve as an officer during these challenging times for legal education. The Committee also nominated for membership on the Executive Committee Mark C. Alexander, Dean and Professor of Law at Villanova University Charles Widger School of Law, and Gillian Lester, Dean and Lucy G. Moses Professor of Law at Columbia Law School. Their nominations will be voted on at the second meeting of the AALS House of Representatives at the 2018 Annual Meeting in San Diego on January 5, 2018.

**The Before the JD (BJD) Project**

Much progress has been made in the Before the JD project over the last few months. Through a national survey and focus groups, the goal of the Project is to understand why interest in legal education has been declining despite steady or increasing interest in medicine, engineering, and other professions. We will also study what are the primary sources of information and advice about law and legal education used by college students.

The survey was designed by AALS, Gallup, sponsoring organizations including the ABA Section, AccessLex, LSAC, andNALP, and a panel of academics with expertise in empirical studies. The goal of the survey is to tell us when and how undergraduates and first-year law students decide on whether to go to graduate or professional school, as well as what sources of information and advice are most important to them.

Gallup was selected as the firm that conducting the research survey and focus groups associated with the project. In October, Gallup sent the on-line survey to thousands of students at schools that were selected to constitute a representative national survey, and that agreed to participate in the survey. The number of participating schools (both undergraduate and law schools) have exceeded expectations.
Directory of Law Teachers

Since 1921, AALS has published a Directory of Law Teachers. Recent technology enhancements to the directory database have allowed us to collect more accurate information and create an online search function for members. The 2017-2018 edition of the Directory will be available this fall.

AALS Annual Meeting

The 112th Annual Meeting will be held in San Diego beginning mid-day on January 3, 2018, at the Marriott Marquis San Diego Marina. AALS President Paul Marcus has chosen “Access to Justice” as the theme of his Presidency and the 2018 AALS Annual Meeting and several sessions at the meeting will focus on various aspects of the theme. The Association will again offer a 50 percent discount on for faculty in their first three years of teaching, and for emeritus/retired faculty.

For the last two years, a coffee event has been held at the Annual Meeting for leaders from the local bar and bench to meet with law school deans and help build better bridges with the academy. They were also invited to attend any other meeting sessions held that day without charge. This tradition will continue at the 2018 AALS Annual Meeting.

For the third year in a row, AALS will offer a full day of programming for deans only. This year, the Deans Forum program will be held on Friday, January 5, 2018. The theme for the program is Effective Deaning.

Hurricane Recovery

Hurricanes Harvey, Irma, and Maria caused enormous damage to the U.S. Gulf Coast and Puerto Rico. Houston and Florida law schools were able to open fairly quickly after Harvey and Irma, although many faculty and students had their residences destroyed and difficulty getting to school because of wind and flood damage.

Puerto Rico is still reeling from Maria. The University of Puerto Rico is working with several schools in the U.S. to make arrangements for some law students to visit this fall. Tuition will be waived by the receiving schools, and low cost housing made available to the students. Faculty are offering independent studies for credit and current students are providing support as well. A fund was established by AALS to support the students’ needs during this challenging time.

It is wonderful to see the legal education community respond so generously and so effectively to these disasters. AALS will continue to work with the ABA Section and LSAC in support of all the affected schools.
On Travel Bans and DACA

In September, AALS joined several dozen higher education associations on an amicus brief prepared by the American Council of Education (ACE) on the consolidated “travel ban” cases that have come to the Court from the 4th and 9th Circuit courts of appeals as Trump v. International Refugee Assistance Project and Trump v. Hawaii. The brief will emphasized the importance to American higher education and the country of a welcoming perception, and the risks posed of deterring students and scholars from attending, teaching, and researching in the United States.

In August, AALS also joined with ACE and 33 other higher education organizations in a letter to President Trump urging him to keep DACA in effect until a longer-term solution can be put in place. The letter noted that some 800,000 individuals are registered under DACA. To qualify, applicants must pass a rigorous, multi-faced test. They must have arrived in the United States before age 16, have resided continuously since 2012, be enrolled in or have completed high school, have not been convicted of a serious crime, and do not present a threat to national security or public safety. The letter continued:

These bright and talented young people are working, serving in the armed services or studying at colleges and universities. . . . Because they now have work permits, they are . . . paying taxes and buying cars, homes, and consumer goods, which generates economic activity and increases tax revenue for federal, state, and local governments. While they contribute significantly to our economy, they are ineligible for federal means-tested welfare benefits, Pell grants and federal student loans, and health care tax subsidies. . . . According to a recent study by the CATO Institute, deporting those currently in DACA would cost over $60 billion in lost tax revenue and result in a $280 billion reduction in economic growth over the next decade.