

**Section of Legal Education and Admissions to the Bar  
American Bar Association  
Council Meeting, Open Session  
September 14, 2018  
St. Louis, MO**

**Council Members present:** The Honorable Scott Bales; Diane Bosse, Esq.; Sarah Correll; Dean Emeritus and Professor Antonio Garcia-Padilla; President Emeritus Robert Glidden; President and Dean Donald Guter; Jr.; Professor Joan Howland (Section Liaison to the House of Delegates); Dean Emeritus and Professor Jeffrey Lewis (Chair); Professor Emerita Pamela Lysaght; Professor Leo Martinez; Gregory Murphy, Esq.; Senior Vice Chancellor Charles Nash; the Honorable Solomon Oliver, Jr. (Section Liaison to the House of Delegates); Dean Emerita and Professor Maureen O'Rourke; the Honorable Mary Russell; Daniel Thies, Esq.; The Honorable Phyllis Thompson; Joseph West, Esq.; and Dean and Professor Emerita Rebecca Hanner White.

**Council Members absent:** Mr. David Byers; Dean and Professor Emeritus Roger Dennis; James Hanks, Esq.; Mathew Kerbis, Esq. (Young Lawyers Division Liaison); Mary McQueen, Esq.; and Michele Wong Krause (Section Liaison to the Board of Governors).

**Staff present:** Deputy Managing Director Bill Adams; ABA Senior Associate General Counsel Deborah Boling; Director of Operations Carl Brambrink; Director of Accreditation Administration JR Clark; Managing Director Barry Currier; Manager of Legal Education Assessment Services Genevieve Ferraro; Accreditation Counsel Stephanie Giggetts; Manager of Legal Education Assessment Services Sam Kwak; Section Director Erin Ruehrwein; and Manager of Law School Analytics Kirsten Winek.

**Guests and Affiliates present:** Kendall Kerew (CLEA), Melissa Lennon (NALP), Denise Roy (SALT), Kelye Testy (LSAC), Fred Thrasher (NALP), and Jodi Wilson (ALWD).

**Minutes**

The minutes of the August 3, 2018 Open Session Council Meeting were approved as submitted, by voice vote, without dissent.

**Employment Outcomes Review Matters**

Bill Adams discussed the creation of a new document for law schools that organizes, streamlines, and maintains all ABA guidance on graduate employment data collection, classification, and reviews. The document is called the ABA Guidance Document: Employment Protocols. The document was created by the Office of the Managing Director, with input from an advisory group of Career Services professionals from various law schools, as well as leaders from NALP.

Mr. Adams also presented a proposal regarding changes to the protocol for the review of law schools' graduate employment data. The Council approved the proposal.

The Council discussed a memo from the University of Detroit Mercy School of Law asking the Council to amend the definition of long-term employment to include articling clerkships in Canada, which are required for a recent graduate to become licensed as an attorney in Canada. Council member Pamela Lysaght recused herself from the discussion. A recommendation was made to count any graduate of an ABA-approved law school with a Canadian articling clerkship as long-term. The definition will be revised in the new ABA Guidance Document: Employment Protocols, to include this. The Council approved a motion to adopt the recommendation, allowing the Office of the Managing Director to determine the details.

### **Non-JD Certificate Matters**

After receiving clarifying guidance from the U.S. Department of Education, the Office of the Managing Director has been reviewing freestanding certificate programs offered by ABA-approved law schools in the same manner as other non-JD/post-JD programs. Prior to 2014, the Consultant's/Managing Director's Office had not required acquiescence for these certificate programs. In order to put the office records in proper shape and recognizing that pre-2014 programs had not been required to obtain acquiescence before commencing, the staff proposed that such programs be accepted and listed as programs that the law schools are permitted to offer. These programs have been and will continue to be reviewed as part of every school's periodic comprehensive review, and information on these programs has been and will continue to be collected in the Annual Questionnaire (AQ) process. A guidance memo will provide additional information, making clear the current understanding of the USDE rules. A motion to accept the recommendation was approved by the Council.

### **Model in-House Counsel Matter**

The ABA's Center for Professional Responsibility (CPR) has requested the support of the Council and/or the appointment of members of the Council to assist with the development/review of a resolution that addresses the Model Rule for Registration of In-House Counsel. Council Chair Jeff Lewis asked members Scott Bales and Joe West to work with staff on this matter, and they agreed to do so.

### **ROLI Cooperation**

Erin Ruehrwein and Barry Currier discussed the fact that there are good opportunities for the Section and for law schools for worthwhile projects that might be done in collaboration with the ABA's Rule of Law Initiative (ROLI). They expressed their belief that expanded and improved collaboration with ROLI would be good for the ABA, for the Section, for law school, and for legal education around the globe. ROLI has reached out to the Section for assistance, but it is often last-minute. The Chair asked for volunteers from the Council who would be willing to work with

staff to explore a more strategic relationship with ROLI. Council Members Don Guter, Tony Garcia and Daniel Thies volunteered.

## **Reports**

### **Section Director**

Section Director Erin Ruehrwein provided an update on Section activities including the Annual Meeting Student Debt program and podcast, Legal Career Central webinar, and upcoming conferences for Associate Deans, Deans and New Deans. She also discussed the role the Conferences and Programming Committee will have in the development new content for the Section, as part of the ABA's new membership model, and the status of the Third Edition of the *Sourcebook on Legal Writing Programs*.

Additional discussions included the new ABA website, which launches October 1 and the possibility of another Curriculum Survey.

Council Members Leo Martinez and Sarah Correll volunteered to assist with Section activities and will work with Section Director Erin Ruehrwein.

### **Law Student Division**

Law student Council member Sarah Correll reported on the Law Student Division's mental health initiative, the new ABA membership model and increasing engagement with law students, and the new Caucus Model of the Division.

There being no further business to conduct in Open Session, Chair Lewis adjourned the Open Session of the Council at 2:30 p.m.