



Memorandum

To: Interested Parties

From: Leo Martinez, Council Chair
William Adams, Managing Director of Accreditation and Legal Education

Date: April 19, 2022

Re: Creation of Strategic Review Committee

As an accrediting agency recognized by the U.S. Department of Education, the Council of the ABA Section of Legal Education and Admissions to the Bar is required to undertake regular and systematic review of its accrediting standards. 34 C.F.R. § 602.21. This requirement is typically met through the work of the Council’s seven-member Standards Committee, which annually reviews portions of the standards and recommends changes to the Council. The agenda of the Standards Committee is set each year by the Council after consideration of comments submitted by the public.

The Council’s Internal Operating Practice #9 additionally provides as follows:

In addition to the regular and ongoing review of the Standards and Rules of Procedure, the Council may engage in a comprehensive review of the Standards and Rules of Procedure or specific segments of them whenever the Council determines that a more comprehensive review would serve the interests of legal education. Generally, the Council would create an ad hoc committee to assist the Council in this work.

At the beginning of the 2021-22 Council year, the Standards Committee agenda included a number of significant issues, including the need to review the current standards related to distance learning in light of new experience gained by law schools during the Covid-19 pandemic, and significant changes in the landscape related to the use of admissions tests in legal education. These issues and others suggested the need to undertake a big-picture “strategic” review of the Standards to identify other areas that may need refinement and improvement in light of recent changes in legal education.

Accordingly, pursuant to IOP #9, the Council has created an ad hoc “Strategic Review Committee” to undertake this work. The Strategic Review Committee will be co-chaired by Daniel R. Thies, an attorney in private practice in Champaign-Urbana, Illinois, and by Rebecca H. White, Dean and Professor Emerita of the University of Georgia School of Law. It will be comprised of members of the standing Standards Committee, augmented by an additional Council member and three external, non-Council members to facilitate the greater workload it will likely undertake. The committee’s roster is as follows:

- Scott Bales, Chief Justice (retired), Arizona Supreme Court
- Mary Lu Bilek, Dean (retired), CUNY School of Law
- Craig Boise, Dean, Syracuse University College of Law
- Becky King, Accreditation Counsel (retired), ABA Section of Legal Education & Admissions to the Bar
- Cynthia Martin, Chief Judge, Missouri Court of Appeals, Western District
- Charles Nash, Senior Vice Chancellor Emeritus for Academic & Student Affairs, The University of Alabama System
- Carla Pratt, Dean and Professor, Washburn University School of Law
- Barbara Sestak, Professor, Portland State University School of Architecture
- Adrien Wing, Associate Dean for International & Comparative Law Programs and Professor, University of Iowa College of Law

Rebecca H. White, Becky King, and Cynthia Martin are the external, non-Council members of the Strategic Review Committee. Kirsten Winek, the Section's Accreditation Counsel, will be the Strategic Review Committee's staff liaison.

The Council anticipates that the work of the Strategic Review Committee, which began following the Council's November 2021 meeting, will take longer than a single year. Indeed, the need to spend more than a year undertaking a sustained, in-depth look at a number of issues is one of the key motivations for the creation of the committee. Nonetheless, the Strategic Review Committee remains an ad hoc committee and will not become a standing committee of the Council. The standing Standards Committee will function as usual, with Council members joining or leaving that committee each Council year.

Any revisions to the current Standards recommended by the Strategic Review Committee will follow the same process utilized by the Standards Committee when it makes recommendations to the Council. The Strategic Review Committee will present its recommendations to the Council, which can accept, modify, or reject those recommendations. The Council will then post the revisions for Notice and Comment, generally allowing 30 days for public comment. After the Notice and Comment period, comments are reviewed and considered as the Strategic Review Committee makes its final recommended revisions to the Council. If the Council approves these revisions, they go to the ABA's House of Delegates for concurrence. Revisions go into effect once they are concurred in by the ABA's House of Delegates.

Consistent with the Standards Committee's practices, various methods, as appropriate, will be used to obtain stakeholder feedback and input on Standards revisions. For example, in addition to the Notice and Comment period, the Standards Committee has hosted Roundtable events to solicit feedback on certain topics related to contemplated Standards revisions.