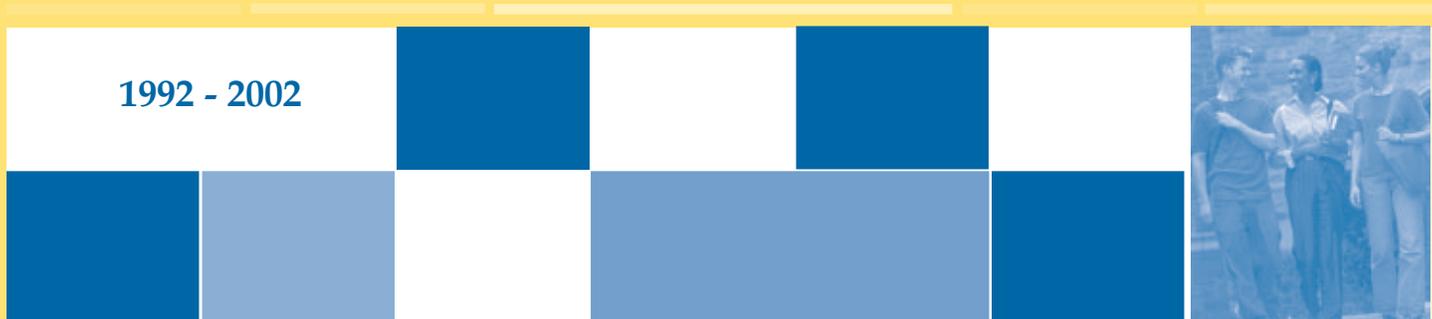


A Survey of Law School Curricula

Section of Legal Education and Admissions to the Bar



GOAL

This report is the result of a three-year project conducted by the Curriculum Committee of the American Bar Association Section of Legal Education and Admissions to the Bar. The goal was to produce a comprehensive survey of law school curricula at ABA-approved law schools, with special attention to changes, innovations, and trends in legal education that occurred between 1992-2002.

Preface

As law school deans and curriculum committees consider how to improve the educational programs at their own schools, they often are very interested in learning about curriculum developments and trends at other ABA-approved law schools. This has been particularly true over the past decade, as law schools have sought to respond to a variety of demands upon their faculty and curricular resources, including the desires to provide more and more varied skills training in law schools, to increase understanding of legal systems outside the United States, and to incorporate the insights of other disciplines into legal education.

It has been years, however, since there has been a comprehensive study of law school curricula that could aid deans and faculty in their efforts. The ABA Section of Legal Education and Admissions to the Bar in 1987 published the most recent prior study: William B. Powers, *A Study of Contemporary Law School Curricula*. At a meeting of the Section's Curriculum Committee in January 2001, the Committee decided it was time to undertake another comprehensive curriculum survey. This Report is the result of over three and a half years of effort by members of the Committee, and the Consultant's Office staff, and it reflects the contributions of 152 of the 187 ABA-approved law schools that responded to the Committee's Web-based survey in the fall of 2003.

I know that this Survey will be an extremely valuable resource for law school faculties and deans as they review their curricula. I want to offer my personal appreciation to all the members of the Curriculum Committee, and those on my staff who worked on this project, for their valuable efforts. All those who contributed to the project are identified in the Acknowledgements. I wish to add here a particular word of thanks to the chair of the Curriculum Committee, professor Catherine Carpenter of Southwestern University School of Law. Without Catherine's effective leadership and extensive personal effort, this project could not have been completed.

John A. Sebert

Consultant on Legal Education
to the American Bar Association

December, 2004

CONTENTS

- 3** Acknowledgements

- 4** List of Tables | | Figures

- 6** Executive Summary

- 8** Introduction

- 10** Profile of Respondents to the 2003 Electronic Survey

- 12** Section One: Requirements for Graduation

- 23** Section Two: First Year Curriculum

- 30** Section Three: Upper Division Curriculum

- 37** Section Four: Post-J.D. and Non-J.D. Degree Programs

- 40** Section Five: Distance Education Instruction

- 43** Section Six:
 Law School Narratives on Curricular Changes and Trends

- 47** Appendices



Acknowledgements

The Curriculum Committee of the American Bar Association Section of Legal Education and Admissions to the Bar prepared the 1992-2002 Survey of Law School Curricula. Members of the 2003-2004 Curriculum Committee were:

- ◆Chairperson: Professor Catherine Carpenter, Southwestern University School of Law
- ◆Vice-Chairperson: Associate Dean Paul M. Kurtz, University of Georgia School of Law
- ◆Professor Barbara Aldave, University of Oregon School of Law
- ◆President and Dean James J. Alfini, South Texas College of Law
- ◆Dean Hannah Arterian, Syracuse University College of Law
- ◆Interim Dean Mcken V. Carrington, Texas Southern University
- ◆Professor James Cooper, California Western School of Law
- ◆Associate Dean Doris Deltosto Brogan, Villanova University School of Law
- ◆Professor Paul Marcus, College of William & Mary
- ◆Professor Daniel T. Murphy, University of Richmond School of Law
- ◆Vice President and Dean David F. Partlett, Washington and Lee University
- ◆Professor Antoinette Sedilo Lopez, University of New Mexico School of Law
- ◆Dean Robert H. Smith, Suffolk University Law School
- ◆Professor Dale A. Whitman, University of Missouri-Columbia School of Law.

Completion of this project would not have been possible without the invaluable support of John Sebert, consultant on legal education, Camille deJorna, associate consultant on legal education, David Rosenlieb, data specialist, Joseph Puskarz, publications and technology manager, and Andrew Arnone, former publications and technology manager. The Committee also wishes to acknowledge Professor Victor Streib, Ohio Northern University, Pettit College of Law, who as Chair of the Curriculum Committee in 2001, spearheaded early efforts on this project.

The Committee recognizes the exceptional works of Donald Jackson and E. Gordon Gee, whose studies in 1975 on required and elective curricula provided a key starting point for this comparative survey. And to Associate Dean William Powers, then research associate in the Office of the Consultant for his 1986 follow-up report to the Jackson and Gee studies.

The success of the 2003 electronic survey instrument was made possible thanks to the following law school administrators who tested the survey before it was launched:

- ◆Associate Dean John Deliso, Suffolk University
- ◆Former Associate Dean Allen Easley, Washburn University
- ◆Associate Dean Paul Kurtz, University of Georgia
- ◆Associate Dean Anne Lukingbeal, Cornell University
- ◆Associate Dean David McCord, Drake University
- ◆Senior Assistant Dean Jennelle Marsh, University of Alabama
- ◆Associate Dean Leo Martinez, University of California at Hastings
- ◆Assistant Dean Carol O'Neil, Georgetown University
- ◆Associate Dean William Powers, John Marshall Law School
- ◆Associate Dean Walter F. Pratt, University of Notre Dame
- ◆Associate Dean Gail Richmond, Nova Southeastern University
- ◆Associate Dean Donald Stone, University of Baltimore
- ◆Associate Dean Marshall Tracht, Hofstra University
- ◆Associate Dean Peter Winograd, University of New Mexico

Additional thanks to Dean Leigh H. Taylor and Southwestern University School of Law for generous assistance on this project, Josh Ellery, institutional effectiveness assistant, South Texas College of Law, and Debbie Caroline Carlos, a second year law student at Southwestern University School of Law for her significant research effort.

Finally, and most importantly, very special thanks to the staff members at the 152 ABA-approved law schools who took time during fall 2003 to complete yet "another survey," and whose responses provided the basis for this study.

Profile of the Respondents to the Survey

| | | |
|----------|---|-------|
| Table 1 | Demographics of 152 Respondents by Year of Approval | p. 10 |
| Table 2 | Demographics of 152 Respondents by Size of Enrollment | p. 10 |
| Table 3 | Other Demographics of 152 Respondents | p. 11 |
| Figure 1 | Student/Faculty Ratio of 152 Respondents | p. 11 |

Requirements for Graduation

| | | |
|----------|---|-------|
| Table 4 | Semester Credit Hours for Graduation | p. 13 |
| Table 5 | Average Unit Requirement in Public/Private Institutions | p. 13 |
| Table 6 | Average Unit Requirement by Student/Faculty Ratio | p. 14 |
| Table 7 | Average Unit Requirement by Size of Enrollment | p. 14 |
| Table 8 | Quarter Credit Hours Required for Graduation | p. 14 |
| Table 9 | Average Credit Hours in Required Courses 1975-2002 | p. 15 |
| Table 10 | Split of Required and Elective Curriculum 1975-2002 | p. 15 |
| Table 11 | Law Schools with Upper Division Requirements in 2002 | p. 15 |
| Table 12 | Law Schools with Upper Division Requirements in 2002 (Excluding Professional Responsibility) | p. 16 |
| Figure 2 | Most Commonly Required Upper Division Courses | p. 16 |
| Table 13 | Credit Allocation of Most Commonly Required Upper Division Courses | p. 17 |
| Table 14 | Law Schools with Distribution Requirements | p. 19 |
| Figure 3 | Satisfying the Upper Division Writing Requirements | p. 19 |
| Table 15 | The Upper Division Legal Writing Course | p. 20 |
| Table 16 | Law Schools with Skills, Simulation, Clinical, Externship Requirements | p. 20 |
| Table 17 | Credit Hours for Skills, Simulation, Clinical and Externship Requirements | p. 20 |
| Table 18 | Law Schools with Pro Bono Service Requirements | p. 21 |
| Table 19 | Credit Hours Required for Pro Bono Service | p. 21 |

| | | |
|----------|---|-------|
| Table 20 | Law Schools with Joint Degree Programs | p. 22 |
| Figure 4 | Most Common and Types of Joint Degree Programs Offered by Law Schools | p. 22 |

First Year Curriculum

| | | |
|----------|--|-------|
| Table 21 | Semester Credit Hours for First Year Full-time Programs | p. 24 |
| Table 22 | Quarter Credit Hours for First Year Full-time Programs | p. 24 |
| Table 23 | Credit Hours for First Year Part-time Programs | p. 25 |
| Table 24 | A Look Back – A Typical First Year Curriculum 1975 | p. 25 |
| Table 25 | Comparison of Typical First Year Curricula 1975-2002 | p. 27 |
| Table 26 | Credit Hours in Elective Offerings for First Year Students | p. 28 |
| Figure 5 | Legal Research and Writing Advocacy Components | p. 28 |

Upper Division Curriculum

| | | |
|-----------|--|-------|
| Table 27 | Number of Upper Division Course Titles 2002 | p. 31 |
| Figure 6 | Recommended Core Upper Division Electives | p. 32 |
| Table 28 | Law Schools with Certificates or Specializations | p. 32 |
| Table 29 | Decrease in Curricular Offerings | p. 33 |
| Table 30 | Increase in Curricular Offerings | p. 33 |
| Figure 7 | Regularly Offered Upper Division Courses Beyond Trial Advocacy / Course Titles | p. 34 |
| Figure 8 | Regularly Offered Upper Division Live Clinical Opportunities | p. 35 |
| Figure 9 | Regularly Offered Externship Placement Opportunities / Types | p. 35 |
| Figure 10 | Regularly Offered Upper Division Planning and Drafting Courses / Course Titles | p. 36 |
| Table 31 | Law Schools with Post-J.D. Degrees | p. 38 |
| Table 32 | Law Schools with Non-J.D. Degree Programs | p. 39 |
| Table 33 | Law Schools with Synchronous Distance Education Courses 2002 and 2003 | p. 41 |
| Table 34 | Law Schools with Asynchronous Distance Education Courses 2002 and 2003 | p. 42 |

Executive Summary

This report is the result of a three-year project conducted by the Curriculum Committee of the American Bar Association Section of Legal Education and Admissions to the Bar at the request of John Sebert, the consultant on legal education. Our goal was to produce a comprehensive survey of law school curricula at ABA-approved law schools, with special attention to changes, innovations, and trends in legal education that occurred between 1992-2002.

It has been a decade of dynamism in legal education. From the first year required curriculum through upper division electives, law schools have revised the configuration of courses, increased emphasis in skills and professionalism, and added opportunities in electives, specializations and other degree granting offerings.

Indeed, a picture emerges of significant growth, primarily in the upper division curriculum. Law schools are expending considerable resources in labor-intensive courses, including skills and simulation courses, and are offering a greater selection of specialized electives to students, who, with fewer upper division requirements, are free to explore a wide range of elective opportunities.

Several factors may account for the concerted focus on the upper division program. Cognizant of the *MacCrate Report's*¹ findings that law schools should integrate practical skills into the curriculum, more law schools have moved beyond the strictly doctrinal nature of curricular offerings to include experiential units as required courses or mainstay elective opportunities. Also mindful of the high cost of attendance, law schools are seeking to provide their students with value-enhanced degrees, offering specializations and certificate programs to give their students an advantage in a growingly competitive job market.

Additionally, one cannot overlook other external factors that may have contributed to the burgeoning curricular opportunities of this past decade. The pressure felt from law school rankings coupled with the lean applicant years of the middle 1990s may have also contributed to law schools' desire to individuate themselves from their peers. Specializations, joint degree programs, and other niche-creating vehicles have grown considerably during this decade, perhaps in part in an effort to attract qualified applicants in an extremely competitive market.

The major findings of the ABA curriculum report are as follows:

Required Curriculum

- ♦ Average credit hours required for graduation have remained constant at 88 units, but units spent in the required curriculum have fallen from 46 to 43 units, and the balance between the required and elective curriculum has shifted in the past decade to a more elective curriculum.
- ♦ Tested subject matter of bar examinations does not appear to play a prominent role in a law school's determination of which courses to require for graduation. In fact, there is no statistical evidence to suggest that the "bar factor" drives law school curricular decision-making on graduation requirements.
- ♦ Skills and simulation course opportunities have increased in the decade, with 29 percent of law respondents requiring some form of skills, clinical or simulation course for graduation.
- ♦ *Pro bono* service requirements have increased incrementally with 10 percent of law school respondents requiring on average 26.5 hours of pro bono service hours to graduate.

¹The Report of the Task Force on Law Schools and the Profession: Narrowing the Gap, (Chicago, 1992) is informally called The MacCrate Report, named for the Chair of the ABA task force, Robert MacCrate.

First Year Curriculum

- ◆ While most first year course offerings have remained basically the same over the last 20 years, many law schools have reconfigured the unit allocation and timing of these courses to expand Legal Writing coverage and to accommodate other required courses and elective opportunities for first year students.
- ◆ The small section experience outside of Legal Writing has been largely eliminated in law schools' first year programs. Down from 47 percent in 1992 to 6.5 percent in 2002, law schools have chosen to expend their curricular resources on other aspects of the program.
- ◆ Legal Research and Writing has grown in stature in the past decade, with law schools providing more units for it than in previous years, offering third and fourth semesters of legal writing, and expanding the traditional format to include interviewing, counseling and negotiating skills.

Upper Division Curriculum

- ◆ Law schools have made an abiding commitment to all aspects of clinical education. Simulation courses have increased during the past decade with nearly all responding law schools offering courses beyond basic trial advocacy, 89.4 percent offering planning and drafting courses, and 78 percent offering all three courses in Alternative Dispute Resolution, Negotiation and Mediation.
- ◆ Live client clinical opportunities continue to grow in popularity, with 83.5 percent of respondent law schools regularly offering in-house live clinical opportunities. General Civil Litigation remains the most popular, but the greatest boon can be seen in the non-litigation areas of Alternative Dispute Resolution and Transactional clinics, which rose 212 percent and 400 percent respectively. Externship opportunities also swelled in the past decade, with 96.7 percent of law schools reporting externship offerings.
- ◆ Elective opportunities in general have remained healthy with little decrease in any particular areas of law. Noted increases have been in Intellectual Property, International Law, Business Law and Health Law. Specialization and certificate programs are offered by 55 percent of respondent law schools, with International Law and Intellectual Property the most popular fields.
- ◆ Law schools are increasingly offering joint degrees and post-J.D. degrees. Nearly 85 percent of all ABA-approved law schools offered one or more joint degrees in 2002, with 97 percent of those schools offering a Masters in Business Administration. Post-J.D. degree granting programs have also grown from 40.5 percent in 1992 to 54.5 percent in 2002.
- ◆ Distance Education courses are offered by a small but stable group of law schools (12.5 percent), but it is too early in this newly developing field to predict the impact of distance education pedagogy on legal education curricula.

*Catherine Carpenter
Irwin R. Buchalter Professor of Law
Southwestern University School of Law*

Introduction

So often in matters of law school curriculum, legal educators ask, “*What are other law schools doing?*” Anecdotal information can be powerful, yet incomplete. This comprehensive survey, the first in 18 years, was conducted to offer objective data on wide-ranging aspects of law school curricula at ABA-approved law schools, with special attention to changes, innovations, and trends in legal education that have occurred over the last ten years.

We chose, with purpose, to compare the last decade. Initially, prompted by the tenth year anniversary of *The MacCrate Report*, we were interested to learn how law schools had responded to the Commission’s articulation of the ten fundamental lawyering skills that law schools should address.² Ultimately, however, as the project developed, the Committee chose to broaden its focus and examine a wide array of curricular topics in legal education. With the help of pioneering studies by Donald Jackson and E. Gordon Gee in 1975,³ and a report by William Powers in 1986,⁴ we were also able to compare some current findings with those from 1975 and 1986 to note longstanding curricular movements and recent trends.

What the Curriculum Committee Wanted to Learn

In short, we wanted to learn as much as we could about current legal education curricula – from the most fundamental of topics, such as course and unit requirements for graduation, to newly developing ones, such as distance education instruction.

To that end, our inquiry examined five substantive areas of legal education curricula:

1. Requirements for graduation, including credits required, upper division course requirements, and joint degrees offered by institutions;
2. First year course requirements, including course and credit hours and first year legal writing;
3. Upper division curriculum, including core and elective curriculum, skills and clinical offerings, and noted increases and decreases in particular courses;
4. Post-J.D. and non-J.D. degrees; and
5. Distance education courses, including synchronous and asynchronous offerings.

The Data Used for this Report

The data that we gathered for this report come primarily from two sources: 1) ABA Annual Questionnaires for 1992-1993 and 2002-2003; and 2) the results from an electronic survey produced by the Curriculum Committee and distributed to all law schools in September 2003.

² The ten fundamental lawyering skills are: problem solving (Skill §1), legal analysis and reasoning (Skill §2), legal research (Skill §3), factual investigation (Skill §4), communication (Skill §5), counseling (Skill §6), negotiation (Skill §7), litigation and alternative dispute resolution (Skill §8), organization and management of legal work (Skill §9), and recognizing and resolving ethical dilemmas (Skill §10).

³ Donald Jackson and Gordon Gee produced two stellar works in 1975 that helped to blaze the modern trail. Their first book, *Following the Leader? The Unexamined Consensus in Law Schools Curricula*, Council on Legal Education for Professional Responsibility (1975) [hereinafter Jackson and Gee-Law School Curricula] reported on the required and elective curricula of the 127 ABA-approved law schools in 1975. Their second book, *Bread and Butter: Electives in American Legal Education*, Council on Legal Education for Professional Responsibility (1975) [hereinafter Jackson and Gee – Electives] delved in depth into the elective curricula of the 127 ABA-approved law schools.

⁴ The Report, *A Study of Contemporary Law School Curricula*, by William Powers [hereinafter Powers], was written for the Office of the Consultant on Legal Education in 1986.

The Annual Questionnaire

Whenever possible, we used the statistical information from the ABA Annual Questionnaires from 1992-1993 and 2002-2003. The Annual Questionnaires were used in our inquiries into: credits required for graduation; split of required and elective curriculum; credits required for first year; the number of course title offerings; and post-J.D. and non-J.D. degrees. Results from the Annual Questionnaires reflect the input of all 175 ABA-approved law schools for 1992-1993, and all 187 ABA-approved law schools for 2002-2003, and where we have used the Annual Questionnaires, the report so indicates. The listings of all ABA-approved law schools for 1992-1993 and 2002-2003 appear in Appendix A on page 47.

The Survey Instrument

Secondly, we relied on the responses to an electronic survey that was distributed in September 2003 to all ABA-approved law schools. The survey, which was designed by the Curriculum Committee in collaboration with the Consultant's Office, was comprised of the five substantive sections noted earlier and a sixth section which asked law schools to report on important curricular innovations and changes in course content and teaching methodology.

Each of the five substantive sections asked specific questions related to that substantive area; some questions in the survey asked for comparative information from 1992 and 2002, while other questions sought information only from 2002. A copy of the survey instrument appears in Appendix B on page 51.

A priority in creating the survey instrument was to make it as user-friendly as possible for the law schools to respond. In the first five substantive sections, respondents to the survey only needed to "point and click" affirmative or negative responses to the questions posed, or in some cases, to choose from a pre-selected list of responses. Each question that had a pre-selected list of responses also allowed the law school the option to supplement the pre-selected list with additional responses under the heading of "Other." The sixth section was structured differently from the first five. The sixth section was open-ended and provided respondents with the opportunity to describe curricular and methodological innovations at their own institutions over the last decade.⁵

The survey closed in December 2003 with 152 respondents or 81.2 percent of the ABA-approved law schools in 2002. A list of the respondent law schools appear in Appendix C on page 57.⁶ Of the 152 respondents, 146 respondents also had comparative information for 1992-1993. Where we have relied on the survey results instead of the data from the Annual Questionnaires, the report so indicates.

The Report

Our report mirrors the survey instrument: it is broken into the five substantive areas noted earlier with the sixth section reporting observations by law school respondents on curricular changes at their own institutions.

It should be noted that our aim in writing this report is not to make recommendations or take positions on the best choice of curriculum alternatives. Indeed, we have tried to keep our own assessments out of the inquiry. Rather, our hope is that this report will provide objective data on widespread current curricular practices which will, in turn, stimulate further examination and discussion.

What are other law schools doing? This report will be helpful in answering that question.

⁵ A user friendly "point and click" survey contains its own caveat. A respondent may have clicked an unintended choice; or may have interpreted a question differently than intended and consequently supplied information outside the context of the question; or there may have been human error on our part in reporting particular count. And, finally, as we discovered during this process, a survey question may contain an unintended ambiguity that required further independent research before results could be published. Early into the analysis, we realized that a question seeking information on whether Criminal Law/Criminal Procedure was required was ambiguous because it had group together two independent courses. Research was conducted post-survey to provide the results in this report. Notwithstanding this caveat, however, we are confident that a dynamic snapshot emerges in this report, providing a reasonably accurate picture of law school curricula.

⁶ The Judge Advocate General's School also completed the survey, but for purposes of the count from the electronic survey, the response is not included because JAG only offers an LL.M. program.

Profile of the Respondents to the Survey

Because much of the report is based on the results of the electronic survey, we examined the statistical sampling of the 152 survey respondents in order to determine whether it was sufficiently broad-based. Listed below are breakdowns according to respondents' geographic demographics, size of enrollment, student/faculty ratio, and institutional make-up. What we found was that the 152 respondents to the survey were diverse in their demographics: they represented all parts of the country, were well established and provisionally approved alike, and had varied sizes of enrollment, institutional make-ups and affiliations.

Geographic Makeup

Law schools in 48 of the 51 jurisdictions in which there were ABA-approved law schools as of 2002 responded to the survey.⁷ Only law schools in Nevada, North Dakota and South Carolina did not respond. In 27 of the 48 jurisdictions, every law school responded to the survey.⁸

In 15 other jurisdictions, the majority of ABA-approved law schools responded to the survey.⁹ In another three jurisdictions, 50 percent of law schools responded,¹⁰ and in three jurisdictions, 1/3 of law schools responded.¹¹

Year of ABA Approval

Respondents to the survey represented both well-established and newly ABA-approved law schools.

TABLE 1
Demographics of 152 Respondents by Year of Approval

| Year of Approval | Number of Schools |
|---------------------|--|
| 1923 (charter year) | 33 Schools (21.7 percent of respondents) |
| 1924 - 1949 | 56 Schools (36.8 percent of respondents) |
| 1950 - 1969 | 25 Schools (16.4 percent of respondents) |
| 1970 - 1992 | 28 Schools (18.4 percent of respondents) |
| 1992 - 2002 | 10 Schools (6.5 percent of respondents) |

TABLE 2
Demographics of 152 Respondents by Size of Enrollment

| Size of Enrollment | Number of Schools |
|--------------------|---------------------------|
| 0-500 | 41 Schools (26.9 percent) |
| 501-1000 | 86 Schools (56.5 percent) |
| 1001-1300 | 15 Schools (9.8 percent) |
| 1301 and above | 10 Schools (6.5 percent) |

Size of Enrollment

Size of enrollment varied from 135 students to 2,020 students. Of the 152 respondents, 41 law schools had 500 students or fewer; 86 law schools had enrollments between 501-1,000; 15 law schools had enrollments between 1,001-1,300 students; and 10 law schools had enrollments of 1,301 and above.

⁷ The 51 jurisdictions include 49 states, the District of Columbia and Puerto Rico. Alaska, as the lone state, does not have an ABA-approved law school.

⁸ The states in which every law school responded to the survey were: Alabama, Arizona, Arkansas, Delaware, District of Columbia, Georgia, Hawaii, Idaho, Iowa, Kansas, Maine, Maryland, Massachusetts, Missouri, Montana, New Hampshire, New Jersey, New Mexico, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia, Wisconsin and Wyoming.

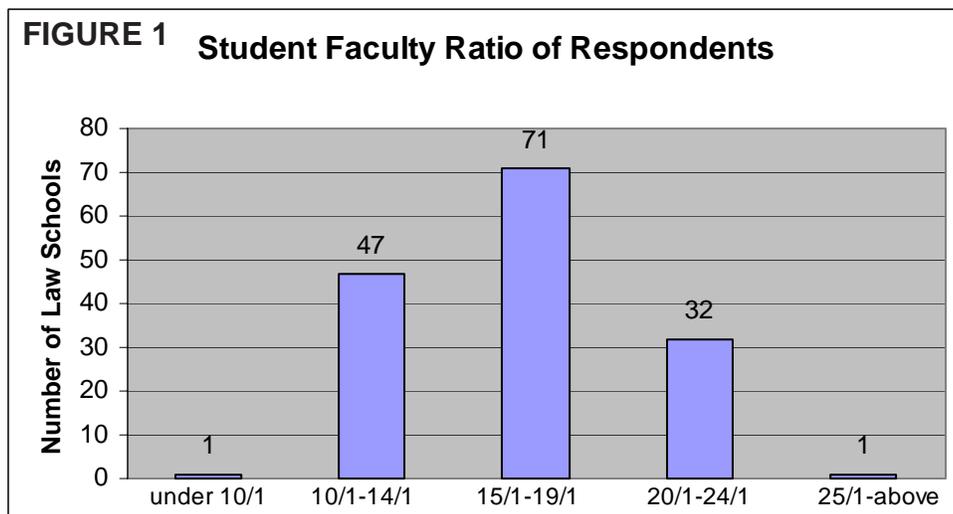
⁹ In California, 17 of 19 ABA-approved law schools (89.4 percent) responded to the survey; in Florida, 7 of 8 law schools responded (87.5 percent); in Illinois 7 of 9 law schools responded (77.7 percent); in Indiana, 3 of 4 law schools responded (75 percent); in Kentucky, 2 of 3 law schools responded (66.6 percent); in Louisiana, 3 of 4 law schools responded (75 percent); in Michigan, 4 of 6 law schools responded (66.6 percent); in Minnesota, 2 of 3 law schools responded (66.6 percent); in New York, 11 of 15 law schools responded (73.3 percent); in North Carolina, 4 of 5 law schools responded (80 percent); in Ohio, 6 of 9 law schools responded (66.6 percent); in Oklahoma, 2 of 3 law schools responded (66.6 percent) in Oregon, 2 of 3 law schools responded (66.6 percent); in Pennsylvania, 6 of 7 law schools responded (85.7 percent); in Virginia 5 of 6 law schools responded (83.3 percent).

¹⁰ In Colorado, Mississippi, and Nebraska, 1 of 2 law schools responded to the survey (50 percent).

¹¹ In Connecticut, Puerto Rico, and the state of Washington, 1 of 3 law schools responded to the survey (33.3 percent).

Student/Faculty Ratio

The Student/Faculty Ratio of respondent law schools varied between a low of 8/1 and a high of 28/1. The majority of law school respondents had student/faculty ratios between 15/1 and 19/1.



Other Demographics

The 152 respondents also represented diverse affiliations and institutional makeup. *TABLE 3* breaks out respondents' demographics according to their status as a private or public institution, whether they are single or dual division, affiliated with a university or independent, whether they have a religious affiliation, and the number of historically black colleges represented in the survey.

| TABLE 3 Other Demographics of 152 Respondents | | | | |
|---|--|---|--|------------------------------------|
| Public / Private | Single / Dual Division | Affiliated / Independent | Secular / Religious Affiliation | Historically Black Colleges |
| 64 Public 88 Private | 78 Single Division 74 Dual Division | 133 University Affiliates 19 Independent | 111 Secular 41 Religious Affiliates | 3 Historically Black Law Schools |

Requirements for Graduation

Overview

This section of the report explores the range of courses and credits required for graduation. While the average credit hours required for graduation has remained constant for nearly 20 years, the nature and extent of the requirements have changed during that time. Consistent with themes mentioned in other sections of this report, law schools have retooled the first year program, have included experiential units in the required curriculum, and are providing students with a greater selection of electives and specializations. To enable students to have greater choice, many law schools now require fewer doctrinal upper division courses, and where upper division doctrinal subjects are required, some law schools allow students to select courses from among a predetermined group of courses. *Pro bono* service requirements have also increased over the last decade.

Section One of this report collected comparative information for 1992 and 2002 regarding the requirements for graduation, including:

1. The number of credit hours required for graduation;
2. Upper division courses required for graduation (beyond the writing requirement);
3. Whether the law school has a distribution requirement from which students select courses;
4. How the upper division writing requirement was satisfied;
5. Whether skills, simulation or clinical courses are required for graduation;
6. Whether pro bono service hours are required; and
7. Whether joint J.D. degree programs are offered by the institution.

For purposes of Section One, responses to Question 1 (credit hours required for graduation) and Question 7 (joint degree programs) were taken directly from the Annual Questionnaires for 1992 and 2003. Results reported for those two questions include all 175 ABA-approved law schools in 1992 and 187 ABA-approved law schools in 2002. The results to Questions 2-6 are based on the answers provided by the respondents to the 2003 survey instrument.

Question 1: Required Credit Hours for Graduation

A. Schools on the Semester System

This question requested information on the number of required units for graduation. In 1975 when Donald Jackson and Gordon Gee embarked on their empirical review of law school curriculum, the average credit hours required for graduation was 86 units.¹² By the next study in 1986 (the Powers Report), credit hours required for graduation had increased to 88 units, and have remained constant at 88 units today.

In comparing data from 1992 and 2002, the information is strikingly similar. In 1992, with 175 law schools approved by the American Bar Association, 170 law schools (97.1 percent) were on the semester system. Required semester hours ranged from 80 units to 97, with the average requirement of 88 (87.6) units and the median of 88 units.

In 2002, of the 187 ABA-approved law schools, 183 (97.9 percent) were on the semester system. Required semester credit hours again ranged from 80 units¹³ to 97. The average number of units required were 88 units (87.9) and the median was 88 units. The average of 88 required units has been a constant since the 1980s when the Powers Report found that with 174 ABA-approved law schools, the average number of required units was 88 (87.6) and the mean was 88 units.¹⁴ *TABLE 4* lists the semester credit hours required at all ABA-approved law schools in 1992 and 2002.

Demographic Variables of Law Schools on the Semester System

In reviewing the average required credit hours for graduation, we were interested in seeing whether demographic variables, such as whether the institution was public or private, the size of enrollment, or the student/faculty ratio affected credit hour requirements for graduation.

In both 1992 and 2002, private law schools on average required 87 units, one unit less than public law schools in 1992, and nearly two units less than public law schools in 2002.

| Credit Hours | 1992 175 Schools | 2002 187 Schools |
|--------------|---------------------|---------------------|
| 80 | 1 | 2 |
| 81 | 1 | 0 |
| 82 | 2 | 2 |
| 83 | 5 | 3 |
| 84 | 15 | 14 |
| 85 | 11 | 10 |
| 86 | 28 | 24 |
| 87 | 17 | 18 |
| 88 | 31 | 33 |
| 89 | 7 | 9 |
| 90 | 42 | 57 |
| 91 | 1 | 4 |
| 92 | 3 | 2 |
| 93 | 1 | 0 |
| 94 | 2 | 2 |
| 95 above | 3 | 3 |

TABLE 5
Average Unit Requirement in Public/Private Institutions

| | 1992 Average Units Required(175 law schools) | 2002 Average Units Required(187 law schools) |
|----------------|---|---|
| PUBLIC | 88 Units Average (88.3) 88 Units Median | 88 Units Average (88.6) 89 Units Median |
| PRIVATE | 87 Units Average (87.1) 87 Units Median | 87 Units Average (87.3) 87 Units Median |

The average of 88 units does not appear to change depending on the student faculty ratio of a particular law school as indicated in *TABLE 6* on page 14.

When size of enrollment is factored into the average, however, one sees a considerable difference among the law schools in terms of credit hours required for graduation. In both 1992 and 2002, schools with under 500 students required four more

¹² See Jackson and Gee-Law School Curricula, *supra* note 3, at 12.

¹³ Under ABA Standard 304, 80 units was considered the minimum required semester hours for graduation. Standard 304, Interpretation 304-5 in effect in 2002, stated: "To achieve a total of 56,000 minutes of instruction time, a law school must require at least 80 semester hours of credit." However, under the recently approved Standard 304, instructional minutes have increased from 56,000 to 58,000 minutes, and under Interpretation 304-4, "to achieve the required total of 58,000 minutes of instruction time, a law school must require at least 83 semester hours of credit." This change will impact the four law schools whose required credit hours are below 83.

¹⁴ See Powers, *supra* note 4, at 8-9

units for graduation than law schools with over 1,300 students as seen in *TABLE 7*.

B. Schools on the Quarter System

In 1992, out of 175 ABA-approved law schools, five law schools (2.8 percent) were on the quarter system. Credit hours ranged from 99 to 135 quarter hours. In 2002, out of 187 law schools, four law schools (or 2.1 percent) were on the quarter system. Their credit hours ranged from 103-quarter hours to 135-quarter hours.¹⁵

| TABLE 6 Average Unit Requirement by Student / Faculty Ratio | | |
|---|--|--|
| Student Faculty Ratio | 1992 Average Units Required (175 law schools) | 2002 Average Units Required (187 law schools) |
| Under 10/1 | n/a | 86 Units (86.0) 86 Median |
| 10/1-19/1 | 88 Units (88.0) 88 Median | 88 Units (87.8) 88 Median |
| 20/1-24/1 | 88 Units (87.7) 88 Median | 88 Units (88.1) 88 Median |
| 25/1 and up | 87 Units (87.3) 87 Median | 89 Units (89.0) 89 Median |

| TABLE 7 Average Unit Requirement by Size of Enrollment | | |
|--|--|--|
| Size of Enrollment | 1992 Average Units Required (175 law schools) | 2002 Average Units Required (187 law schools) |
| 0-500 | 89 Units (88.7) 89 Median | 89 Units (89.3) 90 Median |
| 501-1000 | 88 Units (87.7) 88 Median | 88 Units (87.7) 88 Median |
| 1001-1300 | 86 Units (86.3) 86 Median | 87 Units (86.9) 87 Median |
| 1301 and above | 85 Units (85.4) 86 Median | 85 Units (84.7) 85 Median |

comprised 48.2 percent-required courses and 51.8 percent of elective curriculum.¹⁷

By 1992, the balance between required and elective offerings shifted, and on average, the law student's curriculum was 51.7 percent-required classes and 48.3 percent elective. The average number of required course hours rose to 46 units (45.6), with a median of 42 units. Respondents to the survey indicated that required credit hours in 1992 ranged from a low of 19 to a high of 80 units, and from 23.2 percent of required units for graduation to a high of 82.2 percent of required units for graduation.

In 2002, the average required course hours fell slightly to 43 units (42.8), with a median of 41 units. In the process, the balance between required and elective courses once again favored a more elective curriculum (48.6 percent required and 51.4 percent elective). Required credit hours in 2002 ranged from a low of 21 units to a high of 79 required units, and from 25.5 percent of required units for graduation to a high of 84 percent of required units for graduation.

C. Credit Hours in Required Courses

In addition to determining the number of required units for graduation, this report sought information on the total number of credit hours required in particular courses for graduation. In 1975, Jackson and Gee reported that a law student could expect to spend 40.3 hours (46.9 percent of total required hours to graduate) in required courses.¹⁶ By 1986, that number had risen slightly to an average of 42 (42.3) units in courses specifically required by the law school to graduate. The median was 39 units. By 1986 then, a law student's curriculum

| TABLE 8 Quarter Credit Hours Required for Graduation | | |
|--|-------------|-------------|
| Quarter Credit Hours | 1992 | 2002 |
| 99 | 1 | 0 |
| 103 | 0 | 1 |
| 105 | 1 | 1 |
| 120 | 1 | 0 |
| 126 | 0 | 1 |
| 132 | 1 | 0 |
| 135 | 1 | 1 |

¹⁵ With such a small statistical sample, we did not break down the four schools on the quarter system.

¹⁶ See Jackson and Gee-Law School Curricula, supra note 3, at 26.

¹⁷ See Powers, supra note 4, at 10-11

| TABLE 9 Average Credit Hours in Required Courses (All ABA-Approved Law Schools) | | | | |
|---|-------------|-------------|-------------|-------------|
| | 1975 | 1986 | 1992 | 2002 |
| Required Number Units | 40 (40.3) | 42 (42.3) | 46 (45.6) | 43 (42.8) |
| Median Units Required | 35 Units | 39 Units | 42 Units | 41 Units |

| TABLE 10 Split of Required and Elective Curriculum (All ABA-Approved Law Schools) | | | | |
|---|--------------|--------------|--------------|--------------|
| | 1975 | 1986 | 1992 | 2002 |
| Percent of Required Units | 46.9 percent | 48.2 percent | 51.7 percent | 48.6 percent |
| Percent of Elective Units | 53.1 percent | 51.8 percent | 48.3 percent | 51.4 percent |

Question 2: Specific Course Requirements Following First Year

A. Upper Division Requirements

This question sought to determine whether, and to what extent, law schools had upper division courses requirements for graduation requirements. For purposes of this question, the survey excluded from consideration the upper division-writing requirement under ABA Standard 302(2).¹⁸

Of the 152 law schools responding to this question, 148 (97.3 percent) reported that their law schools had requirements in 2002 beyond the first year full-time program and upper division writing requirement. On its face, this response is not unexpected given that ABA Standard 302(b) requires that a law school provide all students with instruction in professional responsibility,¹⁹ and that the vast majority of respondents (93.4 percent) offer such instruction in their upper division curriculum.

When one removes Professional Responsibility from the response rate, however, the statistic changes significantly. As *TABLE 12* on page 16 shows, 34 law schools, (22.3 percent of respondents) had no upper division requirements in 2002 beyond the ABA mandated upper division writing requirement and Professional Responsibility.

B. Most Commonly Required Upper Division Courses

Having asked whether upper division courses were required, our survey also sought information on which courses were most commonly required in the upper division, and at what point in the curriculum they were offered (i.e. for full-time: second year, third year, before graduation). Question 2 provided the respondent with a list of pre-selected courses in a

| TABLE 11 Law Schools with Upper Division Requirements in 2002 (152 Respondents) | |
|--|--|
| Schools with Upper Division Requirements | Schools without Upper Division Requirements |
| 148 Schools (97.3 percent) | 4 Schools (2.6 percent) |

¹⁸ ABA Standard 302(2) requires that all students receive a rigorous writing experience after the first year. In conducting this survey, we assumed that all law schools require at least one rigorous writing experience after the first year, and therefore the survey instrument was geared to solicit those law schools that required additional courses beyond the upper division writing requirement.

¹⁹ ABA Standard 302(b) states: "A law school shall require all students in the J.D. program to receive instruction in the history, goals, structure, duties, values and responsibilities of the legal profession and its members, including instruction in the Model Rules of Professional Conduct of the American Bar Association."

drop-down menu from which to choose. Pre-selected courses included: Business Associations, Civil Procedure, Clinic, Commercial Law, Constitutional Law, Criminal Law or Procedure, Evidence, Federal Taxation, Professional Responsibility, Property, Trial Practice, Trusts and Estates. Respondents also had the option under “Other” to add in courses not covered in the drop-down menu.

FIGURE 2 depicts the most commonly required upper division courses, and includes the responses from the pre-selected drop-down list of courses in the survey, as well as those that were added in by respondents under the heading of “Other.”

Professional Responsibility was ranked as the most often required course in the upper division (142 law schools or 93.4 percent of schools surveyed); Constitutional Law was second (80 schools or 52.6 percent of respondents); and Evidence third (71 schools or 46.7 percent of respondents). Nearly half of the respondents indicated that they required Constitutional Law and/or Evidence, but beyond these two courses, there was little uniformity in which other courses were required. Business Associations in fourth place, for example, was required in only 21.7 percent of the responding schools.²⁰

In addition to the courses noted in FIGURE 2, law schools reported other upper division course requirements including:

Clinical Courses (six law schools – 3.9 percent); Appellate Advocacy (six law schools – 3.9 percent); Remedies (six law schools – 3.9 percent), Family Law (four law schools – 2.6 percent), Secured Transactions (three law schools – 1.9 percent), Legislation (two law schools – 1.3 percent).

The list of the most commonly required upper division courses and their respective credit hour allocation is provided in TABLE 13

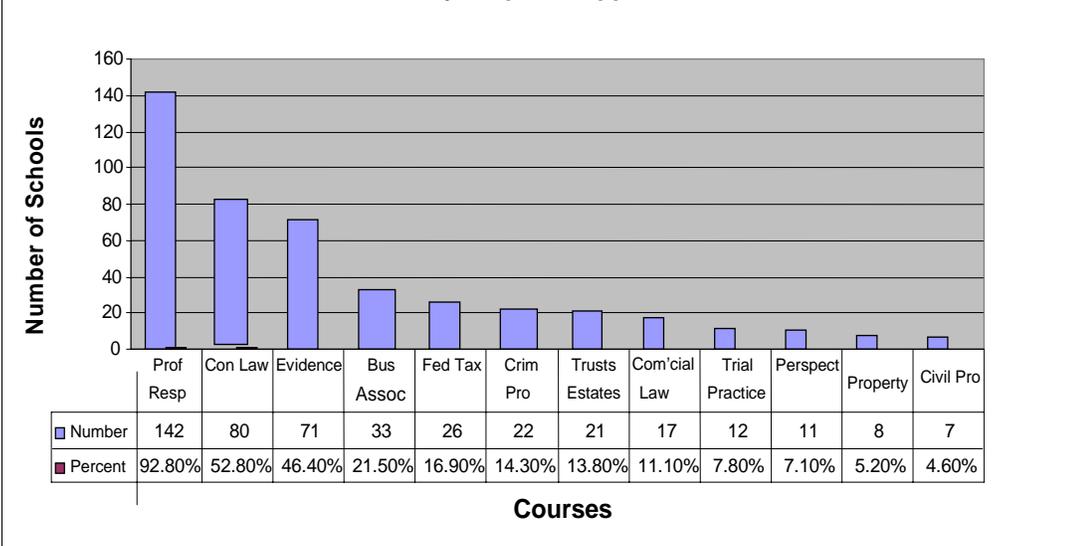
on page 17. A full list of the pre-selected courses, their complete credit hours, and whether required in second or third year is provided at Appendix D on page 59.

C. A Comparison of Time Periods

A comparison of the commonly required courses from 1986 with those commonly required in 2002 reveals a few differences. Certain courses were offered with similar frequency but other courses requirements have been either the subject of increased interest or are in sharp decline. Evidence has remained constant in its required frequency (46 percent of law schools in both 1986 and 2002 required Evidence) and Business Associations and Trusts and Estates have only dipped

| TABLE 12 Law Schools with Upper Division Requirements in 2002 Not Including Professional Responsibility (152 Respondents) | |
|--|---|
| Schools with Upper Division Requirements (Not Including P.R.) | Schools without Upper Division Requirements (Not Including P.R.) |
| 118 Schools (77.6 percent) | 34 Schools (22.3 percent) |

FIGURE 2 Most Commonly Required Upper Division Courses



²⁰Property and Civil Procedure, commonly required first year subjects, may have been included by respondents as required second year, second semester courses in the part-time program.

TABLE 13
Credit Allocation of Most Commonly Required Upper Division Courses (152 Respondents)

| Upper Division Required | Number of Credits | Number of Schools |
|---|--|-------------------------------|
| Professional Responsibility 142 Schools | 1 unit 2 units 3 units More than 3 units | 8 60 72 2 |
| Constitutional Law 80 Schools | 2 units 3 units 4 units 5 units 6 units More than 6 units | 2 31 21 7 18 1 |
| Evidence 71 Schools | 2 units 3 units 4 units More than 4 units | 1 28 40 2 |
| Business Associations 33 Schools | 2 units 3 units 4 units More than 4 units | 1 10 21 1 |
| Criminal Procedure ²¹ 26 Schools | 2 units 3 units More than 3 units | 3 18 5 |
| Federal Income Tax 26 schools | 1 unit 2 units 3 units 4 units | 1 0 17 8 |
| Trusts and Estates 21 Schools | 3 units 4 units 5 units | 11 9 1 |
| Commercial Law 17 Schools | Less than 3 units 3 units 4 units More than 4 units | 1 10 4 2 |
| Trial Practice 12 Schools | Less than 3 units 3 units 4 units More than 4 units | 4 4 2 2 |
| Property 8 Schools | Less than 3 units 3 units 4 units 5 units 6 units | 1 2 2 1 2 |
| Civil Procedure 7 Schools | 3 units 4 units | 6 1 |

slightly. Business Associations, currently required by 22 percent of respondents, was required by 28 percent of the law schools in 1986, and Trusts and Estates, currently required by 14 percent of the respondents was required by 17 percent in 1986.²² Taxation, on the other hand, is no longer required with the same frequency as it was in 1986. Currently required by 17 percent of the respondents, Taxation was required by 31 percent of law schools in 1986. New courses have also joined the required curriculum. For example, Perspective courses (including Jurisprudence or other theoretical courses), which are currently required by 7 percent of the respondents, was required by less than 1 percent of the schools in 1986.

D. The “Bar Factor”

In surveying the required upper division curriculum, we explored whether the tested subject matter of individual state bar examinations plays a prominent role in a law school’s determination of which upper division courses to require. To do this, we isolated several commonly required upper division courses that are not tested subjects on the Multi-State Bar Examination.²³ The courses we reviewed were Tax, Trusts and Estates, and Business Associations. In our research, we first matched the course to those law school respondents that require the subject, and then we examined whether that subject matter was required in the respondent’s state bar examination. Once we determined whether it was required by the respondent’s state bar, we reviewed the extent to which that subject was also required by other law school respondents in the same state.

We also examined the reverse. We surveyed all state bar examinations to determine which states tested Tax, Trusts and Estates, and Business Associations on their bar examinations, and then we compared those jurisdictions with the number of law school respondents that require the subject for graduation. And finally, we took two other courses, Family Law and Remedies, which were reported by some respondents to be required by their law schools, and studied the extent to which those courses were tested in state bar examinations.²⁴

What we discovered is that there is little statistical evidence to suggest that the “bar factor” drove law school decision-making of which upper division courses were required in 2002.²⁵ This was equally true for law schools with national and regional reputations, public and private institutions and single or dual division law schools. The fact that a particular subject was tested on the state bar examination may have served as the impetus for an individual law school to require the course, but on the

²¹ These results are the product of independent research of respondent law schools conducted post-survey because it became apparent in analyzing the data that the grouping together of Criminal Law and Criminal Procedure caused inaccurate responses in the context of the question. See also Section Two: First Year Curriculum where independent research was conducted regarding first year requirements in Criminal Law and Criminal Procedure.

²² See Powers, *supra* note 4, at 12.

²³ All states except Louisiana hold a national Multistate bar examination which tests the following six subjects in multiple choice format: Constitutional Law, Contracts/Sales, Criminal Law/Procedure, Evidence, Real Property, and Torts.

²⁴ We used following cite for our references to the bar subjects of each state: www.legaled.com/barplus.htm. We also cross-checked this reference with state bar internet homepages.

²⁵ Whether the “bar factor” drives student enrollment is a different matter, and not one that this survey tracks. Jackson and Gee, in their study on required curriculum, referred to this phenomenon as the “informal required curriculum.” See Jackson and Gee-Law School Curricula, *supra* note 3, at 33-39.

whole, it does not appear to be sufficient motivation to require the course for graduation. Only in the case of newly ABA-approved law schools – those schools ABA-approved post-1992 – can one see some correlation between the schools' required curriculum and state bar course coverage. For all other law schools, factors such as faculty resources, pedagogical beliefs, specialization or niche interests, and faculty politics might have equally influenced the decision on which courses to require at a particular law school.

E. Courses Reviewed

Taxation: In our survey, 26 responding law schools representing 20 states required Taxation for graduation in 2002.²⁶ Yet, only five of the 20 states from which respondents herald require Taxation as a bar-tested subject.²⁷ Conversely, Taxation is required on 13 state bar examinations around the country; yet in eight states where Tax is required on the state bar examination no law school respondent requires it for graduation.²⁸

Even in the five respondent states where Taxation is a required bar subject, there is no uniformity among the law schools of that particular state on whether to require the course for graduation. In Pennsylvania, for example, where Taxation is a required bar examination subject, only two of the six respondents required Taxation for graduation, in North Carolina, only one of four respondents require Taxation, and in Texas, only three of nine respondents required Taxation, even though it is a bar-tested subject.

Similar conclusions were reached when viewing the data from a different perspective. Respondents from 15 other states require Taxation to graduate even though their state bar examination does not test the subject. In California for example, two of 17 respondents require Taxation, in Michigan, two of four respondents require Taxation, and in Tennessee, one of three law schools requires Taxation, even though the fact that Taxation is not on these individual bar examinations.

Business Associations: Business Associations is required on the bar examinations of 49 jurisdictions.²⁹ Yet in our survey, only 34 law schools representing 22 jurisdictions required Business Associations for graduation.³⁰ Law school respondents in 27 other jurisdictions do not require Business Associations (Corporations) even though it is a bar-tested subject in their states. Even where it is tested on the state bar examination, there is no uniformity among law schools in the state on whether to require the course. For example, in California, only seven of 17 law school respondents require Business Associations; in Florida, two of seven law schools require the course; in Massachusetts only one of seven require Business Associations; and in New York, only two of 11 law schools require the course.

Trusts and Estates (Wills): In our survey, 21 law schools representing 14 states required Trusts and Estates (Wills).³¹ However, this course is tested on the bar examinations of 47 jurisdictions.³² Thus, in 33 other states where this subject was tested on the state bar examination no law school respondent reported the course as required. And, similar to Business Associations, there is no uniformity within a state on whether the law schools of that state require the course. For example, in 11 of the 14 states, only one law school requires Trusts and Estates; in California four of 17 respondents require the course; in New York two of 11 respondents require the course, and in Texas four of nine respondents require it.

Family Law (Domestic Relations): Family Law (Domestic Relations) is a bar-tested subject in 34 states. Yet, only four law school respondents representing four different states reported that they require Family Law for graduation.³³ Each of the four jurisdictions in which the law school respondent is located tests Family Law on the bar examination. In 30 other jurisdictions however, where Family Law is a bar-tested subject, no law school respondent reported Family Law as a

²⁶ The responding law schools that require Federal Income Taxation to graduate come from the following 20 states: Alabama, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Massachusetts, Michigan, Montana, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Texas, West Virginia.

²⁷ The five states represented by respondents that require federal income tax on the state bar examination are Indiana, Montana, North Carolina, Pennsylvania, and Texas.

²⁸ The eight states where no law school respondent requires tax, but where tax is on the bar examination are Maine, Minnesota, Mississippi, New Hampshire, New Mexico, Oregon, Virginia and Wisconsin.

²⁹ The two jurisdictions that do not test Business Association are: New Jersey and Pennsylvania.

³⁰ The 22 jurisdictions are Alabama, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Missouri, Montana, New Jersey, New York, North Carolina, Pennsylvania, Puerto Rico, Tennessee, Texas, Virginia, and West Virginia.

³¹ The 14 states represented are: Alabama, California, Connecticut, Florida, Louisiana, Michigan, New York, North Carolina, Pennsylvania, Tennessee, Texas, Virginia, West Virginia and Wisconsin.

³² The four jurisdictions that do not test some aspect of Wills, Trusts and Estates are: Alaska, Louisiana, Maryland and New Jersey.

³³ The four jurisdictions represented are: Florida, Missouri, Virginia and West Virginia.

requirement. And in the four jurisdictions where respondents require Family Law, the other law schools located in the four jurisdictions do not have such a requirement.

Remedies: Only six law school respondents representing two states require Remedies. Yet, Remedies is tested on the bar examination in eight states. In California, where Remedies is tested on the bar and has the largest respondent group to require Remedies, still only five of 17 respondent law schools in California that require the subject.

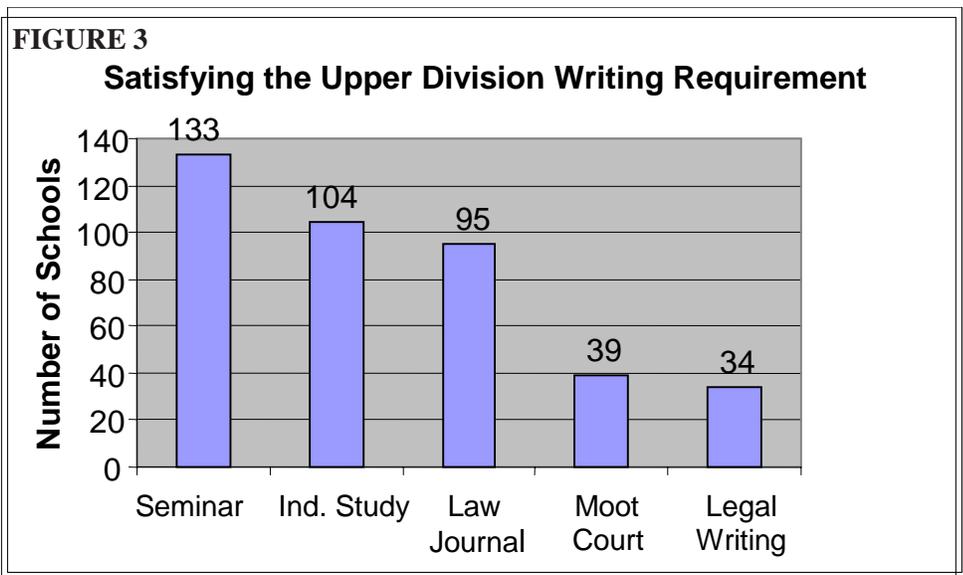
Question 3: Distribution Requirement

This question sought information on whether law schools had upper division requirements, under which students were required to select one or more courses from a prescribed list. There has been an increase in the number of schools offering such distributions in the last decade. In 1992, of the 146 respondents, 23 law schools, or nearly 16 percent, allowed students to select from a group of courses. That number increased to 24 percent in 2002 when, of the 152 respondents, 37 schools reported that their upper division requirements in 2002 were met through a student selection of among a group of courses. Even where a specified group of courses is not prescribed, schools often recommend a core group of electives for students to take before graduation. (See Section Three: Elective Curriculum, page 30, which describes the courses often recommended.)

| TABLE 14 Law Schools with Distribution Requirements (146 RESPONDENTS - 1992) (152 RESPONDENTS - 2002) | | |
|--|------------------------------|------------------------------|
| | 1992 | 2002 |
| Schools with Distribution Requirements | 23 Schools (15.7 percent) | 37 Schools (24.3 percent) |

Question 4: Upper Division Writing Requirement

ABA Standard 302(a)(2) requires that a law school provide “at least one additional writing requirement after the first year.” This survey sought information on the ways in which law schools have chosen to satisfy the upper division-writing requirement. Pre-selected categories were provided in a drop-down list, and included: Independent Study, Law Journals, Moot Court, Seminar, Specific Upper Class Required Legal Writing Course. Respondents were also provided with the category “Other” to include additional options.



Of the 152 respondents, 133 law schools (87.5 percent) permit the upper division-writing requirement to be satisfied in a seminar format. Additionally, 104 respondents (69 percent) use the Independent Study as a means of satisfying the upper division writing requirement, and 95 law schools (62.5 percent) allowed students to satisfy the writing requirement through their participation in the school’s law journal. Participation in moot court was allowed by 39 responding schools (25.6 percent), and nearly as many respondents, 34 law schools (22.3 percent), reported that they had specific upper division legal writing courses designed to provide the additional rigorous writing experience.³⁴

³⁴ The discrete upper division writing course appears to be a fairly recent innovation, as the 1986 Powers Report never noted it. Under the heading of the “chicken and egg” argument, the launching of the upper division writing course may have been the result of the change in ABA Standard 302(b) which requires one additional rigorous writing experience after the first year. Or the recognition of the importance of the skill of writing may have been the impetus for both the emergence of the writing course and the change in the Standard.

Other options noted by respondents included: courses that were designated to meet the writing requirement – 15 law schools (9.8 percent); Paper option in an existing substantive class seven law schools (4.6 percent); Clinical experiences seven law schools (4.6 percent).

Most law schools allow more than one of these options to fulfill the writing requirement. However, 16 of the 152 respondents (10.5 percent) only permit the seminar format to fulfill the upper division-writing requirement, and eight law schools (5.2 percent) only allow the upper division legal writing course to fulfill the upper division-writing requirement.

The Upper Division Legal Writing Course

For those schools that offer an upper division legal writing course, units ranged from one unit to four units and are detailed in *TABLE 15*.

TABLE 15
The Upper Division Legal Writing Course
(34 RESPONDENTS)

| Number of Credits | Number of Schools |
|-------------------|-------------------|
| 1 Unit | 2 Schools |
| 2 Units | 18 Schools |
| 3 Units | 11 Schools |
| 4 Units | 3 Schools |

Question 5: Skills, Simulation, and Clinical Externship Requirement

A. Schools that Require Skills Training

| TABLE 16 Law Schools with Skills, Simulation, Clinical Externship Requirements (146 RESPONDENTS - 1992) (152 RESPONDENTS - 2002) | | |
|---|------------------------------|------------------------------|
| | 1992 | 2002 |
| Law Schools with Skills Requirements | 36 Schools (24.6 percent) | 45 Schools (29.6 percent) |

The survey sought comparative information from 1992 and 2002 on the number of schools that required skills, simulation, clinical or externship experiences. As *TABLE 16* demonstrates, there has been some movement on this particular issue. In 1992, of the 146 respondents, 36 law schools or 24.6 percent required some identified skills course for graduation. By 2002, that number had increased to 45 law schools or 29.6 percent of the respondents.

More significant than the increase between 1992 and 2002 is the comparative increase between 1986 and 2002. In 1986, although professional skills training was a mainstay elective, the Powers Report noted that fewer than 1 percent of law schools identified clinical skills as a requirement for graduation, and only 7 percent of

law schools identified simulation courses as requirements for graduation.³⁵

B. Credit Hours in Skills Requirements

Law schools that did require skills courses for graduation were asked to list the specific credit hour information for 2002. Hours ranged from under three credits to more than six credit hours. The average unit requirement was four units. *TABLE 17* lists the credit hours of the 45 law schools with this requirement.

C. Student/Faculty Ratio Impact

Requiring labor-intensive courses for graduation can be a significant commitment of faculty resources. In reviewing the responses to this particular question, we examined the student/faculty ratio of the law

TABLE 17
Credit Hours-Skills, Simulation, Clinical Externship
Requirements (45 RESPONDENTS)

| | Number of Credits | Number of Schools |
|---|----------------------|-------------------|
| 2002 Credit Hours for Required Skills Courses, Clinical Experiences and / or Externships | Less than 3 Units | 15 |
| | 3 Units | 7 |
| | 4 Units | 5 |
| | 5 Units | 2 |
| | 6 Units | 8 |
| | More than 6 Units | 5 |
| | No Response | 3 |

³⁵ See Powers, *supra* note 4, at 14, 46-47.

schools in question to see whether schools that required skills training had lower student/faculty ratios than schools that did not require skills courses or training.

In 1992, the average student/faculty ratio of respondents to the survey was 23/1. For the 36 law schools that required some type of skills course to graduate, student/faculty ratios ranged from a low of 13/1 to a high of 31/1, with the average student/faculty ratio 21/1 (a slightly more favorable student/faculty ratio than the average).

In 2002, however, the 45 law schools that required skills course or training had a less favorable student/faculty ratio than the average of all responding law schools. The average student/faculty ratio for all respondents was 17/1. For the 45 law schools that require skills course or training, the student faculty ratio ranged from 8/1 to 24/1, and was less favorable on average at 19/1.³⁶ This would suggest that there is no meaningful correlation between a more favorable student/faculty ratio and the decision at a particular law school to require skills training.

Question 6: Pro Bono Service Requirements

A. Schools that Require Pro Bono Service Hours

The survey sought comparative information from 1992 and 2002 on those schools that require *pro bono* service hours for graduation. Approximately 10 percent of respondents reported that they currently require *pro bono* service hours to graduate.

In 1992, seven law schools (4.7 percent) reported that they required *pro bono* service hours for graduation. By 2002, an additional nine law schools had joined the seven to require *pro bono* service hours to graduate. The 16 law schools comprise 10.5 percent of the respondents to the survey.

The 16 law schools are diverse in their makeup: 13 are private (81.2 percent) and three (18.7 percent) are public institutions; seven (47 percent) have religious affiliations and nine (56.2 percent) have no religious affiliation; 14 (87.5 percent) are affiliated with universities and two (12.5 percent) are independent law schools. Eight of the 16 (50 percent) are dual division schools.

| TABLE 18 Law Schools with Pro Bono Service Requirements (146 RESPONDENTS - 1992) (152 RESPONDENTS - 2002) | | |
|---|--------------------------|----------------------------|
| | 1992 | 2002 |
| Schools with Pro Bono Requirements | 7 Schools 4.7 percent | 16 Schools 10.5 percent |

| TABLE 19 Credit Hours Required for Pro Bono Service (16 RESPONDENTS) | |
|--|--------------------------|
| Number of Hours | Number of Schools |
| 10 hours | 1 |
| 20 hours | 4 |
| 25 hours | 1 |
| 30 hours | 3 |
| 40 hours | 5 |
| 50 hours | 1 |
| 60 hours | 1 |

B. Hours Required for Pro Bono Service

There is a significant range of hours required among the 16 law schools: from ten hours to 60 hours.

The average number of hours required among the 16 respondents is 26.5 hours and the median is 30 hours. Two of the 16 law schools allow students to select a related course option in lieu of the *pro bono* service hours.

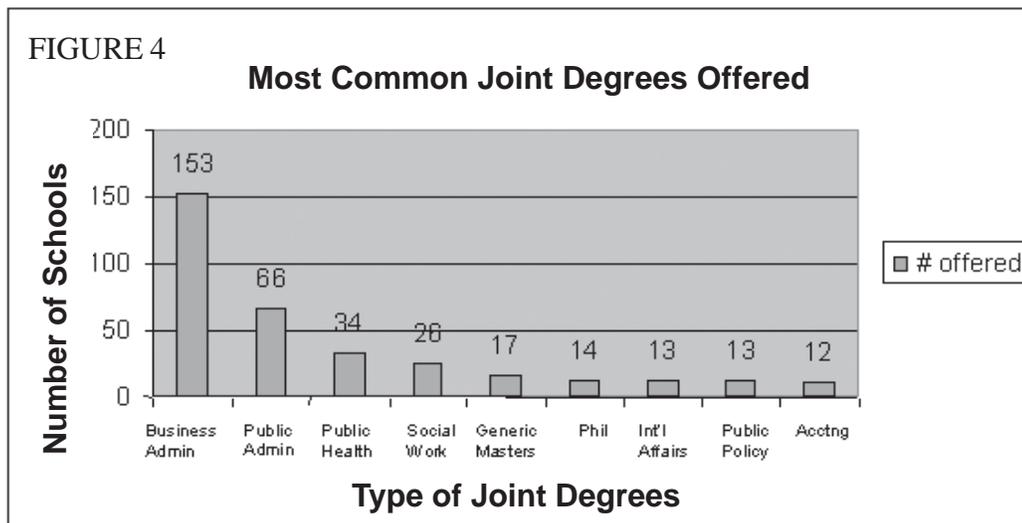
³⁶ Comparison of the student/faculty ratio requires some clarification because the formula for determining the student/faculty ratio has undergone some changes over the last decade. Instructional resources that were not counted in the student/faculty ratio in 1992 could be counted in 2002, so the increased favorability of the student/faculty ratio may be as much a function of the way in which the newer count is derived.

Question 7: Joint Degree Programs

The survey sought information on the number of schools that offer joint degree programs, and the nature of their specialization. The most common joint degree is the Masters in Business Administration (MBA) that is offered by 153 of the 158 law schools that have

joint degree programs (96.8 percent of law schools with joint degrees, and 81 percent of all ABA-approved law schools.) Second is the Masters in Public Administration (MPA) with 66 schools (41.7 percent of law schools with joint degrees and 35 percent of all ABA-approved law schools). *FIGURE 4* describes the commonly offered joint degree programs.

| TABLE 20 Joint Degree Programs (ALL ACCREDITED LAW SCHOOLS) | | |
|---|-------------------------------|-------------------------------|
| | 1992 (175 Law Schools) | 2002 (187 Law Schools) |
| Schools with Joint Degrees | 138 Schools (78.9 percent) | 158 Schools (84.5 percent) |



A host of other joint degree programs are offered as well, including: various science degrees (14 schools); general Ph.D.s (11 schools); economics (11 schools); urban planning (11 schools); history (nine schools); English (eight schools); and environmental (five schools).

Overview

While there has been no significant change in the last 20 years in the number of credits required in the first year, or in the particular course offerings, law schools have retooled the unit allocation and the timing of these traditionally offered courses. Increasingly, the former model of year-long courses of five to six units has been replaced in favor of added one semester courses with correspondingly reduced unit allocation to accommodate expansion of Legal Writing, other required courses, and elective opportunities for first year students.

One notable change in recent years is the significant decrease in the small section experience, outside of a legal writing course. Once thought to be an important pedagogical tool, the small section experience is down from 47 percent of 1992 to 6.5 percent in 2002, having been largely eliminated.

Section Two of this report collected comparative information for 1992 and 2002 regarding the first year curriculum, including:

1. The number of credit hours required in the first year (full- and part-time);
2. The courses required;
3. Whether electives were offered;
4. The number of elective credit hours a student could take;
5. Whether a small section experience outside legal writing was offered;
6. Whether legal writing was tied to another first year course; and
7. Whether the legal writing course included appellate and/or trial level oral advocacy components.

For purposes of Section Two, responses to Question 1 (credit hours required in the first year) were taken directly from the data collected by the ABA Annual Questionnaire, and therefore the statistics reported include all 175 ABA-approved law schools in 1992 and 187 ABA-approved law schools in 2002. The answers to Questions 2-7 are based on the responses to the 2003 survey instrument.

Question 1: Credits Required in First Year Curriculum

This question requested information on the required number of units in the first year curriculum. Results show no significant overall change in the number of credits required by law schools in the first year curriculum from 1992 to 2002, either in full-time or part-time programs.

A. Full-time First Year Programs

The mean (average), median and mode (most frequent) number of credits required for full-time programs was 30 credit hours, both in 1992 and 2002. (1992 - 30.5 credit hours) (2002 - 30.4 credit hours) The average of 30 units in the first year full-time program has been constant since the Powers Report in 1986, however, in 1975, Jackson and Gee reported that the average first year full-time program was 32 units.³⁷

While semester credit hour requirements ranged between 15 and 37, the vast majority of full-time programs required between 29 and 32 units. In 1992, 144 of the 175 law schools (82.2 percent) required between 29 and 32 units of credits in the first year program. In 2002, the numbers were even more striking – 165 of the 187 (88.2 percent) required between 29 and 32 semester credit hours. TABLES 21 and 22 detail first year semester and quarter credit hours for all full-time programs.

TABLE 21
Semester Credit Hours for First Year Full-time Programs
(ALL ABA-APPROVED SCHOOLS)

| 1992 Full-time | 175 Schools | 2002 Full-time | 187 Schools |
|----------------|-------------------|----------------|-------------------|
| Credits | Number of Schools | Credits | Number of Schools |
| No Response | 0 | No Response | 1 |
| Under 27 | 2 | Under 27 | 0 |
| 27 | 1 | 27 | 0 |
| 28 | 8 | 28 | 8 |
| 29 | 19 | 29 | 28 |
| 30 | 58 | 30 | 65 |
| 31 | 43 | 31 | 49 |
| 32 | 24 | 32 | 23 |
| 33 | 9 | 33 | 4 |
| 34 | 4 | 34 | 3 |
| 35 | 0 | 35 | 1 |
| 36 | 1 | 36 | 1 |
| 37 | 1 | 37 | 0 |

TABLE 22
Quarter Credit Hours for First Year Full-time Programs
(All full-time quarter system accredited schools)

| 1992 Full-time | 175 Schools | 2002 Full-time | 187 Schools |
|----------------|-------------------|----------------|-------------------|
| Quarter Hours | Number of Schools | Quarter Hours | Number of Schools |
| 40 | 1 | 40 | 1 |
| 41 | 1 | 41 | 1 |
| 45 | 2 | 45 | 1 |
| 46 | 1 | 46 | 0 |
| 50 | 0 | 50 | 1 |

B. Part-time Programs

The average number of required credit hours was 20 units in the first year part-time program for both 1992 and 2002. There was a one-credit increase in the mode from 21 units in 1992 to 22 units in 2002, and an increase of one credit in the median from

20 units in 1992 to 21 units in 2002. Part-time programs show slightly more variation in the number of credits required in the first year. In 1992, 70 percent of the part-time programs fell within 18 and 22 required credit hours. In 2002, 66.6 percent of the programs fell within that range.³⁸

³⁷ See Jackson and Gee—Law School Curricula, supra note 3, at 15.

³⁸ Part-time programs ranged between a low of 12 credits and a high of 30 credits in 1992 and a range of 12 to 27 in 2002, with very few schools outside of the 18 to 24 range.

The similarity in the data between 1992 and 2002, in both the full-time and part-time tables, is not surprising. Assuming that the number of credit hours bears some relationship to the amount of full- and part-time students must devote to their legal studies, dramatic increases or decreases in the total number of credits (as contrasted with reallocation of credits among courses) would seem unlikely.

Question 2: Course Requirements of the First Year

A. The Courses

The survey sought information on which courses were required in the first year full- and part-time programs. Additionally, we wanted information on the number of credit hours for these particular courses and whether they were offered in one or two semesters.

When Jackson and Gee reviewed the first year curriculum in 1975, they hypothesized what a typical first year curriculum might look like.³⁹ The 1975 typical curriculum contains four yearlong courses for six hours each, a two unit Legal Research and Writing course and one-semester courses in Criminal Law and Constitutional Law.⁴⁰

| 1992 | | 2002 | |
|-------------------------|----------------------|-------------------------|----------------------|
| Part-time 77 Schools | | Part-time 90 Schools | |
| Credits | Number of Schools | Credits | Number of Schools |
| Under 14 | 2 | Under 14 | 1 |
| 14 | 1 | 14 | 1 |
| 15 | 2 | 15 | 1 |
| 16 | 4 | 16 | 4 |
| 17 | 2 | 17 | 3 |
| 18 | 10 | 18 | 12 |
| 19 | 6 | 19 | 12 |
| 20 | 15 | 20 | 11 |
| 21 | 14 | 21 | 7 |
| 22 | 9 | 22 | 18 |
| 23 | 5 | 23 | 8 |
| 24 | 3 | 24 | 8 |
| 25 | 3 | 25 | 3 |
| 26 | 0 | 26 | 0 |
| 27 | 0 | 27 | 1 |
| 30 | 1 | 30 | 0 |

* All part-time programs were on the semester system.

| | |
|--------------------------|---------|
| Contracts | 6 hours |
| Torts | 6 hours |
| Property | 6 hours |
| Civil Procedure | 6 hours |
| Criminal Law | 3 hours |
| Constitutional Law | 3 hours |
| Legal Research & Writing | 2 hours |
| Total 32 hours | |

Survey responses suggest that changes have been made to the typical curriculum of 1975. Total full-time credit hours and course credit hours have been reduced, and as this report will describe, yearlong subjects have been retooled into one-semester courses.

Still, a high percentage of schools require a similar core of courses in the first-year of law school.⁴¹ Specifically, six of the seven courses are required by the vast majority of law schools: Civil Procedure (94.8 percent full-time and 83.6 percent part-time), Contracts (94.8 percent full-time and 91.8 percent part-time), Criminal Law (86.9 percent of full-time and 88.2 percent of part-time), Property (86.1 percent full-time and 86.3 percent part-time), Torts (88.6 percent full-time and 93.2 percent part-time), and Legal Research and Writing (81.0 percent full-time and 83.6 percent part-time).

³⁹ See Jackson and Gee-Law School Curricula, supra note 3, at 15. The two authors hypothesized the average first year curriculum in Table 24 by taking the average of 32 required units in the first year program and the corresponding frequency of required subjects among the 127 ABA-approved law schools. No data on part-time programs was provided in the 1975 study.

⁴⁰ The Powers Report did not address the first year curriculum separately so there is no basis of comparison to 1986.

⁴¹ The data for full-time programs includes the first two semesters of law school, while the data for part time programs on required beginning curriculum includes the first three semesters of law school.

Constitutional Law and Criminal Procedure were also noted as potential first year subjects, although it appears that many schools require either Constitutional Law or Criminal Procedure, but not both in the first year program. Constitutional Law is required in the first year in 59.4 percent of the full-time programs and 52.1 percent of the part-time programs.⁴² Criminal Procedure is not required as often; according to the survey, it is only required in 11 percent of first year programs and 14 percent of upper division programs.

A smaller minority of schools requires an Introduction to Law course (13.9 percent full-time and 11 percent part-time), and some require a Lawyering Skills course, separate from the first year writing and research course (10.8 percent full-time and 6.9 percent part time). It is interesting to note that in 1986, the Powers Report did not mention either course as part of the required curriculum.

B. Credit Allocation of the Courses

The survey also sought information on the credit allocation and the number of semesters (or corresponding quarters) for the required first year courses in 2002. For most of the required courses, there is significant variation in the number of semesters and the number of credits allocated to the courses.

Contracts: Of all the required courses, Contracts was the most likely to be required for two semesters and for either five or six credits (combined 64.6 percent of full-time programs and 77.6 percent of part-time programs). A majority of schools required two semesters and six credits (50.4 percent full-time and 62.7 percent part-time). The most common one semester model was for four credits (21.3 percent full-time and 13.4 percent part-time), and only a small number of schools required fewer than four credits (3.5 percent full-time and 6 percent part-time).

Civil Procedure: Approximately one-half of the full-time programs required two semesters of Civil Procedure for either five or six credits (51.8 percent full-time and 52.4 percent part-time), while more than one-third offered the course for one semester for either three or four credits (37.8 percent full-time and 41 percent part-time).

For full-time programs, the most common allocation for Civil Procedure was two semesters, six credits (35.7 percent), followed by one semester, four credits (27.3 percent), two semesters, five credits (16.1 percent) and one semester, three credits (10.5 percent). For part-time programs, the most common allocation was also two semesters, six credits (31.1 percent), with relatively equal numbers requiring two semesters, five credits (21.3 percent), one semester, three credits (21.3 percent) and one semester, four credits (19.7 percent)

Property: Responses indicate a split between those schools that favor a one semester, four-unit course, and those schools that favor a two semester, five or six-credit model. The most common allocation reported was one semester, four credits (42.6 percent full-time and 31.7 percent part-time), followed by two semester, six credits (26.5 percent full-time and 23.8 percent part-time) and two semester, five credits (16.2 percent full-time and 12.7 percent part-time).

Torts: There was a similar variation in the models followed in Torts as in Property. More schools required a one semester, three or four-credit course (50.7 percent full-time and 50 percent part-time) than a two semester, five or six-credit course (38.5 percent full-time and 32.6 percent part-time). The most common requirement was a one semester, four-credit course (42.1 percent full-time and 41.2 percent part-time), followed by two semester courses for either six credits (18.6 percent full-time and 19.1 percent part-time) or for five credits (19.9 percent full-time and 23.5 percent part-time).

Criminal Law: The majority of schools offer Criminal Law in the first year (86.9 percent of full-time and 88.2 percent of part-time programs). And overwhelmingly, it was taught as a three unit, one semester course (90 percent of respondents who offer Criminal Law in the first year). Some schools taught Criminal Law as a four unit course (7 percent), a few taught it as a two unit course (2 percent) and two law schools taught it with more than four credits (1 percent).

⁴² At first glance, this statistic (59 percent) would appear to be at odds with that from Section One which noted that 80 law schools (52 percent) had reported that Constitutional Law was a required upper division course. The overlapping nature of these two statistics might suggest that a number of law schools require Constitutional Law in both the first year and upper division programs, perhaps as Constitutional Law I in first year, and Constitutional Law II or its equivalent in the upper division program.

Criminal Procedure: Only 11 percent of respondents require Criminal Procedure in the first year program. Respondents nearly uniformly taught it a three-unit course.

Constitutional Law: The predominant model for Constitutional Law was a one-semester course, for either two credits (38.9 percent full-time and 42.1 percent part-time) or four credits (38.9 percent full-time and 39.4 percent part-time). Very few schools required two semesters, five credits or more (7.8 percent full-time and 7.9 percent part-time).⁴³

Legal Research and Writing: Since 1975, when the average Legal Research and Writing course was two credits, this course has grown in size and prominence.⁴⁴ The vast majority of schools require Legal Research and Writing for both semesters of the first year (88.3 percent full-time and 85.2 percent part-time programs), and current programs require more than two units. The average unit requirement is four credits, although there is significant variation in the number of credits required. The most common model is for four credits (37.5 percent full-time and 36.1 percent part-time) followed by three credits (18.8 percent full-time and 19.7 percent part-time), by five credits and by six credits (each 13.3 percent full-time and 13.1 percent part-time).⁴⁵

Introduction to Law: For those schools with an Introduction to Law course, the majority offers it as a one semester, one credit course (77.2 percent full-time and 75 percent part-time).

Lawyering Skills: There is a wide range of credit allocations for Lawyering Skills courses, with the same number of schools offering two semester, five and six credit courses as offered one semester courses for three credits or less (29.4 percent full-time and 40 percent part-time).

C. Comparison of Typical First Year Curricula 1975 and 2002

Although there is variation among credit allocation of the courses, *TABLE 25* depicts a first year curriculum for 2002 based on a 30-unit average and using the most common responses for each of the courses. *TABLE 25* also includes the 1975 typical first year full-time curriculum (noted earlier in this section) for comparison.⁴⁶

| 1975 Typical First Year | Full-Time | 2002 Typical First Year | Full-Time |
|-------------------------|-----------------|-------------------------|-----------------|
| Contracts | 6 Hours (2 sem) | Contracts | 6 Hours (2 sem) |
| Civil Procedure | 6 Hours (2 sem) | Civil Procedure | 6 Hours (2 sem) |
| Property | 6 Hours (2 sem) | Property | 4 Hours (1 sem) |
| Torts | 6 Hours (2 sem) | Torts | 4 Hours (1 sem) |
| Criminal Law | 3 Hours (1 sem) | Criminal Law | 3 Hours (1 sem) |
| Constitutional Law | 3 Hours (1 sem) | Con Law/Crim Pro/Other | 3 Hours (1 sem) |
| Legal Res. & Writing | 2 Hours (2 sem) | Legal Res. & Writing | 4 Hours (2 sem) |
| Total | 32 Hours | Total | 30 Hours |

Several differences can be noted in this side-by-side comparison. While the course selection has remained constant, the student’s load has changed since 1975. The 1975 schedule relies on a model of four yearlong courses, which produces a student load of six subjects per semester for a total of 32 hours. Under the 2002 model, with fewer yearlong courses and reduced unit allocation in Torts and Property, the student’s load is five subjects per semester for a total of 30 hours. The reduction of units in certain courses has also benefited Legal Research and Writing that has increased in unit allocation since 1975. Finally, as compared to 1975, the three unit slot that held Constitutional Law now appears to be filled by one

⁴³ But as noted earlier, some schools may require Constitutional Law in both first year and upper division programs, spreading the 5 or 6 units over the law school curriculum.

⁴⁴ Prior to 1975, Jackson and Gee found that Legal Research and Writing was not in the required first year curriculum. See Jackson and Gee-Law School Curricula, supra note 3, at 22-27.

⁴⁵ This survey asked whether a required first year course was one or two semesters, but did not ask for the credit allocation in each semester of a two semester course. In the case of Legal Writing, while it is known that the majority of law schools offer Legal Writing as a two semester course, we do not know how the credit hours were allocated between the two semesters.

⁴⁶ This hypothesized program schedule was constructed using the most common course credit allocations. No doubt there are deviations from this particular model. We have not estimated a typical part-time schedule because it is difficult to track the three semester model used in our survey with the four semester model used by some institutions.

of several course options: Constitutional Law; Criminal Procedure; Lawyering Skills or Elective.

Question 3: Elective Offerings in the First Year

This question sought comparative information on whether law schools provided elective opportunities for their first year students. In 1992, 19 respondents (12.5 percent) reported offering elective opportunities to first year students. In 2002, that number climbed slightly to 22 law schools (14.4 percent).

Nearly half of the 22 schools, ten law schools (45.4 percent), allow the first year student to take the elective with upper division students. Eight law schools (36.3 percent) provide electives only to first year students, and four law schools (18.1 percent) provide electives under both opportunities. *TABLE 26* shows the credit allocation of those law schools that offered electives in 2002.

| | Number of Credits | Number of Schools |
|---|-------------------|-------------------|
| 2002 Credit Hours for Elective Offerings in First Year | Less Than 2 Units | 1 |
| | 2 Units | 1 |
| | 3 Units | 13 |
| | 4 Units | 1 |
| | 5 Units | 2 |
| | 6 Units | 1 |
| | More Than 6 Units | 3 |

Question 4: Small Section Experience Outside Legal Writing and Research

This question sought comparative information for 1992 and 2002 on whether law schools offered a small section experience to their first year students outside of Legal Research and Writing. One dramatic difference in the comparative information is the virtual disappearance of the small section offerings other than the Legal Writing and Research classes. In 1992, a significant number of schools, 69 of 146 respondents (47 percent), offered such small section courses, compared to only ten schools of 152 respondents (6.5 percent) in 2002. The average class size for the small sections was 34 students.

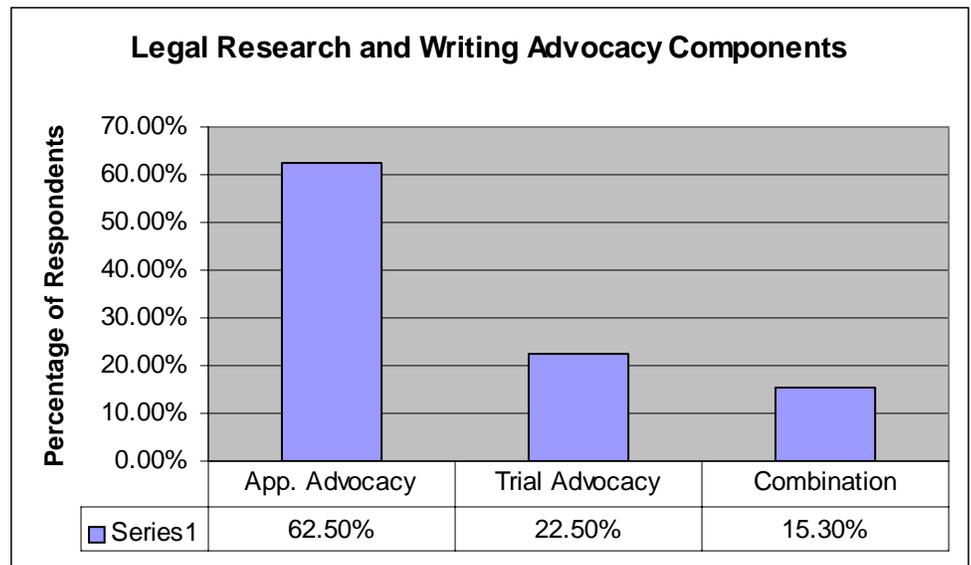
While the survey does not provide any information on the reasons for this sharp decline, the precipitous drop would seem to suggest that after experimenting with small section classes in the first year (which deviated from the long tradition of all large section classes) schools might have decided that the benefits of small sections are outweighed by their costs.

Question 5: Legal Research and Writing Tied to Another First Year Class

This question sought information on whether law schools offered Legal Research and Writing as a freestanding course or tied it to another first year class. Of the 152 respondents to this question, the vast majority 139 (91.4 percent) had a freestanding Legal Research and Writing course; only a small minority, 13 schools, (8.5 percent) tied their research and writing experience to another first year class.

This finding – that few law schools tie their research and writing experience to another class – may also be related to the finding from Question 4 that few schools have maintained the small section experience outside of Legal Writing. When the small section experience was in full force in the early 1990s, it was often in conjunction with a combined legal writing/first year subject.

FIGURE 5



Question 6: Oral Advocacy Component Included in Legal Research and Writing

This survey also compiled information on whether law schools provided an advocacy component in the first year Legal Research and Writing course, and if required, the nature of the requirement. Pre-selected options of a) Trial Advocacy, b) Appellate Advocacy and c) Combination of the above two, were provided to the respondents.

Of the 152 respondents, 131 schools (86.1 percent) reported including oral advocacy components in the Legal Research and Writing courses. Of the 131 schools, nearly two thirds (62.6 percent) included an appellate argument, 22.5 percent included a trial advocacy exercise, and 15.3 percent included a combination of trial and appellate advocacy.



Overview

In general, the past decade has witnessed significant growth in, and experimentation with, upper division curricula among American law schools. The law schools responding to this survey reported significant differences in the number and variety of their course offerings, and the ways in which they packaged them for their students. Generally, elective opportunities have increased in the past decade with noted emphasis in specializations. Most doctrinal subjects, offered with regularity in 1992, continue to be offered. Law schools have demonstrated an abiding commitment to all aspects of clinical education. Skills and simulation courses have increased in the past decade with most law schools offering advanced courses in Trial Advocacy, Planning and Drafting, Dispute Resolution and Mediation. Live client clinical opportunities continue to grow in popularity, with the greatest boon seen in the non-litigation areas of Alternative Dispute Resolution and Transactional clinics, and externship opportunities of all varieties have swelled during the past ten years.

Section Three of this report collected information regarding the upper division curriculum, including:

1. The number of course titles offered;
2. Whether core or staple electives were highly recommended;
3. Whether certificates or specializations were available;
4. Whether there was a decrease in offerings in a particular subject area;
5. Whether there was an increase in offerings in a particular subject area;
6. Whether there were additional simulation courses beyond trial advocacy;
7. Whether live-client clinical opportunities were regularly offered;
8. Whether externship placement opportunities were regularly offered; and
9. Whether planning and drafting courses were regularly offered.

For purposes of Section Three, responses to Question 1 (the number of upper division course titles offered) were taken directly from the data collected by the ABA Annual Questionnaire, and therefore the statistics reported include all 187 ABA-approved law schools in 2002. The answers to Questions 2-9 are based on the responses to the 2003 survey instrument.

Question 1: Number of Upper Division Course Title Offerings in 2002

This question sought information on the number of upper division course titles law schools offered in 2002. The 187 ABA-approved law schools, on average, offered 91 course titles, with a median of 84 offerings. But the wide range of offerings from under 30 courses to more than 240 suggests a greater diversity of uniformity in terms of the number of upper division course offerings among the law schools.

Offering over 90 course titles has been the average since the Powers Report found in 1986 that law schools averaged 93 course listings. By contrast through the 1970s, the average course title offerings was 78 courses.⁴⁷

Although the majority of schools (63 percent) fall into the 50-109 courses category, this is a fairly wide range, and a substantial minority fall outside this range, with 11.2 percent offering less than 50 courses and 25.6 percent offering more than 109 courses. Indeed, 32 law schools report offering 130 or more upper division course titles.

One might expect that law schools with larger enrollments offer greater number of upper division course titles. However, our survey found that there is no meaningful correlation between the number of upper division course titles offered and the law school's size of enrollment. Of the 67 law schools that offered 100 or more courses, only 26 schools (39 percent) had enrollments of 900 students or greater, while 22 law schools (33 percent) that generated similar number of course offerings had enrollments below 700 students.

Similarly, there is a lack of uniformity or consistency among schools with part-time (dual division) programs in terms of the ratio of upper division courses offered to part-time students in comparison to those offered to full-time students. Twenty-five (33.3 percent) of the 74 schools with dual division programs reported offering more than 50 percent more course titles to full-time students than to part-time students. Moreover, 14 of the respondent schools with dual division programs offer less than half the number of courses to part-time students than they offer to full-time students. Only 16 (22 percent) of these schools reported offering at least as many courses to part-time as to full-time students.

Question 2: Core Group of Electives

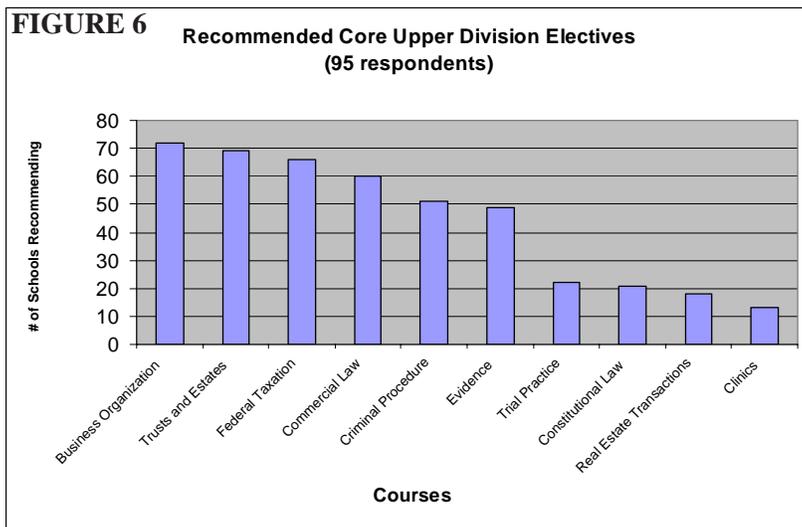
In Section One, this survey sought information on whether law schools required students to take a specified number of courses from a predetermined distribution list. In this section, the survey sought information on whether law schools recommended a "core" or "staple" group of upper division electives beyond those required for graduation. If law schools did make such a recommendation, they were asked to indicate which courses.

Respondents were provided with the following pre-selected courses from which to choose: Business Associations; Clinic; Commercial Law; Constitutional Law; Criminal Procedure; Evidence; Federal Taxation; Real Estate Transactions; Trial

TABLE 27
Number of Upper Division Course Titles Offered 2002
(ALL ABA-APPROVED LAW SCHOOLS)

| Number of Upper Division Course Titles | Number of Schools |
|--|-------------------|
| 20-29 | 5 |
| 30-39 | 4 |
| 40-49 | 12 |
| 50-59 | 16 |
| 60-69 | 19 |
| 70-79 | 23 |
| 80-89 | 22 |
| 90-99 | 20 |
| 100-109 | 18 |
| 110-119 | 8 |
| 120-129 | 8 |
| 130-139 | 9 |
| 140-149 | 6 |
| 150-159 | 5 |
| 160-169 | 3 |
| 170-179 | 3 |
| 180-189 | 1 |
| 190-199 | 1 |
| 200-209 | 0 |
| 210-219 | 1 |
| 220-229 | 0 |
| 230-239 | 2 |
| 240-249 | 1 |

⁴⁷ See Powers, supra note 4, at 31.



Practice; and Trusts and Estates. Respondents were also given the option of “Other” to write in courses not on the pre-selected list.

Of the 152 respondents, 95 law schools (63 percent) indicated that they made recommendations to their students on their upper division elective course selections in 2002. As displayed in *FIGURE 6*, Business Organization, Trusts and Estates, and Federal Taxation were among the most popular upper division electives these 95 law schools recommended to their students. Approximately three-fourths of the 95 law schools that made recommendations to their students recommended at least one of these three courses in 2002.

In addition to the courses recommended in *FIGURE 6*, other popular recommendations were Commercial Law, Criminal Procedure, and Evidence. Interestingly, although law schools reported that the clinical experience was an important part of their curricular offerings, clinics were not identified as recommended courses, with only 13 of the 95 law schools (14 percent) recommending them to their students.

Question 3: Specializations or Certificates

This question sought information on whether the law school offered programs in which students specialized or earned certificates. A pre-selected list of 14 subject areas (seen in *TABLE 28*) was offered to respondents, who could also choose the option “Other” to include additional subject areas not listed. Eighty-four of the 152 respondent law schools (55 percent) indicated that they offered certificate or “specialization” programs to their students in 2002. Seventy-five of the 84 offered the specializations in one or more of 14 different subject areas. Twenty-one of these schools (28 percent) had one such program, 20 schools (27 percent) had two programs, 17 (23 percent) had three or four programs, and 16 (22 percent) had five or more programs.

Among these 75 law schools, International Law and Intellectual Property Law were the most popular subject matter areas for law schools to offer certificates or specializations. Over one-third of the 75 positive respondent law schools offered a certificate or specialization program in at least one of these areas in 2002: International Law, Intellectual Property Law, Business Law, or Environmental/Natural Resource Law.

Other common areas of specialization noted by respondents included: Family Law (11 schools) Public Policy (ten schools); Governmental Affairs and Regulations (six schools); Social Justice (four schools).⁴⁸

Certificate programs are more popular among the schools with higher total student enrollments, particularly those with dual divisions. While dual division schools accounted for slightly less than half the respondent schools (48 percent), they accounted for well over half of the schools that had certificate programs in each of the subject areas. For example, 24 of the 33 schools (73 percent) with certificate programs in International Law are dual division schools, and 18 out of 28 schools (64 percent) with certificate programs in Intellectual Property Law are dual division schools.

| Subject Areas | Number of Schools |
|-------------------------------------|-------------------|
| International Law | 33 |
| Intellectual Property Law | 28 |
| Business Law | 26 |
| Environmental/Natural Resources Law | 26 |
| Health Law | 23 |
| Litigation | 21 |
| Criminal Law and Procedure | 18 |
| Tax Law | 18 |
| Alternative Dispute Resolution | 14 |
| Employment and Labor Law | 11 |
| Estate Planning | 7 |
| Real Estate Transactions | 6 |
| Commercial Law | 4 |
| Entertainment Law | 3 |

⁴⁸ In this report, we have listed Governmental Affairs, Public Policy and Social Justice separately, although we recognize that there may be considerable overlap among these three specializations. If these were grouped together, 20 schools of the 84 (23.8 percent) offer a specialization in this field.

Questions 4 and 5:

Decreases and Increases in Course Offerings

These two questions sought information on whether law schools experienced a significant decrease or increase in enrollment offerings in a particular subject area between 1992 and 2002.

Respondents were provided with a pre-selected list of 31 course titles. In general, the respondent law schools reported relatively few significant decreases in subject areas covered in their upper division curricula during the decade 1992 – 2002 (See *TABLE 29*). On the other hand, they reported very substantial increases in certain subject areas (See *TABLE 30*).

| Upper Division Course | Number of Schools |
|--|-------------------|
| Intellectual Property Law | 88 |
| Alternative Dispute Resolution | 79 |
| International/Comparative Law | 74 |
| Labor Law/Employment Law/Employee Benefits | 55 |
| Environmental Law / Oil & Gas / Energy Law / Natural Resources | 49 |
| Health Care Law | 46 |
| Business/Corporate Law | 35 |
| Tax | 33 |
| Drafting (Contract, Legislative, Other) | 31 |
| Commercial Law / Bankruptcy / Banking Law/Securities | 28 |
| Property / Land Use Planning/Real Estate | 25 |
| Criminal Law / Criminal Procedure | 24 |
| Sports Law | 24 |
| Constitutional / Civil Rights Law | 23 |
| Family Law / Community Property | 21 |
| Jurisprudence/Philosophy/Law & Economics/Legal History | 21 |
| Military Law | 20 |
| Native American Law | 13 |
| Products Liability / Advanced Torts | 12 |
| Administrative Law/Legislation / Government Law | 11 |
| Law Practice Management | 11 |
| Legal Ethics / Professionalism | 10 |
| Professional Responsibility / Ethics | 10 |
| Civil Procedure | 6 |
| Consumer Law | 6 |
| Insurance Law | 5 |
| Legal Research and Writing (Upper Level) | 4 |
| Admiralty | 2 |
| Estates/Trusts/Planning | 1 |

Of the 152 respondent law schools, only 34 law schools (22 percent) indicated that they had a significant decrease in one or more subject areas in their upper division curricula during the decade 1992 - 2002. Admiralty was the most likely course for law schools to cut, with 19 of the 34 positive respondents (55 percent) indicating that they had decreased Admiralty course offerings. Except for Agricultural Law and Estates/Trusts/Planning, each of the other decreased course areas in *TABLE 29* showed up with more significant increases in *TABLE 30*, for a net gain in each area.

Of the 152 respondent law schools, 132 law schools (87 percent) indicated that they had an increase in the number of upper division course offerings during the decade 1992 - 2002. Of those 132 law schools, Intellectual Property Law, Alternative Dispute Resolution, and International/Comparative Law courses were the most popular areas in which law schools expanded their course offerings. Two-thirds of the 132 positive respondents expanded their Intellectual Property Law course offerings, 60 percent their ADR offerings, and 56 percent their International/Comparative Law offerings.⁴⁹

By contrast, in the 1986 Powers Report, the greatest increase in elective offerings was in Discrimination and the Law (up 70 percent); Intellectual Property courses (up 60 percent); and Juvenile Law (up 57 percent).

Question 6: Additional Courses Beyond Basic Trial Advocacy

This Question sought information on the number of law schools that offered courses beyond basic Trial Advocacy. Respondents were provided with a pre-selected list of courses which included: Advanced Trial Advocacy; Alternative Dispute Resolution; Appellate Advocacy; Arbitration; Interviewing and Counsel-

| Upper Division Course | Number of Schools |
|--|-------------------|
| Admiralty | 19 |
| Agricultural Law | 5 |
| Estates/Trusts/Planning | 5 |
| Intellectual Property Law | 5 |
| Labor Law/Employment Law/Employee Benefits | 4 |
| Drafting (contract, legislative, other) | 3 |
| Native American Law | 3 |
| Insurance Law | 2 |
| Law Practice Management | 2 |
| Legal Ethics/Professionalism | 2 |
| Military Law | 2 |
| Civil Procedure | 1 |
| Commercial Law/Bankruptcy/Banking Law/Securities | 1 |
| Consumer Law | 1 |
| Family Law/Community Property | 1 |
| Products Liability/Advanced Torts | 1 |
| Property/Land Use Planning/Real Estate | 1 |
| Sports Law | 1 |
| Tax | 1 |

⁴⁹ See Powers, *supra* note 4, at 27.

ing; Mediation; Negotiation and Pre-trial Advocacy. Respondents could also select the option “Other” to note additional courses not covered in the list.

Nearly all-responding law schools indicated that in 2002 they offered at least one additional upper division course in the area of trial advocacy above and beyond their basic introductory course in trial advocacy. Only two law schools (1.3 percent) did not offer any upper division trial advocacy courses that year. Courses in Alternative Dispute Resolution, Negotiation, and Mediation were

very popular among the 151 respondent law schools, with over 78 percent of the respondent law schools offering at least one section in all three of these areas. Alternative Dispute Resolution remains the most popular upper division skills course, with 136 of the 151 respondent law schools (90.1 percent) offering at least one section of this course in 2002.

Between 1992 and 2002, we see that the number of law schools offering courses in Mediation and Arbitration more than doubled. At first glance, this statistic can be misleading because it appears that Mediation and Arbitration have gained equally in popularity. Upon further investigation, we find that in 1992 Mediation was ranked the sixth most popular course offered among the respondent law schools but by 2002, it had become the third most popular course to offer with 78.1 percent of the 151 respondent law schools offering at least one section of Mediation.

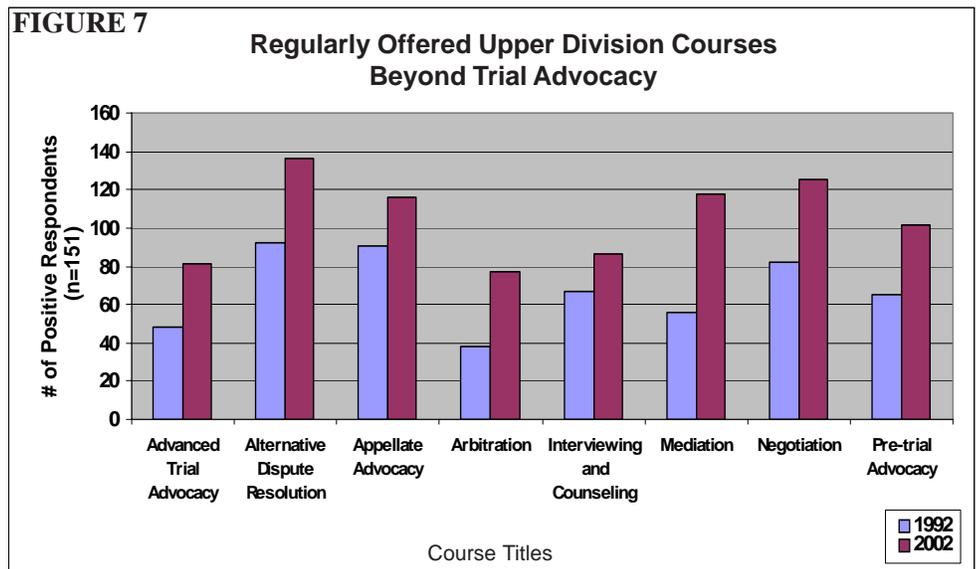
On the other hand, even though the number of law schools offering upper division courses in Arbitration has doubled since 1992, it was and still remains the least offered course among the respondent law schools, with only 77 schools (50.1 percent) offering the course in 2002. As such, we should draw more attention to the upward shift occurring in the number of law schools offering upper division courses in Mediation (rather than Arbitration) since the data indicates a more conscientious effort of respondent law schools to increase course offerings in this skills area.

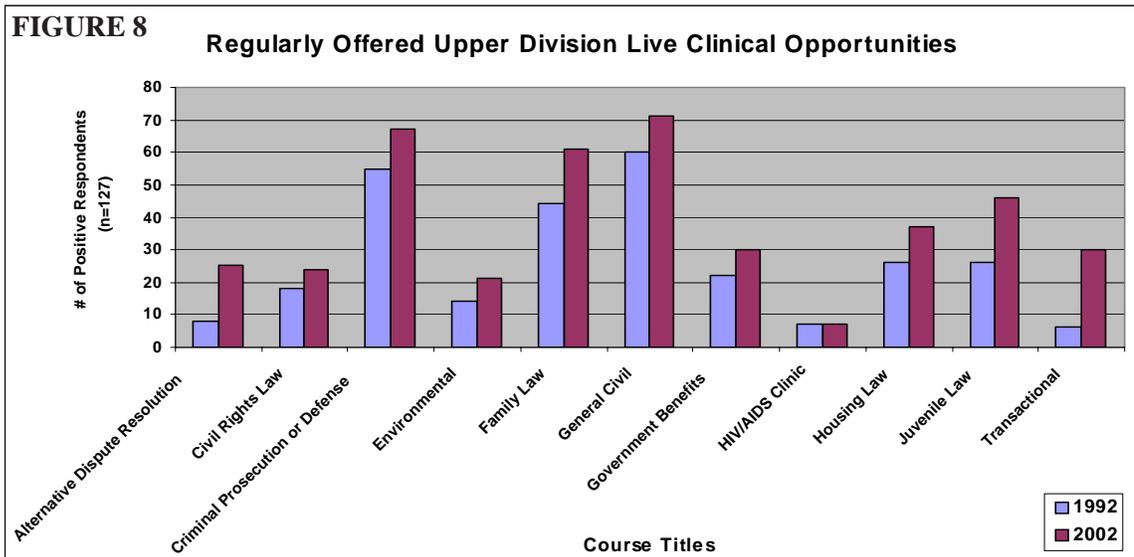
Question 7: Live-Client Clinical Opportunities

This question sought information on whether law schools offered live client clinical opportunities to their students. Respondents were provided with a list of opportunities that included: Civil Rights Law; Criminal Prosecution or Defense; Family Law; General Civil; Government Benefits; HIV/AIDS Clinic; Housing Law; Juvenile Law; and Transactional Law. Respondents were also provided with the option of “Other” to include additional opportunities not covered by the list.

Of the 152 law schools surveyed in 2002, 127 schools (83.5 percent) indicated that they regularly offered in-house, live clinical opportunities in various areas. Overall, there is general uniformity among the number of law schools offering the more common, litigation based clinics, with General Civil, Criminal Prosecution/Defense, or Family Law clinics being offered the most.

The most common clinic offering in 2002 was General Civil, with 71 (55.9 percent) of the respondent law schools offering clinical opportunities in this area. Clinical opportunities in Criminal Prosecution or Defense and Family Law were also common, with 52.8 percent and 48.0 percent, respectively, of respondent law schools offering clinical opportunities in one of these two areas. Due to the fact that these three clinic types were the most common clinic types offered in 1992, and given that we continue to see them clustered together at the top of the list of clinic offerings in 2002, the data suggests that litigation based clinics in the areas of General Civil, Criminal Prosecution or Defense, and Family Law will continue to be heavily offered at a majority of American law schools.





Between 1992 and 2002, we see an overall increase in live clinic offerings, with dramatic increases in the number of law schools offering specialized, non-litigation clinics. Clinical opportunities in the areas of Alternative Dispute Resolution rose 212.5 percent while Transactional clinics offerings rose an astounding 400

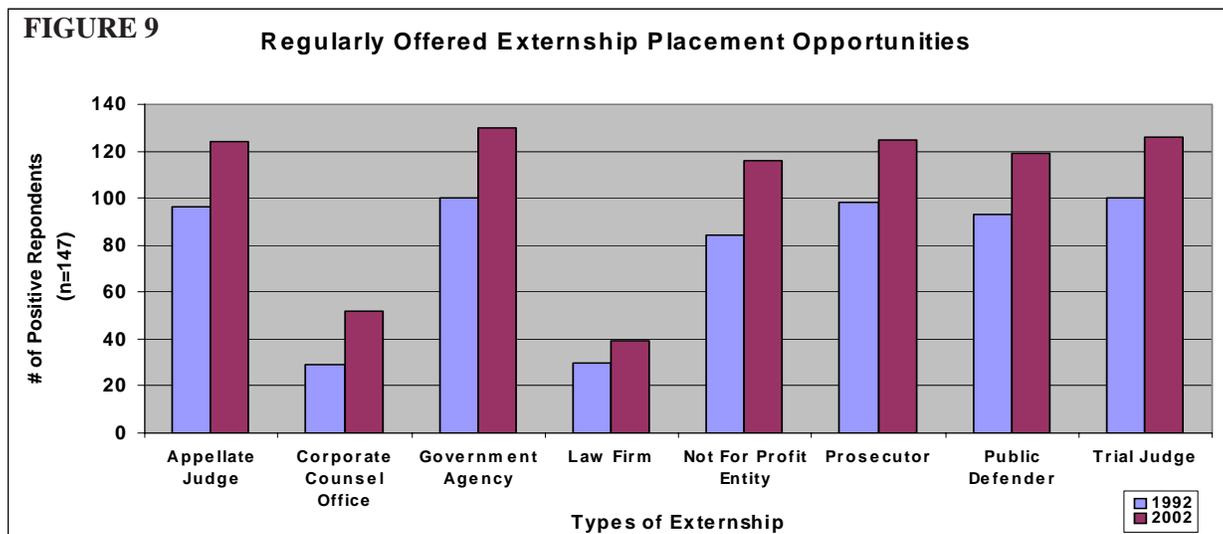
percent. These increases, while striking, should be measured by the fact that we still see less than one-fourth (23.6 percent) of the 127 respondent law schools offering ADR clinics and less than one-fifth (19.7 percent) offering Transactional clinics. On the other hand, while the data cannot confirm it, this sharp increase could signal a concerted effort by law schools to increase the number of clinic offerings in Transactional areas and Alternative Dispute Resolution. The increase might also evidence an attempt by law schools to make more clinical opportunities available to part-time students who are unable to make daytime court appearances that are necessary in litigation-based clinics.

Question 8: Externship Opportunities

This question sought information on the extent to which law schools provide students with externship opportunities. Respondents chose from a pre-selected list that included: Appellate Judge; Corporate Counsel Office; Government Agency; Law Firm; Not for Profit Entity; Prosecutor; Public Defender; and Trial Judge. Respondents could also provide additional responses under the option of "Other."

A total of 147 of the 152 respondents (96.7 percent) offered at least one externship opportunity in 2002 in one of the following eight areas: Appellate Judge, Corporate Counsel Office, Government Agency, Law Firm, Not for Profit Entity, Prosecutor, Public Defender, or Trial Judge. With the exception of placements in Corporate Counsel Offices and Law Firms, a high percentage of law schools offered placement opportunities in all types of externships. Seventy-nine percent of respondent law schools offered at least one externship placement opportunity in all six of the following areas: Appellate Judge,

Government Agency, Not for Profit Entity, Prosecutor, Public Defender, and Trial Judge. These statistics show that from 2002 forward, an impressive variety of



externship opportunities exist in over three-fourths of responding American law schools. In 2002, government agencies were the most likely places for externships, with 130 law schools (88.4 percent) offering externships in this area while law firms, with 39 law schools (26.5 percent), were the least likely.

Between 1992 and 2002, there was a steady increase in the number of law schools offering externship opportunities in all areas except those in corporate counsel offices. Externship placement opportunities increased an average of 29.8 percent regardless of the type of externship, except for placements in corporate counsel offices, which increased 79.3 percent, between 1992 and 2002. While placement opportunities saw the sharpest increase in the area of corporate counsel offices, we can say that, on the whole, no radical changes occurred between the overall distribution of externship opportunities between 1992 and 2002.

Question 9: Upper Division Planning and Drafting Courses

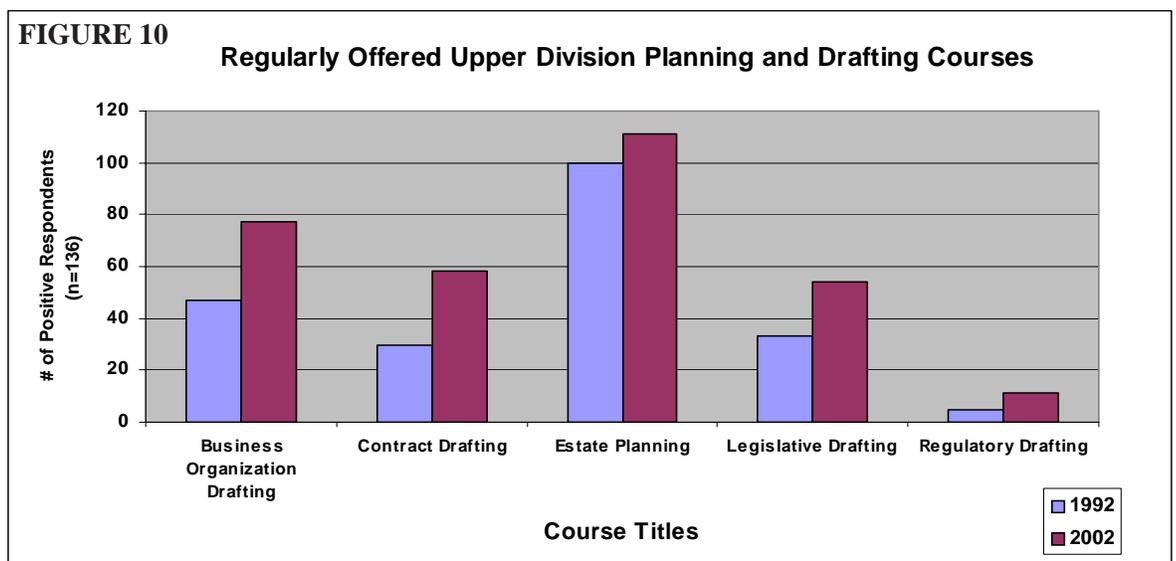
This question sought information on whether, and to what extent law schools regularly offered planning and drafting courses. Respondents were provided with a pre-selected list from which to choose that included: Business Organizations Drafting; Contract Drafting; Estate Planning; Legislative Drafting; and Regulatory Drafting. Respondents could also include additional drafting courses under the option of “Other.”

Of the 152 law schools surveyed, 136 schools (89.4 percent) offered at least one upper division planning and drafting course in one of the following five specialized areas: Business Organization Drafting, Contract Drafting, Estate Planning, Legislative Drafting, or Regulatory Drafting. *FIGURE 10* lists the comparative information between 1992 and 2002 on the most commonly offered planning and drafting courses.

By far, Estate Planning remains the most common course to offer, with 111 schools (81.6 percent) offering at least one upper division section in 2002. Less common but still significant were courses in Business Organization Drafting and Contract Drafting, with 77 law schools (56.6 percent) offering courses in Business Organization Drafting and 58 law schools (42.6 percent) offering courses in Contract Drafting. The least common course remains Regulatory Drafting with only 11 law schools (8.1 percent) offering at least one upper division section in 2002. Three other areas not included in the pre-selected list rated favorably with respondents: Litigation Drafting, 12 schools (8.8 percent); Real Estate Drafting, ten schools (7.3 percent), and Intellectual Property ten schools (7.3 percent).

Between 1992 and 2002, we saw a steady increase in the number of law schools offering both Business Organization Drafting and Legislative Drafting. Estate Planning saw the smallest increase from 1992 to

2002, with only 11 percent more law schools offering at least one upper division section. The most dramatic increases were in Contract Drafting and Regulatory Drafting. In 2002, we see a 93.3 percent increase in the number of schools that offer at least one upper division section of Contract Drafting. While we see a 120 percent increase in the number of schools that offer at least one upper division section of Regulatory Drafting, it remains statistically insignificant due to the low number of law schools offering such courses in both 1992 (only five schools) and again in 2002 (only 11 schools).



Post-J.D. and Non-J.D. Degree Programs

Overview

The decade has seen growth in the granting of post-J.D. degrees, with significant increase in certain subjects including Health Law and International Law. The non-J.D. degree has gained in popularity as well over the past ten years, with Health Law once again the most common area.

The survey collected comparative information from 1992 and 2002 regarding post-J.D. and non-J.D. degree programs, including:

1. Whether LL.M. or other post-J.D. degrees were offered; and
2. Whether non-J.D. degrees were offered.

For purposes of Section Four, responses to both questions were taken directly from the data collected by the ABA Annual Questionnaire, and therefore the statistics reported include all 175 ABA-approved law schools in 1992 and 187 ABA-approved law schools in 2002.

Question 1: Post-J.D. Degrees

A. Generally

This question sought information on whether law schools offered LL.M. degrees or other post-J.D. degrees, and if so, in which subject areas the degrees were granted.

In 1992, 71 of the 175 ABA-approved law schools (40.6 percent) reported on their annual questionnaires that they offered post-J.D. degrees. In 2002, 102 of the 187 ABA-approved law schools, (54.5 percent) reported on their Annual

Questionnaires that they offered post-J.D. degrees. Thus, during the ten-year period between 1992-93 and 2002-03, there had been a 34 percent increase in the ratio of the number of schools offering one or more post-J.D. degrees to the number of schools not offering any such degrees.

Both in 1992 and in 2002, law schools that offered post-J.D. degrees tended to have somewhat larger overall enrollments than schools that did not offer post-J.D. degrees. In 1992-93, the total enrollment of the 175 ABA-approved law schools was 126,891, so that the average enrollment was 725 students per school. The schools that offered J.S.D. or S.J.D. degrees, however, had an average enrollment of 824 students; and the schools that offered master's degrees, but not J.S.D. or S.J.D. degrees, had an average enrollment of 853 students.

In 2002-03, the total enrollment of the 187 ABA-approved law schools was 131,859, so that the average enrollment was 705 students per school. The schools that offered J.S.D. or S.J.D. degrees had an average enrollment of 901 students; and the schools that offered master's degrees, but not J.S.D. or S.J.D. degrees, had an average enrollment of 788 students.

B. Types of Post-J.D. Degree Programs

In 1992, of the 71 schools offering post J.D. degrees in 1992, 49 (69 percent) offered one or more master's degrees, 18 (10.2 percent) offered one or more master's degrees and either a J.S.D. or an S.J.D.; one law school offered four different LL.M. degrees and a Ph.D. degree; one offered an LL.M., a J.S.D., and a Ph.D.; one offered an LL.M. and other post-J.D. degrees including a J.S.D.; and one offered ten different S.J.D. degrees but no other post-J.D. degree.

In 2002, even with the increase of schools offering post-J.D. degrees, the percentage of those who only offered master's degrees remained the same. Of the 102 schools that offered post-J.D. degrees in 2002-03, 71 (69 percent) offered one or more master's degrees. Twenty-six additional schools (13 percent) offered one or more master's degrees and either a J.S.D. or an S.J.D., but no other doctoral degrees. Four other law schools offered a variety of LL.M, J.S.D. degrees and other doctoral degrees.

C. The Master's Degree

In 1992, 36 law schools (20.5 percent) offered master's degrees either without specifying the subject areas in which they could be awarded, or by describing them in such terms as "general" or "arranged." The number of schools offering these all-purpose master's degrees had declined slightly, to 33, by 2002-03 (17 percent).

Master's degrees in International Law, Comparative Law or International Legal Studies greatly increased over the decade. In 1992, 32 schools (18.2 percent) offered master's degrees in these programs, while nearly twice that number of schools, 59 law schools (31.5 percent), offered master's degrees in such subjects by 2002.⁵⁰

| | 1992 | 2002 |
|--|----------------------------|-----------------------------|
| Schools with Post - J.D Degrees | 71 Schools 40.6 percent | 102 Schools 54.5 percent |

⁵⁰ As noted by respondents in their commentary addendum, it appears that some of these degrees were designed primarily or exclusively for graduates of foreign law schools.

The master’s degree in Taxation was offered in 29 law schools (16.5 percent) in 1992. That number remained steady over the decade with 26 schools reporting in 2002 that they offered master’s degrees in Taxation and three more reporting that they offered master’s degrees in International Taxation.

Finally, both in 1992 and in 2002, a significant number of law schools offered master’s degrees in one or more other subjects, such as Corporate Law, Environmental Law, Estate Planning, Labor Law, Health Law, Intellectual Property, and Securities Regulation; but not one of these various degrees was offered by as many as ten law schools.

D. The Doctorate Degree

In 1992, 19 of the 21 law schools (90 percent) that offered J.S.D. or S.J.D. degrees either attached no description to them, or referred to them as “general,” “arranged” or the like. Only two offered these degrees in specified subject areas. One law school offered an S.J.D. in each of ten broad areas including Comparative Law, Constitutional Law, Corporate Law, and Economic Regulation, and the other law school offered a single doctorate (J.S.D.) in International Human Rights.

In 2002, the general doctorate was still offered by 74 percent of the 27 law schools that offered the J.S.D. or S.J.D., but now more law schools were offering the doctorate in specific subject areas. Seven schools (25 percent) (as compared with two (9 percent) in 1992) offered a J.S.D. or an S.J.D. in one or more specified subject areas, including Health Law, International Legal Studies, International Water Resources Law, Taxation, and Environmental Law.

Question 2: Non-J.D. Degrees

This question sought information on whether law schools offered non-J.D. degrees. In 1992, 12 of the 175 schools (6.9 percent) provided an affirmative response. In 2002, 24 of the 187 ABA-approved law schools (12.8 percent) did so.

Although law schools may interpret the phrase “non-J.D. degrees” somewhat differently, it appears that the number of schools offering such degrees, however defined, has been increasing.

Some of the apparent increase is attributable to the fact that the field of health law is burgeoning. In 1992, only one law school offered a non-J.D. degree in Health Law or Medical Jurisprudence, while in 2002, five schools (21 percent) did so. One of the five offers both a Master’s of Jurisprudence degree and a Doctor of Laws degree in Health.

We examined the size of the enrollment at each institution to determine whether it played a role in a law school’s decision to offer non-J.D. degrees. In 1992, the 12 law schools that offered non-J.D. degrees had an average enrollment of 687 students, as compared with an average enrollment of 725 students at all 175 ABA-approved law schools. In 2002, on the other hand, the average enrollment at the 24 law schools that offered non-J.D. degrees was 756 students, as compared with an average enrollment of 705 students at the 187 ABA-approved law schools. In short, there does not appear to be any meaningful correlation between the size of a law school and the likelihood that it will offer non-J.D. degrees.

When one looks at whether the institution is affiliated with a university or independent, being independent did not seem to impact negatively on whether a law school chose to offer a non-J.D. degree. Two of the 16 independent law schools in 1992 offered non-J.D. degree programs (12.5 percent), and in 2002, four of the 21 independent law schools offered non-J.D. degrees (19 percent).

| | 1992 | 2002 |
|--|---------------------------|----------------------------|
| Law Schools with Non - J.D. Degree Programs | 12 Schools 6.9 percent | 24 Schools 12.8 percent |

Distance Education Instruction

Overview

With the recent enactment of ABA Standard 306 Distance Education,⁵¹ the offering of distance education courses is a developing mode of instruction in legal education.⁵² As such, the comparative information for 2002 and 2003 reflects a small but stable group of schools that have begun to experiment with this type of instruction. Course offerings noted by respondents were eclectic, ranging from core large enrollment electives to small boutique courses and seminars. Although distance learning will likely grow apace, its penetration at present represents a relatively small part of the J.D. curriculum at ABA-approved law schools.

Section Five collected information regarding distance education courses,⁵³ including:

1. Whether synchronous (simultaneous) distance education courses were offered in 2002;
2. Whether synchronous (simultaneous) distance education courses were offered in 2003;
3. Whether asynchronous (online or Web-based) distance education courses were offered in 2002; and
4. Whether asynchronous (online or Web-based) distance education courses were offered in 2003.

For purposes of Section Five, all results to Questions 1-4 are derived from the 152 survey responses. And for purposes of this section only, the survey sought comparative information on both 2002-2003 and 2003-2004.

⁵¹ Prior to 2002, ABA Standard 306 related to “Participation in Studies or Activities in a Foreign Country.” With the enactment of Standard 306 Distance Education, the Standard relating to studies in a foreign country has been renumbered ABA Standard 307.

⁵² ABA Standard 306 (e) requires that “[n]o student shall enroll in courses qualifying for credit under this Standard until that student has completed instruction equivalent to 28 credit hours toward the J.D. degree.

⁵³ For purposes of this survey, a distance education course refers to one in which at least one-third or more of the course instruction is through distance education technology. (See Standards Interpretation 306-3)

Questions 1 and 2: Synchronous (Simultaneous) Distance Education 2002 and 2003

These questions sought information on whether law schools offered synchronous (simultaneous) distance education courses in 2002 and/or 2003, and if so, whether the courses were offered in the J.D. program, post-J.D. program or both.

As *TABLE 33* shows, a small but stable number of schools have begun to use synchronous distance education courses.

A. 2002

In 2002, 20 respondent law schools (13 percent) offered synchronous distance education courses. Size of enrollment at the 20 law schools ranged from 197 students to 1240 with the average enrollment of 684 students (below the average enrollment of 705 students).⁵⁴ The 20 law schools were evenly divided between public and private institutions, eight law schools were dual division, six were independent, and two were religiously affiliated.

Thirteen law schools offered only one synchronous distance education course; five law schools offered two such courses, and two law schools offered four, for a total of 31 course offerings among respondent law schools in 2002. Only two course offerings were in traditionally core subjects: Business Associations (one school) and Evidence (one school). A wide range of subjects were noted by respondents in the other 29 course offerings, and included: Admiralty, Alternative Dispute Resolution, Children and the Law Health Law, Insurance Law, International and Comparative Law Real Estate, Tax, Telecommunications, and Workers' Compensation.

The courses were primarily offered in the J.D. program. Of the 31 course offerings among the 20 law schools, 26 courses (84 percent) were offered in the J.D. program; 4 courses (13 percent) were offered in both the J.D. and post-J.D. degree programs, and one course (3 percent) was offered only in the post-J.D. degree program.

B. 2003

Nineteen law schools (12.5 percent) offered synchronous distance education courses in 2003 (although not all the same law schools as in 2002). Size of enrollment at the 19 law schools ranged from 197 students to 1,647 with the average enrollment of 660 students (below the average enrollment of 705 students). Although not all the law schools were the same as in 2002, the 19 law schools had similar statistical backgrounds to the schools in 2002: nine were public law schools and ten were private institutions; eight of the 19 were dual division law schools, three were independent, and two were religiously affiliated.

The 19 law schools in 2003 generated 25 course offerings. Fourteen schools offered one course, four law schools offered two courses, and one law school offered three courses. And similar to 2002, there was a wide range of course titles, including: Admiralty, Alternative Dispute Resolution, Civil Procedure, Insurance Law, International and Comparative Law, Intellectual Property, Tax, Telecommunications, and Workers' Compensation.

Once again, the courses were primarily offered in the J.D. program. Of the 25 course offerings among the 19 law schools, 18 courses (72 percent) were offered in the J.D. program; four courses (16 percent) were offered in both the J.D. and post-J.D. degree programs, and two courses (8 percent) were offered only in the post-J.D. degree program. There was one null response on when in the curriculum one of the courses was offered.

| TABLE 33 Law Schools with Synchronous Distance Education Courses 2002 and 2003 (152 RESPONDENTS) | |
|--|---|
| 2002 Number of Schools Offering Synchronous Distance Education Course | 2003 Number of Schools Offering Synchronous Distance Education Course |
| 20 Schools (13.2 percent) | 19 Schools (12.5 percent) |

⁵⁴ See Section Four supra which details the enrollment in law schools in 2002.

Questions 3 and 4: Asynchronous (Online) Distance Education Courses 2002 and 2003

These questions sought information on whether law schools offered asynchronous (online or Web-based) distance education courses in 2002 and/or 2003, and if so, whether the courses were offered in the J.D. program, post-J.D. program or both.

A. 2002

| TABLE 34 Law Schools with Asynchronous Distance Education Courses 2002 and 2003 (152 RESPONDENTS) | |
|---|---|
| 2002 Number of Schools Offering Asynchronous Distance Education Courses | 2003 Number of Schools Offering Asynchronous Distance Education Courses |
| 15 Schools (9.8 percent) | 16 Schools (10.5 percent) |

Fifteen law schools (9.8 percent) offered a total of 18 asynchronous courses in 2002. Size of enrollment at the 15 law schools ranged from 227 students to 1,240 with the average enrollment of 690 students (higher than in synchronous distance education courses, but still below the average enrollment of 705 students). Seven of the 15 schools were public, and eight were private institutions, ten of the 15 were dual division law schools, three were independent, and two were religiously affiliated.

The 15 law schools generated 18 courses; all but one course was offered in the J.D. program exclusively (94 percent). Eleven of the 15 law schools offered one

course (73 percent); two law schools offered two courses (13 percent); and one law school offered three courses (7 percent). There was one null response on the subject matter of the courses.

The range of subject matter in asynchronous distance education courses was a little different from synchronous distance education courses. Generally, respondents did not offer as many basic elective subjects; instead subjects included: Advanced Legal Research, Social Security, and Component for the Externship program; Law and the Internet.

B. 2003

Sixteen law schools (10.5 percent) offered asynchronous distance education courses in 2003. Size of enrollment at the 16 law schools ranged from 227 students to 1,240 with the average enrollment of 650 students (below the average enrollment of 705 students). Six of the 16 schools were public, and ten were private institutions, nine of the 16 were dual division law schools, three were independent, and three were religiously affiliated.

The 16 law schools generated 22 courses. Twelve law schools offered one course (75 percent); two law schools offered two courses (12.5 percent) and two law schools offered three courses (12.5 percent). Unlike in 2002, these courses were not exclusively offered in the J.D. degree program; 16 courses were offered in the J.D. degree program (73 percent); five courses were offered in both J.D. and post-J.D. programs (23 percent); and one was offered only in the post-J.D. program (4 percent).

Subject matter was varied among the offerings which included: Admiralty, Advanced Legal Research, Criminal Law topics, Evidence, Externship Component, Insurance, Law and the Internet, Social Security, and a variety of Tax courses.

Law School Narratives on Curricular Changes and Trends 1992 - 2002

Overview

This section of the report explores the narrative responses by law schools on important curricular changes and trends observed over the past decade. While traditional principles remain firmly in place, law schools reported that they have retooled many aspects of their programs and have infused the curriculum with significant and exciting elective opportunities. Two overriding themes emerged from respondents' comments on changes they experienced in the past decade: increased commitment to clinical education and an increased emphasis on professionalism.

- ◆ Increased Commitment to Clinical Education

From the perspective of curricular changes or innovations, the most pervasive curricular change reported by respondents was the increased commitment to clinical education in both the narrower and broader sense (the narrower sense being “in house” clinics and externships, and the broader sense including also practical, lawyering skills courses).

This commitment has taken a variety of forms. Additional clinics were established and externship opportunities were expanded. The instruction in clinics was also enhanced. In response to changes in the ABA accreditation standards, respondents reported that clinical faculty members were, at least, awarded long-term contracts,⁵⁵ while other schools have devoted tenured or tenure track positions to clinical education. Respondents reported that the change in status raised the importance and value of the clinical experience, and thus the clinical experience was enhanced.

The array of areas of law covered by the clinics was also broadened considerably. Whereas traditionally it might have been thought that landlord-tenant, juvenile law and delinquency and matters arising under various entitlement programs such as social security were fertile areas for clinical education, the list of areas covered by the clinics has grown considerably to take advantage of a school's location or the focus of its “doctrinal” curriculum. Now, environmental, tax, immigration, and human rights clinics are common.

The “skills sets” which the clinics aim to develop have also broadened. Traditionally clinics would set as a goal for themselves the development of the lawyering skills essential for effective client representation. Now, other skills are emphasized in some clinics, for example, the development of public policy positions and their advocacy. In some instances this latter set of skills is the focus of a separate clinic, while in others it is an aspect to be developed along with the skills necessary for client representation.

Schools increased the range of externship possibilities for their students and made them more rigorous experiences through the introduction of mandatory classroom components and more closely monitored supervision.⁵⁶ While schools tend not to require a clinical experience in the narrower sense, in the vast majority of schools such opportunities are available to any student wishing to participate.

- ◆ Increased Commitment to Professionalism

Overwhelmingly respondents reported that they have increased the emphasis on professionalism and ethics in the upper level curriculum. But there is no uniformity among the law schools in the manner in which they

⁵⁵ ABA Standard 405(c) says in part: “A law school shall afford to full-time clinical faculty members a form of security of position reasonably similar to tenure, and non-compensatory perquisites reasonably similar to those provided other full-time faculty members.”

⁵⁶ This change may have been spurred by ABA Standard 305(f) which details the requirements for field placement programs.

have done so. Most schools indicate that they are integrating consideration of ethical issues into many of their substantive courses as deemed appropriate. While most law schools offer a discrete course in Professional Responsibility, a few have opted to discontinue requiring the stand alone ethics course in favor of pervasive consideration of ethical issues throughout the curriculum.

First Year Restructuring

◆ Unit Allocation and Timing of Courses

While the first year substantive law curriculum remained largely the same since the 1970s (Torts, Contracts, Civil Procedure, Property and Criminal Law), several changes have taken place in this past decade affecting unit allocation and the timing of these courses. Prior to the changes, respondents noted that most first year courses were offered as five or six credit hour courses offered over two terms. In a few instances, the first year curriculum was filled with yearlong courses, with one grade assigned at the end of the spring term. For most schools, however, these yearlong subjects were offered as separate courses, but continuing over two semesters (the spring course being separate from, but a continuation of, the fall course).

As schools reviewed that format, several changes took place. In most instances realignment of the first year curriculum resulted in most, if not all, courses becoming one semester long, and each semester entailed four or five credit course offerings. This retooling generally resulted in a diminution of several of the credit hours allocated to the traditional subjects. There appears to be several motivations for the change. Respondents reported that the reduction in semesters and credits for certain traditional first year courses occurred in order to: 1) add credits to Legal Research and Writing courses; 2) include new courses such as Introduction to Law and Lawyering Skills, or introduce elective offerings; 3) require both Constitutional Law and Criminal Law/Procedure in the first year; and/or 4) reduce the number of courses per semester to add an element of “immersion” for the law student.

◆ First Year Course Content

Of all the traditional subjects, respondents reported significant changes in their Legal Writing courses. In addition to increasing credit hours, many schools have added interviewing, counseling and negotiation components into this course, often citing the MacCrate Report as impetus for the change. A number of schools added a third and even a fourth semester to the Legal Writing program, and in some schools, the upper division Legal Writing course became the only way to meet the upper division writing requirement. In some schools, Legal Writing has been changed to “Lawyering Skills” or some other name, which more accurately describes the course than Legal Research and Writing. Most schools offer this course in small sections, and some schools have been able to staff this program with full-time teachers.

Although most law schools still maintain a fully required first year curriculum, some schools allow the first year students to take an elective course of their own choosing in the spring term. Others allow a choice from among a group of courses to redress a perceived gap in the first year curriculum. In some law schools, the choice is from among perspective courses (such as Legal History, Jurisprudence, Comparative Law); in other schools, students choose from courses focusing on statutory interpretation or governmental regulation such as ADA Law, voting rights, securities regulation or environmental law. And other schools address the perceived need by the development of a specialty course such as “Law and the Regulatory State,” which focuses on statutory interpretation or regulatory matters.

◆ The Demise of the Small Section Experience

While a few respondents noted the importance of the small section experience in the first year program, the small section experience was overwhelmingly abandoned this past decade in favor of using faculty resources in other areas of the curriculum (down from 47 percent of law schools to 6.7 percent.) Of those law schools that continued to offer a small section experience outside of legal writing, they expressed satisfaction with the format and reported more active student engagement through group exercises and role-playing.

The Upper Division

◆ Required Courses

The upper level curriculum has experienced great change and expansion as well. Schools seem to be reducing the number of upper division required courses in order to provide students with more flexibility in constructing a course of study that they believe best meets their needs and interests. Most schools that have considered this issue have decreased the number of required courses or eliminated them; very few schools have added to the list of required upper division courses. The exception to this trend is additional “Lawyering Skills” courses.

For some schools, required courses have been replaced by “distribution requirements” whereby students must take a specified number of courses or credit hours in areas such as commercial law, or public law. A list of specific courses, which are deemed to satisfy the “distribution requirements” would then be made available from which the students choose. This is thought by some respondents to be a reasonable modification of the traditionally rigid required upper division curriculum. Some individual choice and flexibility is allowed, but the school can also be satisfied that the students are receiving sufficient instruction in areas, which it deems important.

◆ Elective Curriculum

The elective curriculum is filled with opportunities for the upper division student. Substantive areas in which it appears that upper level curricular offerings are being augmented include most prominently Intellectual Property, Business Law, International Law and Health Law. On the whole, law schools report few decreases in elective offerings in the last decade.

As noted earlier, law schools have increased skills training, both as components in existing substantive courses, and in separate labor-intensive skills offerings such as planning and drafting courses or advanced trial advocacy. When integrated into existing subjects, this is sometimes done through the inclusion of a transactional component in which students are required to complete simulation based exercises or drafting exercises germane to the course’s substantive content.

Many schools also seem to be enriching their curriculum by intensifying its interdisciplinary character. This is done in several ways, one of which is the addition of courses of an interdisciplinary nature taught by law faculty, such as law and economics, bioethics or law and literature or culture. Increasingly, such courses are offered in conjunction with faculty from other departments or schools in the university, either by team teaching a course with a law faculty member or by teaching alone. The interdisciplinary integration has also led to the increase in the joint degree programs offered by a number of law schools.

The international, or comparative, aspect of legal issues is more often considered in substantive courses than a decade ago. This has the advantage both of an introduction to different approaches to the same legal issue and a consideration of the relative merits and disadvantages of the U.S. or common law approach when viewed against other solutions.

◆ Course Concentrations and Post-J.D. Degree Programs

A number of schools developed concentrations or “Certificate Programs” in various curricular areas such as Tax, Business Law, Environmental Law, Family Law, Advocacy and ADR. Students concentrating in one of these areas take a specified number of courses or credits from a list of qualifying courses. A student is thereby able to concentrate his or her course work in an area of particular interest. Schools extending this concept to “Certificate Programs” provide students with a certificate upon successful completion of the program requirements. In addition to certificate programs, the last decade has seen an increase in the number of law school respondents that offer post-J.D. degree programs, with Health Law showing the greatest increase.

Changes in Methodology

Not surprisingly the major change in teaching methodology within the nation's law schools is in the use of technology. Most law schools have invested considerable resources in response to technological advances. At many, virtually all of the classrooms are completely wired for computer use and the libraries are equipped for extensive computer access. At some schools, laptop computers are required.

Technology is used in the instruction in various ways. Power point presentations are increasingly common. A number of faculty members access, or have the students access various databases, including LEXIS and WESTLAW, during the course of a lecture. E-mail, of course, is a fact of everyday life. Many faculty members engage in extensive e-mail exchanges with their students regarding issues covered in a lecture. Often an extensive and ongoing electronic dialogue has replaced the traditional conversation at the podium after the class. While this can be done through individual e-mails, many faculties take advantage of programs such as TWEN or BLACKBOARD, which allow easy communication among the entire class. Some instructors require completion and submission of written exercises via e-mail. Naturally technology has changed the method of instruction in Legal Research and Writing or Lawyering Skills. It is not just that students are taught the use of databases such as LEXIS and WESTLAW, but respondents report that students are also exposed to the use of computer and other electronic technology as part of the evolving practice of law.

Respondents also report a de-emphasis on the Socratic method and an increase in a problem based or problem solving approach to the material. More frequent testing in place of the traditional end of term essay examination is increasingly common.

While technological advances have permeated all aspects of legal education, it is still too early to determine the impact that distance education instruction will have on individual law schools, and on legal education as a whole. A developing mode of instruction at this point, it has been used by a small but stable group of law schools over the past two years.



ABA-Approved Law Schools By Year

Appendix A

| | |
|---------------------------------------|------|
| AKRON, UNIVERSITY OF | 1961 |
| ALABAMA, UNIVERSITY OF | 1926 |
| ALBANY LAW SCHOOL OF UNION UNIVERSITY | 1930 |
| AMERICAN UNIVERSITY | 1940 |
| APPALACHIAN SCHOOL OF LAW | 2001 |
| ARIZONA STATE UNIVERSITY | 1969 |
| ARIZONA, UNIVERSITY OF | 1930 |
| ARKANSAS, FAYETTEVILLE, UNIVERSITY OF | 1928 |
| ARKANSAS, LITTLE ROCK, UNIVERSITY OF | 1969 |
| AVE MARIA | 2002 |
| BALTIMORE, UNIVERSITY OF | 1972 |
| BARRY UNIVERSITY | 2002 |
| BAYLOR UNIVERSITY | 1931 |
| BOSTON COLLEGE | 1932 |
| BOSTON UNIVERSITY | 1925 |
| BRIGHAM YOUNG UNIVERSITY | 1974 |
| BROOKLYN LAW SCHOOL | 1937 |
| CALIFORNIA WESTERN SCHOOL OF LAW | 1962 |
| CALIFORNIA-BERKELEY, UNIVERSITY OF | 1923 |
| CALIFORNIA-DAVIS, UNIVERSITY OF | 1968 |
| CALIFORNIA-HASTINGS, UNIVERSITY OF | 1939 |
| CALIFORNIA-LOS ANGELES, UNIVERSITY OF | 1950 |
| CAMPBELL UNIVERSITY | 1979 |
| CAPITAL UNIVERSITY | 1950 |
| CASE WESTERN RESERVE UNIVERSITY | 1923 |
| CATHOLIC UNIVERSITY OF AMERICA | 1925 |
| CHAPMAN UNIVERSITY | 1998 |
| CHICAGO, UNIVERSITY OF | 1923 |
| CINCINNATI, UNIVERSITY OF | 1923 |
| CITY UNIVERSITY OF NEW YORK | 1985 |
| CLEVELAND STATE UNIVERSITY | 1957 |
| COLORADO, UNIVERSITY OF | 1923 |
| COLUMBIA UNIVERSITY | 1923 |
| CONNECTICUT, UNIVERSITY OF | 1933 |
| CORNELL UNIVERSITY | 1923 |
| CREIGHTON UNIVERSITY | 1924 |
| DAYTON, UNIVERSITY OF | 1975 |
| DENVER, UNIVERSITY OF | 1923 |
| DEPAUL UNIVERSITY | 1925 |
| DETROIT MERCY, UNIVERSITY OF | 1933 |
| DICKINSON SCHOOL OF LAW | 1931 |
| DISTRICT OF COLUMBIA | 1991 |
| DRAKE UNIVERSITY | 1923 |
| DUKE UNIVERSITY | 1931 |
| DUQUESNE UNIVERSITY | 1960 |
| EMORY UNIVERSITY | 1923 |
| FLORIDA COASTAL | 2002 |
| FLORIDA STATE UNIVERSITY | 1968 |
| FLORIDA, UNIVERSITY OF | 1925 |
| FORDHAM UNIVERSITY | 1936 |

ABA-Approved Law Schools By Year

| | |
|--|------|
| FRANKLIN PIERCE LAW CENTER | 1974 |
| GEORGE MASON UNIVERSITY | 1980 |
| GEORGE WASHINGTON UNIVERSITY | 1923 |
| GEORGETOWN UNIVERSITY | 1924 |
| GEORGIA STATE UNIVERSITY | 1984 |
| GEORGIA, UNIVERSITY OF | 1930 |
| GOLDEN GATE UNIVERSITY | 1956 |
| GONZAGA UNIVERSITY | 1951 |
| HAMLIN UNIVERSITY | 1975 |
| HARVARD UNIVERSITY | 1923 |
| HAWAII, UNIVERSITY OF | 1974 |
| HOFSTRA UNIVERSITY | 1971 |
| HOUSTON, UNIVERSITY OF | 1950 |
| HOWARD UNIVERSITY | 1931 |
| IDAHO, UNIVERSITY OF | 1925 |
| ILLINOIS INSTITUTE OF TECHNOLOGY | 1936 |
| ILLINOIS, UNIVERSITY OF | 1923 |
| INDIANA UNIVERSITY - BLOOMINGTON | 1937 |
| INDIANA UNIVERSITY - INDIANAPOLIS | 1944 |
| INTER AMERICAN UNIVERSITY OF PUERTO RICO | 1969 |
| IOWA, UNIVERSITY OF | 1923 |
| JOHN MARSHALL LAW SCHOOL | 1951 |
| KANSAS, UNIVERSITY OF | 1923 |
| KENTUCKY, UNIVERSITY OF | 1925 |
| LEWIS AND CLARK COLLEGE | 1970 |
| LOUISIANA STATE UNIVERSITY | 1926 |
| LOUISVILLE, UNIVERSITY OF | 1931 |
| LOYOLA MARYMOUNT UNIVERSITY-LOS ANGELES | 1935 |
| LOYOLA UNIVERSITY-CHICAGO | 1925 |
| LOYOLA UNIVERSITY-NEW ORLEANS | 1931 |
| MAINE, UNIVERSITY OF | 1962 |
| MARQUETTE UNIVERSITY | 1925 |
| MARYLAND, UNIVERSITY OF | 1930 |
| MCGEORGE SCHOOL OF LAW | 1969 |
| MEMPHIS, UNIVERSITY OF | 1965 |
| MERCER UNIVERSITY | 1925 |
| MIAMI, UNIVERSITY OF | 1941 |
| MICHIGAN STATE UNIVERSITY - DCL College | 1941 |
| MICHIGAN, UNIVERSITY OF | 1923 |
| MINNESOTA, UNIVERSITY OF | 1923 |
| MISSISSIPPI COLLEGE | 1980 |
| MISSISSIPPI, UNIVERSITY OF | 1930 |
| MISSOURI-COLUMBIA, UNIVERSITY OF | 1923 |
| MISSOURI-KANSAS CITY, UNIVERSITY OF | 1936 |
| MONTANA, UNIVERSITY OF | 1923 |
| NEBRASKA, UNIVERSITY OF | 1923 |
| NEW ENGLAND SCHOOL OF LAW | 1969 |
| NEW MEXICO, UNIVERSITY OF | 1948 |
| NEW YORK LAW SCHOOL | 1954 |
| NEW YORK UNIVERSITY | 1930 |

ABA-Approved Law Schools By Year

| | |
|---|------|
| NORTH CAROLINA CENTRAL UNIVERSITY | 1950 |
| NORTH CAROLINA, UNIVERSITY OF | 1923 |
| NORTH DAKOTA, UNIVERSITY OF | 1923 |
| NORTHEASTERN UNIVERSITY | 1969 |
| NORTHERN ILLINOIS UNIVERSITY | 1978 |
| NORTHERN KENTUCKY UNIVERSITY | 1954 |
| NORTHWESTERN UNIVERSITY | 1923 |
| NOTRE DAME, UNIVERSITY OF | 1925 |
| NOVA SOUTHEASTERN UNIVERSITY | 1975 |
| OHIO NORTHERN UNIVERSITY | 1948 |
| OHIO STATE UNIVERSITY | 1923 |
| OKLAHOMA CITY UNIVERSITY | 1960 |
| OKLAHOMA, UNIVERSITY OF | 1923 |
| OREGON, UNIVERSITY OF | 1923 |
| PACE UNIVERSITY | 1978 |
| PENNSYLVANIA, UNIVERSITY OF | 1923 |
| PEPPERDINE UNIVERSITY | 1972 |
| PITTSBURGH, UNIVERSITY OF | 1923 |
| PONTIFICAL CATHOLIC UNIVERSITY OF P.R. | 1967 |
| PUERTO RICO, UNIVERSITY OF | 1945 |
| QUINNIPIAC COLLEGE | 1992 |
| REGENT UNIVERSITY | 1989 |
| RICHMOND, UNIVERSITY OF | 1928 |
| ROGER WILLIAMS UNIVERSITY | 1995 |
| RUTGERS UNIVERSITY-CAMDEN | 1950 |
| RUTGERS UNIVERSITY-NEWARK | 1941 |
| SAMFORD UNIVERSITY | 1949 |
| SAN DIEGO, UNIVERSITY OF | 1961 |
| SAN FRANCISCO, UNIVERSITY OF | 1935 |
| SANTA CLARA UNIVERSITY | 1937 |
| SEATTLE UNIVERSITY | 1994 |
| SETON HALL UNIVERSITY | 1951 |
| SOUTH CAROLINA, UNIVERSITY OF | 1925 |
| SOUTH DAKOTA, UNIVERSITY OF | 1923 |
| SOUTH TEXAS COLLEGE OF LAW | 1959 |
| SOUTHERN CALIFORNIA, UNIVERSITY OF | 1924 |
| SOUTHERN ILLINOIS UNIVERSITY-CARBONDALE | 1974 |
| SOUTHERN METHODIST UNIVERSITY | 1927 |
| SOUTHERN UNIVERSITY | 1953 |
| SOUTHWESTERN UNIVERSITY | 1970 |
| ST. JOHN'S UNIVERSITY | 1937 |
| ST. LOUIS UNIVERSITY | 1924 |
| ST. MARY'S UNIVERSITY | 1948 |
| ST. THOMAS UNIVERSITY | 1988 |
| STANFORD UNIVERSITY | 1923 |
| STATE UNIVERSITY OF NEW YORK AT BUFFALO | 1936 |
| STETSON UNIVERSITY | 1930 |
| SUFFOLK UNIVERSITY | 1953 |
| SYRACUSE UNIVERSITY | 1923 |
| TEMPLE UNIVERSITY | 1933 |

ABA-Approved Law Schools By Year

| | |
|----------------------------------|------|
| TENNESSEE, UNIVERSITY OF | 1925 |
| TEXAS AT AUSTIN, UNIVERSITY OF | 1923 |
| TEXAS SOUTHERN UNIVERSITY | 1949 |
| TEXAS TECH UNIVERSITY | 1969 |
| TEXAS WESLEYAN UNIVERSITY | 1994 |
| THOMAS JEFFERSON SCHOOL OF LAW | 1996 |
| THOMAS M. COOLEY LAW SCHOOL | 1975 |
| TOLEDO, UNIVERSITY OF | 1939 |
| TOURO COLLEGE | 1983 |
| TULANE UNIVERSITY | 1925 |
| TULSA, UNIVERSITY OF | 1950 |
| UNIVERSITY OF NEVADA - LAS VEGAS | 2002 |
| UTAH, UNIVERSITY OF | 1927 |
| VALPARAISO UNIVERSITY | 1929 |
| VANDERBILT UNIVERSITY | 1925 |
| VERMONT LAW SCHOOL | 1975 |
| VILLANOVA UNIVERSITY | 1954 |
| VIRGINIA, UNIVERSITY OF | 1923 |
| WAKE FOREST UNIVERSITY | 1936 |
| WASHBURN UNIVERSITY | 1923 |
| WASHINGTON AND LEE UNIVERSITY | 1923 |
| WASHINGTON UNIVERSITY | 1923 |
| WASHINGTON, UNIVERSITY OF | 1924 |
| WAYNE STATE UNIVERSITY | 1937 |
| WEST VIRGINIA UNIVERSITY | 1923 |
| WESTERN NEW ENGLAND COLLEGE | 1974 |
| WESTERN STATE UNIVERSITY | 2002 |
| WHITTIER COLLEGE | 1978 |
| WIDENER UNIVERSITY | 1975 |
| WIDENER UNIVERSITY-HARRISBURG | 1994 |
| WILLAMETTE UNIVERSITY | 1938 |
| WILLIAM AND MARY SCHOOL OF LAW | 1932 |
| WILLIAM MITCHELL COLLEGE OF LAW | 1938 |
| WISCONSIN, UNIVERSITY OF | 1923 |
| WYOMING, UNIVERSITY OF | 1923 |
| YALE UNIVERSITY | 1923 |
| YESHIVA UNIVERSITY | 1978 |

The Survey Instrument

Thank you for participating in the 2003 Law School Curriculum Survey presented by the American Bar Association Section of Legal Education and Admissions to the Bar. This survey will collect detailed curriculum information for ABA-approved law schools and will focus on changes over the past 10 years. This information will be used by the ABA Curriculum Committee to produce a comprehensive report that will be available to the deans of ABA-approved law schools and other interested parties. While the aggregate information will be available to the deans and others, detailed school-by-school information will not be available for use.

The survey is divided into the following six sections:

1. *Requirements for Graduation*
2. *First Year Requirements*
3. *Upper Division Curriculum*
4. *Post and Non-J.D. Degrees*
5. *Distance Education*
6. *General Questions*

Within each section, the survey focuses on two specific academic years for comparison: 1992 - 1993 (listed in the survey as 1992) and 2002 - 2003 (listed in the survey as 2002). While some of the questions focus on both years, there are a few questions that just ask for one of the two specific academic years information.

The majority of the questions have a preset response value (e.g., yes/no, a finite list of responses with an option to enter additional information in an 'Other' line). However, a few questions look for school specific responses that can be found in the ABA Annual Questionnaire from either 1992 or 2002. Those answers will be populated for schools that submitted questionnaires to the Section of Legal Education. If questionnaires were not submitted, please fill in the required data. In some situations, certain questions will not be applicable for participating schools (e.g. not every school has a part-time program). In those situations, please leave the answers at the preset value of zero.

Selected definitions and instructions by section:

1. *Requirements for Graduation*

Questions one and seven will pull data from the 1992 and 2002 Annual Questionnaires.

2. *First Year Requirements*

Questions one and four will pull data from the 1992 and 2002 Annual Questionnaires.

3. *Upper Division Curriculum*

Question one will pull data from the 1992 and 2002 Annual Questionnaires.

4. *Post and Non-J.D. Degree*

Questions one and two will pull data from the 1992 and 2002 Annual Questionnaires.

5. *Distance Education*

For the purpose of this section, a distance education course, according to ABA Standard 306, refers to "one in which at least one-third or more of the course instruction is through distance education technology". Please see Appendix A for a complete listing of ABA Standard 306.

The time period for this section should cover the 2002-2003 and 2003-2004 academic years.

6. *General Questions*

If you have any comments, suggestions, technical problems, or need an area to explain your answer to a specific question, please put them in Question 4 - Comments.

SECTION ONE
REQUIREMENTS FOR GRADUATION

1. How many credit hours were required for graduation?

Please indicate semester or quarter hours (AQ)

1992 _____

2002 _____

2. Beyond the courses that you require in the first year full-time program, and an upper division writing requirement, did you require additional upper division courses for graduation? 1992 *Yes/No* 2002 *Yes/No*

If yes in 2002, please select all that apply and state their credit hours (*Year: 2nd Year, 3rd Year, Before Graduation*) (*credit hours: <2, 2,3,4,5,6, >6*):

- Business Organization
- Civil Procedure
- Clinic
- Commercial Law
- Constitutional Law
- Criminal Law or Criminal Procedure
- Evidence
- Federal Taxation
- Professional Responsibility
- Property
- Trial Practice
- Trusts and Estates
- Other (Please list)

3. Did you have a distribution requirement in which students were required to take a specified number of courses from a selected list of courses?

1992 _____ 2002 _____

a. Yes _____ Yes _____

b. No _____ No _____

4. Beyond the first year, how did students satisfy an upper division writing requirement?

Please select all that apply for 2002 and state their credit hours. (*0,1,2,3,4, >4*)

- Independent Study
- Law Journals
- Moot Court
- Seminar
- Specific Upper Class Required Legal Writing Course
- Other (Please list)

5. Did you require any specific skills courses, simulation courses, clinical experience, and/or externships for graduation?

1992 *Yes/No* 2002 *Yes/No*

If yes for 2002, state the number of credit hours (*<3, 3,4,5,6, >6*).

6. Did you require students to satisfactorily complete *pro bono* hours for graduation?

1992 *Yes/No* 2002 *Yes/No*

If yes in 2002, how many *pro bono* service hours are required? (*1,2,3,4,5,6*)

7. Did you offer joint J.D. degree programs?

1992 *Yes/No* 2002 *Yes/No*

If yes, please select all that apply and indicate the number of degrees awarded during the last academic year: (AQ)

- Masters in Business Administration (MBA)
- Masters in International Affairs
- Masters in Public Affairs
- Masters in Public Health
- Other (Please list:)

SECTION TWO
FIRST YEAR REQUIREMENTS

1. How many credit hours (semester or quarter) were required in the first year: **(AQ)**

| | | |
|-------------------|------|------|
| Full-time program | 1992 | 2002 |
| Part-time program | 1992 | 2002 |

2. Please select the courses and credit hours that were required in the first year program (<2, 2, 3, 4, 5, 6, >6) and whether the course was completed in one or two semesters (*1 Semester, 2 Semesters, Quarter 1, Quarter 2*):

Full-time program

2002

- Civil Procedure
- Constitutional Law
- Contracts
- Criminal Law and/or Procedure
- Introduction to Law
- Lawyering Skills
- Legal Research and Writing
- Property
- Torts
- Other

Please select the courses and credit hours that were required in the first year program (<2, 2, 3, 4, 5, 6, >6) and whether the course is completed in one, two or three semesters (*1 Semester, 2 Semesters, 3 Semesters, 1 Quarter, 2 Quarters, 3 Quarters, 4 Quarters, 5 Quarters, 6 Quarters*):

Part-time program (First three semesters)

2002

- Civil Procedure
- Constitutional Law
- Contracts
- Criminal Law and/or Procedure
- Introduction to Law
- Lawyering Skills
- Legal Research and Writing
- Property
- Torts
- Other

3. Did you offer any elective courses for first year students?

| | | | |
|------|--------|------|--------|
| 1992 | Yes/No | 2002 | Yes/No |
|------|--------|------|--------|

If yes for 2002, what was the maximum number of elective credit hours a first-year student could have taken in a year (<2, 2,3,4,5,6, >6):

If yes for 2002, did first years take electives only with other first years or were they enrolled in courses with upper level students: (Only with other first years / with upper level students, both)

4. Other than Legal Writing, did you offer a small section experience in the first year?

If yes for 2002, please list the approximate section size: **(AQ)**

5. In 2002, was your first year legal research and writing experience tied to another first year class? (*Yes / No*)

6. In 2002, did your first year legal research and writing course include a trial or an appellate advocacy assignment that required oral advocacy? (*Yes / No*)

If yes, select all that apply:

- a. Trial Advocacy
- b. Appellate Advocacy
- c. Combination of the above two

SECTION THREE
UPPER DIVISION CURRICULUM

1. Beyond the first year, how many upper division course titles were offered in 2002? (AQ)
2. For 2002, did your school identify a group of “core” or “staple” upper division elective courses that were highly recommended to students, beyond those required for graduation? (*Yes / No*)
If yes, please select all that apply:
 - Business Organization
 - Clinic
 - Commercial Law
 - Constitutional Law
 - Criminal Procedure
 - Evidence
 - Federal Taxation
 - Real Estate Transactions
 - Trial Practice
 - Trusts and Estates
 - Other (Please list)
3. For 2002, did you offer programs where students may specialize or earn certificates in various subject areas? (*Yes / No*)
If yes, please select all that apply:
 - Alternative Dispute Resolution
 - Business Law
 - Commercial Law
 - Criminal Law and Procedure
 - Entertainment Law
 - Environmental/Natural Resources Law
 - Estate Planning
 - Health Law
 - Intellectual Property Law
 - International Law
 - Labor and Employment and/or Labor Law
 - Litigation
 - Real Estate Transactions
 - Tax Law
 - Other (Please list:)
4. Are there any subject areas of your upper division curriculum in which the number of offerings has decreased significantly since 1992? (*Yes / No*) If yes, please select the areas from the following list (select all that apply)

Administrative Law/Legislation/Government Law
Admiralty
Agricultural Law
Alternative Dispute Resolution
Business/Corporate Law
Civil Procedure
Commercial Law/Bankruptcy/Banking Law/Securities
Constitutional/Civil Rights Law
Consumer Law
Criminal Law/Criminal Procedure
Drafting (contract, legislative, other)
Environmental Law/Oil & Gas/Energy Law/Natural Resources
Estates/Trusts/Planning
Family Law/Community Property
Health Care Law
Insurance Law
Intellectual Property Law

International/Comparative Law
Jurisprudence/Philosophy/Law &
Economics/Legal History
Labor Law/ Employment Law/Employee
Benefits
Legal Research and Writing (upper level)
Law Practice Management
Legal Ethics/Professionalism
Military Law
Native American Law
Professional Responsibility/Ethics
Property/Land Use Planning/Real Estate
Products Liability/Advanced Torts
Sports Law
Tax
Trial and Appellate Advocacy
Other (Please list)

5. Are there any subject areas of your upper division curriculum in which the number of offerings has increased significantly since 1992? (Yes / No)

If yes, please select the areas from the following list (select all that apply):

Administrative Law/Legislation/Government Law
 Admiralty
 Agricultural Law
 Alternative Dispute Resolution
 Business/Corporate Law
 Civil Procedure
 Commercial Law/Bankruptcy/Banking Law/Securities
 Constitutional/Civil Rights Law
 Consumer Law
 Criminal Law/Criminal Procedure
 Drafting (contract, legislative, other)
 Employment Law/Employee Benefits
 Environmental Law/Oil & Gas/Energy Law/Natural Resources
 Estates/Trusts/Planning
 Family Law/Community Property
 Health Care Law
 Insurance Law
 Intellectual Property Law
 International/Comparative Law
 Jurisprudence/Philosophy/Law & Economics/Legal History
 Labor Law
 Legal Research and Writing (upper level)
 Law Practice Management
 Legal Ethics/Professionalism
 Military Law
 Native American Law
 Professional Responsibility/Ethics
 Property/Land Use Planning/Real Estate
 Products Liability/Advanced Torts
 Sports Law
 Tax
 Trial and Appellate Advocacy
 Other (Please list)

6. Most law schools offer a basic course in trial advocacy. Did you regularly offer additional courses in the following areas? (Yes / No)
 If yes, please select all that apply:

1992 2002

- Advanced Trial Advocacy
- Alternative Dispute Resolution
- Appellate Advocacy
- Arbitration
- Interviewing and Counseling
- Mediation
- Negotiation
- Pre-trial Advocacy
- Other (please list)

7. Did you regularly offer in house, -live client clinical opportunities at the law school? (Yes / No)
 If yes, please select all that apply:

1992 2002

- Civil Rights Law
- Criminal Prosecution or Defense
- Family Law
- General Civil
- Government Benefits
- HIV/AIDS Clinic
- Housing Law
- Juvenile Law
- Transactional
- Other (Please list:)

8. Did you regularly offer externship placement opportunities? (*Yes / No*)

If yes, please select all that apply:

1992

2002

- Appellate Judge
- Corporate Counsel Office
- Government Agency
- Law Firm
- Not for Profit Entity
- Prosecutor
- Public Defender
- Trial Judge
- Other (please list:)

9. Did you regularly offer planning and drafting courses? (*Yes / No*)

1992

2002

If yes, please select all that apply:

- Business Organization Drafting
- Contract Drafting
- Estate Planning
- Legislative Drafting
- Regulatory Drafting
- Other (please list:)

SECTION FOUR POST AND NON-J.D DEGREES

1. Did you offer LL.M. or other Post-J.D. degrees? (*Yes / No*) If yes, please list the subject areas of these degrees: **(AQ)**
2. Did you offer non-J.D. degrees (e.g., Masters in Health Law for non-lawyers)? (*Yes / No*) If yes, please list the subject areas of these degrees. **(AQ)**

SECTION FIVE DISTANCE EDUCATION

FOR THE PURPOSE OF THIS SECTION, A DISTANCE EDUCATION COURSE, ACCORDING TO ABA STANDARD 306 REFERS TO “ONE IN WHICH AT LEAST ONE-THIRD OR MORE OF THE COURSE INSTRUCTION IS THROUGH DISTANCE EDUCATION TECHNOLOGY”.

1. Did you offer synchronous distance education courses (e.g., simultaneous video transmission) to your students in 2002-03 (Yes / No)
If yes, please list the subjects of these courses, the years offered and whether J.D. or post-JD or both:
2. Are you offering synchronous distance education courses (e.g., simultaneous video transmission) to your students in 2003-04 (Yes / No)
If yes, please list the subjects of these courses, the years offered and whether J.D. or post-JD or both:
3. Did you offer asynchronous distance education courses (e.g., on-line or web-based instruction) to your students in 2002-03 ? (Yes / No)
If yes, please list the subjects of these courses, the years offered and whether J.D. or post-JD or both:
4. Are you offering asynchronous distance education courses (e.g., on-line or web-based instruction) to your students in 2003-04 ? (Yes / No)
If yes, please list the subjects of these courses, the years offered and whether J.D. or post-JD or both:

SECTION SIX GENERAL QUESTIONS

1. What have been the one or two most important curricular innovations at your school since 1992? Why have these been important?
2. In what ways has the content of courses at your school changed significantly since 1992 even though the course titles may not have changed? (e.g., infusion of legal ethics, international/global issues, statutory analysis, drafting exercises into “regular” courses)?
3. What have been the most significant changes in teaching methodology at your school since 1992?
4. Comments

Survey Respondents

AKRON, UNIVERSITY OF
ALABAMA, UNIVERSITY OF
ARIZONA STATE UNIVERSITY
ARIZONA, UNIVERSITY OF
ARKANSAS, FAYETTEVILLE, UNIVERSITY OF
ARKANSAS, LITTLE ROCK, UNIVERSITY OF
BALTIMORE, UNIVERSITY OF
CALIFORNIA-BERKELEY, UNIVERSITY OF
CALIFORNIA-DAVIS, UNIVERSITY OF
CALIFORNIA-HASTINGS, UNIVERSITY OF
CALIFORNIA-LOS ANGELES, UNIVERSITY OF
CINCINNATI, UNIVERSITY OF
CITY UNIVERSITY OF NEW YORK
CLEVELAND STATE UNIVERSITY
COLORADO, UNIVERSITY OF
DISTRICT OF COLUMBIA, UNIVERSITY OF
FLORIDA STATE UNIVERSITY
GEORGE MASON UNIVERSITY
GEORGIA STATE UNIVERSITY
GEORGIA, UNIVERSITY OF
HAWAII, UNIVERSITY OF
HOUSTON, UNIVERSITY OF
IDAHO, UNIVERSITY OF
ILLINOIS, UNIVERSITY OF
INDIANA UNIVERSITY - BLOOMINGTON
INDIANA UNIVERSITY - INDIANAPOLIS
IOWA, UNIVERSITY OF
JUDGE ADVOCATE GENERAL'S SCHOOL
KANSAS, UNIVERSITY OF
LOUISIANA STATE UNIVERSITY
LOUISVILLE, UNIVERSITY OF
MAINE, UNIVERSITY OF
MARYLAND, UNIVERSITY OF
MEMPHIS, UNIVERSITY OF
MICHIGAN, UNIVERSITY OF
MISSOURI-COLUMBIA, UNIVERSITY OF
MISSOURI-KANSAS CITY, UNIVERSITY OF
MONTANA, UNIVERSITY OF
NEBRASKA, UNIVERSITY OF
NEW MEXICO, UNIVERSITY OF
NORTH CAROLINA, UNIVERSITY OF
NORTHERN KENTUCKY UNIVERSITY
OKLAHOMA, UNIVERSITY OF
OREGON, UNIVERSITY OF
PENNSYLVANIA STATE UNIVERSITY
PITTSBURGH, UNIVERSITY OF
PUERTO RICO, UNIVERSITY OF
RUTGERS UNIVERSITY-CAMDEN
RUTGERS UNIVERSITY-NEWARK
SOUTH DAKOTA, UNIVERSITY OF
SOUTHERN ILLINOIS UNIVERSITY-CARBONDALE
STATE UNIVERSITY OF NEW YORK AT BUFFALO
TEMPLE UNIVERSITY
TENNESSEE, UNIVERSITY OF
TEXAS AT AUSTIN, UNIVERSITY OF
TEXAS SOUTHERN UNIVERSITY
TEXAS TECH UNIVERSITY
TOLEDO, UNIVERSITY OF

UTAH, UNIVERSITY OF
WASHBURN UNIVERSITY
WAYNE STATE UNIVERSITY
WEST VIRGINIA UNIVERSITY
WILLIAM AND MARY SCHOOL OF LAW
WISCONSIN, UNIVERSITY OF
WYOMING, UNIVERSITY OF
ALBANY LAW SCHOOL
AMERICAN UNIVERSITY
APPALACHIAN SCHOOL OF LAW
AVE MARIA
BARRY UNIVERSITY
BAYLOR UNIVERSITY
BOSTON COLLEGE
BOSTON UNIVERSITY
BRIGHAM YOUNG UNIVERSITY
BROOKLYN LAW SCHOOL
CALIFORNIA WESTERN SCHOOL OF LAW
CAMPBELL UNIVERSITY
CAPITAL UNIVERSITY
CATHOLIC UNIVERSITY OF AMERICA
CHAPMAN UNIVERSITY
CHICAGO, UNIVERSITY OF
CORNELL LAW SCHOOL
DAYTON, UNIVERSITY OF
DEPAUL UNIVERSITY
DETROIT COLLEGE AT MICHIGAN STATE UNIV.
DRAKE UNIVERSITY
DUKE UNIVERSITY
EMORY UNIVERSITY
FLORIDA COASTAL
FORDHAM UNIVERSITY
FRANKLIN PIERCE LAW CENTER
GEORGE WASHINGTON UNIVERSITY
GEORGETOWN UNIVERSITY
GOLDEN GATE UNIVERSITY
HAMLINE UNIVERSITY
HARVARD UNIVERSITY
HOFSTRA UNIVERSITY
HOWARD UNIVERSITY
JOHN MARSHALL LAW SCHOOL
LEWIS AND CLARK COLLEGE
LOYOLA MARYMOUNT UNIVERSITY-LOS ANGELES
LOYOLA UNIVERSITY-CHICAGO
LOYOLA UNIVERSITY-NEW ORLEANS
MARQUETTE UNIVERSITY
MCGEORGE SCHOOL OF LAW
MERCER UNIVERSITY
MIAMI, UNIVERSITY OF
MISSISSIPPI COLLEGE
NEW ENGLAND SCHOOL OF LAW
NEW YORK UNIVERSITY
NORTHEASTERN UNIVERSITY
NORTHWESTERN UNIVERSITY
NOTRE DAME, UNIVERSITY OF
NOVA SOUTHEASTERN UNIVERSITY
PENNSYLVANIA, UNIVERSITY OF
PEPPERDINE UNIVERSITY
QUINNIPIAC COLLEGE
REGENT UNIVERSITY
RICHMOND, UNIVERSITY OF
ROGER WILLIAMS UNIVERSITY
SAMFORD UNIVERSITY
SAN FRANCISCO, UNIVERSITY OF
SANTA CLARA UNIVERSITY
SEATTLE UNIVERSITY
SETON HALL UNIVERSITY
SOUTH TEXAS COLLEGE OF LAW
SOUTHERN METHODIST UNIVERSITY
SOUTHWESTERN UNIVERSITY
ST. JOHN'S UNIVERSITY
ST. LOUIS UNIVERSITY
ST. MARY'S UNIVERSITY
ST. THOMAS UNIVERSITY
STANFORD UNIVERSITY
STETSON UNIVERSITY
SUFFOLK UNIVERSITY
SYRACUSE UNIVERSITY
TEXAS WESLEYAN UNIVERSITY
THOMAS JEFFERSON SCHOOL OF LAW
TOURO COLLEGE
TULANE UNIVERSITY
TULSA, UNIVERSITY OF
VANDERBILT UNIVERSITY
VERMONT LAW SCHOOL
VILLANOVA UNIVERSITY
WAKE FOREST UNIVERSITY
WASHINGTON AND LEE UNIVERSITY
WASHINGTON UNIVERSITY
WESTERN NEW ENGLAND COLLEGE
WESTERN STATE UNIVERSITY
WHITTIER COLLEGE
WIDENER UNIVERSITY
WIDENER UNIVERSITY-HARRISBURG
WILLIAM MITCHELL COLLEGE OF LAW

Upper Division Courses for Graduation with Credit Hours and When Completed

| | YR | Credits | # of Schools | YR | Credits | # of Schools | YR | Credits | # of Schools |
|---|--------------------------------|---------|--------------|-----|---------|--------------|--------------------|-----------|--------------|
| Business Organization | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 0 | | 2 | 0 | | 2 | 1 |
| | | 3 | 8 | | 3 | 0 | | 3 | 2 |
| | | 4 | 12 | | 4 | 0 | | 4 | 9 |
| | | 5 | 0 | | 5 | 0 | | 5 | 0 |
| | | 6 | 0 | | 6 | 0 | | 6 | 1 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | <i>Total Schools Requiring</i> | | | 20 | | | | | |
| | | | | | | | Grand Total | 33 | |
| Civil Procedure | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 0 | | 2 | 0 | | 2 | 0 |
| | | 3 | 5 | | 3 | 0 | | 3 | 1 |
| | | 4 | 0 | | 4 | 0 | | 4 | 1 |
| | | 5 | 0 | | 5 | 0 | | 5 | 0 |
| | | 6 | 0 | | 6 | 0 | | 6 | 0 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | | | | 5 | | | | | |
| | | | | | | | Grand Total | 7 | |
| Clinic | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 0 | | 2 | 0 | | 2 | 0 |
| | | 3 | 0 | | 3 | 0 | | 3 | 0 |
| | | 4 | 0 | | 4 | 1 | | 4 | 0 |
| | | 5 | 0 | | 5 | 0 | | 5 | 1 |
| | | 6 | 0 | | 6 | 1 | | 6 | 1 |
| | | >6 | 0 | | >6 | 1 | | >6 | 1 |
| | | | | 0 | | | | | |
| | | | | | | | Grand Total | 6 | |
| Commercial Law | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 1 |
| | | 2 | 0 | | 2 | 0 | | 2 | 0 |
| | | 3 | 2 | | 3 | 1 | | 3 | 7 |
| | | 4 | 1 | | 4 | 0 | | 4 | 3 |
| | | 5 | 0 | | 5 | 0 | | 5 | 0 |
| | | 6 | 0 | | 6 | 1 | | 6 | 0 |
| | | >6 | 0 | | >6 | 0 | | >6 | 1 |
| | | | | 3 | | | | | |
| | | | | | | | Grand Total | 17 | |
| Constitutional Law | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 2 | | 2 | 0 | | 2 | 0 |
| | | 3 | 17 | | 3 | 0 | | 3 | 14 |
| | | 4 | 16 | | 4 | 0 | | 4 | 5 |
| | | 5 | 4 | | 5 | 0 | | 5 | 3 |
| | | 6 | 14 | | 6 | 0 | | 6 | 4 |
| | | >6 | 0 | | >6 | 0 | | >6 | 1 |
| | | | | 53 | | | | | |
| | | | | | | | Grand Total | 80 | |
| Criminal Law or Criminal Procedure | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 1 | | 2 | 0 | | 2 | 0 |
| | | 3 | 11 | | 3 | 0 | | 3 | 11 |
| | | 4 | 0 | | 4 | 0 | | 4 | 0 |
| | | 5 | 0 | | 5 | 0 | | 5 | 0 |
| | | 6 | 2 | | 6 | 0 | | 6 | 1 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | | | | 14 | | | | | |
| | | | | | | | Grand Total | 26 | |

Upper Division Courses for Graduation with Credit Hours and When Completed

| | YR | Credits | # of Schools | YR | Credits | # of Schools | YR | Credits | # of Schools |
|------------------------------------|-----|---------|--------------|-----|---------|--------------------|-------------------|------------|--------------|
| Evidence | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 0 | | 2 | 0 | | 2 | 1 |
| | | 3 | 20 | | 3 | 0 | | 3 | 8 |
| | | 4 | 17 | | 4 | 0 | | 4 | 23 |
| | | 5 | 1 | | 5 | 0 | | 5 | 0 |
| | | 6 | 0 | | 6 | 1 | | 6 | 0 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | | | 38 | | 1 | | 32 | | 71 |
| | | | | | | Grand Total | | 71 | |
| Federal Taxation | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 1 |
| | | 2 | 0 | | 2 | 0 | | 2 | 0 |
| | | 3 | 12 | | 3 | 1 | | 3 | 4 |
| | | 4 | 4 | | 4 | 0 | | 4 | 4 |
| | | 5 | 0 | | 5 | 0 | | 5 | 0 |
| | | 6 | 0 | | 6 | 0 | | 6 | 0 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | | | 16 | | 1 | | 9 | | 26 |
| | | | | | | Grand Total | | 26 | |
| Professional Responsibility | 2nd | <2 | 0 | 3rd | <2 | 1 | Before Graduation | <2 | 7 |
| | | 2 | 13 | | 2 | 2 | | 2 | 45 |
| | | 3 | 15 | | 3 | 3 | | 3 | 54 |
| | | 4 | 0 | | 4 | 0 | | 4 | 1 |
| | | 5 | 1 | | 5 | 0 | | 5 | 0 |
| | | 6 | 0 | | 6 | 0 | | 6 | 0 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | | | 29 | | 6 | | 107 | | 142 |
| | | | | | | Grand Total | | 142 | |
| Property | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 1 | | 2 | 0 | | 2 | 0 |
| | | 3 | 2 | | 3 | 0 | | 3 | 0 |
| | | 4 | 2 | | 4 | 0 | | 4 | 0 |
| | | 5 | 1 | | 5 | 0 | | 5 | 0 |
| | | 6 | 2 | | 6 | 0 | | 6 | 0 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | | | 8 | | 0 | | 0 | | 8 |
| | | | | | | Grand Total | | 8 | |
| Trial Practice | 2nd | <2 | 0 | 3rd | <2 | 1 | Before Graduation | <2 | 0 |
| | | 2 | 2 | | 2 | 0 | | 2 | 1 |
| | | 3 | 3 | | 3 | 0 | | 3 | 1 |
| | | 4 | 1 | | 4 | 0 | | 4 | 1 |
| | | 5 | 0 | | 5 | 0 | | 5 | 0 |
| | | 6 | 1 | | 6 | 0 | | 6 | 0 |
| | | >6 | 0 | | >6 | 1 | | >6 | 0 |
| | | | 7 | | 2 | | 3 | | 12 |
| | | | | | | Grand Total | | 12 | |
| Trusts and Estates | 2nd | <2 | 0 | 3rd | <2 | 0 | Before Graduation | <2 | 0 |
| | | 2 | 0 | | 2 | 0 | | 2 | 0 |
| | | 3 | 4 | | 3 | 1 | | 3 | 6 |
| | | 4 | 2 | | 4 | 2 | | 4 | 5 |
| | | 5 | 5 | | 5 | 0 | | 5 | 0 |
| | | 6 | 0 | | 6 | 0 | | 6 | 0 |
| | | >6 | 0 | | >6 | 0 | | >6 | 0 |
| | | | 11 | | 3 | | 11 | | 25 |
| | | | | | | Grand Total | | 25 | |



**Defending Liberty
Pursuing Justice**

American Bar Association
Section of Legal Education and Admissions to the Bar
321 N. Clark Street
Chicago, IL. 60610