CONTENTS

STANDARDS for the Approval of Law Schools

Foreword .................................................. v
Chapter I General Purposes and Procedures:
  Definitions ............................................. 1
Chapter II Organization and Administration ........ 3
Chapter III Educational Program ..................... 7
Chapter IV Faculty ........................................ 11
Chapter V Admissions ................................. 14
Chapter VI Library ....................................... 17
Chapter VII Physical Plant ......................... 20
Chapter VIII Authority ............................. 22
Chapter IX Adoption and Amendment ............. 24
Annex I Principles of Academic Freedom
  and Tenure .......................................... 26
Annex II Library Schedule A ....................... 30
Annex III Library Schedule B ..................... 33

RULES of Procedure for the Approval of Law Schools

Rule I Accreditation Committee .................... 34
Rule II Procedure for Securing Approval .......... 36
Rule III Procedure for Assuring Continued
  Compliance .......................................... 41
Rule IV Removal from List of Approved
  Schools—Provisional, Full ....................... 43
Rule V Changes in Structure or Operation ....... 46
Rule VI Appeal .......................................... 47
Rule VII Reinstatement .............................. 47
Rule VIII List of Approved and
  Unapproved Schools .............................. 47
FOREWORD

From its inception the American Bar Association has been devoted to the improvement of the legal profession through the improvement of the pre-legal and legal education of those who apply for admission to the Bar.¹ This objective is clearly stated in the By-laws of the Section of Legal Education and Admissions to the Bar² of the American Bar Association:

Article 1—Section 3. Purposes. The purposes of the Section shall be to consider, discuss, recommend to the Association, and effectuate measures for the improvement of the systems of pre-legal and legal education in the United States; methods for inculcating in law students the sincere regard for the ethics and morals of the profession necessary to its high calling; and means for the establishment and maintenance in the several states of adequate and proper standards of general education, legal training, and moral character of applicants for admission to the Bar, including the manner of testing their qualifications.

The By-laws of the Section of Legal Education and Admissions to the Bar, in Article 1 Section 4, empower the Section, through its Council, subject to the approval of the House of Delegates:

(b) To recommend to the House of Delegates uniform standards and requirements to be met by law schools for approval, or retention of approval, either provisional or full, by the Association:

² As approved by the House of Delegates of the ABA, Feb. 1961.
Foreword

(c) To establish procedures and requirements to be met and observed by law schools in obtaining and retaining the approval of the Association; to receive and process applications of law schools for approval; and to make recommendations thereon to the House of Delegates:

(d) To prescribe procedures for changing the status of a law school from provisional to full approval, or from full to provisional approval, or for withdrawal of either provisional or full approval from law schools:

(e) To establish conditions and procedures for the inspection and re-inspection of the approved law schools, with power in the Council to make the same at the expense of the school or schools in question;

(f) To observe and determine the adherence of the approved law schools to the Standards for Legal Education of the Association, and, after investigation and hearing, and upon a finding of non-adherence in a given school, to recommend to the House of Delegates a change in the approval status of the said law school.

All of the standards, requirements and procedures recommended by the Section and approved by the House of Delegates are printed and distributed to law schools, universities, libraries, boards of bar examiners, professional groups or associations, and others concerned with legal education.

Pursuant to these objectives and powers, the Section of Legal Education and Admissions to the Bar prepared the following Standards and Rules of Procedure for the Approval of Law Schools. A first draft was distributed for comment on December 8, 1971, to the chief appellate judge of each state, the bar examiners of all jurisdictions, the deans of all ABA approved law schools, and the members of the Section. In addition, the deans of over 100 law
schools discussed the draft at a meeting with the Section Council and the drafting committee held February 4, 1972. A second draft was prepared and circulated on April 10, 1972. Hearings were held in San Francisco on May 8, and in Chicago on May 13, 1972. Nearly 100 practitioners, judges, teachers and deans participated in the hearings. Thereafter, a final draft was prepared and adopted by the Section at its annual meeting on August 15, 1972. The House of Delegates approved and adopted the Standards and Rules of Procedure on February 12, 1973.

The Standards recognize the diversity in quality legal education and represent an important step in advancing the cause of quality legal education and the American Bar Association's concern therefor.

The Rules of Procedure were prepared to implement the Standards and also were drafted to conform to the Criteria for Nationally Recognized Accrediting Agencies and Associations promulgated by the Office of Education, Department of Health, Education and Welfare.

The Standards were amended by the House of Delegates in August, 1974 [Standard 302 (a)(iii)], in August, 1975 [Standard 902 (a)], in August, 1976 [addition of Standard 308] and in February, 1977 [Standards 601, 602, 603, 604, 605, 704 and 705]. The Rules of Procedure were rewritten and so adopted in February, 1975, with further amendments adopted in February, 1977. This pamphlet contains all amendments through February, 1977.
The American Bar Association is vitally and actively interested in ways and means of bringing about the improvement of the legal profession. These Standards for the Approval of Law Schools by the American Bar Association are promulgated in pursuance of that objective.

The American Bar Association believes that every candidate for admission to the bar should have graduated from a law school approved by the American Bar Association, that graduation from a law school should not alone confer the right of admission to the bar, and that every candidate for admission should be examined by public authority to determine his fitness for admission.

In order to obtain or retain approval by the American Bar Association, a law school must demonstrate that its program is consistent with sound educational policies. It shall do so by establishing that it is being operated in accordance with the Standards.

The authority to grant and to withdraw approval is vested in the House of Delegates.

(a) A law school will be granted provisional approval when it establishes that it substantially complies with the Standards and gives assurance that it will be in full compliance with the Standards within three years after receiving provisional approval.

(b) A law school will be granted full approval when it establishes that it is in full compliance with the Standards and it has been provisionally approved for at least two years.

(c) A law school that is provisionally approved may have this approval withdrawn if it is determined that
Approval of Law Schools

it is not substantially complying with the Standards, or if more than five years have elapsed since the law school was provisionally approved and it has not qualified for full approval and the Council has not extended the time within which full approval must be obtained.

(d) If it is determined that an approved school is no longer complying with the Standards its approval may be withdrawn. However, if the school gives assurance that the deficiencies will be corrected within a reasonable time, as fixed by the Council, the school may remain an approved school.

(e) The students at provisionally approved law schools and persons who graduate while a school is provisionally approved are entitled to the same recognition accorded to students and graduates of fully approved law schools.

(f) A person who matriculates at a law school that is then approved and who completes the course of study and graduates in the normal period of time required therefor, shall be deemed a graduate of an approved school, even though the school's approval was withdrawn while he was enrolled therein.

An approved school should seek to exceed the minimum requirements of the Standards.

As used in the Standards:

(a) "House" or "House of Delegates" means the House of Delegates of the American Bar Association.

(b) "Section" means the Section of Legal Education and Admissions to the Bar of the American Bar Association.

(c) "Council" means the Council of the Section.

(d) "First professional law degree" means the degree granted by the law school upon the satisfactory completion of an educational program that meets the requirements of Chapter III.

(e) "Governing Board" means the Board of Trustees or comparable body having the ultimate policy-making authority for the law school or the university of which it is a part.
ORGANIZATION AND ADMINISTRATION

201 The law school shall have the resources necessary to provide a sound legal education and accomplish the objectives of its educational program, and shall be so organized and administered as to utilize fully those resources for those purposes.

202 The law school shall be organized as a non-profit educational institution and may not be operated for private profit.

203 The law school shall be governed by a Board whose members are dedicated to the maintenance of a sound educational institution, possess the capability of participating in the formulation and development of such an institution, and have no financial interest in the operation of the law school.

204 The Governing Board may establish general policies for the law school, provided they are consistent with a sound educational program and the Standards.

205 Within those general policies, the dean and faculty of the law school shall have the responsibility for formulating and administering the program of the school, including such matters as faculty selection, retention, promotion and tenure; curriculum; methods of instruction; admission policies; and academic standards for retention, advancement, and graduation of students.

206 The dean and faculty of the law school shall have the opportunity to present their recommendations on budgetary matters before the budget for the law school is submitted to the Governing Board.

207 The allocation of authority between the dean and the faculty is a matter for determination by each institution.

208 The law school may involve a Committee of Visitors
Approval of Law Schools

or current students, or both, in a participatory or advisory capacity. The dean and faculty shall retain control over matters that are entrusted to them under the Standards.

The present and anticipated financial resources of the law school shall be adequate to sustain a sound educational program.

(a) If tuition is a substantial source of the law school’s income, the school is faced with a potential conflict of interest whenever the exercise of sound judgment in the application of admission policies or academic standards and retention policies might reduce enrollment below the level necessary to support its program. The law school shall not permit financial considerations detrimentally to affect those policies and their administration.

(b) The law school may not base the compensation paid any person for service to the law school (other than compensation paid a student or associate for reading and correcting papers or similar activity) on the number of persons enrolled in the law school or in any class or on the number of persons applying for admission to or registering in the law school.

Affiliation between a law school and a University is desirable, but is not required for approval. If the law school is affiliated with or a part of a University, that relationship shall serve to enhance the program of the law school. If the law school is an independent institution, it shall endeavor to secure the advantages that would normally result from being part of a University.

(a) A University affiliation permits an educational program that extends beyond the traditional law school curriculum, the development of academic programs that involve other disciplines, and enables law students and faculty to enjoy the advantages of the University library and other facilities and to participate in the academic life of the University community.

(b) If a law school is separate, either because it is unaffiliated with a University, or although affiliated,
is so located as to be physically remote from the rest of the University, it should take appropriate measures to supply the advantages of University affiliation, for example, by providing a more extensive library, particularly on non-legal subjects, and by developing a working relationship with other institutions of higher learning in the community.

(c) If the University’s general policies relating to rank, advancement, tenure, and compensation do not provide adequately for the recruitment and retention of a qualified law faculty, separate policies should be established for the law school.

211 The law school shall maintain equality of opportunity in legal education without discrimination or segregation on the ground of race, color, religion, national origin, or sex.

(a) The denial by a law school of admission to a qualified applicant will be treated as made upon the ground of race, color, religion, national origin, or sex if the ground of denial relied upon is

   (i) a state constitutional provision or statute that purports to forbid the admission of applicants to a school on the ground of race, color, religion, national origin, or sex; or

   (ii) an admissions qualification of the school that is intended to prevent the admission of applicants on the ground of race, color, religion, national origin, or sex though not purporting to do so.

(b) The denial by a law school of employment to a qualified individual will be treated as made upon the ground of race, color, religion, national origin, or sex if the ground of denial relied upon is an employment policy of the school which is intended to prevent the employment of individuals on the ground of race, color, religion, national origin, or sex though not purporting to do so.

(c) Equality of opportunity in legal education includes equal opportunity to obtain employment. Each school should communicate to every employer to whom it furnishes assistance and facilities for
Approval of Law Schools

interviewing and other placement functions the
school's firm expectation that the employer will
observe the principle of equal opportunity and will
avoid objectionable practices such as

(i) refusing to hire or promote members of the
groups protected by this policy because of the prej-
udices of clients or of professional or official as-
sociates;

(ii) applying standards in the hiring and promoting
of such individuals that are higher than those ap-
plied otherwise;

(iii) maintaining a starting or promotional salary
scale as to such individuals that is lower than is
applied otherwise; and

(iv) disregarding personal capabilities by assign-
ing, in a predetermined or mechanical manner,
such individuals to certain kinds of work or depart-
ments.
EDUCATIONAL PROGRAM

301 (a) The law school shall maintain an educational program that is designed to qualify its graduates for admission to the bar.

(b) A law school may offer an educational program designed to emphasize some aspects of the law or the legal profession and give less attention to others. If a school offers such a program, that program and its objectives shall be clearly stated in its publications, where appropriate.

(c) The educational program of the school shall be designed to prepare the students to deal with recognized problems of the present and anticipated problems of the future.

302 (a) The law school shall offer:

(i) instruction in those subjects generally regarded as the core of the law school curriculum,

(ii) training in professional skills, such as counseling, the drafting of legal documents and materials, and trial and appellate advocacy,

(iii) and shall provide and require for all student candidates for a professional degree, instruction in the duties and responsibilities of the legal profession. Such required instruction need not be limited to any pedagogical method as long as the history, goals, structure and responsibilities of the legal profession and its members, including the ABA Code of Professional Responsibility, are all covered. Each law school is encouraged to involve members of the bench and bar in such instruction.

(b) The law school may not offer to its students, for academic credit or as a condition to graduation, instruction that is designed as a bar examination review course.
Approval of Law Schools

(a) The educational program of the law school should provide for:

(i) study in seminars or by directed research,
(ii) small classes for at least some portion of the total instructional program.

(b) The law school may not allow credit for study by correspondence.

(a) The law school shall maintain and adhere to sound standards of legal scholarship, including clearly defined standards for good standing, advancement, and graduation.

(b) The scholastic achievement of students shall be evaluated from the inception of their studies. As part of the testing of scholastic achievement, a written examination of suitable length and complexity shall be required in every course for which credit is given, except clinical work, courses involving extensive written work such as moot court, practice court, legal writing and drafting, and seminars and individual research projects.

(c) A law school shall not, either by initial admission or subsequent retention, enroll or continue a person whose inability to do satisfactory work is sufficiently manifest that his continuation in school would inculcate false hopes, constitute economic exploitation, or deleteriously affect the education of other students.

(a) Subject to the qualifications and exceptions contained in this Chapter, the law school shall require, as a condition for graduation, the completion of a course of study in residence of not less than 1200 class hours, extending over a period of not less than ninety weeks for full-time students, or not less than one hundred and twenty weeks for part-time students.

(i) "In residence" means attendance at classes in the law school.

(ii) "Class hours" means time spent in regularly scheduled class sessions in the law school, including time allotted for final examinations, not exceeding ten percent of the total number of class session hours.
(iii) "Full-time student" means a student who devotes substantially all of his working hours to the study of law.

(b) To receive residence credit for an academic period, a full-time student must be enrolled in a schedule requiring a minimum of ten class hours a week and must receive credit for at least nine class hours and a part-time student must be enrolled in a schedule requiring a minimum of eight class hours a week and must receive credit for at least eight class hours. If a student is not enrolled in or fails to receive credit for the minimum number of hours specified in this subsection, he may receive residence credit only in the ratio that the hours enrolled in or in which credit was received, as the case may be, bear to the minimum specified.

(c) Regular and punctual class attendance is necessary to satisfy residence and class hours requirements.

306 If the law school has a program that permits or requires student participation in studies or activities away from the law school or in a format that does not involve attendance at regularly scheduled class sessions, the time spent in such studies or activities may be included as satisfying the residence and class hours requirements, provided the conditions of this section are satisfied.

(a) The residence and class hours credit allowed must be commensurate with the time and effort expended by and the educational benefits to the participating student.

(b) The studies or activities must be approved in advance, in accordance with the school's established procedures for curriculum approval and determination.

(c) Each such study or activity, and the participation of each student therein, must be conducted or periodically reviewed by a member of the faculty to insure that in its actual operation it is achieving its educational objectives and that the credit allowed therefore is, in fact, commensurate with the time and
Approval of Law Schools

effort expended by, and the educational benefits to, the participating student.

(d) At least 900 hours of the total time credited towards satisfying the “in residence” and “class hours” requirements of this Chapter shall be in actual attendance in regularly scheduled class sessions in the law school conferring the degree, or, in the case of a student receiving credit for studies at another law school, at the law school at which the credit was earned.

307 Upon request, the Council may authorize a fully approved law school to establish a course of study leading to a degree other than the first professional law degree. Programs in addition to the first professional law degree may not detract from the law school’s ability to maintain a sound educational program leading to that degree. A law school shall not undertake a program in addition to the first professional law degree unless the quality of its program leading to the first professional law degree exceeds the requirements of the Standards.

308 The law school may admit with advanced standing and allow credit for studies at a law school outside the United States if the studies

(i) either were “in residence” as provided in Section 305, or qualify for credit under Section 306, and

(ii) the content of the studies was such that credit therefor would have been allowed towards satisfaction of degree requirements at the admitting school, and

(iii) the admitting school is satisfied that the quality of the educational program at the prior school was at least equal to that required for an approved school.

The maximum advanced standing and credit allowed may not exceed one-third of the total required by these Standards for the first professional degree.
The members of the faculty shall possess a high degree of competence, as demonstrated by education, classroom teaching ability, experience in teaching or practice, and scholarly research and writing.

(a) The law school shall have not fewer than six full-time faculty members, in addition to a full-time dean and a law librarian. It shall have such additional members as are necessary to fulfill the requirements of this Chapter and the needs for its educational program, with due consideration for

(i) the size of the student body and the opportunity for students to meet with and consult faculty members on an individual basis,

(ii) the nature and scope of the educational program, and

(iii) adequate opportunity for effective participation by the faculty in the governance of the law school.

(b) A full-time faculty member is one who during the academic year devotes substantially all his working time to teaching and legal scholarship, has no outside office or business activities and whose outside professional activities, if any, are limited to those which relate to his major academic interests or enrich his capacity as scholar and teacher, or are of service to the public generally, and do not unduly interfere with his responsibilities as a faculty member.

The major burden of the educational program and the major responsibility for faculty participation in the governance of the law school rests upon the full-time faculty members.

(a) Students shall receive substantially all of their instruction in the first year of the full-time curriculum or the first two years of the part-time curriculum, and a major proportion of their total instruction from full-time faculty members.
Approval of Law Schools

(b) The proper use of qualified practicing lawyers and judges as part-time faculty members is an appropriate means of enriching the educational program.

(a) To the extent that a faculty member is teaching only regularly scheduled class sessions over fixed periods of time, he shall not teach more than

(i) an average of eight scheduled class hours per week, counting repetitions during the same academic period as one-half for this purpose, or

(ii) an average of ten scheduled class hours per week, counting repetitions during the same academic period at full value.

(b) To the extent that a faculty member's teaching assignment is not limited to regularly scheduled class sessions over fixed periods of time, his total teaching responsibilities may not exceed a maximum comparable to that set forth in subsection (a).

(c) If the institutional responsibilities of a full-time faculty member include extensive participation in activities of the academic community, research, or public service, the maximum assignments permitted by this section shall be correspondingly adjusted.

The law school shall establish and maintain conditions adequate to attract and retain a competent faculty.

(a) The compensation paid faculty members should be sufficient to attract and retain persons of high ability and should be reasonably related to the prevailing compensation of comparably qualified private practitioners and government attorneys and of the judiciary. The compensation paid faculty members at a school seeking approval should be comparable with that paid faculty members at similar approved law schools in the same general geographical area.

(b) The law school shall afford faculty members reasonable opportunity for leaves of absence and for scholarly research.

(c) The law school shall afford faculty members reasonable secretarial and clerical assistance.
(d) The law school shall have an established and announced policy with respect to academic freedom and tenure of which Annex I herein is an example but is not obligatory.
ADMISSIONS

501 The admission policies of the law school shall be consistent with the objectives of its educational program and the resources available for implementing those objectives. The school may not admit applicants who do not appear capable of satisfactorily completing that program.

502 (a) The educational requirement for admission as a degree candidate is either a bachelor's degree from a qualified institution, or successful completion of three-fourths of the work acceptable for a bachelor's degree at a qualified institution. In the latter case, not more than ten percent of the credits necessary for admission may be in courses without substantial intellectual content, and the pre-legal average on all subjects undertaken and, in addition, on all courses with substantial intellectual content, whether passed or failed, must at least equal that required for graduation from the institution attended.

(b) A qualified institution is one that is accredited by or is a member of North Central Association of Colleges and Secondary Schools, New England Association of Schools and Colleges, Middle States Association of Colleges and Secondary Schools, Southern Association of Colleges and Schools, Northwest Association of Secondary and Higher Schools, Western Association of Schools and Colleges, or the Department of Education of the State of New York.

(c) In exceptional cases, applicants not possessing the educational requirements of subsection (a) may be admitted as degree candidates upon a clear showing of ability and aptitude for law study. The admitting officer shall sign and place in the admittee's file a statement of the considerations that led to the decision to admit the applicant.

503 All applicants, except those physically incapable of taking it, should be required to take an acceptable
test for the purpose of determining apparent aptitude for law study. A law school that is not using the Law School Admission Test administered by Educational Testing Service should establish that it is using an acceptable test.

504 The law school shall advise each applicant that he should inform himself of the character and other qualifications for admission to the bar in the state in which he intends to practice. The law school may, to the extent it deems appropriate, adopt such tests, questionnaires, or required references as the proper admission authorities may find useful and relevant, in determining the character and fitness of the applicants to the law school. If the law school considers an applicant’s character qualifications, it shall exercise care that the consideration is not used as a reason to deny admission to a qualified applicant because his political, social, or economic views might be considered as unorthodox.

505 Admission or re-admission may be granted a law student who has been previously disqualified for academic reasons, upon an affirmative showing that he possesses the requisite ability and that his prior disqualification does not indicate a lack of capacity to complete his studies at the admitting school. In the case of an admission to another law school this showing shall normally be made by letters from the dean or faculty of the school previously attended. A previously disqualified student may also be admitted when two or more years have elapsed since his disqualification and the nature of his work, activity, or studies during the interim indicate a stronger potential for law study. In each case the admitting officer shall sign and place in the admittee’s file a statement of the considerations that led to the decision to admit or readmit the applicant.

506 Pursuant to an established policy, the law school, without requiring compliance with its admission standards and procedures, may permit the enrollment in a particular course or limited number of courses, as auditors, non-degree candidates, or candidates for a degree other than a law degree, of:
Approval of Law Schools

(i) students enrolled in other colleges or universities or in other departments of the university of which the law school is a part, and

(iii) members of the bar, graduates of other approved law schools, and other persons satisfying the requirements for admission set forth in section 502.
The law school shall maintain and administer a library adequate for its program.

(a) In order to inform applicants for accreditation of procedures and important facets of law library operations relating to adequacy, the Consultant may prepare appropriate memoranda.

(b) The Dean and the Law Librarian shall maintain a current written plan for implementation of law library support for the law school program as developed in its self-study.

(a) The law school library shall contain:

(i) all publications listed in Library Schedule A, attached as Annex II,

(ii) those other materials that are reasonably necessary for the proper conduct of its educational program,

(iii) all publications listed on Library Schedule B, attached as Annex III, except those that are readily accessible to and available for use by students and faculty in another library facility. All arrangements for such sharing of collections shall be adequate to insure ease of access and availability of the materials when and where needed.

(b) The Council is delegated the authority to revise the Library Schedules from time to time.

(a) All materials necessary to the program of the law school shall be current with respect to continuations, supplements, and replacements.

(b) All sets of materials necessary to the program of the law school shall be complete and unbroken except when early volumes of a set are either unavailable or are available only at an excessive price. A set is not complete unless it includes all supporting materials, including indices, desk books, digests, finding tools,
and citators published as a part of the set or generally available for use with the set.

(c) All periodical and other materials of long-term value shall be permanently bound as soon as practicable after their receipt. A reasonable binding program shall be required in order to keep materials in usable condition.

(d) If the library contains any materials in microform, tape, or similar form, it shall provide the necessary viewing and listening equipment in an area suitable for its use. If items in Schedule A are held exclusively in microform, adequate equipment shall be provided to make hard-copy printouts readily available.

(e) The library shall contain additional sets of more commonly used materials whenever necessary for efficient use by the faculty and students.

(f) The library shall be kept current with respect to new publications and new forms of publications.

(g) For purposes of this Section, all items in Library Schedules A and B shall be among those deemed necessary to the program of the law school.

The law school library must be a responsive and active force within the educational life of the law school. Its effective support of the school’s teaching and research programs requires a direct, continuing and informed relationship with the faculty and administration of the law school. The law school library shall have sufficient administrative autonomy to direct its growth, development and utilization to afford the best possible service to the law school.

(a) The dean, law librarian, and faculty of the law school shall be responsible for determining library policy, including the selection and retention of personnel, the selection of acquisitions, arrangement of materials and provision of reader services.

(b) The budget for the law library shall be determined as part of, and administered in the same manner as, the law school budget.

(c) The selection and retention of the law librarian shall be by the dean and faculty of the law school.
The law library shall be administered by a full-time law librarian whose principal activities are the development and maintenance of the library and the furnishing of library assistance to faculty and students, and may include teaching courses in the law school.

(a) The law librarian should have a degree in law or library science and shall have a sound knowledge of library administration and of the particular problems of a law library.

(b) The law library shall have a competent staff, adequate to maintain library services, under the supervision of the law librarian.
PHYSICAL PLANT

701 The law school shall have a physical plant that is adequate both for its current program and for such growth in enrollment or program as should be anticipated in the immediate future.

702 There shall be adequate classrooms and seminar rooms to permit reasonable scheduling of all courses and there shall be such additional rooms as may be necessary adequately to provide for all other aspects of the law school's program.

(a) The physical facilities shall be under the exclusive control and reserved for the exclusive use of the law school. If the facilities are not under the exclusive control of the law school or are not reserved for its exclusive use, then the arrangements must permit proper scheduling of all law classes and other law school activities.

(b) Adequate provision should be made for the conduct of moot court programs, both at the trial and appellate level, either by a separate courtroom, or one or more classrooms that can readily be adapted to such a program, or by reasonably available public courtroom facilities.

703 Each full-time member of the faculty shall have a private office. In addition, suitable office space shall be provided for the use of part-time faculty members.

704 Space for study purposes shall be provided in the law school library that is sufficient to accommodate at least the following percentage of the total enrollment: if the school is exclusively a day school, 50 percent; if the school is exclusively an evening school, 35 percent; if the school has both day and evening divisions, 50 percent of whichever division is the larger. In addition to the regular study area, there shall be one or more suitable conference rooms under the control of the law school library in which students may gather in small groups for discussion.
There shall be adequate areas for secretarial, administrative and library personnel and for the maintenance of all necessary records. These areas shall be in close proximity to the persons, offices and library functions served thereby.
AUTHORITY

801 Consistent with the Standards, the Council shall have authority to:
   (i) interpret the Standards,
   (ii) adopt rules implementing the Standards,
   (iii) adopt procedural rules for the initial application by and approval of law schools and for the reinspection of approved schools, provided that until procedural rules are so adopted, the procedural rules in effect on the adoption of the Standards apply, and
   (iv) amend any rules from time to time.

All interpretations and rules shall be published and shall be available to all interested persons.

802 A law school that proposes to offer a program of legal education that is contrary to the terms of the Standards may apply to the Council for a variance. The variance may be granted if the Council finds that the proposal is consistent with the general purposes of the Standards. The Council may impose such conditions or qualifications as it deems appropriate.

803 The Council shall have the authority to consider any request for provisional or full approval. If the Council's decision is that approval should be granted, it shall so recommend to the House. If the Council's decision is that approval should not be granted, its action shall be communicated to the school which then has the right of appeal provided for in Article 5, Section 5.2 of the Constitution of the American Bar Association.

804 The House of Delegates will not act on any request for the withdrawal of approval until it has first received the advice and recommendations of the Council.

805 The Council shall, from time to time, publish the
names of those law schools which have been approved and those schools which have not been approved and shall make these publications available to interested persons.
ADOPTION AND AMENDMENT

901 (a) These Standards become effective upon their adoption by the House of Delegates. The Standards for Legal Education and the Factors Bearing on the Approval of Law Schools by the American Bar Association, heretofore in effect, are repealed.

(b) For a period of two years after these Standards become effective a law school that was provisionally or fully approved at the time these Standards became effective will not have its approval withdrawn if it either continues to be in compliance with the Standards heretofore in effect or complies with these Standards.

(c) Two years after these Standards become effective, all approved law schools must comply with them.

(d) After these Standards become effective, an un-approved law school will not be granted a provisional approval and a provisionally approved law school will not be granted a full approval unless it complies with these Standards.

902 (a) The power to approve an amendment of the Standards is vested in the House of Delegates, but the House of Delegates will not act on any amendment until the Council, the Section, and the Board of Governors have been given a reasonable opportunity to consider the proposed amendment and report thereon to the House of Delegates.

(b) A member of the Section of Legal Education and Admissions to the Bar may propose an amendment of these Standards by submitting the proposed amendment and a statement of its purposes to the Secretary of the Section, who shall transmit the proposed amendment and the statement of purposes to the members of the Council. The Council shall consider such a proposed amendment at the next Council
meeting held 30 or more days thereafter and may consider any other proposed amendment. By majority vote the Council shall submit to the Section at the annual meeting such proposed amendments of the Standards as it deems appropriate. If an amendment proposed by a member as described above is not submitted favorably by the Council to the Section, the amendment shall be submitted to the Section at the next following annual meeting if a petition signed by 100 or more Section members requesting its submission is filed with the Secretary at least 30 days prior to the annual meeting at which the amendment is to be submitted to the Section. The Section may consider only those amendments of the Standards that are submitted to it by the procedures described above. If a majority of the members of the Section present at an annual meeting and voting approve, the amendment is adopted. The amendment becomes effective when it is approved by the House of Delegates after a report by the Board of Governors.
PRINCIPLES OF ACADEMIC FREEDOM AND TENURE

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

"The text of the statement follows the "1940 Statement of Principles on Academic Freedom and Tenure" of the American Association of University Professors."
Academic Freedom

The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence, he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman.

Academic Tenure

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

1. The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.
Approval of Law Schools

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

(1) The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

(2) Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person’s total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.

(3) During the probationary period a teacher should have the academic freedom that all other members of the faculty have.

(4) Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges against him and should have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He should be permitted to have with him an adviser of his own choosing who may act as counsel. There should be a
full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from his own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

(5) Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.
Annex II

LIBRARY SCHEDULE A

I. National Materials—General
   American Digest System
   Corpus Juris and Corpus Juris Secundum and
   American Jurisprudence, Second
   Shepard's Citations, U.S. and Federal
   Words and Phrases
   ALR Complete
   Restatements
   Uniform Laws Annotated, Master Edition

II. Federal Materials
   U.S. Reports, Supreme Court Reporter, United
   States Supreme Court Reports, Lawyers
   Edition
   Federal Reporter Complete
   Federal Supplement
   Federal Rules Decisions
   Tax Court Reports
   Federal Digest and Modern Federal Practice
   Digest and Federal Practice Digest, Second
   Statutes at Large, current from 1950
   U.S. Code, any annotated edition, with supple-
   mental service from 1950
   Code of Federal Regulations
   Administrative Agency Reports for at least those
   agencies whose work is relevant to courses in
   the school
   Attorney General Opinions

III. State in Which the School is Located
   Official State reports of the State and, for any
   period during which official reports were not
   published, one additional copy of the National
   Reporter System units containing the reports
   of that State.
Specialized reports whose subject matter is particularly relevant to the educational program of the law school.
Session law, complete
Latest code or other statutory compilation with the session law service, if any
Earlier state codes, if available
Attorney General Opinions
Administrative code or similar publication, if any
Local digests and encyclopedias, if any
Form and practice books
CLE materials
Shepard’s Citations

IV. Additional Materials
National Reporter System, complete
Shepard’s regional reporter citations
Reporters prior to the National Reporter System for 20 selected states whose case law is significant in the educational program of the school

V. Specialized reports whose subject matter is particularly relevant to the educational program of the law school

VI. Texts, Treatises, Loose-leaf Services
Generally recognized texts and treatises and loose-leaf services for subjects relevant to the educational program of the law school

VII. Reviews and Journals
Publications of the State Bar Association (or Associations) and continuing legal education programs conducted in the State
The American Bar Association Journal, complete, and the publications of the ABA sections, exclusive of newsletters, current from the date of application for approval
Publications of the American Bar Foundation, current from the date of application for approval
Approval of Law Schools

All publications by approved law schools in the State, complete
An additional twenty publications of recognized national significance, complete from at least 1950
Specialized journals whose subject matter is particularly relevant to the educational program of the school
Index to Legal Periodicals
Legal Newspaper, if published in the area
Annex III

LIBRARY SCHEDULE B

Federal Materials
Federal Cases
Board of Tax Appeals
Federal Register

Other States
Statutes, in current compilation, of those states whose statutory law is significant in the educational program of the school

English
All England Selected Reprints and All England Reports or Law Reports Complete
Halsbury's Laws of England
Halsbury's Statutes of England
English and Empire Digest
RULES OF PROCEDURE FOR THE APPROVAL OF LAW SCHOOLS

Rule I.

Accreditation Committee

(1) The Council may appoint an Accreditation Committee, and delegate to this committee, or to a subcommittee designated by the Chairperson of this Committee, tasks in connection with the inspection and approval of law schools, and the removal of law schools from the list of approved schools, subject to these Rules of Procedure.

(2) The Accreditation Committee will act on all matters relating to accreditation. A summary of the Accreditation Committee resolutions and determinations and a copy of each of the reports and of the material relevant to the accreditation matters to be considered at the next Council meeting, together with a brief description of the significant issues involved, will be sent to each of the Council members approximately two weeks prior to the Council meeting. The Chairman of the Accreditation Committee and the Consultant will be present at all Council meetings.

(3) The Council will consider the following matters:
   (a) Determinations approving or denying provisional or full approval;
   (b) Determinations of Hearing Commissioners recommending removal of approval.
In addition, the Council may, in its discretion, consider any other accreditation matters.

(4) In acting on resolutions recommended by the Accreditation Committee, the Council will not consider material which was not presented to the Accreditation Committee unless a majority of the members of the Council present agree to consider the material.

(5) The Accreditation Committee normally will only consider reports submitted to the Consultant at least one month prior to its meeting. Exceptions will only be made in unusual circumstances.

(6) In accordance with the current practice, the Chairman of the Accreditation Committee will assign each member of the Accreditation Committee the responsibility for the critique of particular inspection matters. The Committee Member will be responsible for presentation of the particular matter to the Accreditation Committee. The member to whom an individual report is assigned will draft a proposed resolution or alternative resolutions in advance of the Accreditation Committee meeting.

(7) A copy of the Accreditation Committee meeting agenda, of the assignment list indicating the particular matters for which each Accreditation Committee member is responsible, and of the reports and material relevant to the Accreditation Committee meeting will be sent to each member of the Accreditation Committee prior to the meeting. In addition, each member who is assigned responsibility for a particular matter will also be sent a copy of the necessary background material at this time.

(8) In the ordinary case, when the Accreditation Committee is considering an application for provisional or full approval, a member of the inspection team will be asked to attend the meeting.
Rule II.

Procedure for
Securing Approval

(1) Provisional and full approval of an applicant law school is granted by the House of Delegates of the American Bar Association upon the recommendation of the Council of the Section of Legal Education and Admissions to the Bar.

Provisional Approval

(2) The Accreditation Committee and Council will not consider an application for provisional approval until the applicant school has completed the first academic year of its program.

(3) A university, college, or other institution considering the establishment of a law school or a law school considering application for provisional approval may obtain information and advice from the American Bar Association upon request. Inquiries may be addressed to the American Bar Association, or to the Chairperson of the Section of Legal Education and Admissions to the Bar, or to the Consultant. The requesting school will be sent a copy of the Standards, Council Interpretations, Rules of Procedure, other pertinent data, and a copy of a questionnaire devised to permit the school and the Council to evaluate the status of the school in the light of the Standards as interpreted by the Council. Requests for additional information and advice will be honored.

(4) A university, college, or other institution contemplating the creation or acquisition of a law school should complete a comprehensive feasibility study, prior to commencement of a program of instruction. This study should be submitted to the Council when
the law school requests provisional approval. The study should include the consideration of such matters as the character and goals for the proposed law school, the distance from other law schools in the area from which the proposed school might attract students, the number, characteristics, and interests of the students who might apply, the resources necessary to create and sustain the proposed law school (particularly if this relates to the resources of a parent institution), and the demand for legal education and the need for lawyers in the area in which the graduates of the proposed school might be expected to pursue their careers.

(5) Experience has shown that a qualified consultant can be helpful. The institution should obtain the advice and assistance of a qualified consultant with experience in legal education and knowledge of the Standards and Procedure for approval.

(6) A school applying for provisional approval shall return the completed questionnaire and a copy of the feasibility study, and request an inspection. The covering letter shall state that the chief executive officer of the parent institution and the dean of the law school have read and carefully considered the Standards and Council Interpretations, have answered in detail the questions asked in the questionnaire, and by this letter give assurance to the Council that in their opinion the law school meets the requirements of these Standards for provisional approval. The Council and the Consultant welcome the opportunity to render assistance.

(7) When the school returns the completed questionnaire, the feasibility study, and the assurances, a request for an inspection, at the school’s expense, is in order. Thereafter, arrangements will be made for an inspection by qualified and objective persons selected by the Consultant. If there is a state agency or official with the responsibility to supervise or regulate legal education, the school shall inform the
Approval of Law Schools

Consultant who shall invite the agency or official to observe the inspection. An inspection usually requires three days, as classes are visited, records and transcripts inspected, the library canvassed, information set forth in the questionnaire checked, the financial statements of the law school and the parent institution reviewed, and consultations held with the chief executive officer of the institution, the dean of the law school, members of the law school faculty, and the law students.

(8) The Council will not consider any evidentiary or other matter which has not first been presented to the Accreditation Committee bearing on any fact relating to a matter concerning which the Accreditation Committee has recommended the adoption of a resolution. The Council reserves to itself the power to remand, modify or reverse any decision of its Accreditation Committee.

(9) If an application or reapplication for provisional approval is not granted, another application by the law school for provisional approval will not be considered by the Council or the Accreditation Committee until at least ten months thereafter. The Council may allow an earlier reconsideration in exceptional circumstances.

(10) A provisionally approved school shall be reinspected each year during the period of provisional approval and shall be granted full approval when it complies with the requirements of the Standards for full approval. The school shall be charged a uniform fee payable to the American Bar Association for the annual inspections and shall reimburse the inspectors for their travel and living expenses.

Full Approval

(11) A provisionally approved school will be considered for full approval by the House of Delegates when the Council finds, after inspection, that the
school meets the Standards established by the American Bar Association as interpreted by the Council on a basis that assures continued compliance with the letter and the spirit of the Standards, with particular emphasis on a steady improvement in the quality of the educational program.

**Inspection**

(12) Following an inspection for provisional approval or full approval, a written report based upon the inspection is sent to each member of the Accreditation Committee and the Council, and the application is placed on the agendas of the Accreditation Committee and the Council. The written report is submitted to the chief executive officer of the institution and the dean of the inspected school for confirmation of the accuracy of the facts stated in the report.

(13) The Accreditation Committee and the Council regularly meet immediately before the annual and the midyear meetings of the American Bar Association and may meet at other times. Applications for approval are considered by the Accreditation Committee and the Council, with the chairperson of the inspection, or an inspector designated by the chairperson, present, if requested by the Chairperson of the Accreditation Committee or the Chairperson of the Council. The travel and living expenses incurred by the inspector to attend the meetings of the Accreditation Committee and the Council shall be reimbursed by the law school applying for approval.

(14) The reports of inspections and reinspections are received in confidence by the inspectors, the Consultant, and the members of the Accreditation Committee and the Council and may be disclosed only with the approval of the Council. The action taken by the Accreditation Committee, the Council, and the House of Delegates on applications for provisional approval and for full approval and upon the review of reports of reinspections may be disclosed to others
Approval of Law Schools

tan the dean of the law school and the chief executive officer of the parent institution.

Approval Granted

(15) If the school is recommended by the Council for approval, the recommendation is sent to the House of Delegates for action. If the House of Delegates grants provisional approval, the chief executive officer of the institution and the dean of the law school may be sent a written report commenting on the school's strengths and weaknesses and areas of Council concern and recommending means of improvement.
Rule III.

Procedure for Assuring Continued Compliance

(1) To the end that the American Bar Association Standards shall be maintained, to insure compliance and to advance the continued improvement of legal education, provisionally approved and fully approved schools will be expected to furnish to the Council such information as is requested by the Council.

(2) All fully approved schools are subject to periodic reinspections. The school shall be charged a uniform fee payable to the American Bar Association, and shall reimburse the inspectors for their travel and living expenses. Additional reinspections at the school’s expense may be ordered by the Council when special circumstances warrant. The school is expected to furnish information to the Council prior to the inspection, including the completion of a self-study undertaken by the dean and faculty and relating to the goals and objectives of the school.

(3) A provisionally approved or fully approved school is expected to maintain the qualitative level which justified its approval, and to demonstrate a genuine and continuous effort to improve the quality of its educational efforts.

(4) Written complaints from faculty or students at ABA approved schools are received by the Council of the Section of Legal Education and Admissions to the Bar. Upon receipt of a complaint, the Consultant on Legal Education to the American Bar Association acknowledges receipt of the complaint and makes a request for any additional information which is deemed necessary.
Approval of Law Schools

If evidence indicates conditions, practices or actions in violation of the Standards for Approval of Law Schools, the Chairperson of the Council may appoint a Hearing Commissioner to visit the institution to obtain additional information and to report to the Council and its Accreditation Committee.

The Council and its Accreditation Committee may then review the matter with notice to all concerned parties. If the Council finds that the school is in violation of the Standards, it may then take appropriate action under provisions of its Standards and Rules of Procedure for Approval of Law Schools for removal of the institution from the list of approved schools.
Rule IV.

Removal from List of Approved Schools—Provisional, Full

(1) The American Bar Association has delegated to the Council of the Section of Legal Education and Admissions to the Bar the responsibility for insuring continued compliance with the Standards as interpreted by the Council. If the school fails to meet the requirements, approval may be withdrawn by action of the House of Delegates of the American Bar Association upon the recommendation of the Council.

(2) Whenever the Council has reason to believe that an approved school has failed to maintain the Standards established by the American Bar Association as interpreted and administered by the Council, or has refused to cooperate with Council requests for information or reinspection, the Council may notify the school of its apparent deficiencies and that, if the matter is not resolved satisfactorily by routine procedures by a certain date, a notice for a hearing on a certain date shall issue.

(3) The Chairperson of the Council may appoint one or more persons to serve as a Hearing Commissioner or members of a Hearing Commission to conduct a hearing. Expenses of the hearing, including expenses of the Hearing Commissioner or Hearing Commission, shall be borne by the school.

(4) The school shall be given at least 30 days notice of the hearing, and it may request additional time not to exceed 30 additional days. Both the notice and the request for extension of time shall be in writing.

(5) The purpose of the hearing shall be to report the
facts and circumstances respecting current com-
pliance by the school with the Standards.

(6) The school will be given an opportunity to appear
at the hearing and to submit such evidence on the
issues as it desires.

(7) After the hearing, the Council shall make a deter-
mination as to whether the school is in compliance,
and, if not, what should be done. If the school is in
compliance, a copy of this conclusion shall be trans-
mitted by the Consultant to the school and the matter
shall be concluded by proper resolution. If the school
is found not to be in compliance, a copy of this deter-
mination shall be transmitted by the Consultant to
the school along with a notice to the effect that
unless the school is in compliance by a time fixed by
the Council, the Council will place on the agenda of
the next meeting of the Council the question whether
the Council should recommend to the House of
Delegates that the school be removed from the list of
approved schools. The school shall have an oppor-
tunity to state its position at the meeting of the
Council which considers the question whether to
recommend its removal from the list of approved
schools.

(8) A finding of non-compliance by the Council will
not be published, but may be communicated to the
Executive Committee of the Association of American
Law Schools, the National Conference of Bar Ex-
aminers, the bar examining authority of the state in
which the school is located, the highest administra-
tive officer of the institution of which it is a part, and
the appropriate regional institutional accrediting
agency.

(9) If, before the Council acts on its preliminary find-
ing that the school is not in compliance or before the
House of Delegates acts on a recommendation of the
Council that the school be removed from the list of
approved schools, the school corrects the deficiency
and is in compliance, the Council shall take steps to recall its recommendation, if any, and to notify all persons who were told of the non-compliance that the school is once again in compliance, and the Council shall close the matter with a resolution in its Minutes setting forth the facts of compliance.
Rule V.

Changes in Structure or Operation

Since a major change in structure or operation may raise questions as to a law school's continued compliance with the Standards, a provisionally approved or fully approved law school, prior to making the change, shall make a timely report on the change to the Consultant, analyzing the effect of the proposed change on the school's ability to meet American Bar Association Standards. The Accreditation Committee or the Council may require an inspection of the school. Examples of changes that must be reported include:

A. Instituting a new division (full-time or part-time);
B. Shifting from a full-time to a part-time program, or from a part-time program to a full-time program;
C. Establishing the school or a branch thereof in a new location;
D. Offering a 2-4 or similar program;
E. Merging with another law school, whether approved or unapproved;
F. Activating a program leading to any degree beyond the first degree in law; or
G. Changing its relations with its parent institution or affiliating with a college or university.

Before establishing a full-time or part-time program or a graduate division and before concluding a merger, the law school shall obtain the Council's acquiescence to the action. When the Council acquiesces to a merger, it shall make its acquiescence subject to a reinspection in two years for the purpose of ascertaining whether the anticipated benefits to the law school and the other institution have been obtained.
Rule VI.

Appeal

Appeal from Council action is provided for in Article 5, Section 5.2 of the Constitution of the American Bar Association.

Rule VII.

Reinstatement

A law school that has been removed from the list of approved law schools may be reinstated by complying with the procedures for obtaining approval, as though it had never been approved.

Rule VIII.

List of Approved and Unapproved Schools

The Council of the Section of Legal Education and Admissions to the Bar shall publish from time to time the names of those law schools which comply with the Association’s Standards and those which do not. A complete list of all approved law schools and as many unapproved law schools as are known shall be published annually in the Review of Legal Education, which is published by the Section and distributed upon request without charge.