The Task Force on Law Schools and the Profession: Narrowing the Gap, chaired by former ABA president Robert B. MacCrate, issued an exhaustive analysis of the role of law schools and the practicing bar in developing lawyering skills and values, and proposed a long-range approach to achieving excellence in the profession.

Created by the ABA Section of Legal Education and Admissions to the Bar, the Task Force took a searching look at public and professional expectations of what lawyers are and ought to be, what skills and values they need to fulfill those expectations and how they go about acquiring those skills and values during and after law school. It also developed an agenda for long-term change.

"The report is both fundamental and comprehensive. It articulates for the first time what it means to be a lawyer, defining lawyers in terms of both legal learning and professional skills and values. It advances a concept that lawyer development is a continuum, starting before law school and progressing and refining throughout a lawyer's entire professional life," said MacCrate. "Given that continuum," he added, "the responsibility for providing society with a profession of excellence does not lie solely with law schools or with the practicing bar. Rather, it must be a common enterprise of both."

The report makes specific recommendations in six areas: disseminating and discussing the Statement of Skills and Values developed by the task force; choosing a career in law and a law school; enhancing professional development during the law school years; placing the transition and licensing process in the educational continuum; striving for professional excellence after law school; and establishing an American Institute for the Practice of Law.

The institute is proposed as a tax-exempt educational corporation to promote excellence in the practice of law, addressing on a continuing basis the entire process by which lawyers acquire and refine lawyering skills and professional values. It would work "toward a more integrated process of education to assist the legal profession more adequately to meet the public's appropriate expectations with respect to lawyer competence and professional responsibility," according to the report.

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Panel Discusses Training and Credentialing of New Lawyers

The National Conference of Bar Examiners and the ABA Bar Admissions Committee teamed up to present a program at the Annual Meeting entitled "Meeting the Challenge? An Evaluation of the Efficacy of Legal Education and Bar Examination in Training/Credentialing New Lawyers." The panel, chaired by Professor Michael J. Davis of the University of Kansas, explored whether the perceived problems with preparation and evaluation of bar candidates are real by addressing the bases on which curricular and testing decisions are made.

Professor Davis, who is also a member of the Kansas Board of Bar Examiners, discussed the "raw materials" that arrive at the doors of the law schools. He noted that there has

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Law Schools Contend with Economy

by James P. White

All 1992, the opening of a new school year and a new budget year, requires legal education to focus on the impact that the current economic recession is having on American law schools. The increased funding of American legal education in the 1980s resulted in more diverse course offerings, implementation of new modes of instruction, utilization of developing forms of technology transmitting legal information, construction of new or remodeled law school facilities, improvement of student/teacher ratios, enhanced student support services and a myriad of other activities contributing to progress in the quality of American legal education. Yet the increase in resources available in the 1980s appears to have ended, or at least stagnated.

This fall brings to bear on American legal education an economic impact not felt since the early 1970s. Both public and private law schools and their parent institutions are operating with stagnating or diminished budgets. Tuition continues to increase at double the rate of inflation in order to provide law schools with additional revenue. The increase in tuition is made possible by the availability of student loans. In 1991–92 law school budgets in the 177 ABA-approved law schools totaled $1.75 billion, and the aggregate student loan debt was $1.25 billion. Students have been willing to assume an increasing level of debt because of the availability of placement opportunities. In the past year or so, some diminishment of the plentiful availability of positions for law school graduates has occurred.

Programs of the Section and our sibling organizations have focused on the current economic malaise. The Section’s Annual Meeting program was entitled “Financing Legal Education in a Period of Scarce Resources.” The AALS 1992 Annual Meeting conducted a program entitled “Managing in Hard Times: Challenges and Solutions for Law Schools.”

Is the future one of doom and gloom or is there some cause for optimism? Clearly the current recession severely impacts law school budgets, and until the recession begins to ease, funding for legal education will be tight. The continued availability of federally guaranteed loans for law students is critical for American legal education. The ABA took a lead in working with members of the Congress and their staffs in the process of Reauthorization of the Higher Education Act. Funding continues, which means that academically qualified students, regardless of their economic status, will be able to attend law school. Yet can tuition continue to rise at the rate of the last decade? The impact of the economy on law schools dictates that law schools must implement new economies while continuing to maintain and enhance the quality of the academic programs. Thus law schools have both a challenge and an opportunity as they wait for a more affluent tomorrow.

James P. White is consultant on legal education to the American Bar Association.
Reuschlein Receives Kutak Award

At its June 1992 meeting, the Council named Harold Gill Reuschlein, Dean Emeritus of the Villanova University School of Law, as the 1992 recipient of the Robert J. Kutak award.

In its report to the council, the Robert J. Kutak Committee stated, "As you know, the Robert J. Kutak Award is granted annually to a person who meets the highest standards of professional responsibility and demonstrates substantial achievement toward increased understanding between legal education and the active practice of law. Harold Gill Reuschlein fully merits this recognition. He has given distinguished service to legal education and the profession."

"After graduation from Yale Law School in 1933 and a year as Assistant General Counsel for Fidelity Mutual Life Insurance Company, he began law teaching at Georgetown University. After teaching at the University of Notre Dame, Syracuse University and Pittsburgh, he became Villanova's founding dean in 1953. St. Mary's University of San Antonio and Case Western Reserve University benefited from his teaching after he relinquished the deanship.

"Dean Reuschlein chaired the Section of Legal Education and Admission to the Bar in 1969-70. This is but the more visible of his service to legal education and the profession through the Section and its Council. Before and after these dates he was an active and a valuable worker in this vineyard. He played a major role in insuring that the Council remained the chosen instrument for the Association's legal education activities.

"Dean Reuschlein was also important in establishing the Deans' Workshop. His provocative but pleasant presiding of initial workshops established its importance and utility. Two decades later it is an essential legal education institution. With his help, a Section newsletter was established and the first Section monographs were published.

"Accreditation was a function of great interest. He was important in the effort that produced today's Standards. His service on the Accreditation Committee, established during his time, and on-site visits is legendary. His insistence that the major part of the report be written before the team left campus established a precedent not frequently enough followed.

"As a teacher, author, and dean he had an exemplary relationship with the profession. The esteem with which he is held by alumni and other members of the bar gives ample evidence of this. His influence for practicing the profession in the grand manner has benefitted clients and the public.

"Harold Gill Reuschlein is more than a great legal educator. He lives a full life, loves his church, enjoys music and literature, and enjoys and is enjoyed by good friends. He and his wife Marcella have enjoyed 52 years of marriage."

The Kutak Award presentation was on Saturday, August 8, 1992, at an award ceremony and reception at the City Club of San Francisco.
Officers and Committee Chairs of the Section of Legal Education and Admissions to the Bar 1992–93

Chairperson: Dean Nina S. Appel, Loyola University Chicago
Chairperson-Elect: Dean Robert A. Stein, University of Minnesota
Vice-Chairperson: Honorable Joseph W. Bellacosa, Albany, New York
Last Retiring Chairperson: Dean Henry Ramsey, Jr., Howard University
Secretary: Dean Gordon Schaber, McGeorge School of Law

Section Delegates to the House of Delegates: Sharp Whitmore, Esq., Fallbrook, California and Norman Redlich, Esq., New York, New York

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Retiring Chairperson Henry Ramsey, Jr. with new Chairperson Nina S. Appel
In what may be one of the last major legislative initiatives completed in this election year, final action on the $100 billion five-year Higher Education Act (HEA) reauthorization bill was completed when President Bush signed it earlier this summer.

The signing ceremony brought to a conclusion a seventeen-month reauthorization process and came despite repeated and recent threats of a potential presidential veto over provisions creating a “direct loan” program from the government to students to replace guaranteed bank loans at several hundred colleges and trade schools. With the president’s action, as many as three hundred schools may participate in the direct loan program, with 35 percent of the institutions allowing students to repay their loans according to how much money they earn after graduation. In addition to reauthorizing the federal government’s extensive programs for student financial assistance, the reauthorized HEA extends and enhances several programs supported by the ABA that help students attain a legal education.

The Council on Legal Education Opportunity (CLEO), which has been administering the Assistance for Training in the Legal Profession Program for the past twenty years, is named specifically in the reauthorizing statute for the first time as the annual grantee or contractee under ABA-authored amendments. New provisions also specify formerly disputed activities by CLEO under the grant, such as publicizing the availability of the program and conducting recruiting, now authorized under the act. The amendments clarify that consideration of “minority status” is appropriate to fulfill the purpose of the program “to assist minority, low-income or educationally disadvantaged” college graduates to successfully pursue a law degree. CLEO is permitted under the act to use up to 6 percent of grant funds for administrative costs. The authorization level for the program is increased from $5 million to $7 million.

The Stafford Guaranteed Student Loan Program is continued with new loan limits for full-time graduate and professional students raised from $7,500 to $8,500 per year and an aggregate limit of $40,000. A beneficial change in the interest rate formula was achieved, with a new rate calculated by taking the current ninety-one-day Treasury bill plus 3.1 percent, with a cap of 9 percent (down from the current flat rate maximum of 10 percent).

Last, the Supplemental Loans for Students Program was continued with an increase in yearly loan limits for graduate and professional students from $4,000 to $10,000.

The ABA Section of Legal Education and Admissions to the Bar, working with the ABA Washington office and with a host of legal education and higher education organizations, played a key role in gaining these favorable changes in the reauthorization of the Higher Education Act by the 102nd Congress.

E. Bruce Nicholson is legislative coordinator for the Governmental Affairs and Public Services Group of the ABA.
Legal Hotchpot

The Loyola University School of Law has expanded its street law program to offer a seminar to members of New Orleans' hearing-impaired community. The program, sponsored by the Loyola Street Law program and the New Orleans Deaf Action Center, offered a sign language presentation of the topic of "Introduction to Law and the Legal System." Launched by Assistant Professor Catherine Clark in 1991, the Street Law Program provides Loyola law students who teach New Orleans high school students to think about the underlying reasons for laws and to see that laws can protect rights as well as take them away.

Groundbreaking took place in July on the new campus center at California Western School of Law. The 34,000-square-foot center will reference the existing building's late 1920s Neo-Italian Renaissance style. Thus, the center will have Roman arches, a red tile roof, balconies, a split-level piazza and its own campanile that will double as an elevator shaft. The plans even call for a carillon. The campus center will house faculty and staff offices, as well as services such as the bookstore, the campus deli, meeting places and two stories of underground parking. Plans are that the new building will be a year in construction.

The University of Illinois College of Law has announced the inauguration of a new law journal devoted to the needs of older Americans and their legal problems. "Elder law," as this legal specialty has become known, is a response to the growing demand for attorneys in such diverse areas as living wills, Medicaid planning, nursing home placement and even Alzheimer's disease. The first issue of the Elder Law Journal, scheduled to be published in 1993, will likely cover issues such as tax provisions of special interest to senior citizens, Social Security, Medicare and Medicaid, long-term care and ethical considerations in advising elderly clients.

The Santa Clara University School of Law has received a grant of $500,000 from the State Farm Companies Foundation to fund a proposed Institute of Insurance Law and Regulation. Dean Gerald Uelman said that the new institute, expected to open in the fall of 1993, "will stimulate and support teaching, research, professional educational programs, writing and public education in the areas of insurance law and regulation."

More than 150 jurists and law professors from the United States and Italy attended the International Association of Jurists Conference at St. Louis University's School of Law on September 18-19. The theme of the conference was "Conflict of Laws: Choice of Law, Choice of Forum and Enforcement of Foreign Judgments."

Distinguished American and Italian jurists, legal scholars and law practitioners delivered papers throughout Friday and Saturday morning. Panel discussions were also held. "It's a great honor for St. Louis University's School of Law to sponsor a conference of this magnitude," says John B. Attanasio, dean of University's School of Law.

Attanasio says the conference focused on issues related to private international law and international litigation. Just as two U.S. companies would conduct business, American and Italian companies doing business sign a contract and agree to abide by it. "But what if a dispute occurs and one of the companies breaches its contract? Which country's law do you apply? Which courts have jurisdiction? Where do you litigate?" asks Attanasio.

St. Louis civic leaders Monsignor Salvatore E. Polizzi, pastor of St. Roch's Catholic Church, and Judge Joseph J. Simone, a retired member of the Appellate Courts of Missouri, are co-chairs of the conference program and planning committee.

Faculty Honors

Professor John S. Lowe of Southern Methodist University School of Law has been chosen to chair the ABA Section of Natural Resources, Energy and Environmental Law.

The Honorable Frank Orlando, director of the Center for the Study of Youth Policy at Nova University's Shepard Broad Law Center, has been named by the ABA as the recipient of the 1992 ABA Livingston Hall Juvenile Justice Award. The award, named for a former Massachusetts prosecutor and law professor who was one of the driving forces behind the ABA's adoption of its comprehensive set of IJA/ABA Juvenile Justice Standards, was established in 1985 by the Criminal Justice Section Juvenile Justice Center to honor and recognize attorneys who have made outstanding contributions within the juvenile justice system advocating for children's rights.

Professor Mark Sidel of Lewis and Clark Law School has taken a two-year leave of absence to serve as program officer at the Ford Foundation with responsibility for the Foundation's developing programs in Vietnam. Professor Sidel had previously served as Ford Foundation
program officer for law and legal reform in Beijing from 1988 to 1990 and earlier this year completed a consultancy report to the Foundation on law and legal reform in Vietnam.

Mary W. Oliver, retired law library director and professor of law at the University of North Carolina, received the 1992 AALL Marian Gould Gallagher Distinguished Service Award. Oliver was the first woman hired to the University's law faculty. Active in AALL for nearly four decades, Oliver served as president of the Association in 1972–73. She also served on the executive committee of the Association of American Law Schools from 1979 to 1982.

The 1992 AALL Marian Gould Gallagher Distinguished Service Award also went to the late Elizabeth Benyon, former assistant law librarian and head of technical services at the University of Chicago Law Library.

From the early 1940s until her retirement in 1967, Elizabeth Benyon was one of the leading experts in law cataloging and classification. She developed Benyon Class K, which was used by many libraries for three decades until the library of Congress Class K was developed. Benyon worked for the University of Chicago library system for 44 years, including 24 years in the University of Chicago Law Library. She died in 1987 at the age of 87.

Established in 1984 to recognize extended and sustained service to law librarianship, for exemplary service to the Association, or for contributions to the professional literature, the Distinguished Service Award was renamed in 1990 to honor Marian Gould Gallagher, the former director of the University of Washington Law Library and two-time recipient of the award.

George Mason University School of Law Professor Edward J. Damich was appointed as a commissioner of the Copyright Royalty Tribunal by recess appointment by President Bush on September 3.

The Copyright Royalty Tribunal sets rates and distributes royalties for the use of copyrighted works on records, audio tapes, cable television, public broadcasting and satellite carriers. It was created by the Copyright Act of 1976 to administer compulsory licenses in coordination with the Copyright Office.

Laura N. "Lolly" Gasaway, professor of law and director of the law library, is the 1992 recipient of the Mary Turner Lane Award from the UNC-Chapel Hill Association for Women Faculty.

The award recognizes women who have made outstanding contributions to the lives of women at the University. It is named for one of the University's first female faculty members.

Gasaway teaches courses in gender-based discrimination, intellectual property, law libraries and legal resources. She has a long history of university service that includes chairing and co-chairing the Committee on the Status of Women, co-chairing the Women's Concerns Coalition and serving on the Chancellor's Advisory Committee and other panels.

Dean Changes

Harry H. Wellington, dean of Yale Law School from 1975 to 1985, became the new dean of the New York Law School in July. Former dean James Simon is on sabbatical to complete a book on the Rehnquist Court.

William & Mary is seeking nominations for a dean, as is West Virginia University. John W. Fisher II is the new acting dean at West Virginia, replacing Donald Gifford who has become the new dean at the University of Maryland.

Wayne State University has a new acting dean in Stephen Calkins, and W. Jack Grosse became the interim dean at Northern Kentucky University July 1.

Dean Anthony Santoro of Widener University has resigned and is on leave as a professor. His successor is Arthur N. Frakt, former dean of Loyola-Los Angeles.

Barry B. Boyer is the new dean at the State University of New York at Buffalo. He succeeds David Filvaroff, who remains on SUNY's faculty.

John B. Attanasio replaces interim dean Sandra H. Johnson at St. Louis University. Former dean Nicholas White of Memphis State becomes that school's new acting dean. He replaces Fred Davis, who has returned to the faculty.

Dean David Link of the University of Notre Dame returns from leave January 10 after a year in Australia.

Carlos E. Ramos Gonzalez was named Acting Dean of the Inter American University of Puerto Rico School of Law following Dean Manuel J. Fernos's resignation on July 31, 1992. Dean Fernos has been named Chancellor of The University's Metropolitan Campus.

A number of deans have announced their resignations effective at the end of the current academic year. Included are Laurence M. Katz of the University of Baltimore, John J. Sculio of Duquesne, Arthur J. Lombard of Detroit College of Law, C. Ronald Ellington of the University of Georgia, Richard Schmalbeck of the University of Illinois, J. Martin Burke of the University of Montana and Francis X. Beytagh, Jr., of Ohio State University.
A Research Agenda for Law Libraries
by George S. Grossman

Annual statistics collected by the American Bar Association from the nation’s law schools provide the only hard data on many of the management decisions that must be made by the administrators of law school libraries. Other decisions must often be made on impressionistic, anecdotal evidence, since very little research has been done on the contents or practices of law libraries.

To increase the data available to law library managers, the American Association of Law Libraries has embarked on a research program on academic law libraries and legal information. As a first step, the AAL found it necessary to ask what issues need to be researched. Therefore, the program has been launched with a research project on research needs.

The project has now been completed and its results will appear in the upcoming issue of the Law Library Journal. Conducted by Rita Millican and Danny P. Wallace of Louisiana State University, the project used the “Delphi Technique” to gain an “expert consensus.” The technique involved soliciting research suggestions from a selected group of recognized experts and then running those suggestions through a larger group of experts.

One clear conclusion has emerged from the project: law librarians are interested in ascertaining the impact of technology on library collections. Ninety percent of respondents called for research on the very broad question of how the quality of an academic law library can be assured. About the same ratio of respondents selected the next three most favored issues. Two related to the teaching of legal research: how lawyers actually perform research and how legal research instruction can be improved; and one related to a traditional area of management concern: budget allocations in various types of law libraries today.

In all, thirty-five potential research projects were suggested. Over one-third of the suggestions (thirteen) deal with personnel issues like hiring, training, motivation, evaluation, organization, status and staffing needs.

Conspicuously absent or underrepresented on the list are some topics that have received significant attention elsewhere, including physical facilities, computer labs, law library links with law school and university networks, book preservation needs and tenure standards for law library directors.

Most surprisingly absent from the list is the issue of resource sharing among law libraries. Although one cryptic reference to “the regionalization of research collections” may have been aimed at resource sharing, and resource sharing is relevant to the issue of substituting access for volume count, no mention is made of the national library networks (RLG, OCLC), the Law Library of the Library of Congress, and the national organizations linking law libraries (AALL, AALS, ABA) that may be enlisted to help develop and coordinate resource sharing networks and provide other national services. Nor have any respondents mentioned the most fruitful area for inter-library cooperation (and the most difficult area for any library to collect): foreign law.

The omission of resource-sharing from the list of topics to be researched may indicate a reluctance by law librarians to abandon the goal of self-sufficiency. Perhaps law librarians hope that commercial databases will rescue libraries from the need to rely on each other.

George S. Grossman is director of the law library at Northwestern University School of Law.

Group Favors Easing Restrictions for Bar Exam Appeals

The New York State Bar Association (NSBA) recently endorsed a report from its Committee on Legal Education and Admission to the Bar calling for less restrictions and increased access for those who appeal New York State bar examination scores. The bar group explained that its concerns regarding the examination appeals...
Deputy/Associate Consultant on Legal Education to the American Bar Association

Applications are invited for appointment to the position of deputy/associate consultant on legal education to the American Bar Association. The Office of the Consultant on Legal Education of the Section of Legal Education and Admissions to the Bar of the American Bar Association is located at Indiana University, 550 West North Street, Indianapolis, Indiana. The deputy/associate consultant position might be described as comparable to that of a law school deputy or associate dean on a national scale. The deputy/associate consultant would participate with, and act on behalf of, the consultant on legal education in all matters relating to the law school approval process and the work of the Section of Legal Education and Admissions to the Bar of the American Bar Association. The deputy/associate consultant would represent the consultant and the section at various meetings of related organizations and at meetings of the section committees. The deputy/associate consultant is responsible for overseeing the compilation and distribution of ABA-approval of legal education to the American Bar Association. The American Bar Association is administered by the Board of Law Examiners (BLE), the same group that administers the bar—centers on five specific areas:

- restrictions on access to essay questions should be eased
- restrictions on access to model answers from past bar exams should be eased
- applicants who appeal should be able to provide substantive arguments in support of their appeals
- there should be no limitation on assistance to applicants, and
- a specific time period should be established in which the BLE renders its appeal decision.

There are a total of 1,000 points on the bar exam, and 660 is a passing score. Under the current system, an applicant who scores between 650 and 659 on the bar exam may appeal one or more essay answers. Access to the exam, the applicant's answers, and model answers from previous years are all severely restricted. Applicants must consider their appeals options based upon their reconstructed memory of the exam and their answers. In addition, the criteria for which previous appeals have been successful are obscure and generally not communicated to appeals applicants.

The committee, chaired by B. Kirkland Grant of Huntington, New York, a professor at Touro School of Law, proposes reform of the appeals process, calling for full disclosure of essay questions to appeals applicants and model answers from previous bar exams to future bar candidates. In addition, the state bar supports an applicant's right to provide a substantive argument in support of an appeal, and calls for the BLE to announce the criteria used to approve or deny an appeal.

The deputy/associate consultant is also responsible for planning and coordinating workshops and conferences, including training workshops for chairpersons of site evaluation teams, members of site evaluation teams, representatives of law schools undergoing site evaluation, and workshops for associate and assistant deans on law school accreditation and law school administration. Another responsibility is the monitoring and periodic review of summer foreign programs conducted by ABA-approved law schools, and programs of cooperative foreign study.

**General Qualifications:** The deputy/associate consultant must hold a law degree from an ABA-approved law school and must have law school administration and/or teaching experience. **Compensation:** The salary is competitive.

**Terms of Appointment:** It is hoped that the person will serve for a period of at least two years. The position of deputy/associate consultant is a full-time, 100 percent FTE, twelve-month appointment.

**Applications:** Send letter of application with resume to James P. White, Consultant on Legal Education to the American Bar Association, Indiana University, 550 West North Street, Indianapolis, Indiana 46202. Inquiries concerning the position and the program of law school accreditation should be submitted in writing to the consultant's office.
South Florida residents putting their lives back together after Hurricane Andrew are confronting an array of complex legal questions. Are they getting the best settlement from their insurance company? Do they owe their landlord rent if their apartment is uninhabitable? What are the consequences of missing a court appearance due to the storm?

Answers to these and other law-related problems are being provided free of charge by more than 400 volunteer lawyers staffing 12 Disaster Assistance Centers (DACs) in the Miami area through the American Bar Association Young Lawyers Division, in partnership with the Federal Emergency Management Agency (FEMA). An "800" toll-free legal help hotline for hurricane victims is also being established.

"Everyone was affected by this," said Dennis Kainen of Miami, a volunteer. "I wanted to do something, but I'm not skilled with hammers, electric circuits or plumbing. The best help I can provide is my legal expertise."

Kainen is one of more than 400 Miami-area lawyers who answered the call for volunteers, attending orientation and training sessions held last week by the ABA/YLD. Because attendance far exceeded expectations, the sessions were moved from a law office to a local courthouse. Starting on Labor Day, volunteers were "in the trenches," providing free on-the-spot help at 12 DAC locations. All hurricane victims are eligible for this assistance, regardless of income.

"Most of the questions have been about real estate, either because property has been destroyed, or someone wants to pay less rent due to damage to their apartment," said Kainen, a criminal defense lawyer.

"If we don't have the information or expertise, we can refer them to organizations that can help."

The volunteer lawyers receive no compensation and will not accept any fee-generating case arising from the hurricane. If a victim's situation requires the retention of a lawyer, the volunteers will advise how to work with and find an attorney, or may accept the case themselves, providing they derive no income for their services.

In Florida, lawyers are permitted to advertise and to contact potential clients through the mail, but are prohibited from soliciting business directly in person or over the telephone. Hurricane victims solicited by lawyers other than through ads or by letter should report attorney misconduct to The Florida Bar's Ethics Hotline. In Miami, call 305/377-4445; In Ft. Lauderdale, call 305/772-2245. For other information, contact The Florida Bar at 904/561-5600.

Although more than 400 lawyers have thus far signed on as volunteers, local coordinators estimate that the services of more than 1,000 may be needed by the time the hurricane cleanup has finished.

"Due to the high percentage of Dade County attorneys who themselves have suffered severe personal and professional losses in the hurricane, there is a shortage of volunteer lawyers available to staff the DACs," said Beth Bloom, who chairs the Florida ABA/YLD Disaster Legal Assistance Program. Bloom speaks from experience, having been left homeless after the hurricane.

For twelve years, the ABA/YLD has worked with FEMA as the official provider of free legal help at disaster centers established by the federal government in response to national catastrophes such as the San Francisco earthquake and recent civil disturbances in Los Angeles.
Law School Development Conference a Success

The Law School Development Committee, chaired by Dean Steven Goldberg, was responsible for a very successful Law School Development Conference, held in Jackson Hole, Wyoming, in June of 1992. The conference drew nearly two hundred participants as well as a call for another conference to address this subject in two years.

Topics on the conference agenda included The Dean-Chief Development Officer Dynamic: Working Together to Raise Money; The Anatomy of a Major Gift; Planning and Conducting a Capital Campaign; The Fundamental Principles of Fund Raising; How to Select and Manage Volunteers; Coordinating and Managing the Development Function: The Role of the Law School and the University; Prospect Identification: Stalking the Big Game; Managing the Small Development Office: Priorities, Budgeting, and Time Management; Expanding Your Donor Base Beyond Alumni; The ABCs of Annual Giving; Alumni and Special Events: When, Why, Where, and How Much?; Alumni Magazines, Annual Reports, and Newsletters: Which, When, and Why?; and Developing a Class Reunion and Reunion Giving Program.

Dean Stuart Rabinowitz and Vice Dean M. Patricia Adamski, Hofstra University; and Talbot D'Alemberthe, ABA President.

The Grand Tetons provided a dramatic backdrop to the conference. Associate Dean J. William Elwin, Jr., Northwestern University; ABA Assistant Consultant Kathleen S. Grose; and Dean Scott G. Nichols, Harvard University School of Law.

Dean Leigh Taylor, Southwestern University School of Law; Dean Mark Yudof, University of Texas; Dean Stephen H. Goldberg, Pace University; James P. White, ABA Consultant on Legal Education; and Dean Arthur R. Guadio, University of Wyoming.
Program on Persuasive Writing Held

by William B. Powers

The Section’s Legal Writing Committee and the Standing Committee on Lawyer Competency cosponsored a program at the ABA Annual Meeting entitled “Persuasive Writing.” The program, planned by Professor Ralph Brill of Chicago-Kent College of Law, brought together the points of view of a judge, a practitioner and two educators.

Judge Lawrence Bilder discussed effective brief writing. He noted that a judge has only a limited time for reading the brief, so it is vital to be clear and precise. Judge Bilder recommended that writers engage in self-criticism by asking, “How would I feel if I were the reader?” He added that successful briefs are credible, readable and persuasive.

Diane I. Jennings, an appellate practice attorney with the Chicago firm of Lord, Bissell & Brook, said that a good brief needs two things: “punch and power.” She stated that the brief should focus on the fact that the writer is correct and should win the case. Ms. Jennings recommended developing a theme for the brief, and then using every single section of the brief to sell that theme. “If you know where you are going before you start,” she said, “your brief can be a roadmap pointing the reader in that direction.”

It is a compliment to be told that you think like a lawyer, but it’s an insult to be told that you write like a lawyer.

Teri LeClercq of the University of Texas School of Law told the audience “It is a compliment to be told that you think like a lawyer, but it’s an insult to be told that you write like a lawyer.” She provided several nuts-and-bolts suggestions to clarify and sharpen legal writing. These included the use of relative clauses to emphasize; varying sentence lengths and placing important points in short sentences; using repetition carefully to hammer away at the subconscious of the reader; and inversion of the subject/verb/object. Professor LeClercq invited the audience to engage in a short writing exercise to illustrate her points.

Professor Brill concluded the program by emphasizing that good legal writing is about painting pictures. He stated that the questions presented in a brief should cry out for answers in favor of the writer. The program was well received by the seventy-five or so participants, including U.S. Supreme Court Justice Anthony Kennedy. Justice Kennedy remarked on the importance of clear and concise legal writing, and congratulated the panel for an effective program.

William B. Powers is editor of Syllabus.
been an enormous positive change in the academic credentials of entering law students. Furthermore, the economy has not affected the number of persons coming to law school or the quality of those persons.

Dean Susan Westerberg Prager of the University of California at Los Angeles, who is also on the California Commission of Lawyering Skills, noted that there have been enormous changes in the law school curriculum as well. She attributed the curricular growth in the last twenty-five years to three things: living in a period of explosion in the doctrine of law and the use of law to solve people's problems; growth in diversity of the curriculum due to diversity in perspectives of law schools; and the skills training movement.

Dean Prager stated that the decisions of bar examiners can also have a great impact on the law schools and the legal curricula. Elective courses covering subjects that are not on the bar examination often fail to attract large numbers of students, and a pressure is created on law faculties not to leave any subject on the bar examination out of the curriculum.

Beverly Tarpley, chairperson-elect of the National Conference of Bar Examiners, discussed the state of bar examination testing today. "Examiners are sandwiched in between two groups [teachers and practitioners], neither of whom feels that examiners do a very good job," Tarpley asserted. She stated that the performance skills aspect of the bar examination should be enhanced. Criticisms of lack of consistency in bar examination grading could be avoided by greater reliance on the Multi-state Bar Examination, whose multiple-choice format offers a degree of consistency which, according to Tarpley, could never be achieved by an essay examination. She stressed that there are no quick fixes for the tension between academicians, bar examiners and practitioners, and all three groups need to support one another.

Marvin Barkin, a member of the NCBE Board of Trustees and a former chair of the Florida Board of Bar Examiners, also discussed this tension. He noted that elements of the legal profession are shocked that people who have passed the bar examination, and thus are granted a license to practice law, are not competent to practice law. This situation raises a consumer protection concern. On the other hand, people who take the bar examinations are upset about the cost, format, perceived skewedness, and the non-portability of the license. Barkin asserted that the state supreme courts, not the bar examiners, are at the beginning of the political process of bar examination.

Edna Wells Handy, a practitioner from New York, discussed the over-representation of persons of color in the group that fails bar examinations. She stated that the issue is one of standardization, stressing that the bar examination as an instrument of licensure must be made to address some of its deficiencies with respect to minority passage rates.

Fulton Haight, a former member of the California Board of Bar Examiners, discussed California's experience with the bar examination. Haight defended California's practice skills component of the bar examination, noting that "half of new graduates are not prepared to practice law, and there is no mentoring from large firms anymore." He favors reducing the written bar examination to one day or less. "You don't have to have twenty essay questions to prove that you can write or analyze," said Haight.

Though the panel brought diverse perspectives and opinions to the program, it was agreed that the credentialing process is not as good as it could be. The panelists acknowledged the importance of a continuing dialogue between academicians, bar examiners and practitioners.
NALP Report
NALP Releases Employment Report
by Judith Collins

At its annual conference in June, the National Association for Law Placement (NALP) released selected findings from its Class of 1991 Employment Report and Salary Survey (ERSS).

The finding of an employment rate of 85.9 percent for the Class of 1991 six months after graduation came as no surprise to those familiar with legal recruiting, but it did prompt the question of how the 1991 figure compares with that of prior years.

In response to this question, NALP compiled information from published ERSS reports on employment rates six months post-J.D. for the Classes of 1980-1991.

Changes in data collection procedures and in the basic methodology and definitions used to count and classify graduates required that the following adjustments be made to make the data as consistent as possible across the time period.

First, the count of employed graduates always excludes those pursuing an advanced degree full-time—such graduates are considered unemployed. Second, the count of graduates for whom employment status is known for 1980, 1981 and 1982 excludes graduates who did not take or did not pass the bar—at the time the data were collected, they were automatically considered unemployed. Because of these adjustments, the employment rates shown here may not correspond with figures published or cited in ERSS reports for this time period. They do, however, offer the most consistent picture possible of employment rate trends since 1980.

Judith Collins is director of research for NALP.


<table>
<thead>
<tr>
<th>Year</th>
<th>Total Graduates</th>
<th>Respondents</th>
<th>Empl. Status Known</th>
<th>% of Respondents</th>
<th>Unemployed</th>
<th>% of Known</th>
<th>Pursuing Advanced Degree***</th>
<th>% of Known</th>
<th>Employed</th>
<th>% of Known</th>
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<td>35,059</td>
<td>30,635</td>
<td>24,566*</td>
<td>80.2</td>
<td>1,619</td>
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<td>302</td>
<td>1.2</td>
<td>22,645</td>
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<td>28,476</td>
<td>22,326</td>
<td>78.4</td>
<td>1,737</td>
<td>7.8</td>
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<td>1982</td>
<td>36,899</td>
<td>30,863</td>
<td>25,411***</td>
<td>82.3</td>
<td>2,215</td>
<td>6.7</td>
<td>389</td>
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<td>22,807</td>
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<td>433</td>
<td>1.5</td>
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<td>85.9</td>
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* Excludes 875 graduates who did not take or did not pass the bar; in 1980 these graduates were counted as unemployed and were included in the count of known employment status.

** Excludes 1,020 graduates who did not take or did not pass the bar; in 1981 these graduates were counted as unemployed and were included in the count of known employment status.

*** Excludes 991 graduates who did not take or did not pass the bar; in 1982 these graduates were counted as unemployed and were included in the count of known employment status.

These graduates are not included in the number of employed.

Note: Graphs published elsewhere depicting initial job type for 1989, 1990, and 1991 do not include respondents known to be employed but whose job type is unknown. They are included here to provide consistency with prior year figures.


LSAC News
LSAC Announces Academic Assistance
by Kent D. Lollis

Beginning this fall, LSAC announces a new academic assistance service for member schools and a new publication targeted to minority applicants to law school.

Academic Assistance Consulting
Following a commitment to support academic assistance programs for law students, LSAC-member schools can now apply for consulting assistance to initiate or improve an academic support program. Funding for this initiative comes from the LSAC Minority Fund.

A letter from LSAC President Charles E. Daye to law school deans outlines the criteria for obtaining the assistance of Lawrence D. Salmony, consultant on academic assistance programs. Dr. Salmony is the author of An Introduction to Academic
Assistance Programs and the upcoming Academic Assistance Training Manual.

While member schools are responsible for the cost of the consultant’s travel and living expenses, Dr. Salmony’s services are covered by his consulting contract with LSAS. In addition to individual on-site assistance to member schools, LSAS is encouraging regional meetings of faculty and administrators charged with providing academic assistance. The council’s Minority Affairs Office will work with any member school that wishes to host a regional conference for faculty and administrators.

Written requests should be directed to Kent Lollis and should address the number of students, especially minority students, served by the program; the nature of, extent of and time commitment required to provide assistance; the member school’s commitment to beginning and continuing the program; and whether the school applied to participate in but was not selected for the first Academic Assistance Training Workshop held this past June in Boulder, Colorado.

New Publication

The new publication by LSAC targets minority group members seeking information about legal careers. Thinking about Law School: A Minority Guide advises minority applicants about the legal profession in general and the requirements for admission to law school in particular.

The book, the work of the LSAC Minority Affairs Committee, became available in early September. It is divided into three sections. Section I allows prospective law students to assess whether a career in law is right for them. Readers are asked to examine the demands of the legal profession, preparation for the LSAT, the importance of the undergraduate transcript and other factors that influence admission to law school and ultimately the practice of law. An entire chapter is devoted to the costs of legal education and the financial aid available to meet those costs.

In Section II, readers are encouraged to research and evaluate law schools. Using data supplied by LSAC and by member schools, prospective law students are advised to make application to a range of law schools where they have a reasonably good chance of being admitted. The timeliness of applications, the importance of personal statements and the availability of application fee waivers are also stressed. Applicants are also counseled on the process law schools use to evaluate files and to make decisions.

Section III tells applicants what to do when they get decision letters. Pointers are offered both on handling the potential range of admission decisions including acceptances and rejections and on responding to the decision letter including the timeliness of seat deposits.

Profiles of successful minority lawyers are offered throughout the book’s ten chapters. Appendices include admission-decision profiles of member schools, financial aid sources, selected readings for prelaw students and the difference between ABA-approved and other law schools.

The guide was distributed to member schools and prelaw advisers this fall. Anyone may purchase the guide for $5.00. □

For further questions about either the academic assistance consulting service or the minority guide should be directed to Kent D. Lollis, LSAS, Box 40, Newton, PA 18940; phone: 215/968-1227; Kent D. Lollis is associate director and assistant to the president on minority affairs.

TASK FORCE

Continued from page 1

The institute would be a resource center for law schools and providers of continuing legal education. It would foster research and development to enhance the profession’s understanding of lawyering skills and professional values and would develop a plan to promote continuing

Lawyer development is a continuum, starting before law school and progressing and refining throughout a lawyer’s entire professional life.

legal education. The institute would be created by combining resources of the ABA Division of Professional Education and of the American Law Institute—American Bar Association Committee on Continuing Professional Education. The Practising Law Institute and the Association of American Law Schools would be invited to become joint sponsors.

The report, titled “Legal Education and Professional Development—An Educational Continuum,” was presented at an ABA Presidential Showcase Program at the San Francisco Hilton Hotel, as part of the ABA Annual Meeting. It was also presented to the governing council of the ABA Section of Legal Education and Admissions to the Bar and to governance entities of the ABA. Although immediate action is not contemplated, it suggests action for implementation by entities within the ABA and by autonomous organizations. □
Robert B. McKay Writing Competition

The Robert B. McKay Professionalism Writing Competition is conducted annually by the American Bar Association Standing Committee on Professionalism. The Competition is named for the late Robert B. McKay in recognition of his special achievements and interest in making professionalism an integral part of legal education. Dean McKay was a law school professor and dean, and was actively involved with many entities within the American Bar Association. In his work with the Standing Committee and the Section on Legal Education, which he chaired in 1983-84, he was particularly concerned with issues of ethics and professionalism.

The Robert B. McKay Professionalism Writing Competition is made possible by gifts to the ABA Fund for Justice and Education, which supports a wide range of law-related public service and educational programs to improve the legal system and serve the public. All students attending ABA-approved law schools are eligible to compete, except employees of the American Bar Association, the American Bar Foundation, and the American Bar Endowment.

The topic of the essay:

In an ideal world, lawyers would be able to maintain appropriate levels of income and high professionalism standards. In these economic times, however, some of the ideals of professionalism will be severely tested. How would you explain to a lawyer struggling to make a living that he or she has a higher calling than maximizing income, and that you can do well while doing good?

Two cash prizes will be awarded in the amount of $2,500 and $1,500 for first and second place essays respectively. Entries must be postmarked no later than March 1, 1993. Entries must be the original work product of a single individual and must be prepared for this competition and not previously published. No multiple author entries will be accepted. Each entrant will be required to assign to the American Bar Association all rights, title and interest in the essay submitted. It is the policy of the Association to relinquish the assignment of rights in all but the winning essays after the judges have made their decisions. No award will be given if the judges decide that no essay is worthy of the prize.

Essays must not exceed 3,000 words, including quoted matter and citations. Brevity will be considered a hallmark of good writing. Footnotes are permitted, although not required. Essays will be judged on creativity and clarity of thought, thoroughness of research, quality and style of writing, and substantive contribution to assigned subject matter. Concrete examples are encouraged as well as general discussion of the issues. All entries will be reviewed and the Standing Committee on Professionalism will select the winning essays. The American Bar Association and the judges reserve the right to award no prize if no suitable essay is received.

The winning essays will be published in The Professional Lawyer, or some other suitable Association publication.

Inquiries about the competition should be directed to Jill Nicholson, Professionalism Counsel, American Bar Association at the above address, telephone number 312/988-5307.