Council Approves New Externship Guidelines

In 1990, the Accreditation Committee created a Subcommittee on Externships to study whether experience warranted amendment or revision of Interpretation 2. After careful review of the history of field placements by the Accreditation Committee, the Subcommittee determined to seek the views of Deans and other interested parties. Some goals of the review were to set down more definite criteria to allow the schools to plan and supervise their programs better; to reduce repeated or unnecessary report-backs from law schools to the Accreditation Committee concerning their diverse field placement programs and experiences; to reduce inappropriate micro-management at the regulatory level; and to acknowledge and emphasize faculty/law school responsibility.

The Council at its meeting of August 8, 1992 had the proposals of the Accreditation Committee and the Standards Review Committee before it. To continue the process moving expeditiously, the Council determined to send out both recommendations for further written

Bricks II Conference Hosted by Ohio State

by William B. Powers

The Ohio State University College of Law was the site for a National Conference on Components of the 21st Century Legal Learning Environment held March 5–7, 1993. The conference, co-sponsored by the Section and Ohio State University College of Law and chaired by OSU dean Francis X. Beytagh, attracted some 160 participants, including law deans, professors, librarians and architects. Dean Beytagh also chairs the Section's Law School Facilities Committee.

The conference was nicknamed "Bricks II," as it was a follow-up to the highly successful "Bricks and Books" conference held at the University of Notre Dame Law School four years ago.

Ohio State was an appropriate site for the conference, as it has recently been the subject of a major renovation and expansion. The $19 million project added 95,000 new square feet to the existing building. Gunnar Berkits, lead architect of this and several other law school projects, was the guest speaker at the conference's opening luncheon. He described the process of obtaining an architect, stressing that ample time must be allowed for the architects and the law school representatives to communicate effectively.

The first session of the conference Continues on page 13
Enrollment Drops After Five Years of Growth

by James P. White

In fall 1992, total J.D. enrollment in the 176 J.D. granting law schools approved by the American Bar Association decreased to 128,210, a drop of 1.1% from the fall 1991 enrollment. This decrease in enrollment comes after five consecutive years of growth in J.D. enrollment. Women law students continue to constitute approximately

Minorities constitute 16.6% of total J.D. students in Fall, 1992.

42% of total J.D. enrollment, the same percentage as for the past several years. Minority J.D. enrollment continues to rise. Minorities constitute 16.6% of total J.D. students in fall 1992, an increase from 1991 where minorities constituted 15% of total J.D. enrollment.

What this means and what it portends would, I believe, require a Delphic Oracle to fully explain. We know that demographics alone do not explain fluctuation in law school enrollment. In July 1987, the Council released a report entitled Long Range Planning for Legal Education in the United States, the product of a distinguished Task Force chaired by the late Robert B. McKay. That report contained the following statement: "It is always difficult to see the future. A special committee of the American Bar Association in 1959, for example, perceived a serious problem: Not enough people wanted to be lawyers. 'In the face of the country’s ever-growing need for lawyers,' the American Bar Association Special Committee on Economics of Law Practice wrote, 'the law is becoming a dwindling profession.'"

Yet between 1960 and 1986, the total number of lawyers admitted to practice in the United States rose from 290,000 to more than 700,000. Yet from fall 1983 to fall 1987, total J.D. enrollment in ABA-approved law schools declined from 121,201 to 117,997, a result of a decline of more than 20 percent in applications to ABA-approved law schools.

The Long Range Planning Report was issued when all indications suggested a continuing decline or at best stabilization of law school enrollment. Yet, J.D. enrollment rose from 117,997 in fall 1987 to a high of 129,580 in fall 1991. Perhaps it was a general depressed job market for recent college graduates or the influence of certain television programs or volcanic eruptions or other mysteries which caused law school enrollments to rise. Whatever the cause it appears that the number of applicants to ABA-approved law schools will be decreased significantly for fall 1993, perhaps as much as 10%. For the past several years, I have advised law school deans and faculties not to premise future programmatic and budgetary planning on a continued growth of the pool of qualified applicants. I urge continued caution.

James P. White is consultant on legal education to the ABA.
**DePaul Receives $1 Million Gift**

Chicago personal injury lawyer, who says former President Bush and former Vice-President Quayle, and others have distorted the debate over tort law, has donated $1 million to the DePaul University College of Law to study the subject.

The law school will use Robert A. Clifford's gift to establish an endowed chair in tort and social policy.

Mr. Clifford said politicians and the "well-funded machine of the insurance industry and the medical societies" had exaggerated the impact on society of personal injury and malpractice lawsuits. He said he hoped his gift would create an "intellectually honest" forum in which questions about tort reform could be debated.

Critics of the civil justice system say excessive judgments are driving doctors and others out of business. During the debates this fall, Bush blamed "tassle-loafer lawyers" for the proliferation of lawsuits. Mr. Clifford, who represents victims of airline disasters and of alleged medical malpractice, said that comment upset him. "The day George Bush blasted the malpractice plaintiffs and their lawyers," his office took a case of a 56-year-old man who "went in for a hernia operation and came out blind."

Said Mr. Clifford: "I'm a tassle-loafer lawyer and I'm proud of it." He is an alumnus of DePaul and its law school, and a university trustee.


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### Fall 1992 Enrollment Statistics

#### Summary of Student-Minority Enrollment*

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Black</th>
<th>American Indian</th>
<th>Asian</th>
<th>Mexican</th>
<th>Puerto Rican</th>
<th>Other Hispanic</th>
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<tr>
<td>1st Year</td>
<td>8,070</td>
<td>3,303</td>
<td>313</td>
<td>2,235</td>
<td>807</td>
<td>202</td>
<td>1,210</td>
<td>6,682</td>
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<tr>
<td>2nd Year</td>
<td></td>
<td>2,603</td>
<td>243</td>
<td>1,873</td>
<td>744</td>
<td>193</td>
<td>966</td>
<td>2,465</td>
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<tr>
<td>3rd Year</td>
<td></td>
<td>2,465</td>
<td>206</td>
<td>1,618</td>
<td>683</td>
<td>177</td>
<td>883</td>
<td>2,258</td>
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<tr>
<td>4th Year</td>
<td></td>
<td>247</td>
<td>14</td>
<td>97</td>
<td>24</td>
<td>15</td>
<td>65</td>
<td>3,124</td>
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<tr>
<td>Total</td>
<td>8,070</td>
<td>3,303</td>
<td>313</td>
<td>2,235</td>
<td>807</td>
<td>202</td>
<td>1,210</td>
<td>8,698</td>
</tr>
</tbody>
</table>

**NOTES:**

1. 176 out of 176 schools reporting.
2. Puerto Rican schools not included; enrollment for ABA-approved law schools in Puerto Rico totaled 1,559 students.

*Figures indicated J.D. enrollment only.

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### Fall 1992 Law School Enrollment in ABA-Approved Law Schools

**Male-Female Enrollment Comparison of 1991 to 1992**

<table>
<thead>
<tr>
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</thead>
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<tr>
<td>1st Year</td>
<td>29,277</td>
<td>18,773</td>
<td>44,050</td>
<td>24,480</td>
<td>18,326</td>
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<td>2nd Year</td>
<td>23,924</td>
<td>17,465</td>
<td>41,389</td>
<td>23,346</td>
<td>17,406</td>
<td>40,752</td>
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<tr>
<td>3rd Year</td>
<td>22,856</td>
<td>16,996</td>
<td>39,852</td>
<td>23,307</td>
<td>17,096</td>
<td>40,403</td>
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<td>4th Year</td>
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<td>4,299</td>
<td>2,439</td>
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<td>Total J.D.</td>
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<td>129,580</td>
<td>73,572</td>
<td>54,638</td>
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<tr>
<td>Post-J.D.</td>
<td>2,932</td>
<td>1,370</td>
<td>4,302</td>
<td>2,784</td>
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<td>Total J.D. &amp; Post-J.D.</td>
<td>77,402</td>
<td>56,480</td>
<td>135,682</td>
<td>76,356</td>
<td>56,092</td>
<td>132,448</td>
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<td>1,275</td>
<td>795</td>
<td>542</td>
<td>1,337</td>
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<td>135,157</td>
<td>77,151</td>
<td>66,364</td>
<td>133,785</td>
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### Fall 1992 Law School Enrollment in ABA-Approved Law Schools

**Full-Time and Part-Time Enrollment Comparison of 1991 to 1992**

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<tr>
<td>1st Year</td>
<td>36,974</td>
<td>35,592</td>
<td>6,232</td>
<td>4,996</td>
<td>42,806</td>
<td>40,403</td>
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<td>2nd Year</td>
<td>35,592</td>
<td>35,407</td>
<td>5,160</td>
<td>4,996</td>
<td>40,752</td>
<td>40,403</td>
</tr>
<tr>
<td>3rd Year</td>
<td>35,407</td>
<td>34,995</td>
<td>5,160</td>
<td>4,996</td>
<td>40,752</td>
<td>40,403</td>
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<tr>
<td>4th Year</td>
<td>0</td>
<td>0</td>
<td>4,249</td>
<td>4,249</td>
<td>4,249</td>
<td>4,249</td>
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<tr>
<td>Total J.D.</td>
<td>107,573</td>
<td>109,617</td>
<td>20,637</td>
<td>22,831</td>
<td>128,210</td>
<td>132,448</td>
</tr>
<tr>
<td>Post-J.D.</td>
<td>2,044</td>
<td>2,044</td>
<td>2,194</td>
<td>2,194</td>
<td>4,238</td>
<td>4,238</td>
</tr>
<tr>
<td>Total J.D. &amp; Post-J.D.</td>
<td>109,617</td>
<td>111,661</td>
<td>22,831</td>
<td>22,831</td>
<td>132,448</td>
<td>132,448</td>
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<td>Other</td>
<td>665</td>
<td>665</td>
<td>872</td>
<td>872</td>
<td>1,337</td>
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<td>GRAND TOTAL</td>
<td>110,282</td>
<td>112,282</td>
<td>23,503</td>
<td>23,503</td>
<td>133,785</td>
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<tbody>
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</tr>
<tr>
<td>4th Year</td>
<td>0</td>
<td>0</td>
<td>4,249</td>
<td>4,249</td>
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<td>872</td>
<td>1,337</td>
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<td>23,503</td>
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<td>133,785</td>
<td>133,785</td>
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</tbody>
</table>
Panel Discusses Cooperation Between Deans and Bar Examiners

by William B. Powers

The 1993 Deans Workshop provided the forum for a program entitled “Charting the Course for Greater Cooperation Between Deans and Bar Examiners.” The program was jointly sponsored by the Section and the National Conference of Bar Examiners. The program’s panel was comprised of Erica Moeser, director of the Wisconsin Board of Law Examiners and co-chairperson of the Section’s Bar Admissions Committee; Beverly Tarpley, chairperson of the National Conference of Bar Examiners and a member of the Section’s Council; Charles Dorsey, chairperson of the Maryland Board of Bar Examiners; Honorable Gerald VanderWalle, chief justice of North Dakota and co-chairperson of the Section’s Bar Admissions Committee, and Talbot D’Alemberte, former ABA president.

Mr. Dorsey emphasized two issues in his presentation. First, he stated that the bar examination must be demystified. He noted that the Maryland Board of Bar Examiners goes to law schools on a regular basis to describe the examination to students. “We’re not interested in how much law you know,” Dorsey said. “The practice of law is fact-driven.”

Second, Mr. Dorsey addressed the issue of character and fitness. He stated that if there are character and fitness problems with students that the deans know about but do not bring to the attention of the bar examiners, then the deans are not complying with the canons of professional responsibility. “A lawyer who is brilliant and has no character is a time bomb in the making,” Dorsey stressed. “It is not helpful for deans to tell bar examiners that [character and fitness] rehabilitation is proven by a sterling academic record.” He added that it reflects more positively on bar candidates when they openly discuss character and fitness issues with bar examiners. “Candor is worth its weight in gold,” Dorsey said.

Chief Justice VanderWalle agreed that the bar examination process is viewed as a mystical one. He added that character and fitness are aspects of bar admissions where the application of objective standards is a “murky swamp.” VanderWalle stated that judges must actively participate in the bar admissions process, and he urged that the supreme court of each state act as a catalyst to bring law schools and bar examiners closer together. “There must be a middle ground that balances the integrity of the academic process with effective character and fitness determinations by bar examiners,” said VanderWalle, acknowledging the tension that sometimes exists between the dean’s desire to counsel students effectively and the dean’s responsibility to report character and fitness issues to bar examination authorities.

Mr. D’Alemberte stated that the legal education accreditation process and the bar examination have greatly improved the quality of the legal profession. He proposed that the bar examination be moved up to perhaps after the second year of law school, somewhat like the medical school model. D’Alemberte suggested the idea of waiving the bar examination. “Let law schools develop their own rules to assure bar examiners that an applicant has been through a splendid program of core courses and professional skills courses,” he urged, adding that this would create a strong incentive for students to take clinical courses.

After the panel completed its presentations, the deans and bar examiners broke into small groups to discuss various hypothetical character and fitness issues. Deans and bar examiners alike stated that it would be advantageous for the two groups to come together and discuss these issues on a regular basis.

William B. Powers is the Section’s research lawyer and editor of Syllabus.
Evolution in the Design of Law School Buildings

by Charles D. Kelso

Professor Kelso delivered this keynote address at the “Bricks II” conference at Ohio State in March.

The last 50 years have seen many changes in law school facilities and in the process used for their design. As keynoter, I will undertake to describe those changes in ways which highlight the challenges future law school planners must face if they are to avoid serious mistakes and produce even better designed facilities.

My message is simple. Here is a four sentence summary:

1. Because law schools have become larger, more specialized, and more intricate, and the expectations of faculty, staff, and students have been raised by positive experiences in other educational environments, there are more chances for less than optimum results, and errors have become more costly to correct.

2. Avoiding errors and producing optimum results require ever more careful coordination and communication among law school planners, architects, and users.

3. Planning efforts should repeatedly focus on goals and long-range forecasting, imaginative tracing of future behavior in various space areas used for educational or professional purposes, and scale model manipulation of equipment and furniture.

4. There is a pressing need for more scholarship and exchange of ideas on the design of law school facilities.

Now for some details:

In the mid 1900s, and even in the mid 1960s when I visited over 120 law schools, law school facilities were relatively small and quite similar to other university buildings. They contained faculty offices, small administrative suites, a library with stacks and a reading room, a small student lounge, with perhaps an attached locker area, and several classrooms (the larger ones usually being tiered, and the small ones usually flat, with perhaps a judge's bench in one of the small rooms). Law school facilities usually were not designed to handle more than about 500 students, and many schools were much smaller. With only slight refurbishment, the buildings could have been turned over to the history department or to university administration—as some have been.

Compared to what faces today's planners, it really wasn't all that difficult 50 years ago to create a building which worked as well as it was expected to work. Of course, some minor flaws appeared, such as lockers too shallow to hold a briefcase, shelves in bathrooms being too narrow for holding coursebooks, offices placed too far from other facilities and, in one set of plans that I studied, a stairway that led to nowhere.

Recently constructed law school facilities are much more specialized. There are clinics, elaborate trial and appellate courtrooms with built-in television systems, tiered as well as flat seminar rooms, instructional areas with dividing panels, Lexis and Westlaw instructional areas, duplicating rooms, computer labs, conference rooms, student organization offices, sometimes individual student carrels or offices, faculty libraries and lounges, staff lounges, and an array of moderately specialized administrative suites for such functions as financial aid, admissions, alumni relations, student housing. The law school may also include a computer network, food service, housing, and recreational areas. And of course there will be nearby parking spaces.

Today's law school buildings occupy many more square feet than did the older buildings, not only because of their specialized aspects, but also because they must house many more people: more students, more faculty, a larger staff in the library, and many more persons in administration. And they have been more consciously designed as a sustaining environment for all-day work and study. A mistake about technology may mean that floors may have to be torn up to install conduit or walls or ceilings torn up to deal with noisy air conditioning.

Some of the changes in law school design that I have described have not required a great deal of creativity. Simply building more offices or more classrooms isn't that big a challenge, even though you may need to consider problems in how far people have to walk to get from one functional area to another. Solutions have included clustering configurations, area lounges, the use of electronic message service, or other devices to maintain a community.

As facilities get larger, it becomes more important for users to be consulted so as to get a feeling for their priorities with respect to the choices which must be made. For example, it gets increasingly difficult to have all faculty members close to the library, close to the parking lot, and close to the classrooms all at the same time. What do the professors want? Similar problems are likely to exist with respect to staff members and librarians, and there may be new kinds of problems in making administrative services sufficiently accessible to students and effectively related to one another.

On beyond problems created by size, it is primarily the increased specialization of law facilities that has required even closer coordination and communication between architects, law school planners, and users. The reason is that planning a specialized facility requires more detailed assumptions and understandings about the equipment that will be needed and the behavior of the people who will use the various spaces. For example, when specialized facilities are created for
clinical programs, one has to think through how clients are received, how they are referred to counsel, the environments in which lawyers and clients can best interact with each other, and how the student lawyers are to do their research and have access to files and to supervisors, and the like.

A few law schools, making assumptions about the relationship between educational environment and professional behavior, have attempted to treat students as neophyte professionals and, thus, have provided them with individualized or small-group office space. Many considerations must creatively be accommodated to design such space. For example, do you want such student space to be in close proximity to professorial offices? Are seniors to be treated differently than second- or first-year students?

Similarly, in planning library facilities there now are many choices with respect to the nature of study spaces, carrels, study rooms, informal reading areas, and the like. What is to be the relative allocation of space for books, microform equipment, and computers? Should there be a separate law lab in which students work on computers? How will computerization of acquisition and cataloging affect the configuration of work space and the location of offices for professional librarians?

As law school facilities become more specialized, and particularly if greater emphasis is placed on professional skills training and technology related to such training, an increasing proportion of the design problems require close cooperation and effective communication between the planning committee, the architect, and potential users of the various kinds of space.

Thus, great care should be taken in structuring the design process and in having each of these groups appropriately relate to each other as the process moves through the various steps from concepts to design plans and on into blueprints.

I have the impression that this point has been understood by most law schools that have recently engaged in the process of remodeling or building new buildings. No longer do plans emerge full-blown from the dean and an architect. There is a carefully selected building committee. A concerted effort is made to devise a space usage plan intended to sustain institutional goals and programs. Typically the architect and some other planners will visit other schools to gain ideas. Outside legal educators may be brought in for consultation. The 1976 Report of the ABA/AALS Task Force on Law School Planning may be consulted. The school may send for the AALS set of floor plans. And most important, an effort will be made to get input from all kinds of users, both in the early stages of planning and as plans get more concrete. Finally, ideas from conferences such as this may be influential at one or another stages of the process. The result, I think, is that the law school world has improved its processes for planning the design of law school facilities and is doing a better job of creating what is really wanted and needed.

What specific new challenges face these increasingly sophisticated planning teams?

The first, required by both law and compassion, is to provide facilities that are appropriate for disabled persons. Doors should be wide enough for the kind of wheelchairs currently in use. Automatically opening doors should be placed in strategic locations. It may be advisable to build special desks or special rest room facilities to specifications suggested by disabled persons. There is also a challenge to design ramps that blend with facilities rather than appearing to be an add-on. Other kinds of special facilities may be called for to facilitate the education of blind students or students who are hearing impaired. Persons who will be or may be using such facilities should of course be involved in the planning process.

Other requirements for specialized thinking are created by the increasingly elaborate equipment now in use or that is likely to be used in the near future—computers, printers, fax machines, Xerox machines. All of these things demand space not only for use but also for maintenance and repair. And there are implications for electric circuits, air conditioning, vents, and the like.

In planning for equipment, as in planning for other furnishings, you need to pay great attention to the details of how people will relate to each other and to the equipment. Every effort should be made to imagine the behavior that will go on in each area, and plans should be revisited and edited several times. The imagining should be done with the aid of people who will be working on those areas.

Further, it is very helpful to make little scale models of the furniture and equipment and move it around on scale designs of the space. Of course, the architect has to be supplied with a list of the machinery and furnishings that each space area must support.

In addition to being concerned with inside spaces, recent TV reports indicate we may need to do environmental studies for such things as radon and electromagnetic radiation. I don’t know what is going to come of those matters, but we need to keep in touch.

In addition to challenges created by human needs and equipment, new challenges are created as law schools rethink the goals of their programs and add new programs.

With respect to interior space areas I
think that law school planners can usefully supplement specific plans with some articulated general concepts such as that the facility should provide users with options to pursue their goals in a variety of ways and that although the facility should support the particular programs of the institution, there should also be some generalized space for future innovations and increases in various programs.

Further, in addition to developing plans for interiors that will best sustain the law school’s programs, attention should also be paid by law school planners (and not merely the architect) to how the building, when viewed from the outside, will relate to goals of the law school. Thus, I think that law school planners should consider the articulation of goals with respect to how the new facility will blend with other elements in the environment, and the extent to which it should suggest the professional or the academic world.

My final point has to do with scholarship on the design of law school buildings. There has not been a plethora of writing on the subject. That there is a need for such scholarship is evident to me in the fact that the 1976 ABA/AALS Task Force Report has been requested by and sent to well over 40 law schools engaged in the design process, several times in recent years. But that Report is now almost 15 years old, and it is time to get up to date.

Recently created space usage plans were displayed at the Notre Dame conference and I assume they are still available. Under Dean Beytagh, the ABA Law School Facilities Committee has just published the first edition of its Reference Book on Law School Facilities, a book based on a thorough survey of the law schools. I am sure that the formal presentations, discussions, and informal exchanges at this conference will include useful ideas for conferees. In addition, I assume that a summary of this conference will be prepared and distributed. Beyond that, however, I hope that one or more persons who are attending this conference, or who will learn about it in the future, will be inspired to do some reflective thinking on the subject, and will publish for legal education some new and creative ideas. Such follow-through would greatly contribute to achieving the goals of this Bricks II conference.

Charles D. Kelso is professor of law at McGeorge Law School, and a member of the Section’s Law School Facilities Committee.

WASHINGTON REPORT

by E. Bruce Nicholson

With the outline of his economic proposals and his call for a national service corps, President Clinton has already made clear that there will likely be a new direction in the federal student loan program in the 103rd Congress. But the size of the new program and the degree to which it may seek to transform the existing loan system are very much in doubt as the economic proposals are undergoing intense scrutiny.

Already the President’s proposal for the new national service corps is significantly scaled down from the proposal enunciated during last year’s presidential campaign. During the campaign Clinton made national service one of his principal proposals, calling for the formation of a youth corps numbering up to 500,000 workers a year who would earn credit or pay off college debt through one or two years of public service work. Other students would finance college through income-contingent repayment, administered by the Internal Revenue Service through payroll deductions, and hopefully, significantly impact on student loan defaults. The proposal to go forward to Congress this spring, however, calls for creation of a corps numbering 100,000 by 1997, costing $7.4 billion over the next four years.

The Administration’s proposed overall budget for spending on education programs is expected to call for cuts in mandatory spending on student loan programs from $7.2 billion in the current year to $6.3 billion in fiscal year 1994, according to Education Secretary Richard W. Riley in testimony delivered to Congress earlier this year. He noted that this drop will be possible because of lower interest rates and the decrease in the “special allowance” which the federal government pays lenders on outstanding student loans. However, spending on the department’s discretionary budget will increase to $24.4 billion, an increase of 5% from the current $23.2 billion for all programs other than guaranteed student loans.

The Clinton economic proposals have called for restoration of at least federal income tax deductions affecting higher education which have been recently eliminated or expired, but he has not yet called for restoration of the deduction of interest on student loans, a measure supported by the ABA. Congressional sponsors are hopeful that the Clinton administration will ultimately support such legislation, as it has been recommended as a fundamental step to keep higher education affordable. It is also notable that a bill to restore deductibility of interest on student loans was passed in the last Congress as part of broad tax legislation, but was vetoed by President Bush, who objected to other new taxes in the legislation.

Each of these issues will be tied to the others as the 103rd Congress moves to shape program and budget proposals this year.

E. Bruce Nicholson is legislative coordinator for the Governmental Affairs and Public Services Group of the ABA.
Recent Law School Buildings

1. University of Michigan School of Law (1991)
2. Inter American University of Puerto Rico (1992)
5. Washington and Lee University School of Law (1992)
6. Washburn University School of Law (1992)
7. Wake Forest University School of Law (1992)
8. Georgetown University Law Center (1990)
9. Willamette University College of Law (1992)
10. California Western School of Law (1993)
11. Drake University Law School (1992)
Faculty Honors

University of Iowa law professor Herbert J. Hovenkamp has been awarded the 1992 Littleton-Griswold Prize by the American Historical Association. The award recognizes outstanding scholarly achievement by an American historian. Hovenkamp won the prize for his book *Enterprise in American Law*, published in 1991 by Harvard University Press. Hovenkamp's award is especially notable because the competition for the prize is open to all historians in the United States, regardless of their field of interest.

Hovenkamp, a member of Iowa's law faculty since 1985, was named the law school's Ben and Dorothy Willie Distinguished Professor in 1990. He was also the winner of a 1992 Iowa Collegiate Teaching Award. In addition to his national credentials as a legal historian, Hovenkamp is a leading scholar in the fields of anti-trust law and property law.

Louis Westerfield, dean of the Loyola University School of Law in New Orleans, was recently appointed to the prestigious Board of Trustees of the Lawyers' Committee for Civil Rights, the national organization of lawyers founded at the request of President John F. Kennedy to fight racial discrimination. A strong supporter of civil rights and community involvement, Westerfield served as chairman of the Mississippi Advisory Committee to the U.S. Commission on Civil Rights. Westerfield's fifteen years of legal and educational experiences include positions as assistant district attorney with the Louisiana Legislative Council in Baton Rouge and as a law professor at Loyola from 1978 to 1983. His teaching specialties are constitutional and criminal law.

Diane C. Maleson, professor of law at Temple University School of Law for two decades, has been named Vice Provost for Faculty. As vice provost, her duties will include oversight of the tenure and promotion process at the university, leaves and research grants, and continuing education regarding the sexual harassment policy. Since 1981, Professor Maleson has served as editor of the American Journal of Legal History. Among the courses she has taught are American legal history, torts, constitutional law and environmental law.

Dean Donald G. Gifford, University of Maryland School of Law, presented the 1993 Adler-Rosecan Lecture at the University of Missouri-Columbia in January. His speech was entitled "American Competitiveness: The Legal System Scapegoat?"

Professor Michael L. Closen of the John Marshall Law School (and a visiting professor of law at the University of Arkansas-Fayetteville) has been selected as a finalist in the 1993 International Defense of Human Rights Competition for Attorneys held by the Museum for Peace in Caen, France. Professor Closen is one of only two finalists from the United States, and he will defend his paper on the subject of international human rights violations relating to the HIV-AIDS epidemic in April.

Clarification

In the previous issue of Syllabus, we ran an item under Faculty Honors which stated that a book authored by Professor Richard Neumann of Hofstra had received a very favorable review in the Journal of Legal Education. We received a letter expressing concern that inclusion of this item under "Faculty Honors" leaves the impression that the book was the recipient of an award of some kind, or that its author some sort of competition. We do not know whether the book has been so honored, only that it received a favorable book review in the Journal of Legal Education. We apologize for any confusion inclusion of this item in the Faculty Honors column may have caused.

Dean Changes

Neil H. Cogan, currently associate dean at Southern Methodist University, will become dean at the Bridgeport School of Law at Quinnipiac College in July. Current dean Terence Benbow will return to full-time teaching.

Carlos E. Ramos Gonzalez, formerly acting dean of Inter American University of Puerto Rico School of Law, will take over the deanship this summer.

Bruce Wolk became the dean of the University of California at Davis on January 1. He replaces Ellen Jordan, who resigned for health reasons but remains on the faculty.

David C. Short, professor of law and director of the Mineral Law Center at the University of Kentucky, has been appointed the dean of Northern Kentucky University's Salmon P. Chase College of Law.

Several deans have announced their resignations effective at the end of this academic year: Dean Jacqueline Allee of St. Thomas University School of Law, Dean Mark Nordenberg of the University of Pittsburgh School of Law, Dean Rutherford B. Campbell Jr., at the University of Kentucky, and Dean Michael H. Hoeflich of Syracuse University School of Law. Dean Mary Doyle of the University of Miami School of Law has announced that she will resign at the end of the 1993-94 academic year.

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Report to Law School Deans, University Presidents and Provosts

by George S. Grossman

At the Invitational Conference on Law Schools and the University: The Present and the Future held in Chicago in March, the Law Libraries Committee of the Section issued a report prepared by committee chairperson George S. Grossman. The report explores "the possible reasons why microforms, databases and library networks have had little impact on paper collections" and it makes a number of specific recommendations. The following is the "Conclusions and Recommendations" portion of the report.

Technology has so far done little to reduce the costs of law libraries. Microforms, databases and library networks have brought about increased and better organized access to legal information, but have done little to reduce paper collections.

As the AALL's survey has suggested, research should be done to establish the appropriate relationship between paper sources and databases. Without further research, however, each library should examine its mix of paper, microforms and databases and question each instance of duplication (or tripling). Each library should also examine which materials it needs to own and which can be borrowed or copied or faxed from other libraries.

Not all law schools are in the same state of readiness to switch from paper to databases or to share resources with other libraries. As a prerequisite to reliance on databases, a law school must have adequate computer facilities, printers and a local area network linked to LEXIS and WESTLAW. As the next step, computing facilities should be upgraded for scanning, sending, receiving, storing, and printing images.

As a prerequisite to effective sharing with other libraries, each law library must be in at least one cataloging network (OCLC/RLIN/WLN). Each law library should also convert its entire catalog to an online system, contributing the tapes to at least one national network.

Law libraries should also organize into regional consortia, linked in a national network. The consortia should not only coordinate inter-library resource sharing by inter-library loans, joint purchases, shared storage and other means, but also organize joint projects to deal with local materials, foreign materials and legal periodicals. Consortia should also devise cooperative programs for the preservation or conversion of deteriorating books. The only institution capable of providing the leadership and back-up for such a network is the Law Library of Congress.

Each law library must be in at least one cataloging network.

Law schools have the opportunity to lead the way in substituting on-line information for paper, and eliminating one of the major contributors to the growth of law library collections, by creating a database for the publication of scholarly articles (including works in progress) exclusively on-line. Law schools also have an opportunity to lead the way in imaging—by creating an image bank of the back-runs of their journals.

Leighton Receives Dickerson Award

Honorable George N. Leighton, former chairperson of the Section of Legal Education and Admissions to the Bar, received the Earl B. Dickerson Award in February. Judge Leighton recently retired from the United States District Court, Northern District of Illinois.

The Earl B. Dickerson Award is presented annually by the Chicago Bar Association to a lawyer whose career at the bar emulates the outstanding ideals, courage and dedication of Dickerson in making the law the key to justice for others in our society.
NALP Report
End of Recruiting Season Report Shows Fewer Opportunities
by Linda North

There continue to be fewer opportunities for law students interviewing with legal employers who recruit during the busy fall season, according to the preliminary findings of NALP's End of Season Survey for Fall, 1992. The primary group of employers who recruit during the fall are large and medium-sized private law firms, federal government agencies, and a small group of other public service agencies and corporations. These types of employers are better able to predict their needs well in advance, and take advantage of summer associate programs for their permanent hiring needs.

This group of employers also tends to be the focus of media attention, of law school applicants' questions, starting salary figures, and on-campus interview numbers, but it does not represent the majority of hiring being done. That honor goes to the small private law firm.

Nationally, the number of campus visitations is down 7.6% from 1991, and the most dramatic drop is in the far west, with a decline of 15.6%. Over the past few years, most large private law firms in this country have reduced the number of summer associates and permanent attorney positions for which they are interviewing and therefore point to that reason most often as the reason for the reduction of campus visits. In NALP's Directory of Legal Employers, the number of listed positions available for second- and third-year law students has declined over the past few years, and some private employers are noting as much as a 75% reduction in the number of students they intend to hire.

However, many firms are citing additional reasons such as the cost of participating in on-campus recruitment. Schools' fees, coupled with transportation costs, are the primary direct expenses, and the indirect costs of lost attorney time often preclude many employers' participation in on-campus programs.

One large midwestern law firm

ABA Nominates New Officers

George E. Bushnell Jr. of Detroit was nominated today to become President-Elect of the American Bar Association, the largest national organization representing the legal profession.

His name was announced this morning to members of the ABA House of Delegates, convened in Boston for the 1993 ABA Midyear Meeting. The House will vote on ratifying his selection during the association's Annual Meeting in August in New York City. If elected, he will become president in August 1994.

Also nominated were eight candidates for the association's Board of Governors, a 35-member body that convenes periodically during the year to oversee administration and policy implementation for the 370,000-member organization. Some nominees are to represent geographic districts.

Others would be at-large representatives of ABA sections and divisions, membership units based on specific legal areas or professional status. While they would be at-large representatives, they are chosen from specific sections or divisions on a rotating basis.

Linda North, assistant dean at California Western School of Law, is the 1992-93 president of the National Association for Law Placement.
Changes Occurring at LSAC/LSAS

by Jana Cardoza

Big changes are coming in 1993 for Law School Admission Services, the operating arm of LSAC, based in Newtown, Pennsylvania. LSAS President/LSAC Executive Director Lizabeth Moody will return to Cleveland State University, where she has served as a professor at Cleveland-Marshall College of Law for more than two decades.

An LSAC search committee has been formed to find a successor to Professor Moody, who will return to full-time teaching July 1. The committee is chaired by former LSAS interim president Claude Sowle of the University of Miami School of Law, and includes Donna Claxton Deming, University of Puget Sound; David Hill, University of Colorado; Richard Huber, Boston College; Brian Mazer, University of Windsor; and Nan McNamara, from New York University. George Dawson, University of Florida and LSAC president-elect, and Charles Daye, current LSAC president and professor of law at the University of North Carolina, are ex-officio members.

Meanwhile, LSAS staff busy themselves with the work of reorganization as the Law Access loan program that currently comprises the financial aid services division of LSAS will split off and become its own entity later this year. The split-off comes as a result of an LSAC Board of Trustees resolution to create an independent corporation to operate the Law Access loan program. The board passed the resolution at its December 1992 meeting after a year and a half of deliberation among Council volunteers and legal education organizations.

The new loan program corporation will be completely separate from LSAC and LSAS, but will be a membership organization of ABA-approved law schools governed by legal education. The board decided on a complete separation due to the increasing complexity of Law Access and student financial aid, in general, the tremendous growth of the loan program, and the need for greater expertise on finance and financial aid matters within the organization’s volunteer structure.

Professor Daye recently appointed a committee of board members to work with LSAS staff on the formation of the new corporation. The committee, chaired by Dean Philip Shelton of Mercer University’s Walter F. George School of Law, includes Provost Thomas Jackson of the University of Virginia, Associate Dean Ruth Lammert-Reeves of Georgetown University, Dean Leigh Taylor of Southwestern University and LSAS President Lizabeth Moody.

Changes Occurring

BRICKS II

Continued from page 1

was devoted to discussions of space planning, including classrooms, study spaces, faculty and staff offices, and lounge and other special-purpose spaces. Professor Charles Kelso of the University of the Pacific delivered a keynote address (featured later in this issue of Syllabus), and panelists included Dean Robert K. Walsh, Wake Forest University School of Law; Professor Howard P. Fink, Ohio State University College of Law; Professor Steven D. Hinkley, University of Richmond School of Law; and Associate Dean Karen B. Cutright of Ohio State.

The second session of the conference was focused on library additions and renovations. Professor Albert Brecht, library director at the University of Southern California, moderated the panel which discussed working with architects and technology and library space. Panelists included Blair Kauffman, library director at the University of Wisconsin; Dean Mary Doyle of the University of Miami School of Law; James Hoover, library director at Columbia University School of Law; and Dean William Hines of the University of Iowa.

After small group discussions and lunch, the conference’s final session was moderated by Dean Dorsey Ellis, Jr., of Washington University School of Law. Dean Robert L. Misner of Willamette University School of Law; Assistant Dean William G. Goodman of the University of Illinois School of Law; Associate Dean Leah Wortham of Catholic University of America; and Mario Boiardi of Hartman-Cox architects discussed planning, phasing and operating during renovations.

Associate Dean Michael Zimmer of Seton Hall University School of Law; Professor Stuart Deutsch of Chicago-Kent College of Law; Associate Dean Laura Rothstein of the University of Houston School of Law; and Professor Jane Hammond of Cornell University Law School discussed planning for technology.

Out of the conference came not only a great deal of useful discussion, but also a Law School Facilities Reference Book. The Law School Facilities Reference Book is a 320-page compilation of information about the law school facilities of some 130 law schools. Included are 99 photos. The reference book may be ordered by sending a check made out to the American Bar Association for $25 to cover the cost of printing and shipping. Send requests to Sandy Nogle, American Bar Association, 550 West North Street, Indianapolis, Indiana 46202.

William B. Powers is the Section’s research lawyer and editor of Syllabus.
EXTERNSHIPS
Continued from page 1

Mark Your Calendar

APRIL
22-24 AALS Accreditation Committee
24-25 ABA Skills Training Committee
29-May 2 ABA Accreditation Committee

MAY
1 Legal Writing Committee
2-3 ABA Standards Review Committee
5-6 LSAC Board of Trustees Meeting
6-8 AALS Workshop on Clinical Legal Education
10-12 AALS Executive Committee Meeting
11-14 American Law Institute Annual Meeting
12 ABA/AALS/LSAC Deans’ Breakfast
14 Mayflower II

JUNE
2-5 LSAC Annual Meeting and Educational Conference
4 ABA Council/LSAC Trustees Joint Meeting
5-6 ABA Council Meeting
9-13 ABA Seminar for New Law School Deans
12-16 AALS Conference on Constitutional Law
15-16 ABA Workshop for Associate Deans and Assistant Deans
20-21 ABA Law School Development Conference Planning Committee
23-27 ABA Accreditation Committee

November 8-9, 1992. Before resubmission to the Council, changes were made in the combined recommended draft of the Accreditation Committee and Standards Review Committee in response to comments from the schools.

Prior to the December 4-5, 1992 meeting of the Council, several deans again wrote stating their views concerning the proposed Interpretation. These comments were reviewed by the Council.

At its December 4-5, 1992 meeting the Council resolved its intention to adopt the revised Interpretation and directed that the proposed revision be again circulated to deans and other interested parties for further comment and consideration. A number of comments were received. The Council also scheduled another opportunity for explanation and discussion of the proposed revision of the Interpretation. The matter was again considered by the Council at its February 6-7, 1993 meeting. The Council reviewed the matter and formally and unanimously adopted a revised Interpretation of Interpretation 2 of Standard 306.

Interpretation 2 of Standard 306 states:

(a) A law school that has a program that permits or requires student participation in studies or activities away from the law school (except foreign programs) shall develop and publish a statement that defines the educational objectives of the program. Among educational objectives of these programs may be instruction in professional skills, legal writing, professional responsibilities, specific areas of the law, and legal process. The educational objectives shall be communicated to the students and field instructors.

(b) These programs shall be approved by the same procedures established by the law school for the approval of other parts of its academic program and shall be reviewed periodically in accordance with those procedures and in light of the educational objectives of the program.

(c) The field instructor or a full-time faculty member must engage the student on a regular basis throughout the term in a critical evaluation of the student’s field experience.

(d) In field placement programs, as the number of students involved or the number of credits awarded increases, the level of instructional resources devoted to the program should also increase. The School and the Accreditation Committee shall evaluate programs in light of the following factors:

1. adequacy of instructional resources,
2. classroom component,
3. prerequisites for student participation,
(4) number of students participating,
(5) amount of credit awarded to each student,
(6) evaluation of student academic achievement,
(7) qualifications and training of field instructors,
(8) evaluation of field instructors, and
(9) visits to field placements.
(e) In all field placements in which a field instructor is responsible for the direct supervision of students, the following criteria shall apply:
(1) A student shall not participate prior to successful completion of at least one year of study in an ABA-approved law school.
(2) The full-time faculty must review the program periodically to ensure that the law school and the faculty exercise their responsibilities in the implementation of the program and that it meets the stated educational objectives.
(3) There shall be some established and regularized communication among full-time faculty, student and field instructor during the field placement experience. An on-site visit by full-time faculty during the course of each field placement is preferred. The field instructor should participate with the full-time faculty in the evaluation of the student’s academic achievement.
(4) In conducting the review of the program and the participation of each student required by Standard 306(c), the full-time faculty member shall consider the following factors:
(a) the time devoted by the student to the field placement,
(b) the tasks assigned to the student,
(c) selected work products of the student,
(d) the field instructor’s performance.
(5) A contemporaneous classroom component is preferred.
(6) Teaching credit shall be given commensurate with the instructional responsibilities of the full-time faculty member in relation to the number of students and the credit hours granted.
(f) In extraordinary circumstances a school may apply to the Committee for a variance from this Interpretation to permit a law school administrator or a part-time faculty member whose experience makes him or her qualified to serve the functions of a full-time faculty member within the meaning of Standard 306. 

(g) The Accreditation Committee will closely scrutinize field placement programs in which the amount of academic credit awarded is substantial, the student/faculty ratio of the placement is high, the field placement occurs at a significant distance from the school, or the field placement is initiated by the student rather than by the faculty.

(1) A classroom component is required. If the classroom component is not contemporaneous, the school has the burden of demonstrating that its alternative is a functionally and educationally equivalent classroom experience involving full-time faculty. The alternative may be a meaningful pre- or post-field placement experience involving full-time faculty. The classroom component may be satisfied by regular tutorials conducted by the full-time faculty.
(2) A written appraisal of each program shall be conducted at least every three years by the law school to evaluate whether the program is meeting its stated educational objectives.
(3) The school shall ensure that there is careful and persistent full-time faculty monitoring of the academic achievement of each student. This shall include an on-site visit in each field placement by full-time faculty in the course of field placements. The school shall document this monitoring. ☐

Committee Nominations Sought

An important function of the Chairperson of the Section of Legal Education and Admissions to the Bar is the appointment of members to Section Committees. We seek a broad range of talents, experiences and views for those who serve on Section Committees. We seek membership from the three components of Section membership: legal educators, practicing lawyers and judges. The Section of Legal Education and Admissions to the Bar provides a wide range of service to legal education and the profession. Much of this service emanates from the work of the committees of the Section.

In making appointments of new members to Section Committees, I will balance continuity of membership with the perspective which new members can contribute. Committee appointments are for 1993–94. I do not list several committees where there are no vacancies. The following are the committees for which I seek suggestions for membership:

Continuing Legal Education Committee
Curriculum Committee
Part-Time Legal Education Committee
Law Libraries Committee
Legal Writing Committee
Pre Law Committee
Professionalism Committee
Skills Training Committee
Student Services Committee

Please send your suggestions to either:

Dean Robert A. Stein
c/o Consultant’s Office
Indiana University
550 West North Street, 3rd Floor
Indianapolis, Indiana 46202

Or send your suggestions to:

Dean Robert A. Stein
University of Minnesota
School of Law
229 19th Avenue, S.
Minneapolis, Minnesota 55455

Please send your suggestions no later than May 1, 1993. ☐
Council Nominations Sought

Dean Nina S. Appel, chairperson of the Section of Legal Education and Admissions to the Bar, has appointed the following members of the 1992–93 Section Nominating Committee.

Chairperson
Jose Garcia-Pedrosa, Esq.
Tew & Garcia-Pedrosa
Miami Center – Suite 2600
201 South Biscayne Boulevard
Miami, Florida 33131-4336

Vice-Chairperson
Dean Frank K. Walwer
University of Tulsa
College of Law
3120 East 4th Place
Tulsa, Oklahoma 74104-3189

Members
Dean James Douglas
Texas Southern University
Thurgood Marshall School of Law
3100 Cleburne Avenue
Houston, Texas 77004

Professor Jane L. Hammond
Cornell University
Law School
Myron Taylor Hall
Ithaca, New York 14853

Harold L. Rock, Esq.
Kutak & Rock
The Omaha Building
1650 Farnam Building
Omaha, Nebraska 68102

Honorable Rosalie E. Wahl
Supreme Court of Minnesota
421 Minnesota Judicial Center
25 Constitution Avenue
St. Paul, Minnesota 55155-6102

Nominations for 1993–94 are to be made as follows:

Chairperson—Automatic under Bylaws
Dean Robert A. Stein

Chairperson-Elect—To Be Nominated
Honorable Joseph W. Bellacosa

Vice-Chairperson—To Be Nominated
Secretary—Term Expiring (Two-year Term)—
To Be Nominated
Dean Gordon D. Schaber

Section Delegate—Term Expiring (Three-Year Term)—To Be Nominated
Sharp Whitmore, Esq.

Immediate Past Chairperson—
Automatic Under Bylaws
Dean Nina S. Appel

Council Terms Expiring (Each for a three-year term):
Martha W. Barnett, Esq.
Professor Roger F. Jacobs
Honorable Thomas Tang
Beverly J. Tarpley, Esq.

Please send any nominee suggestions to members of the Nominating Committee, with a copy to James P. White, American Bar Association, 550 West North Street, Indianapolis, Indiana 46202.

Smith Receives Pipes Award

Robert McDavid Smith, a former chairman of the Section of Legal Education and Admissions to the Bar, recently received the Sam W. Pipes Award from the University of Alabama School of Law. Smith received his J.D. from the University of Alabama in 1948 after serving as a captain in the United States Army and being awarded the bronze star. He received his LL.M. from Harvard University in 1949 and has practiced law ever since with the Birmingham firm of Lange, Simpson, Robinson & Somerville. The Pipes Award is the highest honor given by Alabama's leading alumni association and signifies outstanding service and support of the law school.

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