

SYLLABUS

American Bar Association Section of Legal Education and Admissions to the Bar • Volume XXVII, Number 1 • Winter 1996

Recodification of Standards Nears Completion

The Council of the Section of Legal Education and Admissions to the Bar, at its December 2-3 meeting, considered the attached draft of the Recodification of the ABA Standards for Approval of Law Schools. The Council adopted a motion to promulgate the Recodification Draft for comments and public hearings. This draft is being distributed to deans of ABA-approved law schools, chief justices of state supreme courts, state boards of bar examiners, and other constituencies. In addition, the Recodification Draft may be found at the Section's Web site.

Written comments on the draft are encouraged, and should be submitted to the Office of the Consultant on Legal Education to the ABA, James P. White, at 550 West North Street, Indianapolis, Indiana 46202. Public hearings on the Recodification Draft are also being scheduled, at which time oral and written comments will be received on the draft. The first hearing is in conjunction with the Annual Meeting of the Association of American Law Schools on Friday, January 5, 1996, from 3:00 pm to 6:00 pm in the Patio Room of the San Antonio Menger Hotel. The second hearing will be in conjunction with the ABA Midyear Meeting at the Harbor Court Hotel on Friday, February 2, from 2:00 pm until 4:00 pm. A third hearing will be held in conjunction with the ALI Meeting in Washington on Wednesday, May 15, from 10:00 am until noon at the Mayflower Hotel.

It is anticipated that after comments are received and hearings are held this spring, an updated draft will be circulated. Based upon comments received to the updated draft, the Council will finalize the Recodification Draft at its June 8-9 meeting in Portland, Maine. The Council would then adopt a recommendation to forward the recodified Standards and Interpretations to the House of Delegates for final approval at its August 1996 meeting in Orlando.

History

The Recodification Draft is the culmination of a three-year effort. Initially, the Standards Review Committee appointed a subcommittee to undertake a formal revision of the Standards and Interpretations. This effort was intended to make the language of the Standards and Interpretations more uniform and to reexamine the organizational structure of the Standards and Interpretations. After this process was well under way, it was decided that the revision of the Standards should include not only a formal recodification, but a substantive revision as well. Thus, over the past two years, the Standards Review Committee has been drafting both formal and substantive changes in the Standards and Interpretations.

The most recent Recodification Draft reflects the provisions of the Proposed Final Judgment between the United States Department of Justice and the American Bar Association, and the suggestions of the Spe-

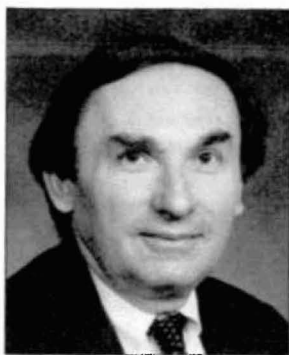
cial Commission to Review the Substance and Process of the American Bar Association's Accreditation of American Law Schools.

In order to facilitate the examination of the Recodification Draft, drafters' notes are included throughout the document. In addition, after each subsection of each Standard and Interpretation, bracketed information indicates the source of the subsection from the current version of the Standards, or whether the subsection is new. Also, a chart is included that indicates where each of the subsections of the current version of the Standards may be found in the recodified version.

Highlights

- The format of the Recodification Draft contains descriptive titles for each series of Standards (e.g., Chapter 3: Program of Legal Education), and a descriptive title for each of the Standards (e.g., Standard 301: Objectives).
- The recodified version of the Standards includes a new Preamble that states the basic goals and purposes of the Standards. This Preamble follows the recommendation of the Wahl Commission found on pages 21-23 of the Wahl Commission Report.
- Standard 105 is a new standard that states that before a law school makes a major change in

Continued on page 14



CONSULTANT

Council to Strengthen Ongoing Validation Program

by James P. White

The Council of the Section of Legal Education and Admissions to the Bar is recognized by the U.S. Department of Education as the accrediting body for "professional schools of law." The DOE adopted new regulations that relate to recognition of accrediting agencies. These regulations became effective July 1, 1995.

Two criteria in the new regulations are 602.23(b)(5) and (6), which state:

(5) The agency maintains a systematic program of review designed to ensure that its criteria and standards are valid and reliable indicators of the quality of the education or training provided by the institutions or programs it accredits and are relevant to the education or training needs of affected students.

(6) The agency demonstrates to the Secretary that, as a result of its program of review under paragraph (b)(5) of the section, each of its standards provides—

(i) A valid measure of the aspects of educational quality it is intended to measure; and

(ii) A consistent basis for determining the educational quality of different institutions and programs.

Thus the Council, like all entities recognized by the DOE, must maintain a program of review of its standards to "ensure" that they are "valid and reliable indicators of quality." As part of this process the Council must demonstrate that the Standards are relevant to current legal education and that they provide a consistent and reliable basis for determining quality in the 178 J.D. degree-granting law schools approved by the American Bar Association.

The Council has retained Dr.

William J. MacLeod to assist in strengthening its ongoing validation of the Standards. Dr. MacLeod is a recognized authority on higher education. He is a former vice president and former acting president of the University of Southern Maine, a former officer of the New England Association of Colleges, and a former vice

The plan sets forth a schedule for a systematic review.

president of the Council on Postsecondary Accreditation.

Dr. MacLeod has assisted in developing a plan for validating the Standards and Interpretations of the recodification project and in strengthening the Section's ongoing plan for systematic review of the Standards in the future. The plan is an outgrowth of the conceptual design for validation of the Standards adopted by the Council in 1986. The plan sets forth a schedule for a systematic review of each Standard and Interpretation as well as Rules and Policies of the Council over a seven-year cycle.

The proposed validation plan as devised by Dr. MacLeod will be considered by the Council at its February meeting. Details of the plan will be circulated to various constituents following the Council's action.

James P. White is consultant on legal education to the American Bar Association.

SYLLABUS

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The Section of Legal Education and Admissions to the Bar publishes *Syllabus* on a quarterly basis. It provides a forum for ideas concerning legal education and bar admissions. It informs members of the Section of the activities of the Section.

Opinions and positions stated in individual articles are those of the authors and not necessarily those of the American Bar Association or members of the Section of Legal Education and Admissions to the Bar.

All manuscripts are reviewed by the editors, and those accepted become the property of the American Bar Association. Manuscripts or letters may be submitted to the editor, William B. Powers, American Bar Association, 550 West North Street, Indianapolis, Indiana 46202.

Changes of address should be sent to Carol Weiss, Staff Director, American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Please include mailing label.

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LIBRARY HIGHLIGHTS

Computing in the Law School: The Librarian's Role

by Richard A. Danner

Outside the university, uses of information and information technologies are recognized as matters of strategic importance for organizations seeking to fulfill their missions and maintain leadership in their fields. Following Peter Drucker, corporate executives increasingly note that their "theories of the business"—the assumptions that shape organizational behavior, dictate choices about initiatives, and determine acceptable results—include information technology as one of the major resources that define the organization.

In the law school, no less than in business, technology now touches all essential activities: research and instruction, as well as the administrative infrastructure and communication within the law school community. As in other organizations, it has the potential to transform how the

law school's business is conducted. At Duke, the completion of a comprehensive building addition and renovation project in 1995 provided the occasion to note how reliant we had become on information technologies in all facets of the law school's operations. The networks that connect and support the work of all faculty and staff, and extend to student carrels and study rooms in the library, provide support for research and the curriculum, and have developed into primary means of communication within the law school community. Desktop access to research information is available to faculty and students throughout the building, and the network is used by a number of faculty to distribute course information and establish course-based discussion groups. E-mail is used for both personal and

general communications (as well as to schedule meetings and appointments), and the law school World Wide Web site (<http://www.law.duke.edu>) serves as a community information system.

In all law schools, demands for investments in information technology to support law school operations will continue to rise as new opportunities and options become available. Law school computing raises major continuing issues: how to allocate scarce resources among faculty, students, and staff; how much to invest in training and support; whether to develop local systems; and how often to replace and upgrade equipment and software. As student applications decline and as schools become more competitive, the cost and policy issues raised by computing and technology will become more difficult to resolve. All programs will be closely evaluated in terms of how well they support the mission of the school.

Thus, in the environment of most law schools, the uses of computing and networking extend far beyond the library. Yet, many law schools have found that the library director is perhaps uniquely positioned among law school senior administrators to

Continued on page 16

International Clinical Education Discussion

Thirteen clinical education specialists participated in an all-day discussion and planning session with CEELI and African Law Initiative (AFLI) staff on November 18 at the ABA Washington office. The purpose of the meeting, to which the professors donated their time and the cost of their travel, was to begin to chart a course for future efforts to assist in the development of a variety of clinical programs suited to the needs of the law schools involved in the CEELI and AFLI projects. Law school deans and professors in Europe and in Africa have expressed strong interest in

clinical education as it exists in the United States. The ABA is working to set up mechanisms so that it can respond quickly and effectively to international requests for assistance in initiating and developing clinical legal education programs.

The professors at the meeting spoke about existing initiatives in Croatia, the Czech Republic, and South Africa to name a few, and outlined some of the major issues involved in planning and implementing training programs. It was agreed that a resource bank of existing clinical experiences available at U.S. law schools should be created. This guide

will make it easier to set up specially-designed training programs for international visitors. It was also agreed that American legal specialists need to be fully aware of the complex cross-cultural issues they will face when volunteering overseas for CEELI or AFLI. Also, the group will begin to draft a short description of clinical education so that legal educators in the countries where ABA projects are underway will have a crisp description of the full range of possibilities available in clinical legal education in this country.

It is anticipated that clinical legal education projects will be a growing component of the CEELI and AFLI Sister Law School Programs. For more information, contact Michael Wolf at 202-662-1966. □

Awards and Competitions

Gambrell Professionalism Award

Nominations now are being accepted for the sixth annual E. Smythe Gambrell Professionalism Awards. The Gambrell Awards recognize projects by law firms, law schools, bar associations and not-for-profit law-related organizations that enhance professionalism among lawyers.

The American Bar Association Standing Committee on Professionalism, a component of the ABA Center for Professional Responsibility, will present three Gambrell Awards of \$3,500 each during the 1996 ABA Annual Meeting in August in Orlando.

The award is named for E. Smythe Gambrell, who served simultaneously as president of the ABA and of the American Bar Foundation in 1955-56. Gambrell founded the Legal Aid Society in Atlanta, where he practiced law from 1922 until his death in 1986.

Past winning programs have included a mandatory two-day professionalism program for new bar admittees; a law school legal skills program that established simulated law firms within which students encountered moral and ethical dilemmas; a state bar diversion and peer review program; a city bar group mentoring program; and a county bar law practice management program for lawyers charged with neglect.

Other activities have included a series of statewide town hall meetings on professionalism; an instructional video dealing with gender bias in the legal profession; a state bar office of client relations; a law school program where students investigate and draft recommendations regarding actual disciplinary cases; and a private law firm family law clinic.

Last year's winners were the New Hampshire Bar Association, the Seattle University School of Law, and the Law Offices of Goldstein and Baron.

The deadline for entries is April 1, 1996. Entry forms, guidelines and

additional information are available from Arthur Garwin, ABA Center for Professional Responsibility, 541 N. Fairbanks Court, 14th Floor, Chicago, IL 60611-3314, 312/988-5294, or e-mail: agarwin@attmail.com.

Pro Bono Publico Awards

The American Bar Association is seeking the broadest possible range of nominations for the 1996 Pro Bono Publico Awards. Nominations are due January 31. "In this age of dramatically declining resources to provide legal services to the poor of our nation, individual lawyers are once again becoming both the first and the last line of defense of the legal rights of huge numbers of our citizens. Their work is a lifeline for their clients. Through the Pro Bono Awards, the ABA can help communities recognize lawyers as an important resource, and can help more lawyers see the difference they can make in access to justice in their own communities," said James L. Baillie of Minneapolis, chair of the ABA Standing Committee on Lawyers, Public Service Responsibility.

"The ABA created the Pro Bono Awards in 1984 to recognize lawyers and law firms for the extraordinary effort many of them make to provide legal assistance to the poor and disadvantaged, and to encourage others to follow their lead," said Baillie.

"There are incredibly creative and dedicated people bringing life to the phrase 'equal justice,' and doing it from private law offices, from the bench, from the corporate legal suite, from government legal departments. The award program is dedicated to bringing their efforts to light, so that their ideas and their examples can be adopted and followed by lawyers and judges everywhere," said Baillie.

"In particular, the Standing Committee is encouraging nominations that give attention to the contributions of judges, women and minority lawyers," said Baillie.

"Judges have a unique opportunity for leadership in the profession,"

he noted, and "women and minority lawyers have actively participated in a wide range of volunteer legal service activities and have helped in special ways to reach underserved communities."

Five awards will be presented August 5 at the Pro Bono Publico Awards Assembly Luncheon, an associationwide event, during the 1996 ABA Annual Meeting in Orlando. They will be given to individual lawyers or judges, law firms, government attorney offices, and corporate law departments that have demonstrated outstanding commitment to volunteer legal services.

For more information, contact Dorothy Jackson of the committee staff at 312/988-5766, by mail at 541 N. Fairbanks Court, Chicago, IL 60611, or by e-mail to jacksond@attmail.com.

Keck Foundation Award

Adhering to the highest standards of ethical behavior and norms of professional responsibility in a changing and highly competitive marketplace is a major challenge facing lawyers today. Although the organized bar promulgates model rules of conduct and law schools routinely offer courses on professional responsibility, articles bemoaning the decline in lawyers' standards of ethical conduct appear with frequency in legal periodicals, academic journals, and the popular media.

To promote a growing body of research that is generating new ideas and reform proposals to guide lawyers in the highly charged atmosphere of modern legal practice, the W. M. Keck Foundation Lecturer Award has been established to honor scholarly contributions in legal ethics and professional responsibility. Administered by the American Bar Foundation, the award is supported by a grant from the W. M. Keck Foundation of Los Angeles. "Most leading legal scholars make their reputations in constitutional law, civil procedure, or other traditional legal subjects. Writing about professional responsibility is a relatively recent phenomenon, and it is still somewhat undervalued in the law schools," American Bar Founda-

tion Director Bryant Garth observes. "We see the W. M. Keck Foundation Lecturer Award as a tremendous opportunity to give this important research greater visibility, heighten its impact, and enhance its place in the legal academy," Garth reports.

The American Bar Foundation is now inviting nominations for the award. Individuals may be nominated for the award in recognition of a single work or a body of scholarship over a period of time on professionalism and professional responsibility.

The person selected as W. M. Keck Foundation Lecturer will be expected to deliver an address on professional responsibility in February 1997 at the annual meeting of The Fellows of the American Bar Foundation, which is held in conjunction with the midyear meeting of the American Bar Association. The lecture will be published as a monograph and distributed widely. The lectureship carries an honorarium of \$5,000 plus expenses.

An Advisory Committee, composed

of noted practitioners and academics in the field of legal ethics, is now accepting nominations. The Advisory Committee will present its recommendations to the Board of Directors of the American Bar Foundation, which will name the award recipient. Nominations will be accepted until December 31, 1995, and may be sent to Advisory Committee, W. M. Keck Foundation Lecturer Award, American Bar Foundation, 750 N. Lake Shore Drive, Chicago, IL 60611. □



Participants in the NIS Law Faculty Training Program in Washington

Left to right, standing: Ivan Dakhno, Ukraine; James P. White, ABA consultant; Oleg Mikhailenko, Rostov, Russia; Olga Rykova, Moscow; Dimitriy Bronovets, Belarus; Anzhela Stryzhevskaya, Ukraine; Victor Malinovsky, Kazakhstan; Victor Orindas, Moldova; Lyudmila Zaitseva, Belarus; Igor Demyanenko, St. Petersburg; Snezhana Leschenko, Belarus; Zemfira Kozochkova, Stravopol; Vladimir Luzin, Nizhny Novgorod; Elena Broutseva, St. Petersburg; and Ekaterina Shugrina, Novosibirsk, Russia. Left to right, seated: Elvira Parpieva, Uzbekistan; Kim Parker, CEELI director; and Linda Davies of CEELI.

Legal Hotchpot

The U.S. Supreme Court's newest Justice, Stephen Breyer, was keynote speaker at **Syracuse University College of Law** Centennial Celebration dinner in September. He was introduced by the dinner's host and Syracuse alumnus, Senator Joseph R. Biden, Jr. (Law '68), who led confirmation hearings for Breyer's nomination.

The dinner was part of a full schedule of activities that launched the College's year-long observance of "Innovation Building on Tradition for the 21st Century." "The Centennial allows us to reflect on our role in previous significant changes in legal education, and to keep building on our tradition of innovation to meet the challenges of today and tomorrow," said Dean Daan Braveman.

The most tangible sign of preparation for the College's second century is a building addition dedicated to applied learning centers and the interaction of faculty and students in hands-on training experiences. Details of the major construction project and development campaign were highlighted during the Centennial Celebration.

"The addition and its dedication to applied learning centers symbolize our commitment to help students gain a better understanding of legal theory and doctrine, develop professional skills, and be exposed to the values and ethics of the legal profession, clients and the public," observes Dean Braveman.

The **George Washington University Law School** will receive one of the largest gifts in its history: \$4 million from the J.B. and Maurice C. Shapiro Charitable Trust. The contribution, to be matched by equal funding from the University's own unrestricted endowment, will substantially enhance programs in public service and environmental law, endow two

chairs and significantly increase support for law students.

How the nation should respond when its president is disabled was discussed by scholars, physicians, lawyers and a former president at **Wake Forest University** Nov. 10-12.

Opening with remarks by former President Gerald Ford, the interdisciplinary Symposium on Presidential Disability evaluated procedures for transferring power if a president becomes physically or mentally disabled. Symposium participants considered changes in the current system.

At the center of the discussion was the 25th Amendment, ratified by Congress in 1967, which empowers the vice president to become acting president when the president is "unable to discharge the powers and duties of his office."

Ford's address and five panel discussions were open to the public without charge. After each discussion, the public participated in question-and-answer sessions. Conference participants took part in discussions on medical, legal, ethical and other issues associated with presidential disability. Lawyers, journalists, historians and physicians were among the participants, including President Bill Clinton's physician and three former White House physicians.

Following the conference, a report will be issued by a working group defining the problem and making recommendations as to what should be done about it, says program chairman Miles Foy, a Wake Forest law professor.

Emory University's Law and Religion Program has received a \$490,000 two-year grant from The Pew Charitable Trusts to address the problem of proselytizing in sub-Saharan Africa and the former Soviet bloc. The project, to be directed by

Emory professors Abdullahi Ahmed An-Na'im, Johan van der Vyver and John Witte, Jr., will involve scholars from around the world and result in a series of publications and an international public conference.

Religious proselytizing, or gaining converts, has emerged as a special problem in regions of the world that have been swept up in the current wave of democratization, according to Witte. "Democracy teaches that the state must foster a plurality of religious faiths within the community, without undue preference for any one of them," he says. Meanwhile, "religious faiths must participate in an open marketplace of ideas, which has liberated many local religions from past oppression but also has raised sharp religious rivalries, especially in countries of sub-Saharan Africa and the former Soviet bloc."

According to Witte, director of the Law and Religion Program, the project will analyze and attempt to reconcile these rivalries through three main phases: to build a project team of leading Christians, Muslims and other religious believers to determine the exact problems of proselytizing in selected countries in sub-Saharan Africa and the former Soviet bloc, formulate and circulate a set of human rights principles to regulate and help resolve these problems; to educate the broader public through publications and international conferences on the problems of proselytizing and possible solutions; and to convene political and religious leaders from the two target areas to draft and adopt locally tailored legislative and constitutional provisions on proselytizing and problems of religious rights while educating other community leaders on the importance of these provisions.

The Trusts have agreed to fund the first two phases of the program, says White. A project team of leading Christian and Muslim scholars and activists drawn from North America, Africa and Eastern Europe will meet in early January. □

Faculty Honors

Lambda Alpha International has awarded its 1995 International Member of the Year Award to Professor **Randall W. Roth** of the University of Hawai'i School of Law for his contributions to the people of Hawai'i through his leadership role in the *Price of Paradise* publications and POP '94 community effort to elevate the 1994 political campaign. Lambda Alpha International is an honorary land economics society with members throughout the world and chapters in several states, England and Canada.

LAI's International Member of the Year is selected from nominations for Chapter Member of the Year from the organization's twenty-six chapters. Selection is based upon the nominee's commitment to his profession and land economics with respect to achievement in the private or public sectors, research or education. Professor Roth received the Hawai'i Chapter's 1995 Member of the Year Award in June and was unanimously selected as the International Member of the Year, one of six awards presented October 14 at the Lambda Alpha International Biennial Congress in Vancouver, Canada.

POP '94 was a nonpartisan community effort by approximately 400 volunteers to prioritize community concerns and create forums in which gubernatorial candidates could address those concerns. Over 500 individuals participated in at least one of seven statewide community issue conferences. Citizen panels then conducted twelve hours of candidate interviews, which were broadcast in their entirety on public television and used in daily news reports. The spirit of public awareness and dialogue that blossomed with the POP '94 effort continues with Professor Roth's *Price of Paradise* Radio Show, a weekly program in which callers talk with

experts about specific issues that are shaping Hawai'i.

An enthusiastic group of over 400 local, state and national legal lights gathered to honor retiring Professor **Harold Norris** of Detroit College of Law at Michigan State University Friday, October 20, 1995. A reception in the library of the College was followed by a dinner at the Detroit Athletic Club, at which Professor Norris revealed a new colloquium he will be funding at the College.

Among those tendering tributes at the reception honoring Professor Norris' thirty-five years and 5,000 students taught at DCL/MSU were U.S. Senator Carl Levin, Detroit Mayor Dennis Archer (an alumnus and former student of Professor Norris), Rabbi Sherwin Wine of Birmingham Temple, senior DCL/MSU Professor Charles Clarke, Jean P. Carl, a 1968 alumna of the College, and Professor Bradford Stone of Stetson University College of Law, formerly of the DCL faculty. Dean David S. Favre served as Master of Ceremonies.

Joining the celebrants were Michigan Attorney General Frank Kelley, State Supreme Court Justice Patricia Boyle, Federal Judge Richard Ryan Lamb, who graduated from the College in 1969, former Michigan Chief Justice Thomas Giles Kavanagh, former Secretary of State Richard Austin, and Janet Cooper, Deputy Director of the Michigan Civil Rights Commission. Mayor Archer presented a resolution from the City of Detroit, and the Faculty of DCL/MSU acknowledged and designated Professor Norris as a Distinguished Professor Emeritus.

The various speakers noted the books of law and poetry written by Professor Norris, his concept of teaching criminal law at the trial level, his concept of attorneys as "foot soldiers of the Constitution," his participation in the Michigan Constitutional Convention and his authorship of the civil rights provi-

sions of the document that emerged.

In his response, Professor Norris urged a standard of citizenship that called upon all citizens to act as if democracy and popular sovereignty rested upon each person as if he or she were acting alone. He thanked his many friends who had supported his work over the years. He then announced the creation of the Harold Norris Colloquium, an annual event to be sponsored by DCL/MSU to explore significant issues in the fields of Constitutional Law, Civil Rights and Civil Liberties. A major donation from Professor Norris will underwrite the colloquium, with additional funds added to the endowment funds by those who wish to support this work. It is anticipated that senior students from the College, as well as major presenters, are to be involved.

Sandra Jordan, associate dean of the University of Pittsburgh School of Law, has been appointed to the Judicial Conduct Board of the Pennsylvania Supreme Court. She will serve a three-year term, ending in August of 1998.

The twelve-member Board is responsible for investigating all complaints of misconduct against members of the Pennsylvania judiciary, and filing charges, if warranted. The board, composed of two judges, one justice of the peace, three attorneys and six nonlawyers, was created by an amendment to the Pennsylvania Constitution in May of 1993. Half of the members are appointed by the Supreme Court; the remaining half are appointed by the Governor. The board meets formally eight times a year.

Jordan, former assistant U.S. attorney for the Western District of Pennsylvania, and associate independent counsel during the Iran-Contra investigation, said she will work to ensure that the state's judiciary is "mindful of their responsibility to uphold the

Continued on page 14

Russian Lawyers Visit U.S. Through CEELI Program

For two weeks in August, Western New England College School of Law, Springfield, Massachusetts, was the host training site for the Central and East European Law Initiative (CEELI). During this period, CEELI trained sixteen Russian attorneys using eight volunteer American lawyer trainers, a three-person translation staff, and staff from CEELI's national office in Washington, D.C. The training focused on basic trial advocacy skills, skill development for teaching trial advocacy and methodologies, and program administration and logistics in the context of American criminal jury trial practice. Programs such as this are vital because of the adversarial procedure that is coming to Russia to replace the leftover Soviet process in which a judge runs an inquisitional trial with the aid of two people's deputies.

CEELI, a project of the American Bar Association, is designed to advance the rule of law by supporting the law reform process under way in Central and Eastern Europe and the New Independent States of the former Soviet Union. Through various programs, CEELI makes available the legal expertise of American volunteers to assist emerging democracies in modifying or restructuring their laws and legal systems. This was CEELI's first effort to bring advocates from other countries to America to be trained. Previous efforts involved sending American jurists and advocates abroad.

The lawyer-trainees included nine women and seven men from all over Russia. Some were experienced criminal attorneys; others were new to the practice of law, but had been selected because of their training skills. All were chosen because of their commitment to provide training to other attorneys and to assist with law reform and continuing legal education activities back in Russia. Several

spoke English fluently; some spoke it only haltingly; and a few spoke no English at all. Three simultaneous translators, two interpreted the legal and technical training and one who acted as a guide and social translator, kept the activities running smoothly.

Springfield, Massachusetts, was chosen as a CEELI host city because it has federal and state courts and a law school that had offered to

provide classroom and training facilities for the group. While in Springfield, the Russian lawyers also had the opportunity to attend both a federal and state trial, including observing the process of jury selection, as well as having dinner in the homes of judges and various faculty from Western New England College School of Law. At the end of their stay, the foreign visitors presented Law School Dean Joan Mahoney with a piece of Russian folk art in appreciation of the school serving as their host site. Thereafter, the group traveled to Washington, D.C., for an additional two weeks of study, including a visit to the U.S. Department of Justice. □

Council Nominations Sought

Erica Moeser, the Chairperson of the Section of Legal Education and Admissions to the Bar, has appointed the following members of the 1995-96 Section Nominating Committee:

CHAIRPERSON

Sharp Whitmore, Esq.
2005 Gird Road
Fallbrook, California 92028

MEMBERS

James Douglas, Esq.
Office of the Provost
Texas Southern University
3100 Cleburne Avenue
Houston, Texas 77004-4598

Professor Jane Hammond
16 C Strawberry Hill Road
Ithaca, New York 14850

Nancy Neuman
132 Verna Road
Lewisburg, Pennsylvania 17837
(Public Member)

Harold L. Rock, Esq.
Kutak, Rock
The Omaha Building
1650 Farnam Street
Omaha, Nebraska 68102-2186

Nominations for 1996-97 are to be made as follows:

CHAIRPERSON:

Automatic under Bylaws
Dean Rudolph C. Hasl

CHAIRPERSON-ELECT:

Beverly Tarpley, Esq.

VICE-CHAIRPERSON:

To be nominated

SECTION DELEGATE TO THE

HOUSE OF DELEGATES:

(Three-year term)

To be nominated

IMMEDIATE PAST CHAIRPERSON:

Automatic under Bylaws
Erica Moeser

COUNCIL TERMS EXPIRING:

(Each for a three-year term)

President David L. Boren
Professor Roger F. Jacobs
William R. Rakes, Esq.
Diane C. Yu, 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. □

WASHINGTON REPORT

by E. Bruce Nicholson

Following President Clinton's veto of the first budget reconciliation bill, legislation designed to produce a balanced budget by the year 2002, much work remains on achieving a compromise set of cuts to federal student loan programs that would be acceptable to both congressional budget cutters and the administration. Prior to the veto, Republican negotiators dropped several measures that would have increased costs for loans but submitted a proposal to the President to severely cut back his direct lending program.

The bill submitted to the President included compromises dropping provisions estimated to take \$5.1 billion out of federal spending on student loans over seven years. Among the dropped provisions was one to eliminate the subsidy on interest on student loans for the "grace period" of six months following graduation. Also dropped was a proposal to increase the interest rate on PLUS loans, which parents can receive, and a fee or tax on colleges based on the volume of loans their students receive.

Contained in the same bill were tax breaks for student borrowers, albeit somewhat scaled back from earlier proposals. It called for continuing the exemption for employer-provided educational assistance, but would limit it to undergraduate students beginning next year. It also included a \$2,500 deduction for student loan interest. The Senate had earlier approved a provision for a tax credit of up to \$500 annually for 20 percent of such interest paid yearly.

Perhaps the most divisive issue remaining in budget reconciliation legislation is direct lending. After the House of Representatives' plan called for its elimination and the Senate plan called for capping participation levels at 20 percent of total loan volume, the compromise reached by

Republican conferees called for a 10 percent cap. This proposal would reduce the approximately 1,400 colleges currently enrolled down to as few as 200. By contrast, the President's counter-proposal on reaching a balanced budget has called for removing the limits enacted in 1993, which would cap participation at 60 percent of the student loan market in the academic year 1998-99, to permit all schools to participate.

Meanwhile, with only six of thirteen appropriations bills for the fiscal year beginning October 1, 1995,

completed at this juncture, other key education issues remain unresolved. The appropriations bill for the Departments of Labor, Health and Human Services, and Education, has still not been passed by the Senate. The fate of ABA-supported legal education programs in that bill will not be resolved, reportedly, until after a budget deal is reached and the President signs into law budget reconciliation legislation. Other outstanding issues in pending appropriations bills include the fate of AmeriCorps, the President's national service program, and Goals 2000 national standards program, both slated to be eliminated in separate appropriations bills, at present.

E. Bruce Nicholson is legislative counsel for the Government Affairs and Public Services Group of the ABA.

Committee Nominations Sought

One of the important functions of the Chairperson of the Section of Legal Education and Admissions to the Bar is the appointment of members of Section committees. The Chairperson seeks committee membership from the three components of Section membership: legal educators, practicing lawyers, and judges. The Section 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.

Section resources are very limited and committee members' expenses are reimbursed in accordance with ABA guidelines. Often committee meetings are held in conjunction with other activities in order to contain costs.

In making appointments of new members to Section committees, the Chairperson will balance continuity of membership with the perspective that new members can contribute. Committee appointments are for 1996-97.

The following are the committees for which the Chairperson seeks suggestions for membership:

- Accreditation
- Bar Admissions
- Communication Skills
- Continuing Legal Education
- Curriculum
- Diversity in Legal Education
- Government Relations and Student Financial Aid
- Graduate Legal Education
- Law Libraries
- Law School Administration
- Law School Facilities
- Prelaw
- Professionalism
- Skills Training
- Standards Review
- Student Services

Please send your suggestions by March 1, 1996, to either: Dean Rudolph C. Hasl, c/o ABA Consultant's Office, 550 West North Street, Indianapolis, Indiana 46202; or Dean Rudolph C. Hasl, St. John's University School of Law, 8000 Utopia Parkway, Jamaica, New York 11439. □



FROM THE CHAIR

Consulting the Oracles

by Erica Moeser

Some would say that it was an inauspicious time to be high priestess of the temple, and that may well be true. They might also observe, quite accurately, that there was no shortage of oracles within and without the temple, and that this was either a blessing or a curse.

I have been listening to the oracles. There are those who forecast that accreditation will not survive the current tumult. Some exalt their perceived accomplishments at precipitating what they predict to be the fall, and others lament the end of a coherent if imperfect process for setting and enforcing educational standards.

There are those oracles who see a future in which accrediting work will proceed under the direction of an entity other than the American Bar Association. Some of these anticipate that eventuality with relief, if not pleasure, and others fear that such a transition will signal a period of significant decline in the quality of legal education.

No small number of oracles foretell a time at which the current system of accreditation, modified to some degree, will stabilize and regenerate.

Which oracles are most prescient? This high priestess is not ready to declare.

The Section year has begun with the proposed consent decree and adjustment to it the dominant themes. Events are occurring so rapidly that it is impossible to capture them for this column as it is written; what is reported here will almost certainly be overtaken by newer developments by the time these words appear. To the extent

that a snapshot is useful to those readers of this column less immersed in the day-to-day happenings of the consent decree, I offer the following observations:

The proposed consent decree remains just that — proposed — in view of a decision by the presiding judge to delay until June 1996 the hearing at which the matter of the entry of judgment will be taken up. Inasmuch as the ABA agreed to abide by the terms of the proposed consent decree pending that hearing, the effects of the consent decree are being felt now. This includes repeated exploration of what can and cannot be considered and written in site evaluation reports, in letters (known as action letters) to schools, and in other contexts. I can report that genuine effort is being expended to comply with the letter and the spirit of the proposed consent decree by the Section's volunteers and staff.

A classic example of the sorting-out process that is under way relates to what, if anything, site teams may investigate and report with regard to incidents of sex and race discrimination on faculties where salary disparities are implicated. Similar issues are presented in situations in which salary differentials evidence punishment in battles over academic freedom. I think it is fair to say that early on the Section's leadership argued unpersuasively that the reporting on the use of salary as a means of discrimination or punishment was relevant and essential to the accreditation process, and that the tide has turned more than once in the official approach that has been taken by others wielding greater power in these matters.

The accreditation process itself is moving forward smoothly so far this year, and a special effort has been made to insulate schools from the uncertainties that accompany putting the consent decree in place. Accreditation volunteers are particularly concerned about those schools that are in the midst of preparing for sabbatical visits.

Aside from the consent decree, there are areas within the accreditation process that have drawn criticism over the past few years. Some concerns surfaced through the Wahl Commission information collection process, and some filtered in from other sources, including the 1995 Deans' Workshop. I have listened, and as a result I have made a personal commitment to see that some of the irritants that have been identified are addressed during this year. In this regard, I have encountered encouragement and cooperation.

If there is one area that will demand immediate and serious attention by all members of the Section, it is the recodification of the Standards under which accreditation is carried out. Standards, as most of you know, are adopted by the ABA's House of Delegates after an extensive circulation and public hearing process.

What has changed this year is that the recodification involves every Standard. The policy implications are significant, and no one with a vested interest can afford to neglect the opportunities that will be available to inform the Section's Council before it makes final decisions on the text that will go to the House for action next August. The time to react is the winter and spring of 1996, as this will contribute to shaping the document that goes forward. (For those who read these words and do nothing, don't come crying to me after August.)

There is an interplay between the proposed consent decree and the recodification project because of the number of Standards that are affected as part of what I have termed the "six trailing items" in the decree. I cannot predict with any assurance how the differences that may emerge between the language of the recodi-

fied Standards that the time-honored circulation/hearing process produces and the Board of Governors' submissions to the Department of Justice will be resolved, and that is one of the inevitable bridges that we as a Section Council will cross when we come to it.

There is an even larger event to watch this year, and that will be whether an overall theme of attack on standards and processes will take off and then characterize the next decade of regulation. Will decisions

be made because litigation is used as a bludgeon, or because an evaluation of the exposures will supplant an evaluation of the merits? Litigation, even nonmeritorious litigation, is a potent weapon that can effectively destroy processes that have been designed and implemented to protect consumer interests. The fact that a side might eventually prevail does not justify confidence that an institution under attack can or will devote the resources to remain in litigation.

I hope that someday a patient and

thoughtful scholar chronicles this time and its legacy, whether we ultimately learn that current events were much less significant than they presently appear or that they marked a dramatic retrenchment from the assertion of quality as a goal in regulating the profession. That scholar, I am certain, will need to do more than consult the oracles. □

Jim Thurman

Walter Gellhorn Dies at 89

Walter Gellhorn of Columbia University, one of the nation's leading law authorities, champion of civil rights, and pioneer in the modern study of law, died December 9 at his home in New York. He was 89.

University Professor Emeritus at Columbia, he began his teaching career at Columbia Law School in the 1930s, and his academic progeny include many of the legal world's outstanding scholars.

Professor Gellhorn, an early and influential thinker in the field of administrative law, was the author of *Administrative Law: Cases and Comments*, widely used by generations of law students across the nation since publication of the first edition in 1940.

In his teachings, numerous law review articles and fourteen books he either authored or co-authored, Professor Gellhorn seeded the field of administrative law with his insights and stressed the need for governmental responsiveness, fairness and administrative efficiency. In 1966 he wrote *When Americans Complain*, which explored means by which citizens might challenge official actions and failures to act. A companion volume, *Ombudsmen and Others*, appraised the effectiveness of grievance procedures other countries had developed for dealing with citizens' complaints.

He was also an eloquent defender of civil rights and free speech. His

1950 book *Security, Loyalty, and Science* was a forceful denunciation of McCarthyism. For twenty-five years beginning in 1944 he was a member of the board of directors of the American Civil Liberties Union; he served also as a director of the NAACP Legal Defense and Educational Fund.

Although he retired from active teaching in 1975, Professor Gellhorn remained a constant and vital academic presence on campus more than sixty years after his teaching began. He maintained lecture appearances and associations with various legal and political science organizations. He was a trustee or trustee emeritus of Amherst College since 1960.

Professor Gellhorn received acclaim and awards throughout his career. They include ten honorary degrees from various universities, and twice the Harvard Law School's coveted Henderson Memorial Prize for scholarly work in administrative law. Professor Gellhorn received it in 19467 for his critical studies of federal administration as director of the Attorney General's Committee on Administrative Procedure and in 1974 for *When Americans Complain and Ombudsmen and Others*.

Walter Gellhorn was born in St. Louis in 1906. He was awarded the A.B. from Amherst in 1927 and earned his law degree in 1931 from Columbia, where he was an editor of the *Columbia Law Review*. Following his graduation from law school he

clerked from 1931 to 1932 for then-Associate Justice and later Chief Justice Harlan Fiske Stone.

In 1933 he returned to Columbia as assistant professor of law, specializing in teaching legislation and administrative law. In 1937 he also became a member of the political science faculty. In 1938 he was appointed associate professor of law, became professor in 1945, was named Betts Professor of Law in 1957 and University Professor (Columbia's highest academic rank) in 1973. Upon his retirement in 1975 he was designated University Professor Emeritus. In 1993 an endowed professorship, bearing his name, was created in his honor.

Honors bestowed on him include the Goldsmith Award in 1951, the Hillman award in 1957, the Columbia Law Alumni medal for excellence in 1971, the Learned Hand medal in 1979, and the American Bar Foundation's award in 1988 for "outstanding research in law and government." He was a fellow of the American Academy of Arts and Sciences and of the National Academy of Public Administration, and served terms as president of the Association of American Law Schools and of the American Philosophical Society.

Professor Gellhorn is survived by his wife of sixty-three years, Kitty; two daughters, Gay of Washington and Ellis of Manhattan; a sister, Martha, the war correspondent who was once married to Ernest Hemingway and now lives in London; a brother, Alfred, of Durham, New York; and three grandchildren. □

Law School Dean or Symphony Conductor?

by Kathleen Brady

Confronted with a myriad of challenges, today's law school deans find themselves operating much like symphony conductors, orchestrating their faculty and administrative offices to ensure they operate in concert. Recognizing that each instrument lends a particular sound to the symphony, some loudly, some more softly, but each equally important to the splendor of the music, law school deans are in a unique position to build coalitions among the various segments of their law school communities, thereby averting the crisis pundits predict for legal education.

During recent years, law schools have operated in a growth mode while legal employers have been operating in a rightsizing mode. Law school deans, faced with a shrinking applicant pool, expend a great deal of energy to ensure the proper number of students are enrolled to generate the requisite dollars to sustain academic programs necessary to attract top students while at the same time keeping tuition costs down. With pressure to provide more financial aid, to develop more clinical programs, to keep on the cutting edge of technology, and to build student services, the economic pressures alone are mind boggling. Add to that the shrinking job market and a growing debt burden causing student and alumni dissatisfaction, and it is not hard to understand why the average term of office for a dean is less than five years. To further complicate matters, deans are forced to view solutions to these complex challenges through the distorted prism of the various rating and ranking surveys.

Clearly, law school deans are caught between two competing forces—the need to serve students with cutting edge services, top facul-

ty, curricula, and technological resources—all of which have significant costs, and the need to serve students by reducing their postgraduate liabilities.

Seventy percent of students at ABA-accredited law schools borrowed for their educations during 1994-95. Aggregately borrowing \$1.5 billion, the amount and proportion of debt assumed by law graduates has increased dramatically from 1985-1995 while the number of available jobs had declined and salaries have remained static. According to the Access Group, the average per capita debt of law graduates increased from \$25,600 in 1993 to \$37,700 in 1995. A typical law graduate from the Class of 1995 will have invested \$28,000 a year to attend law school and will have acquired a graduate-level debt projected to be \$40,300 but will, in all likelihood, obtain a first job with a salary of less than \$40,000. Such a graduate is faced with the responsibility of allocating nearly 20 percent of his/her net monthly income to debt repayment, a figure that is stunning when compared to the rate of 5-10 percent financial experts recommend for debt service.

This reality forces law school deans to cope with a number of resulting questions: Are a significant number of new attorneys underemployed? How does job choice, quality and job satisfaction reflect on a graduate's long term relationship with his/her law school? What is the impact when it appears that a profession cannot or will not assimilate its own professionals?

Law schools are easy targets when graduates grow horrified and anxious after assessing the impact of their indebtedness. Whether deserved or not, when students finally realize the implications of their "borrow now,

pay later" lifestyle during law school, it is often their alma mater that is seen as the culprit. Law students can often be heard lamenting, "Why did they let me get into this situation?" "Why didn't they tell me about the bleak job market and about my true prospects for acquiring a job that pays \$70,000 or more?"

The various rating and ranking surveys only serve to exacerbate the problems because they not only prompt students to make decisions based on partial information, but also because they force institutions to focus solely on numbers to enhance their standings, thereby sacrificing the quality of legal education.

Analyzing various components of the problem in isolation, the solutions almost seem obvious. From an admissions perspective, simply bring in the highest LSAT/GPAs possible without worrying about "institutional interests," which often adversely affect the medians. Also, a second answer in isolation suggests that deans should provide the financial aid office with more money in grant and aid in order to support admissions decisions.

The Career Services Office is often pressured to simply bring more employers on campus to help their rankings despite the fact that the vast majority of students nationwide do not secure employment via OCI programs. Many Career Services professionals believe the solution would be to reduce class sizes in order to improve employment statistics and keep in line with market realities.

Faculty members generally support both the admissions and the CPC ideas; however, they may want to place more financial emphasis on support of academic pursuits. Deans recognize that it is not possible to successfully underwrite such pro-

grams without the tuition revenue of the larger classes to fund the operating budget.

Clearly, these challenges are far too complex to be viewed in isolation, which means that the various segments of a law school may be working at cross purposes to improve individual bottom lines so as not to be blamed when the rankings come out. Such actions not only puts the students at risk, they also puts the institution and the profession at risk.

The ABA's effort to standardize consumer information through implementation of Standard 215 is a step in the right direction. It has some potential to ameliorate the pressures of popular rating and ranking surveys and deserves forthright compliance by all law schools. As gatekeepers to the profession, we MUST be honest with students about the costs and rewards of a juris doctor in light of current realities. While it may discourage some from attending law school, such an open and honest discourse can only serve to help the image of the profession.

Second, it is generally agreed that the most satisfied professionals are those who make well-informed decisions about their careers based on full knowledge of themselves and the profession. Comprehensive career counseling and strategic career planning—including debt management—were never more important than they are now.

While the pressures are enormous, remedies are available. However, designing those remedies can only be accomplished when individuals and groups work together. Law school deans face the challenge of designing strategies to provide meaningful opportunities for conversation between the faculty and various administrative offices. It is crucial that everyone understand how decisions made in individual offices impact the goals and missions of other offices as well as the overall institutions. Together we can prove the pundits wrong. □

Kathleen Brady is president of the National Association for Law Placement and assistant dean, Fordham University School of Law.

Mark Your Calendar

JANUARY 1996

3	AALS Executive Committee	San Antonio, TX
4	LSAC 50th Anniversary Special Committee Meeting	San Antonio, TX
4	Independent Law School Committee	San Antonio, TX
4-7	AALS Annual Meeting	San Antonio, TX
6	LSAC Reception in Honor of Current and Former Members of LSAC Board of Trustees	San Antonio, TX
7	AALS Executive Committee	San Antonio, TX
5	ABA Standards Review Committee Hearing	San Antonio, TX
6	ABA Standards Review Committee Meeting	San Antonio, TX
12-14	ABA Bar Admissions Committee Meeting	Sedona, AZ
18-19	LSAC Professional Development Subcommittee & Recruiting Issues Subcommittee	St. Petersburg Beach, FL
19-21	ABA Accreditation Committee Meeting	San Diego, CA
31-Feb. 7	ABA Midyear Meeting	Baltimore, MD
31-Feb. 2	ABA Deans' Workshop	Baltimore, MD

FEBRUARY 1996

1	LSAC Deans' Breakfast	Baltimore, MD
2	ABA Officers Meeting	Baltimore, MD
3-4	ABA Council Meeting	Baltimore, MD
9-11	ABA Site Evaluators' Workshop	Indianapolis, IN
16-17	LSAC Past Presidents Meeting	Long Boat Key, FL

MARCH 1996

8	LSAC Investment Policy Oversight Group Meeting	Boston, MA
15	LSAC Audit Committee Meeting	Philadelphia, PA
21-22	LSAC Test Development & Research Meeting	TBA
22-23	LSAC Services & Programs Committee	TBA
22-24	ABA Skills Training Committee Meeting	Charleston, SC

RECODIFICATION

Continued from page 1

- its program of legal education or organizational structure, it shall obtain acquiescence from the Council. This standard provides a legislative basis for Rules 33A and 33B and states long-standing practice.
- Standard 106 contains the definitions of several additional terms that are used in the Standards.
 - Standard 202 contains a new provision recommended by the Wahl Commission at page 25 of the Wahl Commission Report requiring a school's self-study to "address and describe how the law school's program of legal education conforms to the requirements of Standards 301(a) and 301(b)." Standard 301(a) states: "A law school shall maintain an educational program that is designed to qualify its graduates for admission to the bar and to prepare them to participate effectively in the legal profession." Standard 301(b) states: "The educational program of a law school shall be designed to prepare the students to deal with both current and anticipated legal problems."
 - Standard 302(a)(iii) was revised to add the following italicized language: "offer to all students adequate opportunities for instruction in professional skills." This comports with recommendation 3 of the Wahl Commission found on pages 23-26 of the Wahl Commission Report. Further, a modified interpretation of Standard 302(a)(iii) provides a list of professional skills based on recommendation 4 of the Wahl Commission Report, and the MacCrate Task Force Report. The Interpretation notes that a school is not required to offer instruction in the entire list of skills to satisfy Standard 302(a)(iii).
 - New Standard 302(c) states: "A law school should offer live client experiences for credit. This might be accomplished through clinics or externships. A school is not required to offer a live client experience for all students."
 - Standard 307, relating to degree programs in addition to the J.D., contains additional requirements relating to minimum credit hours, writing components, and time in residence. These amendments were recommended by the Graduate Legal Education Committee after two years of study.
 - Interpretation 402-1 provides the instructions on the counting of full-time faculty members for the purpose of computing the student/faculty ratio. The revised interpretation would permit the proportional counting of full-time teachers who in a particular semester are teaching less than a full-time load because of administrative duties, partial research leaves, or emeritus status as recommended by the Wahl Commission on pages 26-29 of its report.
- Further, Interpretation 402-2 (3) provides that at a ratio of between 20:1 and 30:1 and to rebut the presumption created by a ratio of 30:1 or greater, the determination of compliance with the standard will take into account the administrators and librarians who teach, writing instructors and other full-time instructors, part-time adjunct faculty and other instructional resources not otherwise counted in the ratio.
- Proposed Standard 406(c) contains the language of present Standard 405(c) [formerly Standard 405(e)] relating to security of position for professional skills faculty. This Standard has been amended in two important ways. First, the words "professional skills" have been replaced by the word "clinical."
- Second, the word "should" has been changed to "shall,"

meaning that full-time clinical faculty members must be afforded a form of security of position reasonably similar to tenure, and noncompensatory perquisites reasonably similar to other full-time faculty members.

It should be noted that changes in the ABA Standards for Approval of Law Schools that were adopted by the ABA House of Delegates over the past couple of years, like the amendment of Standard 211 to include sexual orientation, the revised library standards, and Standard 215 on the release of basic consumer information, have not undergone additional substantive amendment in the Recodification Draft. □

FACULTY HONORS

Continued from page 7

highest standards of integrity, so the public will have confidence in our system of justice." •

Louis Henkin, university professor emeritus at Columbia Law School, was honored for his lifetime work in the cause of human rights by the Lawyers Committee for Human Rights on October 17. The award was presented by former Supreme Court Justice Harry Blackmun at the Committee's annual award dinner at the Waldorf-Astoria Hotel.

Prof. Henkin is a founder and longtime champion of the modern human rights movement. He has been involved in the drafting of a section of the South African Constitution and has played an instrumental role in the fight for the U.N. High Commissioner for Human Rights. He joined the faculty of Columbia Law School in 1962 and his subjects of teaching, research, and writing include: constitutional law; international law; human rights; constitutionalism in comparative perspective; and law and diplomacy in international relations. He has authored many books and articles on the subject of human rights. □

1995 Law School Forum Attendance Down

by Jana Cardoza

Reflecting the downward trend of law school admissions nationwide, attendance at the 1995 Law School Forums program dropped 13 percent from last year. It was the most significant decline in the program's twelve-year history. There were 14,848 prospective law students in attendance at the forums this year compared to 17,054 last year.

This time last year, we reported a mixed bag of indicators regarding interest in law school, as applicant and test-taker volumes were down while the Law School Forums program was up overall. This year, we experienced decreases in all six forum cities, making the program's attendance consistent with the other indicators.

As reported in the last issue of

Syllabus, law school applicants for the fall 1995 entering class were down 6.9 percent from last year, while applications were down 8.0 percent. The final count of the number of test-takers for 1994-95 was 128,553, a figure down just 2.6 percent from last year. The year-to-date test-taker volume for 1995-96, however, is down nearly 10 percent from this time last year.

A profile of those in attendance at this year's forums reveals that the majority was comprised of full-time students, most of whom identified themselves as college seniors. More than half (54 percent) were female and the majority of participants—both male and female—fell in the 21-33-year-old age range. The majority traveled fewer than twenty miles to attend a forum and spent one to two

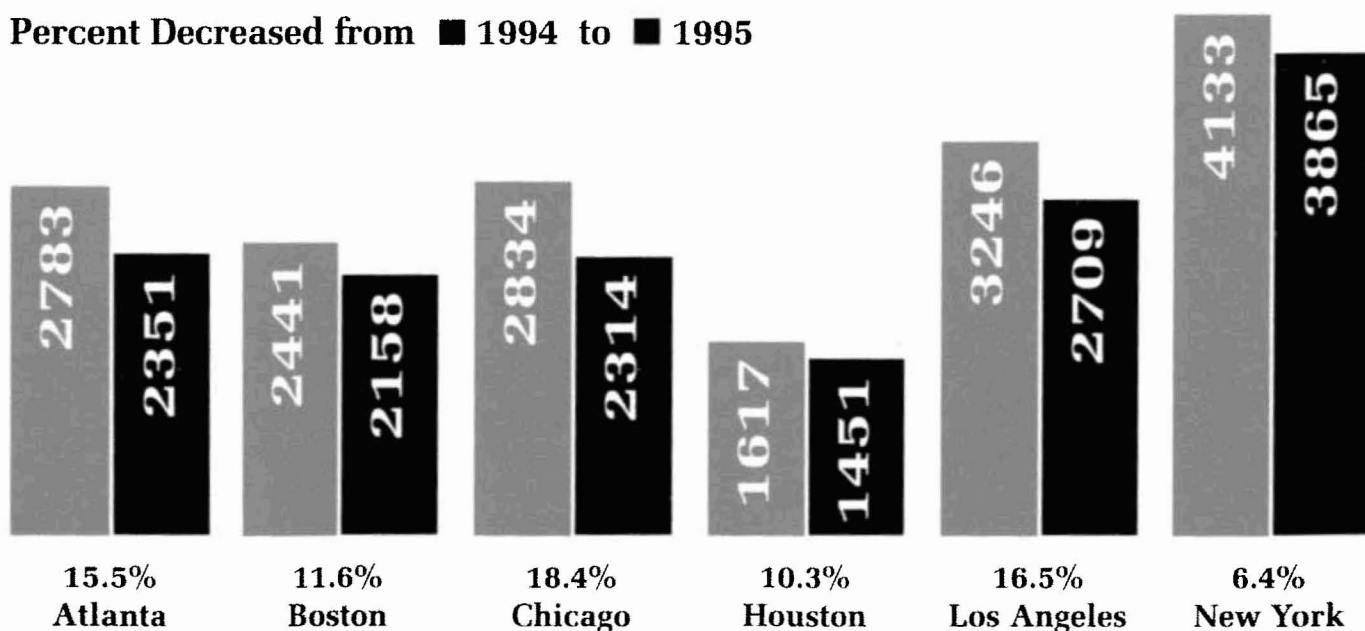
hours visiting representatives of anywhere from six to ten law schools. The overwhelming majority (nearly 80 percent) reported that they had not attended a forum before. At the conclusion of the program, 74 percent reported that, as a result of the experience, they were considering law schools not previously considered.

The good news is that the percentage of minority students attending the Law School Forums increased by more than 4 percent over last year. In fact, nearly 56 percent of the prospective law students in attendance identified themselves as minorities. Of these, 40 percent identified themselves as Black/African-American. And, of course, the forums were well attended by law school admission representatives hoping that they would prove good recruiting grounds. (A record 160 law schools participated.) Despite the downturn, many reported that the experience was positive as it afforded the opportunity to see old colleagues and compare notes on the decline now beginning to affect law schools across the nation. □

Jana Cardoza is senior media relations specialist for the Law School Admissions Council.

Forum Attendance

Percent Decreased from ■ 1994 to ■ 1995



Kutak Committee Seeks Nominations for 1996 Award

The Section's Kutak Award Committee invites suggestions of individuals whom it should consider for the Kutak Award in 1996. The annual Robert J. Kutak Award is given to an individual who has "met the highest standards of professional responsibility and has demonstrated substantial achievement toward increased understanding between legal education and the active practice of law." Robert MacCrate of New York City was the recipient of the award in 1995.

The Kutak Award Committee is chaired by Professor Millard Ruud, University of Texas School of Law. Others on the committee are Dean Nina S. Appel, Loyola University-Chicago School of Law; Harold Rock, Esq., of Kutak, Rock in Omaha; Dean Emeritus Gordon Schaber, McGeorge School of Law; and Sharp Whitmore, Esq., of Fallbrook, California.

It would be useful to the Kutak Award Committee if the suggested name would describe the activities that especially qualify the individual for the award. Even though the com-

mittee expects to receive suggestions about a number of highly qualified individuals, it can recommend only one name for recognition by the Council. Recommendations received for the 1996 award will be carried forward for consideration in future years.

In addition to Mr. MacCrate, previous Kutak award winners have included Justice Rosalie E. Wahl (1994); Associate Dean Frank E.A. Sander (1993); Dean Emeritus Harold Gill Reuschlein (1992); Dean Schaber (1991); Professor Samuel D. Thurman (1990); Mr. Whitmore (1989); Millard H. Ruud (1988); Robert B. McKay (1987); Robert W. Meserve (1986); Richardson W. Nahstoll (1985); and William J. Pincus (1984).

Suggestions may be sent to Professor Ruud, University of Texas School of Law, 727 East 26th Street, Austin, Texas 78705; or to James P. White, American Bar Association, 550 West North Street, Indianapolis, Indiana 46202. The Kutak Award will be presented in August at the 1996 Annual Meeting in Orlando. □

LIBRARY

Continued from page 3

understand the law school's "theory of business," to do technology planning, and to make informed decisions in accord with the mission of the school. There is no imperative for the library director to assume the role of chief information officer, or CIO, for the law school. But law librarians may be best suited for the role, not only because of their legal training and their status on the law faculty, but also because of their work.

Librarians have been involved with LEXIS, WESTLAW, and other databases since the 1970s; they implemented integrated library systems for acquisitions, cataloging, and circulation records in the 1980s—and, in recent years, they have developed and supervised personal computer labs and local networks for word processing, database research, CD-ROMs, e-mail, and access to the Internet. For many law schools looking for leadership on technology issues, the question will not be "Why the librarian?" but "Why not the librarian?" □

Richard A. Danner is associate dean for library and information services and research professor of law at the Duke University School of Law.

IN THIS ISSUE

Recodification of Standards	1	Washington Report	9
Consultant	2	From the Chair	10
Library Highlights	3	Walter Gellhorn	11
Awards and Competitions	4	NALP Report	12
Law School News	6	Mark Your Calendar	13
Russian Lawyers	8	LSAC Report	16
Council Nominations Sought	8	Experts Discuss Accommodations	19

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