Disability Conference

A joint Conference on Disability Issues will be held Thursday, November 13 through Saturday, November 15, 1997, in Washington, D.C. The Section is cosponsoring this conference with the Association of American Law Schools (AALS), the Law School Admission Council (LSAC), and the National Conference of Bar Examiners (NCBE).

The Americans with Disabilities Act (ADA) of 1990 continues to have a far-reaching impact on institutions of higher education. While there is greater awareness today that the ADA exists and its general application to legal education and the practice of law, new and complex issues continue to arise.

In the spring of 1995, a Joint Conference on Disability Issues was presented in St. Louis by the same sponsoring organizations. While that conference addressed many of the same issues that will be addressed by the 1997 Joint Conference, this follow-up conference will focus on new and more complex issues that are arising.

In the plenary sessions and small group sessions, attendees will have the opportunity to learn about what is legally required, what steps should be taken to comply, and problems that arise in some instances where non-action or the wrong action is taken. Attention is given by speakers to practical nuts and bolts ways of addressing these issues. Speakers and panelists include faculty and administrators from law schools, bar admission authorities, members of the practicing bar, university attorneys, and representatives from enforcement agencies. These individuals will share their expertise and experience. Please join us to learn about disability law and its impact on your institution.

Topics include Historical Perspective and Legal Overview; Access Issues; Faculty; Career Counseling; Enforcement Issues; Policy Development; Disabilities as a Civil Right; Diagnosing and Accommodating Learning Disabilities and Attention Deficit Disorder; Appropriate Procedures for Accommodations and Applying Procedure Appropriately; Essential Functions; and Ensuring Fitness and Record Keeping.

Continued on page 15
During the past year the Standards Review Committee, under the leadership of its Chair, Dean John Feerick of Fordham, devoted its efforts to a revision of the Rules of Procedure for the Approval of Law Schools.

As part of the revision process the committee reviewed the existing Rules and Policies to ascertain which should properly be Interpretations of the Standards. Some examples are the following:

Interpretation 101-3 provides that ABA approval of a law school is not transferable. This provision is currently addressed in Rule 33B(d).

Interpretation 102-5 provides that a provisionally approved law school must disclose in its bulletin that it is provisionally approved. This requirement was previously addressed in Council Policy 9.

Interpretation 210-5 requires each ABA-approved law school to prepare a written plan describing its current program for compliance with the equal opportunity requirements of ABA Standard 210 and to maintain a file identifying the specific actions undertaken to comply with that plan. This requirement was previously addressed in Council Policy 19.

Interpretation 301-1 would provide that the Association shall consider a law school's rates of attrition, bar passage and career placement in determining whether the school complies with the educational objectives of ABA Standard 301. This Interpretation is based on regulations of the U.S. Department of Education applicable to accrediting agencies recognized by the Secretary of Education.

The Standards Review Committee also completely revised the Rules and Procedures for Approval of Law Schools with an effort to consolidate the Rules as much as possible. Examples are the following:

Rule 2 addresses the conduct of site evaluations held in a variety of contexts consolidating in one Rule (without substantial change) provisions found in Rules 8, 16, 18 and 26.

Proposed Rule 3 addresses the Accreditation Committee's consideration of a law school in a variety of contexts, consolidating in one Rule (without substantial change) provisions previously found in Rules 9, 19 and 26.

Rule 8 addresses the withdrawal by a law school of its application for provisional or full approval, consolidating (without substantial change) provisions previously found in Rules 15 and 25.

Rule 9 addresses site evaluations of provisionally and fully approved law schools, consolidating (without substantial change) provisions previously found in Rules 16 and 26.

Rule 30, which addresses guidelines for reimbursement of site evaluators and fact finders, incorporates (without substantial change) provisions previously found in Council Policy 29.

The Committee recommended that Council and Accreditation Policies be eliminated and, to the degree applicable, incorporated into the Interpretations.

Finally, the Committee recommended adoption of a new Standard 510, which requires ABA-approved law schools to make efforts to minimize student debt and provide debt counseling as required by the Department of Education.

The Council accepted the proposals.

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LIBRARY HIGHLIGHTS

AALL Proposes to Unlock Its Doors

by Frank Houdek

At its recent Annual Meeting in Baltimore, members of the American Association of Law Libraries considered a proposal to change the AALL Bylaws to make full membership rights in AALL available to a much more inclusive group than is presently possible. In essence, the proposal opened membership to anyone interested in “law libraries, legal information, and the objectives of the Association,” whether they be law librarians, law library staff, members of the legal community, or legal information publishers. All would have full rights of membership, including those of voting and serving on committees, except that holding a position on the AALL Executive Board or running for elected office would be limited to those employed as law librarians.

Although the proposal engendered a lively debate during the Business Meeting, the membership ultimately referred the proposal to the Association’s Bylaws Committee for further consideration of several aspects of the issue. It is highly likely that the proposal, in an amended form, will come before the membership again in the coming year.

The move to open membership is based on a recommendation of two separate blue ribbon Association groups—the Special Committee on the Renaissance of the Law Librarianship, headed by Kathleen Carrick of Case Western Reserve University, and the Task Force to Explore the Expansion of AALL Membership, chaired by Nancy Johnson of Georgia State University. Both groups gathered considerable input from a wide cross-section of AALL membership over the course of several years of study. They independently reached the same conclusion: open AALL membership.

Changes in technology, in the means of publication, in the economy, and in libraries of all types, are causing fundamental shifts in the ways in which legal information is produced and disseminated. Where once librarians organized an orderly, cohesive body of legal information and publications, today they must navigate and manage a vast, ever-changing, chaotic, and largely unchartered sea of information.

Libraries and librarians making their way in this changed environment need a much greater diversity of knowledge and ability than was previously required. No longer just the domain of degreed law librarians, getting the job done in today’s law libraries demands a range of talents and skills that are often possessed by paraprofessionals, information systems specialists, and others not traditionally viewed as librarians.

Another aspect of the changing environment that AALL must consider is the heightened awareness of, and interest in, law libraries found on the part of judges, law professors and deans, and law firm administrators. This is a direct result of the fact that the use—the cost—of technology is so integral to the practice of law. Similarly, legal publishers once known for particular resources are constantly expanding the formats of their products, mergers and acquisitions.

Increasing the size and diversity of AALL membership will help AALL gain influence in debates on national policy issues. As law libraries become increasingly complex and those interested in their operation—and legal information generally—become increasingly diverse, AALL must rise to the challenge. AALL must find a way to embrace all those who, by responsibility or interest, directly affect law libraries or influence legal information. AALL can do no less if it is to continue to achieve each element of its mission: promoting the value of law libraries, fostering law librarianship, and providing leadership in legal information.

Frank Houdek is Law Library Director and Professor of Law at Southern Illinois University. He served as President of AALL in 1996-97 and is presently a member of the Executive Board. This article is based on an open letter to AALL members that was published in the June 1997 issue of AALL Spectrum under the title “It’s Time to Unlock Our Doors—Why We Should Broaden Our Membership Now.”

Law Faculty Age 55 or Over

The Senior Lawyers Division, now twelve years old, invites you to join the Division and participate in those activities that interest you. The Division offers information and counseling as to retirement, travel, of counsel, and other matters of particular interest to seniors. It has sponsored seminars in those matters as well as physician-assisted suicide, the ethics of litigation, conflicts of interest, estate planning, Social Security, Medicare and Medicaid, pro bono services, and many others. It has administered the Ross Essay Prize on several occasions. The Division’s magazine, Experience, a quarterly, has received several awards, and has been widely praised. Its newsletter, Senior Lawyer, has been equally successful. The Division’s quarterly meetings are a blend of fellowship and professional concerns. Call for more information, (312) 988-5000.
Diversity Committee

In the past year the Diversity Committee held three meetings chaired by Dean Herma Hill Kay, University of California Berkeley School of Law. They met on January 6, 1997, in Washington, D.C., at the AALS annual meeting; on January 31, 1997, in San Antonio at the ABA midwinter meeting; and on May 18, 1997, in Washington, D.C., at the ALI Annual Meeting. At the request of Chairperson Hasl they concentrated their efforts on two matters: (1) Law school admission policies post-Hopwood and post-UC Regents/209 constraints, and (2) the position of women in legal education.

Members of the committee are concerned that such a small number of minority students in law schools such as the University of Texas and the state of California law schools will make it very difficult for these schools to fully comply with existing ABA and AALS standards. In an effort to make clear that, so far, the anti-affirmative action policies are limited to public schools in California and the Fifth Circuit and do not affect other states, and to suggest some options that schools might want to consider, the committee recommended to the Council a resolution on the subject that was subsequently adopted at the Annual Meeting.

In the current academic year, the Diversity Committee will continue to monitor the situation in California and Texas.

RESOLUTION
WHEREAS the ABA Section of Legal Education and Admissions to the Bar takes note of the passage of Proposition 209 in California and implementation of the UC Regents' Resolutions SP-1 and SP-2, both of which ban race- and gender-based affirmative action in public institutions (a ban that includes a law school's admission policy), as well as the 5th U.S. Circuit Court of Appeals decision in Hopwood v. Texas (1996) which placed a court ban on racial preferences at public higher education institutions in Texas, Louisiana, and Mississippi, especially these policies' expected detrimental impact on a public law school's ability to maintain diversity in its student body; and
WHEREAS the ABA House of Delegates in August 1995 voted to endorse legal remedies and voluntary actions that take race into account as a factor to eliminate or prevent discrimination; and
WHEREAS the ABA Board of Governors voted to include Legal Remedies to Eliminate Discrimination on the basis of race, encouraged each state court system and each major local state court to adopt as part of its merit-based personnel system equal employment opportunity and affirmative action plans that encompass all facets of court personnel management and that legislative and executive branch officials who select and appoint persons to the state judiciary incorporate affirmative action values in their recommendations and appointments, and further, urged each state chief justice in 1988 to establish a task force devoted to studying minority concerns as they relate to the judicial system, and subsequently to implement the task force recommendations; and
WHEREAS the Council has appointed a Diversity Committee that is charged with developing suggestions and strategies for greater diversity in American legal education in furtherance of the aims of Standard 211 and Council Policy 28, and the Diversity Committee finds that substitutes for using race as a factor in law school admissions decisions such as the "whole person" or a socio-economic (SES) approach are proving to be ineffectual in fostering diversity in the law school admissions process;

NOW THEREFORE BE IT RESOLVED that the Diversity Committee unanimously recommends that the Council approve the following initiatives:
1) that the Section in its "Statistical Guide to ABA-Approved Law Schools" continue to quantify the diversity of each law school's student body and generally disseminate such information;
2) that the Section reaffirm the ABA's Law School Affirmative Action policy as set forth in the Standards for Approval of Law Schools. Standard 211, Equal
After months of partisan wrangling and last-minute negotiating sessions, Congress and the president finally agreed on a plan to balance the federal budget by 2002. Prior to leaving for its traditional August break, Congress passed two reconciliation bills designed to implement the bipartisan budget agreement. The bills, one reducing entitlement spending by $122 billion and the other providing a net tax cut of $95 billion, were signed by President Clinton on August 4th. Education proved to be a vital issue in the negotiations, and the final legislation included $39.4 billion in tax cuts for education expenses. The education provisions, encompassed in Title II of H.R. 2014, contain a package of tax credits and deductions designed to alleviate the immediate burden of education costs while enacting initiatives to encourage early savings for postsecondary education expenses in the future.

While the thrust of the education initiatives was to meet the goal of enlarging access to and increasing the affordability of undergraduate education, several provisions will benefit graduate students as well. The first is a lifetime learning tax credit, which gives a tax credit of 20 percent of the first $5,000 in tuition and fees to students in their last two years of college and in graduate school. After 2002, the credit decreases to 20 percent of the first $10,000 in tuition and fees. Additionally, the legislation revived the deduction for student loan interest, providing a deduction of $1,000 in 1998, rising to $2,500 in 2001 and thereafter. The bill also allows penalty-free withdrawals from existing Individual Retirement Accounts to pay for postsecondary and graduate education expenses.

The budget resolution is not the only opportunity for congressional debate on higher education policy this year. After holding a series of hearings in Washington and around the country, Congress has embarked on the reauthorization of the Higher Education Act (HEA). The House and Senate committees began drafting the legislation in mid-August, with the intent of holding full committee markups on their respective bills by mid-October. Through this process, there will be an attempt to restore federal funding to the Council on Legal Education Opportunities (CLEO), a program that provides assistance to low-income, minority and disadvantaged college students who wish to attend law school. Representative Elijah Cummings (D-Md.) has introduced legislation to establish the Thurgood Marshall Legal Education Opportunity Program under Title IV of the HEA. The provisions of this bill would authorize up to $5 million per year for the Secretary of Education to enter into a contract with or to make a grant to CLEO to administer the program. The funds would be used to identify students who qualify for assistance, prepare them for the study of law, help them select a law school, and provide support services during their first year. Cummings is urging the House Committee on Education and the Workforce to include the Marshall program in the committee draft of the HEA reauthorization bill. The ABA helped establish CLEO in 1968 to encourage diversity in the legal profession and will support the restoration of federal funding for the program as Congress debates reauthorization of the HEA.

However, first on Congress’s agenda for the next month will be to pass the remaining appropriations bills prior to the end of the fiscal year on October 1st. Both the House and Senate are scheduled to take up the FY1998 appropriations bills for the Departments of Labor, Health and Human Services and Education immediately upon reconvening after the August recess.
Annual Questionnaire Workshops

During the summer of 1997, the Consultant's Office conducted three training workshops on the ABA Central Information System (CIS). The workshops were held in Indianapolis on June 29, San Francisco on August 3, and Baltimore on September 4. Approximately 100 staff and faculty members representing about one-third of the ABA-approved law schools attended at least one of the sessions. The ABA CIS is a Windows, networkable software application that facilitates the reporting of law school information to the Office of the Consultant.

The first module in the Central Information System to be developed was the Annual Questionnaire. The next module to be delivered is the Site Evaluation Questionnaire. The estimated date to complete the Site Evaluation Questionnaire part is February 1, 1998. Ultimately, all of the questionnaires administered by the Consultant's Office will be integrated into the ABA Central Information System. We appreciate the following schools' effort in helping our office test the software: University of South Dakota, Indiana University-Indianapolis, Ohio State University, California Western School of Law, and Washburn University.
I hope this is the year we return to normalcy. We have had the major distraction of high stakes litigation that ended with the thud of the consent decree. Then came the all-court press of the recodification of the Standards—finally complete this August with the adoption of Rules of Procedure by the House of Delegates. The catalysts for these two events were the twin giants of the Department of Justice and the Department of Education. Both of them continue to monitor our activities, but not with the deadline-related drive of the past several years. My plan for the year is to put the work of the Section on a more measured pace. I hope we can work toward goals in a purposeful and orderly manner.

Normalcy does not equate to stagnation. Technology is pushing us too hard. The temporary distance education guidelines, adopted by the Accreditation Committee in April 1997, will not long contain the proliferation of ideas coming out of the law schools. Our Technology Committee has the responsibility of fashioning more permanent guidelines that will be shaped by comment into Standards to harness these ideas.

Normalcy does not mean filing away past accomplishments. The Standards for Approval of Law Schools are very much a work in progress. The Standards Review Committee will begin again the validation process, and at the behest of the Department of Education, the tempo of its work will be stepped up.

Normalcy does not mean ignoring the future. That future holds increased interaction with lawyers around the world. In many ways, the issues involving foreign-trained licensed lawyers mirror the issues that plagued the interstate movement of lawyers when I became a bar examiner over twenty years ago. Similar or not, the questions have to be answered. The law schools are interested in the training they can provide their students in the foreign arena and the training they can give foreign lawyers who come to the U.S. On the bar admissions side, there are questions raised by the foreign-trained lawyers who come to the individual states to pursue their careers. Within the Section’s role as a facilitator but without violating its accrediting function, the dialogue already begun with our foreign counterparts will continue.

Normalcy means repeating past successes. In November, the Section will join AALS, NCBE, and LSAC in a second conference on the issues defined by the Americans with Disabilities Act. The conference will be held in Washington, D.C.

Normalcy means getting out of the way of the Section committees so they can continue to do the work of the Section. Keep the committee directory handy and communicate to them your own ideas.

Finally, normalcy means problem solving. While we enjoy doing what we do best—enhancing legal education and aiding the bar admission process—we will be grappling with some tough questions. How do we adjust to declining applicant pools? How do we increase diversity in the law school and the profession in the present political climate? Ultimately, each law school must determine its own answer to those issues, but the Section can provide the impetus for discussion and debate.

Sounds like we all have a busy year ahead. While you will be involved with your own jobs, I solicit your help to see that the Section does its job.
Accomplishments

by Rudolph C. Hasl

It was a distinct privilege and honor to have served you as Chair of the Section of Legal Education and Admissions to the Bar during the past ABA year. During the Annual Meeting in Orlando in 1996, I spoke about the special opportunity that exists within the Section for its diverse constituencies to come together and to explore ways in which legal education and the law schools can be improved. The Section performs the historic role of a crossroads, where divergent viewpoints meet and find consensus. Our Section has as its members judges, practitioners, law professors and administrators, students, bar admission personnel, and students—each of whom brings a special and important perspective to the table. In an era in which the MacCrater concept of a continuum of legal education has been widely accepted, we can engage within the Section in a meaningful discussion of the ways to strengthen each part of the educational continuum.

During the past year, the energies of the diverse constituents have been mobilized through an invigorated committee structure to develop programs, positions, and proposals for strengthening the educational continuum. The Professionalism Committee, under the leadership of Wm. Reece Smith and Harry Haynesworth, developed a Professionalism Conference in October utilizing the report that it had prepared during the previous year. The Conference brought together representatives of each of our constituents to talk about the issues of professionalism. The report of the proceedings of that Conference has also been published. Under the leadership of Herma Hill Kay, the Diversity Committee tackled the difficult issues of affirmative action and gender bias in law schools, developing an agenda of issues to be studied and actions to be taken.

In addition to the Professionalism Conference, the Section sponsored programs dealing with law school construction, the St. Louis Bricks and Bytes Conference, organized by Dan Ellis; a Development Conference, focusing on issues involved in planning and carrying out a capital campaign, under the leadership of Bill Elwin; another successful New Deans Workshop, through the efforts of Tom Read; Accreditation Workshops for schools being inspected and for inspectors, organized by Art Gaudio and the Section staff; and topical and challenging programs at the midyear and annual meetings, with the help of Teree Foster, Rick Mataser, and Mary Kay Kane.

The Questionnaire Committee, under the steady leadership of Steve Smith, was successful in developing a new publication meeting the requirements of Standard 509 and in streamlining the process of reporting information to the Section offices. The new 509 publication was designed and developed, in cooperation with Macmillan USA, and provides information about individual law schools and legal education that had not been previously available in a single publication.

The Bar Admissions Committee, under the joint leadership of Peg Corneille and Gerald VandeWalle, tackled some very difficult issues involving the admission of foreign lawyers and access by American lawyers to practice in foreign countries. The Standards Review Committee, with John Feerick as Chair, completed the work of reviewing the Policies and Rules and deciding what changes should be made in connection with Department of Education regulations. The Committee prepared a package of Standards, Interpretations, Policies, Statements of Good Practice, and Internal Procedures that were adopted by the Council and, where necessary, by the House of Delegates at the Annual Meeting. Under the leadership of Erica Moeser, the Bylaws Committee reviewed the existing Bylaws and recommended changes to increase the Section dues, to create an Executive Committee, to define the responsibilities of the Committees, and to add public members to the Council, in satisfaction of Department of Education requirements. These changes were adopted by the Council and by the Section membership at the Annual Meeting.

In addition to all of the committee work, the Section maintained a very active accreditation agenda, considering a large number of applications for provisional approval and maintaining an ongoing review of the accredited law schools. The Accreditation Committee, under the leadership of Jeff Lewis, handled some very difficult issues and provided the steady, consistent, and fair process of review for each school on the Committee's agenda.

While the issues surrounding the Consent Decree have continued to affect the accreditation process, substantial efforts have been made to maintain a regular and systematic process for reviewing the compliance of schools with the Standards and Interpretations. The volunteer efforts, reflected in committee membership, site evaluation team chairpersons, and schools, have provided the consistency and stability at a time of potential upheaval. The ABA General Counsel's office has worked closely with the Section staff, leadership, and committees in bringing about a reasonably smooth transition.

In summary, the past year has provided a new opportunity for Committee leadership on many important issues. I have been in the unique position to observe and to stimulate that activity. The accomplishments of the past year have underscored the value of the Section as a crossroads where difficult, sometimes impossible issues are confronted by the diverse constituents of the Section and solutions are fashioned to satisfy the concerns and viewpoints that have been asserted. Thank you for the privilege of serving as your Chair for the past year.

Rudolph C. Hasl is the Dean at St. John's University School of Law.
The ABA Section of Legal Education and Admissions to the Bar is pleased to present the first edition of *ABA Approved Law Schools: Statistical Information on American Bar Association Approved Law Schools*. We believe that the information contained in this book is the most accurate, timely and comprehensive ever published on American law schools. As a result, we hope and expect the book to be used as an educational resource by law schools, prospective students, parents, placement/guidance personnel, attorneys and all others interested in objective data supplied by the schools as part of the accreditation process. The 464-page book contains a wealth of information on law schools including:

- GPA AND LSAT SCORES
- BAR PASSAGE RATES
- TUITION AND LIVING EXPENSES
- CAREER PLACEMENT
- ENROLLMENT DATA
- FINANCIAL AID
- CURRICULUM
- COMPOSITION AND NUMBER OF FACULTY

The book published by Macmillan USA is available in bookstores nationwide for the price of $19.95. It can also be purchased through the ABA Service Center at 1 (800) 285-2221. PC # 5290085. Source Code: SF97

The *Standards for Approval of Law Schools* sets forth the standards that a law school must meet to obtain or retain ABA approval. The book also contains additional information on legal education. The book is divided into ten parts: (1) Standards & Interpretations; (2) Rules of Procedure; (3) Criteria for Approval of Semester Abroad Programs for Credit Granting Foreign Segment of Approved J.D. Program; (4) Criteria for Approval of Foreign Summer Programs; (5) Criteria for Approval of Individual Student Study Abroad for Academic Credit; (6) Criteria for Approval of Cooperative Programs for Foreign Study; (7) Statement of Ethical Practices in the Process of Law School Accreditation; (8) Internal Operating Practices; (9) General Information; and (10) Prior Council Statements.


The *Comprehensive Guide to Bar Admission Requirements*, 1997-98, a joint project of the Section’s Bar Admissions Committee and the National Conference of Bar Examiners, sets forth the lawyer licensure requirements in all U.S. jurisdictions with maps and a directory of Bar Admission Administrators. Captions include Legal Education, Bar Examinations (Character and Fitness Review and Multistate Tests), Admission Requirements for Foreign Law Graduates, Admission on Motion (Reciprocity and Comity) and Special Licenses.

As a Section member you may receive one copy of the *Comp. Guide* by calling the ABA Service Center at 1-800-285-2221, asking for it by name and product code (PC: 5290087) and identifying yourself as a member of the ABA Section of Legal Education and Admissions to the Bar. Shipping and handling costs will be charged to the appropriate Section account.

Five African Professors Work at U.S. Law Schools on Curriculum Development

by Mike Wolf

Law professors from five African countries—Ethiopia, Uganda, Malawi, Zambia, and Ghana—spent most of June and July at law schools in the United States on the current phase of the African Law Initiative Legal Education Program. The professors, who were placed at five different U.S. law schools, worked to develop or strengthen courses that they will teach. The deans at the African schools chose the areas that they wanted assistance in strengthening and the project created matches in these areas with institutions and professors in the United States. The program began with an orientation program for all of the African participants in Washington and ended with a workshop at the Northwestern University School of Law in Chicago.

Among the activities in Washington was a round-table discussion on their areas of curricular interest at American University with Associate Dean Dinerstein and other faculty members. They also visited Howard University where they met with Academic Dean Michael Newsome and Homer LaRue, Director of Clinical Programs. In addition, they had a discussion and tour of the Supreme Court with General Souter, the clerk of the court.

Following the Washington program, the participants departed for the host law schools. Emilias Dokali, Dean of the University of Malawi Chancellor College Faculty of Law, worked with Professor Fernando Colon-Navarro at Texas Southern University Thurgood Marshall School of Law. He developed the structure for the first Human Rights law course at the Faculty of Law in Malawi. Nii Ashie Kotey from the University of Ghana Faculty of Law worked with Professor Tom Marks of the Stetson University School of Law to strengthen the Constitutional Theory he teaches in Ghana. Elements of American Constitutional Law, particularly judicial review, will now be more emphasized as a result of this visit. There is a strong interest among the deans at the African law schools in developing Environmental Law courses. Two of the visitors, Emmanuel Kasimbazi from Uganda and Enoch Mulembe from Zambia, came to the United States to work on Environmental Law courses. Enoch Mulembe from the University of Zambia School of Law worked with Professor Robert Percival, Director of the Environmental Law program at the University of Maryland in Baltimore. He created what will be the first course on International Environmental Law in Zambia. Emmanuel Kasimbazi from Makerere University in Uganda worked at the Center for International Environmental Law in Washington and the American University Washington College of Law to strengthen his course on International Environmental Law and to structure the course on Domestic Environmental Law. The dean of the Addis Ababa University Faculty of Law, Tilahun Teshome, worked with Professor Tom Geraghty at the Northwestern University School of Law to improve the Criminal Law course he teaches in Ethiopia. In addition to creating new course outlines, the participants all gathered books and other materials in their subject areas that were shipped to Africa.

The program ended at a workshop at the Northwestern University School of Law. Northwestern, through the leadership of Professor Tom Geraghty, has been enthusiastically involved in the African Law Initiative since its beginnings. The participants gathered in Chicago to share their experiences of the previous six weeks and to discuss some of the major issues of legal education and constitutional development in Africa. Ibrahim Idris, dean of the Addis Ababa University Faculty of Law and director of the Ethiopian Human Rights and Peace Center, joined the group for the Chicago workshop. Members of the Northwestern faculty—Tom Geraghty, Cynthia Bowman, Robert Burns, Clint Francis, and Tom Eovaldi—spoke to the group about the different teaching methodologies they employ. Professor Paul Brietzke of Valparaiso University School of Law, who has taught at law schools in Ethiopia and Malawi, made a presentation on African Legal Education and Development, 1997, focusing on the challenges that legal educators are faced with during this time of reform and democratization in Africa. Professor Robert Sedler from Wayne State University in Detroit led a session on comparative constitutionalism in Africa, with a focus on judicial review and freedom of speech. The African visitors gave examples of constitutional cases in their countries, vividly demonstrating the ways that these new constitutions are coming to life. The group also visited the renowned African Studies Program at Northwestern's main campus in Evanston. It is notable that three professors involved in this workshop—Tom Geraghty, Bob Sedler, and Paul Brietzke—taught at the Addis Ababa University Faculty of Law in the 1960s and 1970s. They have now reconnected with Africa through this project—a strong indication of the new and hopeful era in African history and the reemerging links between African and American legal educators. In the next phase, to occur in fall 1997 and spring 1998, American professors will visit the African countries to continue assistance with faculty training and curriculum development.

For more information contact:

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In the 1997-98 academic year the Consultant's Office on Legal Education to the American Bar Association will coordinate the following site evaluation visits. Interested persons may submit written comments regarding a school to the Consultant's Office. The comments should be postmarked by December 1, 1997, for schools that are being visited in the fall and by March 1, 1998, for schools that are being visited in the spring. Comments should be sent directly to James P. White, Consultant on Legal Education to the American Bar Association, 550 West North Street, Suite 349, Indianapolis, IN 46202.

### FALL SITE EVALUATIONS

#### Sabbatical Visits
- Ohio State University College of Law - October 5-8, 1997
- University of Tennessee College of Law - October 5-8, 1997
- Quinnipiac College School of Law - November 2-5, 1997
- William Mitchell College of Law - November 2-5, 1997
- New York Law School - November 9-12, 1997
- Temple University School of Law - November 16-19, 1997

#### Provisional Visits
- Pennsylvania State University Dickinson School of Law - October 19-22, 1997

#### Applications for Provisional Approval
- Florida Coastal School of Law - October 19-22, 1997
- Chapman University School of Law - October 22-25, 1997
- University of the District of Columbia School of Law - October 26-29, 1997
- Western State University College of Law - November 16-19, 1997

### SPRING SITE EVALUATIONS

#### Sabbatical Visits
- University of Chicago School of Law - February 22-25, 1998
- University of Denver College of Law - February 22-25, 1998
- University of Mississippi School of Law - March 1-4, 1998
- St. Louis University School of Law - March 1-4, 1998
- Southern Methodist University School of Law - March 1-4, 1998
- Chicago-Kent College of Law - March 4-7, 1998
- University of Arizona College of Law - March 8-11, 1998
- Boston College Law School - March 8-11, 1998
- University of Texas School of Law - March 8-11, 1998
- Brigham Young University Law School - March 11-14, 1998
- University of Missouri-Columbia School of Law - March 15-18, 1998
- University of San Diego School of Law - March 22-25, 1998
- St. Thomas University School of Law - March 25-28, 1998
- Drake University Law School - March 29 - April 1, 1998
- Baylor University School of Law - April 5-8, 1998
- Brooklyn Law School - April 5-8, 1998
- University of Idaho College of Law - April 8-11, 1998
- Harvard University School of Law - April 26-29, 1998

#### Provisional Visits
- Thomas Jefferson School of Law - February 8-11, 1998
- Texas Wesleyan University School of Law - April 5-8, 1998

#### Applications for Provisional Approval
- Orlando School of Law - February 15-18, 1998
Temporary Distance Education Guidelines

At the Accreditation Committee meeting held on April 25-26, 1997, the Committee approved the Temporary Distance Education Guidelines. The desire of the Committee was to deal with the issue of distance education in a prompt manner and to obtain information to guide the development of permanent standards and interpretations for this area of education. In addition, the Guidelines remove the necessity of obtaining a waiver or approval from the Accreditation Committee for courses of the sort that are described in the Guidelines, although it may be necessary to obtain prior approval from the Consultant’s Office.

With regard to courses described in sections 1, 2 or 4 it is not necessary to obtain prior approval from the Accreditation Committee or the Consultant’s Office. However, it is expected that each course will be conducted in such a fashion as to comply with the principles of the Guidelines, including sections 5 and 6. The Consultant’s Office will shortly be submitting a questionnaire to each school for the purpose of obtaining information about programs of this type that the school is currently conducting, or has formerly conducted. The desire is to obtain information regarding the nature of such programs, their successes and difficulties, and the reasons therefor. This information will be used by the Technology Committee, the Standards Review Committee, and the Accreditation Committee to suggest permanent Standards and Interpretations.

With regard to experimental courses described in section 3, prior approval is necessary. In that regard the Consultant’s Office will be preparing shortly an application form for schools wishing to offer such courses. While it will not be necessary to obtain a waiver or approval from the Accreditation Committee, it will be necessary to obtain prior approval from the Consultant’s Office in accordance with these Guidelines. As part of the authorization for the experiment, the school will be expected to report on the course’s successes and difficulties, including the reasons therefor. This information will be used by the Technology Committee, the Standards Review Committee, and the Accreditation Committee to suggest permanent standards and interpretations.

In the spirit of experimentation the following Guidelines have been developed.

If a school should have, or desire to establish, a course that is not described in these Guidelines, it will continue to be necessary for the school to obtain a waiver or approval of the course from the Accreditation Committee.

Principles for Distance Education

Educating a student for a Juris Doctor degree is professional education of a most distinct variety. It involves more than the mere delivery of information or simply learning facts, history or even logic. During a law school education a student is expected to participate in a learning community whereby he or she will ultimately learn, experience, and develop skills and knowledge that will advance the legal system, society and his or her career. This law school experience involves interaction with faculty not only in the classroom, but also in other places and at other times. Students also learn from each other by inquiry and challenge, review and study groups. In sum, law school is an educational process in which a student matures with the law and his or her ability to use and develop it.

As new methods of education develop, legal educators must be aware and ready to implement them in order to provide the best possible legal education to the greatest viable student body. In the last few years various methods of distance education have become available and, certainly, more will present themselves in the future. As legal educators we must consider which of these new methodologies provide appropriate legal education tools.

In a desire to gather information on distance learning for ultimate incorporation into the Standards, the Accreditation Committee of the Section on Legal Education and Admissions to the Bar has directed the Consultant’s Office to consult with the law schools on the use of distance education in legal education. In addition it has authorized the Consultant to give permission to law schools to conduct experiments in legal education by the use of such methodologies, while keeping in mind the direction of Standard 304(g) that approved law schools may not grant credit for courses taken by correspondence study.

In the spirit of experimentation the Consultant’s Office has developed the following Guidelines and invites law schools to propose distance learning educational experiments. Such experiments may be authorized by the Consultant’s Office only for an experimental period. The results of those experiments will be reported to a Committee on Technology that was recently appointed by the Chair of the Section. Ultimately that Committee will develop guidelines for the use of distance educational technology that will be submitted to the Standards Review Committee. The Standards Review Committee will consider the proposals and submit them for public debate and comment, and ultimately for adoption.

Consultant’s Temporary Distance Education Guidelines

1. Site of reception—Experiments in which educational programs will be disseminated from one law school and received at another law school will generally comply with the prin-
principles of legal education as stated above. Also, if the locale at which the legal educational program is received has a law faculty of significant size, a student body of significant size, and a library or information resource center of significant size, the program will generally comply with these principles of legal education. Thus, courses received at a law school facility from nonlaw school sites or other educational institutions will generally comply with these principles. It is not necessarily true that a faculty member must be present in the classroom or other reception facility.

On the other hand, delivery of course work to a person's home or office would generally not be in compliance with these principles. Similarly, delivery to a site that merely has technical personnel to operate and maintain educational or transmission equipment, but does not have a law faculty, is not in compliance with the above principles. Delivery to a secondary site at which a faculty, students and a library or information resource center are to be located may require approval in accordance with the Standard 105 and Interpretation 105-1(11) regarding the establishment of a branch campus. Also, because of the special developmental and interactive nature of first-year courses, use of distance education for such course work will not usually be approved at the present time under these Guidelines.

2. Externships and clinical programs—The use of distance education may be particularly useful as a means of enhancing externships or clinical programs. Such externships and clinical programs may, for example, have classroom components that are difficult to deliver on campus at the law school site. The use of distance education technology in such cases may be designed to enhance a law student's education and provide greater efficiency. Thus, for example, externships that are physically located at some distance from the law school campus might employ distance delivery systems for the conduct of in-class sessions in a uniform and convenient fashion.

3. Limited exceptions—In the spirit of experimentation a limited exception may be granted for a course that is not in strict compliance with the requirements stated herein for faculty size, student size and/or a library or information resource facility. Such an exception will be granted on an ad hoc basis upon a showing of specific educational benefits to be provided by such a course while maintaining a minimum of the potential shortcomings noted in this document. However, a student may take only one such course (three credit hours) for the purpose of being applied toward the class hour and residence requirements of the Standards.

4. Level of program—Consideration will be given to the program for which the distance education is being offered. Thus, post J.D. programs such as LL.M. and S.J.D. programs may be considered differently from regular J.D. programs, since the maturation and educational process involved in a J.D. program have already occurred for the student.

5. Interactivity—As stated above, interaction between student and faculty is a crucial element to legal education. Thus, such interaction will be required.

6. Technology requirements—Technology of poor quality can be a serious hindrance to the delivery of a good educational program. All systems will be expected to operate in a manner that will enhance and not hinder education. To that end the law school will be expected, in its request for authorization to conduct an experiment, to describe the technology to be used, the type of facility from which the program will be delivered and the type of facility to which it will be delivered, the bandwidth and other technical information of any video delivery system, the nature of any computerized delivery system, and other related information.

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**LSAC Report**

**Overall First-Year Enrollment: Stays the Same**

The Law School Admission Council announced on September 11, 1997, that the overall first-year law school class looks much like last year in spite of significant changes in minority enrollment in schools in Texas and California. Enrollment overall is slightly lower, but minority percentages increased slightly. The information below was collected by LSAC, in an effort to get an early start on ascertaining any significant changes in minority enrollment. The official enrollment data collected by the ABA will be available in late November.

Total minority enrollment increased slightly from 1996. Minority students comprise 20.7% of the 1997 entering class, compared to 20.5% last year.

The proportion of African American students remained unchanged from last year, at 7.6%.

The proportion of Hispanic students, including Mexican American, Chicano, Latino, and Puerto Ricans, increased slightly, from 5.7% of the total first-year class to 5.8%.

Asian Americans comprise 6.5% of this fall's entering class, compared to 6.3% last year.

The proportion of Native American students declined slightly, from 0.9% last year to 0.8% this year.

The male-to-female ratio remained unchanged, with 45.5% women and 54.5% men.

Overall first-year enrollment this fall declined by about 700 students, or 1.7%.
At the Annual Business Meeting of the Section of Legal Education and Admissions to the Bar held on August 2, 1997, the slate of nominees presented by the Nominating Committee was approved. In addition, Section members present at the Annual Business Meeting adopted the revisions to the Bylaws as presented by the Council. The Section Program, Opportunities and Challenges for Lawyers and Legal Educators in a World Without Borders, was well attended and very successful.
BOOT CAMP
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job from a different standpoint. Think about where deans come from,” he added. “Sometimes an associate dean is promoted. Law faculties dominate the hiring process. They want somebody who is a very good teacher and scholar. But those skills are not always the same skills that will help with the problems a dean has to face. Any one ball dropped can turn into a major problem if you don’t handle it well. Those kinds of skills may come from a good teacher and scholar, but not always.”

Read said the seminar helps new deans understand that they are going to be thrown into a job that is a torrent of activity that may be foreign to their background and experience.

“The students think of you as the boss,” he said. “Your faculty thinks of you as one among equals who carries out their collective judgment. Your central administration views you as a middle level manager to carry out the edicts from the top level of the university. Your alumni view you as a great academic leader who is supposed to move their school to the top of the pecking order. And your legal professional officials see academics as unresponsive to the profession. Each of these constituencies thinks they know what deans do, but they only see it through a narrow prism of their own. It’s a classic political job. Trying to keep all those constituencies happy at the same time can blow new deans away.”

Percy Luney, law dean at North Carolina Central University in Durham, not only went through the boot camp a few years back, but also returned last summer as a facilitator of a session entitled “A Year or Two Later.”

Luney said his presentation stressed the need for new deans to work together and not hesitate to call more experienced colleagues when they encounter new situations. “I emphasized that we are a small group, because we are,” he said. “We have to work together, rather than try to do everything to reinvent the wheel.”

Walsh agreed that networking between deans is a valuable part of the seminar. “Participants not only meet other new deans,” he said, “but also the senior deans involved in the presentation of the seminar, so if they run into a problem in their new job, they can pick up the phone and call somebody who may have some experience in that area for a second opinion.”

The seminar also focuses on the relationships deans have with the faculty, central administration, associate deans, outside constituencies, and law school finances, as well as the personal side of a deanship. The seminar not only helps strengthen, encourage, and build up new law deans and legal education, but also spreads the reputation of Wake Forest Law School, said Walsh.

“Although we meet at Graylyn, we have a reception here at what I think is the nicest building in American legal education, which you might not be aware of unless you’ve been here,” he said. “We’ve had maybe 120 new and senior deans come through here as seminar participants and facilitators who might not have been here otherwise.”

Walsh considers it an honor for Wake Forest to be involved in strengthening the school and the profession simultaneously. “The preparation of new deans strengthens the legal education system,” he said. “Wake Forest’s involvement in this seminar strengthens us within

Kutak Award

At its June 7-8, 1997, meeting the Council adopted the recommendation of the Kutak Committee, chaired by Dean Nina S. Appel, naming Professor Harry Edward Groves as the 1997 recipient of the Robert J. Kutak Award. The award is granted annually to the person who meets the highest standards of professional responsibility and demonstrates substantial achievement toward the increase of understanding between legal education and the active practice of law. Professor Harry Edward Groves fully merits the recognition. The Kutak Committee reported to the Council that Professor Groves “has served legal education for almost half a century. He has done so with great intelligence, dignity and devotion. All who have had the privilege of working with him agree that he is an extraordinary educator, scholar and lawyer.” The award was presented at an Award Ceremony during the ABA Annual Meeting. Upon accepting the award, Professor Groves stated that he was honored to be recognized by the Section. He stated that he had many fond memories of the Section and his endeavors to improve legal education.
The Office of the Consultant is working to enhance the Section of Legal Education and Admissions to the Bar’s presence on the worldwide web. The URL for the site is http://www.abanet.org/legaled. Please visit the site and let us know your suggestions. You can contactArthur R. Gaudio, Rick L. Morgan, or Kurt Snyder with your suggestions for materials and links that would improve the usefulness of the site. They can be reached at (317) 264-8340. Currently, our site contains the following:

1. List of ABA Approved Law Schools with links
2. Standards for Approval of Law Schools
3. Pre-Law Statement
4. Information on Foreign Study
5. Upcoming Events
6. List of Section Publications
7. Bar Admissions Contact Information
8. Mission Statement/Long Range Plan
9. Section By-laws
10. Information about the Section and Consultant’s Office

Editor’s Note: In an effort to reduce expenses and to improve the quality of Syllabus, I am considering integrating the Consultant’s Digest as a section of the Syllabus. As you may or may not know, Consultant’s Digest is published twice a year and is packed full of statistical data on law schools. Currently, it is sent in bulk directly to the law schools. Through integration we can save money by eliminating the expense of mailing the Consultant’s Digest directly to the schools and increase the quality of Syllabus by providing its readers with valuable statistical information about law schools. Let me know what you think—I can be reached at ksnyder@iups.edu.