Distance Education Conference

On November 19th and 20th the Section conducted a conference on distance learning. About one hundred participants from the legal academy were in attendance for a program conducted by law professors for law professors. Dean Henry Perritt gave the keynote address and provided a template for conference discussion – the wide expanse of distance education possibilities. He discussed the wide range of delivery methods that are available today and the possible educational structures for providing that delivery. Professor and former Deputy Consultant Art Gaudio described the development of the current Temporary Guidelines, their purpose and what they mean and what they don’t mean. This was followed by several sessions in which the presenting law professors described their own experiences in using distance education. Two professors discussed delivering interactive video courses between different schools. Two other professors described the possible uses of out of class distance education supplements, such as TWEN and Lexis Classroom in a Box, as enhancements for traditional in-class sessions. Other faculty presented their experiences and research with other classroom supplements, the use of distance education for clinical and externship supplementation, and the delivery of post-JD programs by distance education. Dr. Frank Mayadas discussed the use of asynchronous distance education and its possibilities for legal education.

The conference was capped by addresses from Professors Charles Nesson and Peter Martin on their differing views of the use of distance education and the purpose of the classroom in the education and development of law students.

A sense developed that distance education in law schools has moved a long way in the last several years. Nonetheless, there was disagreement about its proper place and implementation. Is its best use as a supplement for traditional classroom education; should individual

Consultant Search

by Robert A. Stein

As you know, James P. White, Consultant on Legal Education to the American Bar Association since 1974, has announced his retirement effective September 1, 2000. Since 1927, eight persons have filled that role¹, and Jim has occupied it for the last 25 years. During those years, as responsibilities grew and challenges arose, Jim built a dedicated staff who has helped him make the Office of the Consultant a strong and vital force in American legal education.

I have had the pleasure of working closely with Jim both before and during my term as Chair of the Section in 1993-1994, and then later, of course, as the ABA’s Executive Director. Jim’s contributions to the accreditation process, to the section, to the ABA, and to American legal education as a whole are immeasurable, and he will — as many have already said in these pages, and will certainly say again — be sorely missed.

In connection with Jim’s retirement, the Office of the Consultant will be relocated from Indianapolis to Chicago. We have invited the Indianapolis staff to join the new Consultant and relocate to Chicago, and we hope that many of them will wish to do so.

The relocation of the office must be done in such a way as to have as little impact as possible on the important ongoing work of the Consultant’s Office. Jim has agreed, during the year following his retirement, to advise the new Consultant, and Jim’s good services in that

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The Section has planned a series of events in connection with the London meeting of the American Bar Association July 17-21, 1999. On Tuesday, July 18 the Section has planned a program from 1:00 - 5:00pm in the Queen Elizabeth II Conference Center. This is a Section Presidential Showcase Program and is part of the ABA General Program.

Dean Emeritus David T. Link of Notre Dame Law School is chairing this program. The title of the program is “Out of the Box” and is an international summit on ideas for new systems of legal education. Participants include Justice Morgoro of the South African Constitutional Court, former ABA presidents Roberta C. Ramo and Philip R. Anderson, Nigel Savage of the College of Law of England and Wales, ABA Executive Director Robert A. Stein, Chief Justice Randall T. Shepard, and current Council Chair Dean Robert K. Walsh. The panel will suggest new beginnings to legal education, particularly in the United Kingdom and the United States. That evening there will be a dinner for Section members in Middle Temple Hall, Inns of Court.

On Wednesday, July 19 Dean Patricia O’Hare of Notre Dame Law School and Professor Jeffrey Bennett, Director of the Notre Dame London Law Centre will host a reception for all Section members at the Notre Dame London Law Centre located off Trafalger Square.

On Thursday, July 20 there will be a joint programme, University of London and Section of Legal Education and Admissions to the Bar - Legal Education in the United Kingdom and the United States in the New Millennium at Senate House University of London, hosted by London University Vice Chancellor Graham Zellick. The program will be from 9:00am to 3:45pm and will consist of three sessions each with a paper presented from the United Kingdom and the United States and two commentators from the United Kingdom and the United States. The topics are Legal Education in the United Kingdom and the United States in the 21st Century; Advanced Legal Education, Academic and Continuing; and Lawyer Competency: The Role of Law School and the Profession. The program will feature a luncheon speaker from the United Kingdom and will conclude with tea for all participants.

On Friday the Section will sponsor a trip to Cambridge to visit the new Cambridge law building, to tour the campus and to lunch with members of the Cambridge Law Faculty. The visit will be hosted by Professor A.T.H. Smith, Chair of the Cambridge Law Faculty.

There will be many other ABA events including an opening session at Royal Albert Hall. I look forward to seeing you there. ☑
I believe that all those who have been involved in organizational leadership have observed the following phenomenon: a truly reflective and significant report is issued by the organization after much study and receives meteoric attention, flashing brilliantly, but temporarily. This phenomenon occurs at least partially because of the transitory nature of leadership in many organizations. Bar associations and organizations often turn over presidents each year. Of course, the relatively short average tenure of many law school deans continues. For these reasons and others, I believe that two great reports of our Section are not receiving the current attention they deserve. We are planning some important programs this year to bring attention back to these reports.

The first of these reports is the MacCrate Report issued in July of 1992, more formally entitled “Legal Education and Professional Development—An Educational Continuum.” This report was the result of three years of study, meetings, surveys, and hearings by a task force of almost 30 outstanding judges, practitioners, and academics, chaired by former ABA President Bob MacCrate. It first described the profession for which lawyers must prepare, including its history, different practice settings, and organization. It then went on to formulate a statement of fundamental lawyering skills and professional values and to describe an educational continuum through which lawyers acquire these skills and values throughout a lifetime, including both before and after the law school experience.

The MacCrate meteor did burn longer and brighter than most. The Section itself had an important follow-up conference and then almost 20 states had what came to be known as “MacCrate Conclaves.” According to the MacCrate Report, the first step in bringing the legal education community and the practicing bar together to better the educational continuum was “to describe what law schools and the practicing bar are now doing to advance the professional development of lawyers” and begin a cooperative dialogue to improve it. Most states, however, did not have MacCrate Conclaves. In many of the states that did, the leadership of the bar and the law schools has changed. We hope to bring attention back to this report at the midwinter meeting of the ABA in Dallas. We will have a special one-day joint meeting on Friday, February 11, 2000, with the leaders of the national conferences of bar presidents, bar executives, and bar foundations entitled “The Legal Education Continuum: We Are All in This Together.” Chaired by Dean John Feerick of Fordham, this program will explore areas of further collaboration between law schools and the bar leadership in the states. Following a keynote address, there will be a reaction panel featuring (1) Deborah Rhode of Stanford, former president of the AALS, (2) Bill Rakes, current liaison of the Section to the ABA Board of Governors and former president of the Virginia State Bar where he led its conclaves, (3) John Feerick who has also served a two-year term as president of the Bar of the City of New York, and (4) Erica Moeser, former chair of our Section and current director of the National Conference of Bar Examiners.

Following the reaction panel, there will be workshops on ten topics led by leaders equally from the Section and the other organizations. At the end of the program, a summarizer will help provide what we hope will be a new beginning to dialogue both in the states and at a national level about what the bar leaders and the law schools can do together to improve the legal education continuum.

From the bar leadership perspective, one interesting aspect of this conference is the participation of the National Conference of Bar Executives. Bar executives tend to last longer in office than bar presidents and deans, providing greater potential continuity to the dialogue. As to the Section leadership, Diane Yu, the chair-elect of the Section, has served with me on John Feerick’s Program Committee. Moreover, Diane and I have discussed this conference as a new beginning for further Section activities with Chief Justice Gerry Vandewalle of the North Dakota Supreme Court, the vice-chair of the Section, in our Section leadership three-year planning process.

The other great report of the Section that I hope will receive renewed attention is the 1996 report of our Professionalism Committee: “Teaching and Learning Professionalism.” The MacCrate Report had referred to education in professional values, as well as professional skills. Thinking creatively about education in values is challenging. The 1996 report was issued after a two-year study by a committee chaired by Reese Smith, another past president of the ABA, and made thoughtful recommendations concerning education in professionalism at each stage of the continuum.

While the report was followed by a Section symposium in Chicago, I do not believe that this report has received the attention its thoughtfulness and importance deserve. I

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regard will help to make the transition a seamless one.

Making the move from Indianapolis to Chicago and identifying an outstanding new Consultant are both challenges of the first order and constitute major priorities of the ABA in the new year. New offices at the Association’s Chicago headquarters are ready. For any current Indianapolis staff who choose not to relocate, our new Consultant will identify and recruit staff to continue to provide high quality support for the accreditation work.

The search committee and the search process were ably described by Chief Justice Randall T. Shepard in the last issue of Syllabus. The Heidrick and Struggles executive search firm is working with the search committee to identify qualified candidates for consideration as the next Consultant.

The committee is most eager to receive your recommendations of candidates for the Consultant position if you have not already provided them. You may send them to me at the American Bar Association, 750 North Lake Shore Drive, Chicago, IL 60611, or via email to robertstein@staff.abanet.org; or to Eugene Rackley, Heidrick and Struggles, 227 West Trade Street, Suite 1600, Charlotte, NC 28202 or via email to EMR@h-s.com.

The Standing Committee on Legal Education came into existence in 1878. In 1893 The Section of Legal Education was created and in 1920 became the Section of Legal Education and Admissions to the Bar. The following persons have served as Advisors/Consultants to the American Bar Association:

1927-1930 H. CLAUDE HORACK, Advisor

1930-1934 WILL SHAFROTH, Advisor
1934-1935 ROBERT L. STEARNS, Advisor
1935-1940 WILL SHAFROTH, Advisor
1940-1941 LAWRENCE DeMUTH, Advisor
1941-1946 RUSSELL SULLIVAN, Acting Advisor
1946-1948 LAWRENCE DeMUTH, Advisor
1948-1968 JOHN G. HERVEY, Advisor
1968-1973 MILLARD H. RUUD, Consultant on Legal Education to the American Bar Association
1974-present JAMES P. WHITE, Consultant on Legal Education to the American Bar Association
courses be taught to students at other law schools or locales; should those courses be limited to upper class students or should first year students be allowed to take them; should the number of distance education courses available to a student in her or his legal education be limited; what is the proper interpretation or meaning of “interactive” as used in the Temporary Guidelines; must that education be synchronous or may it be asynchronous; and should schools be allowed to teach most, if not their entire program of legal education to students by distance methodology? These issues merely hint at the wide array of questions submitted to a panel of legal educators and accreditors at the end of the conference.

These questions and other issues that were voiced at the conference will be presented to the appropriate committees of the Section for their consideration and advice. The Section’s Technology Committee will be meeting in January at the AALS meeting. At that time it will begin the consideration of these issues. Other committees, such as the Accreditation Committee and the Standards Review Committee, will also be involved at later stages. Because of the developing nature of distance education, the Section will also conduct a new and revised survey of law schools and law faculty about the place of distance education in the legal academy. While the position of the Section undoubtedly will develop and change over time, there was an understanding that such a development should occur as a consensus of opinion develops within the academy.

have, therefore, asked our Section’s Professionalism Committee chaired by Professor Barry Sullivan of Washington and Lee University to suggest follow-up actions to insure that the ideas in this report receive further study by bar leaders and legal educators. I have also asked Dean Harry Haynsworth of William Mitchell, reporter for the original report, to chair the Program Committee for the New York portion of the annual meeting and present concrete examples of what law schools are doing to teach professionalism, an illustrative best practices program.

Finally, in San Diego on February 27-28, 2000, the Section will cosponsor a program with California Western School of Law germane to both reports: “Lawyers as Creative Problem Solvers.”

If you have any further ideas as to how to bring the ideas of these two great Section reports back to the attention of new bar leaders and deans, please let me know.

BRICKS, BYTES, AND CONTINUOUS RENOVATION

On Thursday, March 9 through Saturday, March 11, 2000, in Washington, D.C., the Section will host the fourth ABA facilities conference, Bricks, Bytes, and Continuous Renovation. The program will address planning for new construction and/or major renovations, as well as focus on the challenge of “continuous renovation”—making incremental changes as needed to adapt to technology and other changing requirements of legal education. Professor Leah Wortham and the Law School Facilities Committee are coordinating this Section Committee. For more information please visit the Section Website or contact Marian Lally, Columbus School of Law, The Catholic University of America, at (202) 319-5453.
Consultant Position Announcement

In the last issue of Syllabus, James P. White announced his intention to retire as the Consultant on Legal Education to the American Bar Association. He will step down as Consultant as of September 1, 2000, but will remain as an advisor to his successor until October 1, 2001. Since the announcement, the search for his successor has begun by a committee chaired by Justice Randall T. Shepard, the immediate past chair of the Section. If you have ideas about the search or about candidates, Justice Shepard urges you to write him in care of Ms. Nadine Nunley at the ABA, 750 North Lake Shore Drive, Chicago, IL 60611, or by e-mail: rshepard@courts.state. in.us. Those who wish to be candidates or to propose names may write Eugene Rackley at 227 West Trade Street, Suite 1600, Charlotte, NC 28202, or EMR@h-s.com.

Personal Characteristics

The successful candidate must have a significant national reputation in the field of legal education and be highly regarded by other members of the legal profession. This person has a unique leadership role in helping to set the strategic direction and priorities for American legal education and conveying a vision of the challenges facing legal education and the profession in the future. The Consultant will be a primary and innovative force in promoting and maintaining quality in legal education and a fair and efficient bar admissions process. It is essential that the person be capable of understanding regulators, and the practicing bar.

The individual must be able to work effectively with individuals at all levels of the profession, the public, and with those exercising regulatory oversight of law school accreditation and admissions to the bar, in an even-handed and fair-minded manner. This person must be able to act with outstanding judgment and decisiveness, and be capable of handling difficult situations with tact, diplomacy, and skill. In addition, the successful candidate will possess an international awareness and leading edge knowledge of legal matters, teaching, scholarship, and professional service. This individual will have strategic agility, action orientation, and organizational skills, and be adept at conceptualization and long-term strategic development.

The Consultant must be able to deal with persons at the highest levels of the legal academy, practicing bar, and judiciary to gain their commitment to the goals and objectives of law school accreditation and bar admissions. This person also needs to be a capable manager and administrator.

Professional Requirements

The Council of this ABA Section is the official accrediting agency for law schools recognized by the United States Department of Education and the 50-state bar admission authorities. In addition to its accreditation function, the ABA Section is also one of the two leading national organizations engaged in extensive programs for improvement of American legal education. It has over 30 committees touching every aspect of legal education and sponsors programs on such issues as financing legal education, globalization, technology, teaching professionalism, and skills training.

The Consultant will report to the Council of the Section of Legal Education and Admissions to the Bar regarding all accreditation matters, and to the Executive Director of the Association on all other matters. Together with the General Counsel of the Association, the Consultant is responsible for assuring that the legal requirements relating to the substance and process of law school accreditation are followed. The Consultant is a national leader in fostering quality in legal education and represents the Association before the U.S. Department of Education and the Council for Higher Education Accreditation, which recognize the Association as the national accrediting agency for law schools granting the professional law degree.

The Consultant supports the officers and Council of the Section of Legal Education and Admissions to the Bar in the formulation of policy, adoption of a budget, and the administration of the accreditation program. The Consultant also supports the many volunteer committees and projects of the Section, especially those that relate directly to accreditation matters, such as the Accreditation Committee and Standards Review Committee. The Consultant has the following additional responsibilities:

- Provide leadership to legal education and the accreditation process.
- Serve as the spokesperson for American legal education.
- Monitor trends in both higher education and in law schools and report on them to deans and the Council.
- Set the strategic direction for identifying and addressing issues in legal education.
- Identify, recruit, and inspire volunteers to participate in the accreditation process.
- Work with the Section Council, officers, and staff in directing and implementing actions related to accreditation and other Section programs.
- Be a source of innovative and creative ideas and approaches to improve legal education and the accreditation program.
- Ensure that site evaluation teams are properly trained to conduct effective site visits and pre-

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ABA Data Collection Software: Past, Present, and Future

by Rick L. Morgan

It all started in 1988 when the Consultant’s Office distributed, for the first time, its Annual Questionnaire to the law schools on electronic media...the ubiquitous 5 1/4 inch floppy disk (a time when disks really were floppy and most people were upgrading to computers which had the state of the art 20Mhz 286 processors). Needless to say, we’re talking DOS software here. ‘Windows’ was something you cleaned once a year whether they needed it or not!

There are several reasons that the ABA has an annual questionnaire: (1) to provide data that are used in the accreditation process; (2) to provide basic consumer information on law schools; (3) to provide management reports to deans; (4) to satisfy Department of Education requirements that accrediting bodies monitor schools between site visits; and (5) to assist in the work of many of the ABA Section committees. For those of you who may have worked on the questionnaire prior to 1997, but have not seen it since then, you would be very surprised at the improvements in the overall look and feel of the system. It is very user friendly, and since it stays on your school’s computer system all year, staff can begin working on the next questionnaire, literally, anytime throughout the year.

There are downsides, however, to developing and supporting a turnkey software system. Supporting the questionnaire used to mean that you would help callers interpret questions. When you add software into the mix, in addition to all of those calls, you have to be concerned with computer operating systems, printer drivers, network access rights, computer viruses, and the list goes on. Perhaps more challenging than that is to maintain consistent data over time when forces out of your control mandate changes to the data being collected. Any kind of meaningful trend analysis becomes very difficult when questions are routinely added and/or deleted.

At that time, the questionnaire was organized into three parts, each part residing on its own disk. Part I - General was comprised of many sections which covered a variety of topics such as: Budget, Curriculum, Faculty Counts and Salaries, Financial Aid, Physical Plant, Professional Skills, and others too numerous to mention. Parts II and III captured a broad spectrum of information on Students and Library, respectively. Thus, the ABA software was born. For the record, it should be noted that in addition to selfless volunteers like Dean Steve Smith, California Western School of Law, and Associate Dean Peter Winograd, University of New Mexico School of Law, the inaugural version of the ABA software was made possible by the database programming skills of Professor Tom Allington, Indiana University School of Law - Indianapolis.

Even though the software and questionnaire itself have evolved greatly since 1988, it has continued to capture data from ABA approved law schools in an organized, electronic, database format which allows the ABA to maintain a digital archive of information on legal education in the United States. In addition, the Annual Questionnaire facilitates the ABA’s commitment to monitor institutions pursuant to the Department of Education requirements 34 C.F.R. §602.24(b)(4). To continue the chronology of changes; in 1991, financial aid information was taken out of Part I, and Part IV - Financial Aid was created. The survey remained static until 1994, at which time further restructuring occurred in which questions regarding law school finances were pulled from Part I to create Part V - Profiles, and questions regarding law school finances were pulled from Part I to create Part VI - Fiscal. Enter the Consent Decree, June 25, 1996. After many months of litigation regarding antitrust issues, the American Bar Association entered into a Consent Decree with the U.S. Department of Justice. The impact of the Consent Decree on the annual data collection process was significant, to say the least. It prohibited the ABA from collecting or disseminating salary information. Therefore, much of the Part V - Profiles software had to be restructured so that no salary data would be calculated and submitted to the American Bar Association.
ABA DATA COLLECTION SOFTWARE: PAST, PRESENT, AND FUTURE

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and hence, no statistics on salaries, past or present, would be produced by the ABA.

With the exception of salary information, the basic structure of data that are collected by the ABA have been virtually unchanged since 1994, which has led to a great deal of consistency and comparability over time. Also, numerous edit checks and analyses have been integrated into the software which enhances the accuracy and uniformity of data collected from school to school. In 1997, all six modules were integrated into a single, Windows-based, multi-user application known as the ABA Central Information System (ABA CIS). Perhaps the most significant benefit to each law school is that it stores multiple years of annual questionnaire data for the school where it is installed. Beginning with 1994, a school can retrieve, view and/or print data from any year simply by pressing F5 from the main menu and entering the year they wish to retrieve.

From the ABA perspective, the software has provided the conduit for us to produce output such as: statistical reports (Take-offs) that law schools can subscribe to, ad hoc data requests from outside sources, and internal reports used in the accreditation process. The most visible by-product, however, is the annual publication of the ‘Official ABA Guide to Approved Law Schools’. It is a 480 page consumer information guide which contains a great amount of data on each law school.

With a single repository of data containing multiple years of information in existence at each law school, the next step was to integrate the Site Evaluation Questionnaire (SEQ) into the ABA CIS. The SEQ must be completed, along with a Self-Study every seventh year from the original year of ABA provisional approval. In the Fall of 1998, version 2.0 of the ABA CIS contained the Site Evaluation module. Using existing annual questionnaire data for the current and prior two years, many statistical reports can be produced by simply clicking on the report button and pressing ‘Print or Preview’. Prior to the development of the ABA CIS, those same reports had to be produced by pouring over printouts of annual questionnaires for three years, a laborious task, to be sure. In all, twenty reports are produced by the SEQ module covering topics such as: Curriculum, Faculty, Admissions, Financial Aid, Bar Passage, Placement, Finances, and Library Resources. The long term benefit to the school that uses the ABA CIS software to produce the Site Evaluation Report is that the responses that are entered into the system will remain there indefinitely, and will certainly be invaluable to the staff involved in the next Site Evaluation. Since every school has access to this management information tool, the reports produced by the system can be useful tools in monitoring year to year performance in the aforementioned areas, even if a school is not up for an inspection.

This year, all three Foreign Summer Program questionnaires have been integrated into the ABA CIS version 3.0: there is a questionnaire for New Foreign Summer Programs, the questionnaire for existing Foreign Summer Programs, and the questionnaire for Foreign Summer Programs that are scheduled to be inspected. The system can manage multiple foreign summer programs. As with the Annual Questionnaire module, multiple users can access the system at the same time, as is likely the case when a school has multiple programs. Data are submitted to the ABA in the same manner as the Annual Questionnaire, a diskette which contains the databases accompanies a printout of the questionnaire.

In the waning months of 1999, no discussion of software would be complete without the proverbial question of Y2K compliance. It should be noted that the ABA CIS software is ready for the new millennium. I must admit, however, it is not that we had to make any modifications, because the database engine used in the development of the ABA software (Microsoft Visual Foxpro) has stored four positions in date fields for many years.

Looking ahead, there are a couple of events that will directly affect future releases of the ABA CIS software. As noted elsewhere in this issue of Syllabus, the move of the Office of the Consultant from its Indianapolis home of twenty-five years to the ABA headquarters in Chicago as a result of James P. White’s retirement plans, could mean that there will not be new questionnaires integrated into the system next year. Whoever becomes the new Consultant on Legal Education will certainly have ideas and opinions that will shape the future of this project. In addition, the Department of Education, along with all federal agencies are in the throes of making significant changes to their own survey instruments. For colleges and universities, it is the IPEDS report (Integrated Postsecondary Education Data System). As it stands now, schools have until 2002 to change the way they gather data on students, specifically in the area of race and ethnic classifications. What does that mean for the ABA questionnaire? Probably the safest and most accurate answer is...more change.

In conclusion, the past eleven years have clearly been a time of change in the way the Office of the Consultant conducts the business of collecting, storing, and utilizing data from law schools. It begs the question: What do the next few years have in store, and how will advances in technology change the process? The best response that I can think of is that there will be data collected regarding legal education in the United States, and there will be change in mechanisms and methodologies because there must be outputs and quality assurances, i.e. an accreditation function.
Requirements for obtaining a license to practice law are now available online from the American Bar Association Section of Legal Education and Admissions to the Bar and the National Conference of Bar Examiners (NCBE).

The requirements for admission to the bar vary from state to state, but the section’s web site presents comparisons of state requirements, so that law school students worldwide can access information regarding what is needed to become licensed anywhere in the United States. The Comprehensive Guide to Bar Admission Requirements is posted at www.abanet.org/legaled.

The section is recognized by the U.S. Department of Education as an agency to approve law schools in the United States. Graduation from an ABA approved law school satisfies the legal education requirement for any U.S. jurisdiction, although alternative credentials also are recognized in some states. Other admission requirements can include character and fitness determinations; residency requirements; specific course work before, during or after law school; and successful completion of bar examinations.

The section has published the Comprehensive Guide annually for many years in cooperation with NCBE, but this is the first time its contents have been available on the Internet. Single hard copies also are available from the ABA Service Center at 800/285-2221. The Section owes Erica Moeser, former chair of the Section’s Council and Bar Admissions Committee, and Peg Corneille, current co-chair of the Section’s Bar Admissions Committee, much gratitude for their hard work and efforts in compiling the information provided by the bar administrators from each state.

Also at the section’s Bar Admissions web site, www.abanet.org/legaled/bar.html, are links to frequently asked questions about bar admissions; information on the multi-state bar examination, the multistate essay examination, the multistate professional responsibility examination and the multistate performance test; bar admission statistics; lists of bar examiners in each jurisdiction with electronic links to their offices; and listings of other section publications. The section’s home page, www.abanet.org/legaled, links visitors to information covering a broad range of topics relevant for pre-law study, post graduate education and foreign study.

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DIRECTORY OF STATE BAR ADMISSION ADMINISTRATORS
BASIC INFORMATION

Is pre-legal education required? Is registration of law students required? May students take exam prior to graduation?

CHARACTER AND FITNESS DETERMINATIONS

Does your jurisdiction have published character and fitness standards?

Does a separate agency evaluate character and fitness?

Does your jurisdiction provide for conditional admission, other than by waiver?

Does your jurisdiction have a structured program for deferring admission?

Will a felony conviction bar applicant from admission?

Please note: The aggregated statistics on this page were derived from information contained in the 1999 edition of the Comprehensive Guide to Bar Admission Requirements. Please refer to that publication for specific information.
PERMITTED MEANS OF LEGAL STUDY

Do your rules require graduation from a

ADDITIONAL REQUIREMENTS

If you approve schools not approved by the ABA for initial admission to the bar, do you conduct on-site inspections?

For initial admission to the bar, do you require completion of certain courses or skills training after law school?

For initial admission to the bar, do you require completion of certain courses or skills training after law school?

If applicant, a graduate of non-ABA-approved school, passes a bar exam in another state, is the applicant eligible to take your exam without additional legal education?

Please note: The aggregated statistics on this page were derived from information contained in the 1999 edition of the Comprehensive Guide to Bar Admission Requirements. Please refer to that publication for specific information.
APPLICATION DATES AND MBE REQUIREMENTS

Do you administer the Multistate Bar Examination (MBE)?

- Yes (51)
- No (3)
- No Limit (34)
- 2 Times (2)
- 3 Times (11)
- 4 Times (4)
- 5 Times (3)
- 6 Times (1)

How many times may the exam be taken without special permission?

- Yes (32)
- No (23)

Do you accept MBE scores from exams taken in other jurisdictions?

- Yes (32)
- No (23)

MPRE, MPT & MEE REQUIREMENTS

Do you require the Multistate Professional Responsibility Exam (MPRE)?

- Yes (51)
- No (4)
- No Limit (35)

Do you administer the Multistate Performance Test (MPT)?

- Yes (20)
- No (35)

Do you administer the Multistate Essay Exam (MEE)?

- Yes (13)
- No (42)

Please note: The aggregated statistics on this page were derived from information contained in the 1999 edition of the Comprehensive Guide to Bar Admission Requirements. Please refer to that publication for specific information.
What is the average grading and reporting period, in weeks, for the bar examination in your jurisdiction?

**GRADING AND SCORING**

- **HIGHEST**: 17
- **LOWEST**: 4
- **AVERAGE**: 8
- **MODE**: 8

**MANDATORY CONTINUING LEGAL EDUCATION**

- **YES**: 40
- **NO**: 15

Does your jurisdiction have a mandatory CLE requirement?

**FOREIGN LAW SCHOOL GRADUATES**

- **YES**: 3
- **NO**: 52

Does your jurisdiction recognize with regularity the sufficiency of a legal education received at any particular foreign school? If a foreign law school graduate obtains a graduate law degree from an ABA-approved school, is the graduate then eligible to take the bar exam?

- **YES**: 40
- **NO**: 15

**ADMISSION ON MOTION**

- **CONDITIONAL**: 3
- **NO**: 21
- **YES**: 31

Do your rules provide for admission on motion: an applicant for admission on motion be a graduate of an ABA-approved law school?

- **YES**: 21
- **NO**: 10

Please note: The aggregated statistics on this page were derived from information contained in the 1999 edition of the Comprehensive Guide to Bar Admission Requirements. Please refer to that publication for specific information.
Kutak Committee Seeks Nominations for 2000 Award

The Section’s Kutak Award Committee invites suggestions of individuals whom it should consider for the Kutak Award in 2000. 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.” Peter A. Winograd was the recipient of the award in 1999. The 2000 Kutak Award will be presented in July at the 2000 ABA Annual Meeting in New York, New York.

The Kutak Award Committee is chaired by Professor Harry E. Groves. Other committee members include Dean Nina S. Appel, William R. Rakes, Esq., Harold L. Rock, Esq., Barbara Ruud, Esq., Norman Redlich, Esq., Honorable Henry Ramsey, Jr., and Honorable Rosalie E. Wahl.

It would be useful to the Kutak Award Committee if the recommendation would describe the activities that especially qualify the individual for the award. Even though the committee 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 2000 award will be carried forward for consideration in future years.

Kutak Award Winners:

Peter A. Winograd, 1999
Talbot D’Alemberthe, 1998
Harry Edward Groves, 1997
Norman Redlich, 1996
Robert MacCrate, 1995
Rosalie E. Wahl, 1994
Frank E.A. Sander, 1993
Harold Gill Reuschlein, 1992
Gordon D. Schaber, 1991
Samuel D. Thurman, 1990
Sharp Whitmore, 1989
Millard H. Ruud, 1988
Robert B. McKay, 1987
Robert W. Meserve, 1986
Richardson W. Nahstoll, 1985
William J. Pincus, 1984

Suggestions may be sent, by April 1, 2000, to Professor Harry E. Groves, Villa #276, Carolina Meadows, Chapel Hill, North Carolina 27514 or to James P. White at the Consultant’s Office.
Public Hearings on the Standards

The Standards Review Committee and the Council for the Section are seeking comments from members of the practicing bar, the judiciary, bar administrators, and the legal academy regarding the Standards for Approval of Law Schools. As part of the ABA’s ongoing validity and reliability plan for assessing the ABA Standards for Approval of Law Schools, the Standards Review Committee is reviewing Chapters 5, 6, and 7 during the 1999-2000 year. The Committee considers it extremely important to receive input from as many constituents as possible. This input might include suggestions for change in one or more Standards or Interpretations, as well as expressions of opinion that a particular Standard or Interpretation is, or a collection of them are, valid as currently expressed.

The Standards Review Committee has scheduled hearings to allow persons to make oral comments in addition to, or instead of, written comments. Hearings will be held during the AALS Annual Meeting in Washington, DC, January 6, 2000, and at the ABA Midyear Year Meeting/Annual Deans Workshop in Dallas, Texas, February 11, 2000.

Specific and updated information regarding public hearings will be posted on the Section’s website as soon as it is available. Please note that on the Section’s website, you can also review the current Standards and the proposed changes thereto.

Finally, please submit your comments to the Standards Review Committee, ASAP, at the Office of the Consultant on Legal Education at the following address: Standards Review Committee, Office of the Consultant for Legal Education, 550 West North Street, Indianapolis, Indiana 46202.

The Lawyer As A Creative Problem Solver International Conference
Feb 24–26, San Diego

California Western School of Law, in conjunction with the American Bar Association Section of Legal Education and Admissions to the Bar, is hosting The Lawyer As A Creative Problem Solver, an innovative international conference to be held Feb. 24-26, 2000 on the shores of San Diego’s Mission Bay.

Edward de Bono, an author/educator who is considered the world’s authority on the teaching of thinking as a skill and creative thinking, is the keynote speaker at 4:30pm, Feb 24 and Former Attorney General Ramsey Clark will close the conference on Feb. 26 at noon.

The Lawyer As Creative Problem Solver is designed to promote the use of alternative approaches to conflict resolution. In particular, the conference seeks to create a new category of legal professional — The Lawyer As A Creative Problem Solver. Discussion will include identifying the skills the new lawyer must possess, as well as considering structural, attitudinal and institutional barriers to educating the new lawyer. Among the goals of this conference is the development of an action plan for all legal professionals.

A diverse group of legal professionals, including law faculty and deans, judges, bar association administrators, mediation/arbitration experts, family law practitioners and public interest lawyers are expected to attend the conference. Conference attendees will be on the cutting edge of problem solving and interventionist adjudication — a movement in law for the coming millennium. California Western School of Law certifies that the State Bar of California has approved this activity for seven hours of MCLE credit. California Western School of Law is a State Bar of California-approved MCLE provider.

The conference will be held at the Hyatt Islandia Resort on picturesque Mission Bay in San Diego. The early conference registration fee is $265 and increases by $100 after Jan. 15, 2000. For more information about registration, accommodations and travel, contact Events Coordinator Sheri Graham at sgraham@cwsl.edu or 800.255.4252, ext. 1689. Additional information is also available via the Section’s website at www.abanet.org/legaled.
The Standards for Approved of Law Schools sets forth the standards that a law school must meet to obtain or retain ABA approval. 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 Accreditation; (8) Internal Operating Practices; (9) General Information; and (10) Prior Council Statements.

Product Code: 5290084, Price: $12.00.

In the past year, the Professionalism Committee published two books. The first book, Teaching and Learning Professionalism, examines the recent decline in professionalism and make a number of recommendations designed to increase the level of professionalism among American Law Students, practicing lawyers, and judges. The second book, Teaching and Learning Professionalism: Symposium Proceedings, brings to conclusion the professionalism projects of the Section and the ABA Professionalism Committee by reproducing the papers presented at, and summarizes the discussion from, a national invitational Symposium on Teaching and Learning Professionalism in October 1996, cosponsored by the Section and two other ABA entities, The Standing Committee on Professionalism and The Standing Committee on Lawyer Competence for the Center for Professional Responsibility.


In the 1999-2000 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. 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.

### 1999–2000 SITE EVALUATION VISITS

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<tr>
<th>SABBATICALS:</th>
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<tbody>
<tr>
<td>1. University of Arkansas School of Law-Fayetteville - March 12-15, 2000</td>
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<td>2. University of California Hastings College of Law - October 10-13, 1999</td>
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<td>3. California Western School of Law - February 27-March 1, 2000</td>
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<td>4. Catholic University of Puerto Rico School of Law - October 24-27, 1999</td>
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<td>5. Detroit College of Law - October 31-November 1, 1999</td>
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<td>6. Duke University School of Law - November 14-17, 1999</td>
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<td>7. Duquesne University School of Law - February 20-23, 2000</td>
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<td>8. George Mason University School of Law - February 27-March 1, 2000</td>
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<td>9. Georgia State University College of Law- February 20-23, 2000</td>
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<td>10. University of Houston Law Center - October 24-27, 1999</td>
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<td>11. University of Iowa College of Law - March 26-29, 2000</td>
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<td>12. Loyola University School of Law-Chicago - October 17-20, 1999</td>
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<td>15. University of North Carolina School of Law- April 9-12, 2000</td>
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<td>16. University of North Dakota School of Law- March 26-29, 2000</td>
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<td>17. Ohio Northern University College of Law - February 13-16, 2000</td>
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<td>20. University of Richmond School of Law - April 2-5, 2000</td>
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<td>21. Roger Williams University School of Law - March 26-29, 2000</td>
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<td>22. Rutgers University School of Law-Camden - March 5-8, 2000</td>
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<td>23. University of Southern California Law School - March 29-April 1, 2000</td>
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<td>24. Southwestern University School of Law - October 24-27, 1999</td>
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<td>25. University of Toledo College of Law - February 20-23, 2000</td>
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<td>26. Washburn University School of Law - October 17-20, 1999</td>
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<td>27. Willamette University College of Law - March 8-11, 2000</td>
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<th>PROVISIONALS:</th>
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<tr>
<td>1. Chapman University School of Law - October 6-9, 1999</td>
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<tr>
<td>2. University of the District of Columbia School of Law - April 9-12, 2000</td>
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<td>3. Florida Coastal School of Law - March 1-4, 2000</td>
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<td>4. Thomas Jefferson School of Law - February 20-23, 2000</td>
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<td>5. Western State University College of Law- February 20-23, 2000</td>
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**APPLICATIONS FOR PROVISIONAL APPROVAL:**

1. Barry University of Orlando School of Law - October 24-27, 1999
2. University of Nevada - Las Vegas - November 14-17, 1999
3. John Marshall Law School - Atlanta - TBA

Please visit the Section’s Website for updates to this chart.

http://www.abanet.org/legaled
The Challenge of Using the LSAT Correctly in Law School Admissions

by Beth Cobb O’Neill

New Models to Assure Diversity, Fairness, and Appropriate Test Use in Law School Admissions is the title of a workbook recently issued by the Law School Admission Council. Its purpose is to provide law schools with practical support and ideas on how to broaden admission criteria to include factors that support the mission of a law school and produce a diverse student body, construct procedures that are fair to all candidates, and understand the value and limitations of the Law School Admission Test.

This workbook grew out of the Council’s concern about the generally poor understanding of what constitutes appropriate and defensible use of standardized admission tests, and the negative consequences of their misuse. Two troubling examples giving rise to this concern are (1) the notion, often cited by opponents of affirmative action, that test scores define merit and should be the principal factor determining admission, and (2) the escalating emphasis on test scores by law schools as they vie for high positions on national rankings that rely heavily on a school’s median LSAT score. Both represent incorrect test score use and threaten to corrupt the law school admission process. In fact, in a growing number of states and jurisdictions, a misunderstanding of the role of test scores in admission may have contributed to legal prohibitions that now constrain law schools from admitting some of the students they believe best serve their educational missions.

The Law School Admission Council, whose members are the U.S. ABA accredited law schools and Canadian law schools, is perhaps best known for the LSAT, the Law School Admission Test administered annually to close to 100,000 people worldwide. Since its inception, the LSAC has cautioned schools about test misuse and has offered programs and information about the admission process. While the Council is confident of its test’s ability to help evaluate law school candidates for admission (the LSAT is one of the most reliable of standardized admission tests), it also knows that it is a good tool only if it is used properly. To address this issue, 1997-99 Council Board Chair Leo Romero of New Mexico, appointed a group of law school deans, faculty, and administrators, assisted by LSAC staff, to develop the New Models workbook. Current LSAC Board Chair Rennard Strickland of Oregon has adopted the promotion of this workbook as one of his goals as he guides the LSAC over the two years of his tenure as chair.

The Council has also endorsed a second initiative designed to improve test usage. This is a program in which a group of knowledgeable and trained law school faculty members visit law schools on request to offer information to aid in understanding the strengths, limitations, and appropriate use of the LSAT. Some of the specific topics covered are: what the LSAT measures, its strengths and weaknesses as a predictor, subgroup performance, test misuse, and the proper role of the test in selecting a class. Already oversubscribed, the faculty outreach group appears to have found a ready audience.

The “New Models” workbook is also a teaching tool for users of the LSAT. Its aim is to encourage law school admission committees to use the LSAT as it is designed to be used—as only one of a variety of factors relevant in assessing individual applicants for admission. To this end, the workbook suggests methods to develop broader criteria relevant to the missions of individual law schools, and systems that allow these criteria to be used in applicant assessment. The Council, long a supporter of the value of student diversity in law schools, fears that overemphasis on the LSAT may contribute to reducing diversity, particularly at schools restricted in their use of race and ethnicity as a factor in admission. It also hopes to counteract the loss to the law school environment and the professions of qualities not measured by the LSAT such as leadership, life experiences, and significant accomplishments when these qualities take a backseat to test scores in selecting law students. Law schools have long recognized the importance of these qualities and experiences that go beyond test scores, and most consider them; the workbook places this broader array of factors into a practical context that includes test scores and grades but does not overemphasize them.

The workbook is part of an overall assault by the Council to combat misuse of its test. One chapter reviews current legal considerations in admission and supports the need for modifications in how test scores are used and describes what law schools must do to be in compliance with current interpretations of the laws governing the admission process.

Another chapter of the workbook is dedicated to explaining the LSAT’s strengths and limitations as a predictor, noting that it is one of the best of the standardized admission tests being administered today with a strong correlation (on average .41) to first year law school performance. While this correlation is good, and the test is a reliable and valuable tool in decision making, the .41 correlation also indicates that the test alone, on average, accounts for less than 20% of the factors that contribute to first year grades. The LSAC believes that other factors should be elevated in importance and the test score should work in conjunction with them in evaluating candidates for
admission. The workbook gives practical advice to schools on how to accomplish this.

Eight models are offered representing a variety of approaches. None is deemed more optimal than another although some are recommended more highly. Any model can be adopted as presented, and schools are encouraged to experiment with them and mix and match, taking characteristics from one model or another as best fits the circumstances of their school, applicant pool, and mission.

The workbook suggests that, in planning admission procedures, law schools pay attention to such LSAC services as annual validity studies that analyze the value of the LSAT for each law school, and the Overlap Studies that give a clear picture of applicant admission behavior relevant to competing law schools.

The workbook also emphasizes the importance of evaluating all applicants on the basis of the same criteria and not admitting some, and denying others, principally on the basis of their test scores, or a combination of test scores and grades. It suggests that if a school states other criteria it values, all applicants, not just those at the margins, should be evaluated on that basis. In this way, the student body can consciously consist of a diverse group of students who bring different opinions and experiences to the classroom and the profession.

The models referred to in the title are designed as a way for admission committees to audit their admission procedures, refine them, or redesign them. The models are also recommended as valuable training tools for those who do applicant file evaluation. Most models require a careful and thoughtful file review process that does not allow the scores and grades to serve as an expedient for busy file readers, but requires them to identify and assess a variety of factors.

Changing the culture of how things are done in law school admissions will be challenging, but it is necessary if law schools hope to continue to attract the diverse and qualified student bodies they desire. It can be disruptive to try new methods, and some law schools will be reluctant to devote additional resources to the process of admitting the entering class. Others will need help to design and implement new systems. The LSAC stands ready to assist schools in the process and grant funds may be available as well. A copy of the workbook was sent to all law schools in the fall. Additional copies are available on request from the Law School Admission Council, P.O. Box 40, Newtown, PA 18940 or jwieland@lsac.org

1 Other key LSAC services are a transcript collection and evaluation service (LSDAS), collection and distribution of applicant of letters of recommendation, a CD and on-line law school search and application services, recruitment services (national informational forums and candidate name searches), publications, a web site, and member school education and data services, to name a few.

2 See Cautionary Policies Governing LSAC Scores and Related Services, LSAC publication

3 Members of the Work Group were:

1999: Charles E. Daye, North Carolina, Chair; Collins B. Byrd, Minnesota; Camille deJorna, Iowa; Alex M. Johnson, Virginia; Brian M. Mazer, Windsor; Daniel R. Ortiz, Virginia; Michael D. Rappaport, UCLA; Gail Levin Richmond, Nova Southeastern; Sondra Richardson, Houston; J. Leigh West, Windsor; James J. White, Michigan; Peter A. Winograd, New Mexico

1998: Michael D. Rappaport, UCLA, Chair; Collins B. Byrd, Minnesota; Camille deJorna, Iowa; Alex M. Johnson, Virginia; Brian M. Mazer, Windsor; Gail Levin Richmond, Nova Southeastern; Sondra Richardson, Houston; J. Leigh West, Windsor

Staff: Beth Cobb O’Neil, LSAC

4 Participating in the outreach team are: Barbara Black-Pace, George Dawson-Florida, Fred Hart-New Mexico, Charles Dave-North Carolina, Brian Mazer-Windsor, Patricia Reyhan-Albany, Leo Romero-New Mexico, Laura Rothstein-Houston, C. Keith Wingate-Hastings

Beth Cobb O’Neil is the Special Consultant to the Executive Director for the Law School Admission Council.

Council Nominations Sought

The Section’s Nominating Committee invites suggestions of individuals whom it should consider for appointment to the Council. The Nominating Committee is chaired by Beverly Tarpley, Esq. Other members include the Honorable Joseph F. Baca, Professor Jane Hammond, William Rakes, Esq., and Justice Gregory Kellum Scott. It would be useful to the Nominating Committee if the recommendation would describe the activities that especially qualify the individual for the appointment.

Suggestions may be sent, by April 1, 2000, to Beverly Tarpley or to James P. White at the Consultant’s Office, American Bar Association, 550 West North Street, Suite 349, Indianapolis, Indiana, 46202.
**Mark Your Calendar**

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<tr>
<th>Month</th>
<th>Event Description</th>
<th>Location</th>
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<tr>
<td>JANUARY 2000</td>
<td>Standards Review Committee Hearing</td>
<td>Washington, DC</td>
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<td>6</td>
<td>Accreditation Committee Meeting</td>
<td>Houston, TX</td>
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<tr>
<td>21-23</td>
<td>Bar Admissions Committee Meeting</td>
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<td>FEBRUARY 2000</td>
<td>Workshop for Site Evaluators</td>
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<td>ABA Midyear Meeting</td>
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<td>9-15</td>
<td>Workshop for Deans of ABA Approved Law Schools</td>
<td>Dallas, TX</td>
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<td>10-12</td>
<td>Standards Review Committee Hearing</td>
<td>Dallas, TX</td>
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<td>11</td>
<td>Council Meeting</td>
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<td>12-13</td>
<td>Conference: Lawyers As Creative Problem Solvers Law Schools</td>
<td>San Diego, CA</td>
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<tr>
<td>24-27</td>
<td>Conference on Law School Facilities “Bricks, Bytes and Continuous Renovation”</td>
<td>Washington, DC</td>
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<td>MARCH 2000</td>
<td>Conference: Law Schools and the Profession-A Celebration Conference</td>
<td>Indianapolis, IN</td>
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<td>9-11</td>
<td>Accreditation Committee Meeting</td>
<td>Indianapolis, IN</td>
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<td>APRIL 2000</td>
<td>ABA/AALS/LSAC Deans Meeting</td>
<td>Washington, DC</td>
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<td>7-8</td>
<td>Standards Review Committee Hearing</td>
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<td>Mayflower II Meeting</td>
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<tr>
<td>MAY 2000</td>
<td>ABA Data Collection Software</td>
<td>Washington, DC</td>
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**Editor’s note:**
Happy New Year from the Consultant’s Office! Now that the Y2K bug is behind us, I hope I can get Syllabus back on schedule. You can expect to receive the Spring issue in late March or early April. Don’t forget to mark your calendar for April 7 and 8 for the conference in honor of James P. White. I hope to see you in Indianapolis for this special event.