

# SYLLABUS

American Bar Association Section of Legal Education and Admissions to the Bar • Volume XXXII, Number 1 • Winter 2001

## Professionalism—Attainable?

By Dean John D. Feerick, Fordham University School of Law,  
Chairperson of the Section's Professionalism Committee

**T**he Section of Legal Education and other ABA entities have made efforts to promote “professionalism.” The term is not without definition difficulty.

Some equate “professionalism” with compliance with disciplinary rules and legal provisions governing the practice of law. Others include the idea of lawyer competence. Still others equate “professionalism” with civility; and others speak of it in terms of a lawyer’s pro bono obligations. There are other conceptions of “professionalism” as well. The term, it appears, is without a widely shared understanding as to its meaning. In the absence of a com-

mon definition, a Committee on Professionalism must be resourceful in developing an appropriate agenda to address the subject.

At its recent meeting, our Committee decided to approach the subject of “professionalism” through an exploration of the expectations of law students and lawyers. The topic of expectations has two dimensions. From the perspective of law schools, what expectations do law students about to enter the profession have? As legal educators, we should be able to articulate clearly to our students useful information about the profession they will soon enter. Second, from the perspective of em-

ployers, what expectations do they have of their new lawyers?

The Committee believes that an understanding of expectations can be significant for a number of reasons. First, it may provide an opportunity for employers and law students to begin to communicate what is in store for them as students move from the classroom into legal employment. Second, it is a way, hopefully, for legal employers to communicate to their new lawyers a sense of their mission and culture. Third, this may give us all a larger understanding of the type of commitments needed by the profession

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## Approval of Law School

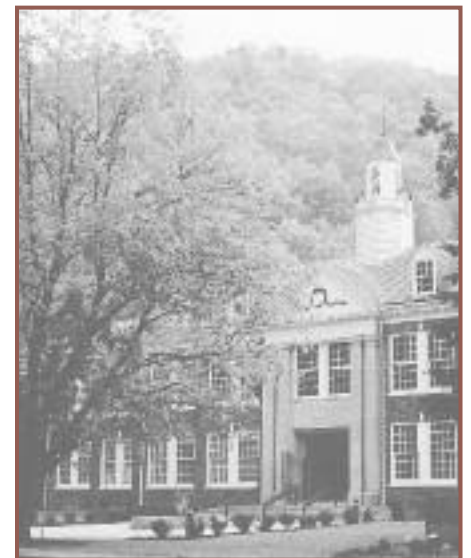
**T**he House of Delegates of the American Bar Association, at its February 19-20, 2001, meeting, concurred with the February 17-18, 2001, action of the Council of the Section of Legal Education and Admissions to the Bar, granting provisional ABA approval to Appalachian School of Law, located in Grundy, Virginia.

The Appalachian School of Law is an independent law school organized in 1995; it admitted its first class in fall 1997. In the fall of 2000, the school had a total enrollment of

170 including 65 upper-class students; there are currently 37 full-time employees.

The school’s program of legal education emphasizes skills development, especially writing; dispute resolution; and imbuing students with a sense of professional responsibility and community service. All students must complete 25 hours of community service each semester and an extensive externship in the summer after their first year.

For more information, visit the School’s Web page at [www.asl.edu](http://www.asl.edu).



Appalachian School of Law



# CONSULTANT

By *John A. Sebert,*  
*Consultant on Legal Education*

One of the great things about lawyering and law teaching is that in these professions one never stops learning. The same is true, surely, of the vocation of law deaning and the somewhat specialized role that I presently occupy as Consultant. I thought it might be appropriate for me to share with you some of the things I have been learning during my first year as Consultant.

**The half-life of a law school dean is not as short as we had thought it to be.** During the series of Deans' Conversations with the Consultant that I held over the past few months, I met with about 120 of the deans of our 184 ABA approved law schools. During the early 1990s it was widely reported that the average length of service of the typical law school dean was well less than four years. My sense has been that the longevity of deans had been improving in recent years, and I was gratified to find that sense validated during my Deans' Conversations.

Of the deans with whom I met, the median length of service in their present deanship was just short of *five* years. (These figures exclude the six interim deans who were in the group.) About 20 percent of those who had served four or fewer years in their present deanship had previous experience as a dean of another ABA school. Only a few among those whom I met had announced their intention to resign as dean, and all of those who had so announced will have served at least five years in their present deanship.

Just to be sure that the two-thirds of the deans who attended my Deans' Conversations did not represent a skewed sample, I checked on the length of service of the other one-third of the deans at ABA approved schools. The results were very similar: the median length of service (excluding interim deans) was in the fourth year; over 25 percent of those in their fourth or earlier year of a deanship had prior experience as a dean; and only one dean in the country this year announced leaving the deanship before the end of five years of service.

The very marked trend, as I see it, is toward a dean serving at least five years in the position. In fact, my sense is that now at very many schools deanships are lasting between seven and nine years. Of course there also are a substantial number of excellent deans whose energetic leadership has continued at their schools for many more years. If anything, the position of dean of a law school is even more complex now than it was ten years ago. Those complexities and the realities of private fundraising make it even more important now that there be stability and continuity in law school leadership. I am pleased that we seem to be developing that stability, and I hope that the Consultant's Office and I, and the leadership of the Section, can assist in encouraging this salutary trend.

**The deans are more diverse than they have been in many years (and probably more diverse than they ever have been).** We now have what I am



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Officers of the Section of Legal Education and Admissions to the Bar: Diane C. Yu, *Chairperson*; Gerald W. VandeWalle, *Chairperson-Elect*; E. Thomas Sullivan, *Vice Chairperson*; Herma Hill Kay, *Secretary*; Robert K. Walsh, *Past-Chairperson*; and José Garcia Pedrosa and Norman Redlich, *Delegates to the House of Delegates*.

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

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sure is the largest number of women law deans in history: 23 of the deans are women, representing 12.5 percent of ABA law schools. Eleven deans are members of minority groups, leading 6 percent of our schools.

**The deans will attend programs that provide information and insights that are likely to assist them in successfully fulfilling their responsibilities.** I didn't just learn this, but I was pleased that my confidence in this truth was reinforced at the recent Deans' Workshop, which was held in San Diego. It was attended by 125 of the 184 ABA law deans, and I understand that this was one of the largest attendances ever at this annual workshop. We also received broad praise for the consistently high quality of the program. Thanks go to Deans Steve Smith of California Western and Judy Areen of Georgetown for their leadership in planning the workshop, and to the many deans who shared their expertise as panelists or discussion leaders.

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My most extensive learning experience in recent months was in connection with a trip to Japan. The Japanese Ministry of Justice, the Japan Federation of Bar Associations and some of the leading legal educators in Japan are exploring in depth the possibility of creating a system of postgraduate legal education in their country. Whatever system they develop will of course respond to the needs of their society and culture, and thus it will not necessarily be modeled on the system of post-baccalaureate legal education that we have in the United States. They are very interested, however, in learning more about the U.S. legal education system, and about the excellent system of accreditation for law schools that we have developed. Therefore, the leaders of this development in Japan invited me to come to their country to discuss the many issues that might be associated with

creating a system of postgraduate legal education.

I spent the week of March 5 in Japan. During that time, I met with an impressive array of Japanese lawyers and legal educators who were working on this project. I gave presentations on creating a system of postgraduate legal education and on creating a system for evaluating a law school before a number of groups in both Osaka and Tokyo.

I also had a little time to see some of the wonders of Japan, including

the city of Kyoto and some of the museums of Tokyo. I hope that I and others with extensive knowledge of American legal education can continue over the years to assist our Japanese friends in their important project, and that we also can continue to be active in assisting legal educators and the legal profession in other countries as they seek to adjust their systems of legal education to meet the challenges of the 21st century. This process of international interchange is invaluable to us all. □

## In Memoriam

**Richardson W. Nahstoll**, former Council and Accreditation Committee chair and the second Robert J. Kutak Award recipient died on January 27th, 2001.

Nahstoll served as a founding member and senior partner in the Portland, Oregon, firm of Lindsay, Hart, Neil and Weigler. He also served as president of the Oregon Bar Association and as chairman of the Section of Legal Education and Admissions to the Bar and as chairman of the Section's Accreditation Committee. In addition, he was a Fellow of the American Bar Foundation and served as a member of the ABA Committee on the Availability of Legal Services and on the Special Committee to Study Legal Education. In 1983 Dick served as Distinguished Practitioner-in-Residence at Washington & Lee University School of Law.

A graduate of the University of Michigan Law School, Nahstoll was awarded in 1984 an honorary Doctor of Laws degree by the University of the Pacific McGeorge School of Law.

Nahstoll was a tireless advocate for American legal education and a practitioner who gave hundreds of hours to the cause of legal education. As Robert B. McKay observed, "Few practicing lawyers have given so freely of their time and efforts for the cause of legal education as has Dick Nahstoll. Those of us in legal education have benefited from his many contributions." We remember him fondly.

**John A. FitzRandolph**, dean emeritus of Whittier Law School, died on March 22, 2001, following a brief bout with cancer. He was 65.

FitzRandolph had a long and distinguished career as a legal educator. When he retired as dean of the law school in June 2000, he had the third longest seniority of the nation's 183 law school deans. He joined the Whittier Law School faculty in 1976, the year after the institution was established. In 1981, he was named dean of the law school.

FitzRandolph, a graduate of the University of Southern California Law School, achieved numerous accomplishments as dean including securing ABA accreditation in 1985 and acquiring funding for the school's Children's Rights Clinic that opened in August 2000. He also served a three-year term as an elected member of the board of trustees of the Law School Admission Council, had served on several ABA site evaluation teams and chaired the Los Angeles Intra-governmental Relations Commission. At the time of his retirement as dean, he was chair of the California Committee of Bar Examiners' Deans Council.

Contributions in memory of FitzRandolph may be made to the John A. FitzRandolph Memorial Fund at Whittier Law School.



## FROM THE CHAIR

by Diane C. Yu

### Section Panorama

The past few months have been a whirlwind of activity. In December, the Department of Education National Advisory Committee on Institutional Quality and Integrity voted to grant a five-year renewal of the Council's status as the nationally recognized accrediting agency for J.D. programs in the U.S., later approved by Secretary Riley. As one who testified at the hearing, I especially want to thank James P. White, Advisor to the Consultant on Legal Education, our outside counsel Mark Pelesh, of Drinker, Biddle & Reath in Washington, D.C., and Consultant John Sebert for their hard work in responding to Committee, written inquiries and preparing the Council's presentation for the hearing. Our thanks also go to several witnesses who lent support to the Council's renewal petition—Independent Law School Committee chair Dean Harry Haynsworth, plus third-party commentators Dean Alice Bullock, Dean John Sexton, and CLEA's Margaret Barry. Dean Robert Scott, President of the American Law Deans Association, also addressed the Advisory Committee.

In January, I attended the AALS Annual Meeting in San Francisco. While there, I had the chance to sit in on a number of excellent Section Standing Committee meetings: Standards Review (Beverly Tarpley, chair), "Out of the Box" (Deans John

Attanasio and John Sexton, cochairs), Pre-Law (Dean Chuck Goldner, chair), Graduate Legal Education (Prof. Jerome Barron, chair), Law School Development (Prof. Don Gifford and Assistant Dean Debra LaMorte, cochairs), New Deans' Seminar Planning (Dean David Shipley, chair), and the very tail ends of the efficiently run sessions held by the Curriculum Committee (Dean Victor Streib, chair), Facilities (Prof. Leah Wortham, chair), and the Independent Law School Committee (Dean Harry Haynsworth, chair).

Moreover, I want to express appreciation to the Technology Committee, chaired by Dean Kenneth Randall. The Committee's work last year on how the Standards might better deal with technology and distance learning was considered by the Standards Review Committee. Work on this important matter will continue. In addition, our Professionalism Committee (chaired by Dean John Feerick) is working with the National Conference of Bar Presidents and National Association of Bar Executives, to generate ideas on how the practicing bar and the academy can get better aligned in promoting professionalism. There will be a jointly sponsored program at the Chicago Annual Meeting in this vein.

Thanks go to the Bar Admissions Committee, led by Peg Corneille and Fred Parker, which has provided valuable input to the Council on MJP, or multijurisdictional practice. Finally, I am grateful that Professor Patrick Hetrick has agreed to chair the Continuing Legal Education Committee.

In a future column, I'll try to pick up some of the remaining Committees not referenced here, but in any event, it's great to report that so many of our Committees have such dynamic leadership and membership. They are making an important contribution to the improvement of legal education, and I salute them all.

I also attended part of the AALS Executive Committee meeting in January. The Section's relationship to both the AALS and LSAC grows stronger every year, and has led to significant and substantial advancements in many of our mutual goals, especially strategies for increasing diversity in the legal academy. To that end, the Executive Committee of the AALS, Council of the Section of Legal Education and Admissions to the Bar, and Board of Trustees of the Law School Admission Council have all recently voted to form a joint committee on diversity. The new group should enhance communications, coordination, and effectiveness of the three sponsoring organizations' combined and separate initiatives on diversity.

Turning to the Midyear Meeting in San Diego, kudos go out to Dean Steven Smith and Dean Judy Areen for a superb job in planning and leading the well-attended 30th Annual Deans' Workshop. The climate was one of candor, humor, and mutual support—and not surprisingly, the reviews were excellent. I also thank Chair-Elect, Chief Justice Gerald VandeWalle, for testifying at the public hearing of the Commission on Multijurisdictional Practice. (Since I am a member of the MJP Commission, Jerry served as the Council's official spokesperson.)

### Bar Exam "Cut Score" Studies

There is a growing concern among legal educators and some members of the practicing bar about efforts to review bar passing score standards

that have occurred or are under way in several jurisdictions. Bar examiners indicate that it is necessary, on some periodic basis, to ensure that their passing standards still pass muster and that appropriate upward or downward adjustments in the “cut score” are implemented. They also say that complaints over the years from members of the bench and bar about lawyer incompetence (often citing writing ability) are part of the rationale for the review.

The principal concern arises from anticipated negative effects on the minority pass rate. In addition, law school deans in the states experiencing this kind of study have expressed strong objections to the research methodology (developed by the same psychometrician for Ohio, Florida, and Minnesota) and saw or expect to see a conclusion that the cut score should be raised. Thus, both in form and substance, we see interests in assuring that the bar examination is a sound measure of minimum competence pitted against those endeavoring to expand the number of racial and ethnic minorities in the profession.

The colliding groups here have historically greeted each other with some skepticism in assessing motives. Many bar examiners doubt that minorities are most at risk if there is a change in the cut score, given their knowledge of who is clustered just below the passing line. Though some attorneys seek greater diversity, there’s a general feeling that the practicing bar favors protectionism. Similarly, bar examiners supposedly would rather be seen as tough on the pass rate than lenient as a matter of principle, law schools would understandably want more graduates to pass to enhance their statistical measures, and candidates just want to pass the exam, period. These are oversimplifications, of course, but the perceptions are there.

I have no easy solution. I was

once chair of the California Committee of Bar Examiners, and can’t dispute that it makes good sense to examine the exam from time to time. In Minnesota and Florida, resistance to evaluating passing standards may lead to more in-depth conversations among the parties, and greater understanding and accord on the purpose and methodology of the studies. Those would be highly desirable process steps, whatever the outcomes. The Section hopes to take a constructive role in encouraging those important cross-disciplinary discussions.

The second issue is the rapidly

### Skyrocketing Cost of Legal Education

accelerating law student debt burden. According to Dean Joseph Harbaugh, who spoke at the joint AALS/LSAC/ABA Section Diversity Conference last October, the median indebtedness is about \$80,000 for private law school graduates (mercifully lower for public law school graduates)! Combine this massive median debt with the student’s undergraduate debt, then match that total figure against the 1999 median starting salary of \$50,000 (per the National Association for Law Placement—NALP), and the picture is unrelenting gloom.

The widely reported \$125,000+ first-year associate salaries introduced in 2000 at some big firms affect less than one-fifth of the overall graduating classes. Additionally, there are indications that students are being permitted to borrow far more than is prudent or even necessary, while they simultaneously lack basic budget and debt management skills. This untenable situation is finally becoming a hot topic in high level bar circles.

Undoubtedly, the fiscal realities cited above have had a profound

effect on graduates’ career choices. Most worrisome: Students are ruling out public interest and public sector employment, including judicial clerkships, because of low compensation (averaging \$31,000, according to the National Association for Public Interest Law, or NAPIL). A little over 25 years ago, public interest salaries were competitive with the private sector. But the current differential keeps widening. As NAPIL’s executive director, David Stern, puts it, “Debt blocks lawyers doing justice” and threatens to deprive our legal system of a steady stream of lawyers serving the public, the poor, and traditionally underserved communities.

Again, it is a dilemma worthy of the best minds, both in our profession and other disciplines. Our Section will pursue this problem with great enthusiasm and on several fronts. I’ve placed on the June Council agenda a special presentation on the issue by Dean Harbaugh and Council members Michael Olivias, Pauline Schneider, and Peter Winograd. In August, a portion of our Section’s Annual Meeting Program will address the subject as well, with the aim to educate our membership and ABA attendees. ABA President-elect Bob Hirshon is creating a special task force this coming bar year on loan forgiveness and hopes to see some creative and pragmatic proposals emerge. We will offer strong support for that effort as well.

Finally, I issue a call to all of you. Do you have some ideas or success stories to share in the context of the debt load issue? Please forward them to ABA Legal Education Consultant John Sebert’s office. If we focus our collective will and intelligence, I am confident that we can make a difference.

Thanks for listening. See you next time around. □

# Additional Proposed Revisions to Standards and Interpretations, and Summary of All Current Proposed Changes

## MEMORANDUM

**TO:** Deans of ABA Approved Law Schools  
University Presidents  
Chief Justices of State Supreme Courts  
Bar Admission Authorities  
Deans of Unapproved Law Schools  
Leaders of Other Organizations Interested in ABA Standards

**FROM:** Beverly Tarpley, Chair, Standards Review Committee  
John A. Sebert, Consultant on Legal Education

**SUBJECT:** Additional Proposed Revisions to the Standards and Interpretations for Approval of Law Schools and Summary of All Proposed Changes Currently Circulating for Comment

**DATE:** February 27, 2001

Following is a document that (1) reports on two proposed housekeeping changes to the American Bar Association Standards for Approval of Law Schools; (2) reports a change in the text of proposed Standard 511 on student services that had been circulated for comment; (3) summarizes all the proposed changes that are currently under consideration; and (4) lists the remaining dates and places for public hearings on these proposals.

As always, we solicit your comments on these proposed changes by letter, e-mail, or through appearances at a public hearing. Letters and e-mails should be addressed to Deputy Consultant Barry A. Currier at our Chicago office or at [currierb@staff.abanet.org](mailto:currierb@staff.abanet.org). All comments will be provided to and reviewed by the Standards Review

Committee at its May meeting when it will finalize its recommendations to the Council on these matters. We expect final Council action on these proposals at the Council meeting scheduled for June 2-3, 2001.

The Standards Review Committee will hold a hearing on these proposed revisions in Washington, D.C., at the time of the annual meeting of the American Law Institute:

### **ALI Annual Meeting**

Wednesday, May 16, 2001

10:00 a.m.—12:00 noon

### **Renaissance Mayflower Hotel**

127 Connecticut Avenue, N.W.

Washington, D.C.

Room: TBA

## February 2001

This is a report on two proposed housekeeping changes to the American Bar Association Standards for Approval of Law Schools (“Standards”), a change in the text of proposed Standard 511 on student services that had been circulated for comment, and a summary of all of the proposed changes that are currently under consideration.

## **Proposed housekeeping changes—move and renumber Standard 213; rename Chapter V**

At its meeting on February 18, 2001, the Council of the Section on Legal Education and Admissions to the Bar approved for circulation and comment a recommendation of the Standards Review Committee that the title of Chapter V of the Standards be changed from “Admissions” to “Admissions and Student Services” and that

the standard on career services, currently Standard 213, be moved to Chapter V and renumbered as Standard 512.

These housekeeping changes relate to the proposal that draft Standard 511 on student services be added to the Standards. If that is done, then it improves the organization of the Standards to move the career services standard, which is a direction to law schools to provide career counseling to students like proposed Standard 511 student services is a direction to law schools to provide basic student services, to Chapter V and to rename the Chapter to more clearly state its scope.

### **Revised text for proposed Standard 511**

At its February 18, 2001, meeting, the Council approved a change in the text of proposed Standard 511, which has been circulating for comment. The change was made in response to a recommendation of the Standards Review Committee.

The changes are as follows:

#### **Standard 511**

Consistent with sound legal education principles, a law school shall provide its students with basic student services, including maintenance of accurate student records, academic advising and counseling, and financial aid counseling. If a law school does not provide these types of student services directly, it must demonstrate that its students have reasonable access to such services from the university of which it is a part or from other sources.

#### Interpretation 511-1

Basic student services include maintaining student records, providing advising and counseling, offering co-curricular activities, and providing financial aid counseling and assistance. If a law school does not provide these types of student services directly, it must demonstrate that its students have reasonable access to such services from the university of which it is a part or from other sources.

#### Interpretation 511-2

A law school or university should consider providing to law students access to such other services as extracurricular activities, health care, housing or housing assistance, childcare, bookstore, food service, and opportunities for student governance.

The revised proposed standard now reads:

#### **Standard 511. STUDENT SUPPORT SERVICES.**

**Consistent with sound legal education principles, a law school shall provide its students with basic student**

**services, including maintenance of accurate student records, academic advising and counseling, and financial aid counseling. If a law school does not provide these types of student services directly, it must demonstrate that its students have reasonable access to such services from the university of which it is a part or from other sources.**

The proposal to add Standard 511 to the Standards responds to a Department of Education (DOE) concern that such a standard is necessary for the ABA to fully comply with federal law and the DOE's recognition criteria. The original language circulated for comment included interpretations that, beyond requiring schools to maintain student records and the like, would require law schools to provide counseling arguably beyond academic counseling and to offer co-curricular activities. The proposed interpretations also stated that a law school should consider providing access to other services including health care, child care, and more.

The various requirements and suggestions in the original proposal are matters that a law school might well choose to address and to provide. Following a report from the Standards Review Committee and on further reflection, however, the Council concluded that some of the matters listed in its original draft are not essential to support a sound program of legal education. Therefore, the Council revised the language of proposed Standard 511 and eliminated the proposed interpretations. The object is to propose a standard in the area of student services that meets the requirements of the DOE and that requires law schools to provide basic student services essential to the support and delivery of a sound program of legal education.

#### **Summary of other proposed changes to the Standards and Rules**

In addition to the proposed changes discussed above, the Council has circulated for comment several other proposals for changes to the Standards and Rules. These are fully described and reported in Memoranda from Standards Review Committee Chair Beverly Tarpley and Consultant on Legal Education John Sebert dated December 19, 2000, and January 22, 2001, which have been circulated to Deans, Presidents, Chief Justices, bar admissions authorities, and others interested in legal education and the Standards. Following is a listing and brief summary of those proposals. The full text of the Memoranda is available on-line at [www.abanet.org/legaled/standards/proposed.html](http://www.abanet.org/legaled/standards/proposed.html).

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## Committee Nominations Sought

One of the important functions of the Chairperson of the Section of Legal Education and Admissions to the Bar is the appointment of members to Section committees. The Section provides a wide range of services to legal education and the profession, and much of this service emanates from the work of Section committees. The Chairperson seeks committee membership from the three components of Section membership: legal educators, practicing lawyers and judges. Committee meetings are often held in conjunction with other activities in order to contain costs; however, committee members' expenses are reimbursed in accordance with ABA guidelines.

Committee appointments are for the fiscal year 2001-2002 (September to August). The Chairperson seeks suggestions for membership in the following committees:

- Bar Admissions
- Clinical and Skills Education
- Communications Skills
- Continuing Legal Education
- Curriculum
- Diversity
- Governmental Relations and Student Financial Aid
- Graduate Legal Education
- Law Libraries
- Law School Administration
- Law School Development
- Law School Facilities
- Pre-Law
- Professionalism
- Questionnaire
- Technology

Please send any nominee suggestions to the Chairperson-Elect, Chief Justice Gerald W. VandeWalle, at North Dakota Supreme Court, State Capital building, 600 East Boulevard Ave., Bismarck, ND, 58505, or to Consultant John A. Sebert, American Bar Association, 750 N. Lake Shore Drive, 7th Floor, Chicago, IL 60611. Recommendations via e-mail may also be sent to [sebertj@staff.abanet.org](mailto:sebertj@staff.abanet.org).

Nominations should be received by May 1, 2001.

## ABA Diversity Commission and Judicial Division Launch Clerkship Research Team Program

The American Bar Association Commission on Racial and Ethnic Diversity in the Legal Profession teamed up with the ABA Judicial Division to launch a minority clerkship program during the ABA's 2001 Midyear Meeting in San Diego.

Diverse law students from across the country worked side-by-side with judges in the Judicial Clerkship Program, which debuted Feb. 15-17. The program is designed to foster relationships between judges and law students who might not otherwise have occasions to interact. Students are able to demonstrate their knowledge and research skills in a small group setting while interacting with the judges in a team-building research project.

"As this program contributes to the creation of a more diverse body of professionals at all levels of the courts, we hope to see a system of justice which promotes greater confidence in itself through assurance to the public that the courts serve all of society," said Charisse Lillie, chair of the ABA Commission.

The ABA Commission and Division collaborated to develop the program to address the lack of diversity among judicial law clerks, both at the state and federal level. The program encourages minority students to consider law clerk positions, and judges to consider minority students as law clerks.

Participating students represented law schools at Duke University, Cornell University, the University of Michigan, the University of New Mexico, and the University of Texas.

Participating judges included Arthur L. Burnett, Sr., Washington, D.C.; Charles R. Cloud, Norfolk, Virginia; Suzanne B. Conlon, Chicago, Illinois; Jean S. Cooper, Washington, D.C.; Ezra H. Friedlander, Indianapolis, Indiana; Tela L. Gatewood, Oklahoma City, Oklahoma; James G. Glazebrook, Orlando, Florida; John W. Grimm, Cape Girardeau, Missouri; Michael G. Harrison, East Lansing, Michigan; and Benjamin H. Logan II, Grand Rapids, Michigan.

Also participating are Judges M. Margaret McKeowen, Seattle, Washington; Diarmuid F. O'Scannlain, Portland, Oregon; Henry DuPont Ridgely, Dover, Delaware; James S. Sledge, Anniston, Alaska; Booker T. Stephens, Welch, West Virginia; and Frank Sullivan, Indianapolis, Indiana

The program is underwritten by the Open Society Institute. Research facilities, including 25 computers, are being provided by Lexis-Nexis.

**For more information, contact the ABA Commission on Racial and Ethnic Diversity in the Legal Profession at 312/988-5643, or e-mail to [abaminority@abanet.org](mailto:abaminority@abanet.org).**



# New Law School Scholarship and Matching Program Established

By Krista D. Kauper, Director of Development, Fund for Justice and Education



## Law School Matching Program

**T**he ABA is asking law schools around the country to participate in a matching program for the Scholarship Fund. By agreeing to participate, a law school commits to provide either matching funds or a tuition waiver equivalent to the amount provided by the Legal Opportunity Scholarship Fund for any recipient attending its school. A law school that agrees to participate in the program will provide funds only if an ABA scholarship recipient attends that school. By participating in the program, the law school agrees to continue to provide either matching funds or a tuition waiver for each year the recipient attends that school and receives the ABA Legal Opportunity Scholarship. If, in the opinion of the Scholarship Committee, the recipient fails to make satisfactory progress towards graduation, he or she will no longer receive the ABA Legal Opportunity Scholarship and the law school will be relieved of its obligation to match those funds. Of course, if the recipient chooses to transfer to another ABA accredited law school, the law school initially providing matching funds or a tuition waiver would no longer provide that support.

Law schools that agree to participate in the matching program will be list-

*Continued on page 11*

## ABA Legal Opportunity Scholarship Fund Recipients for 2000-2001 Academic Year

Sandi C. Archibald, University of Iowa College of Law  
Juan Arteaga, Columbia University School of Law  
Sergio Campos, Yale Law School  
Melanca Clark, Harvard Law School  
Jason J. Crowell, Yale Law School  
Mathew Echo Hawk, University of Utah Law School  
Charla A. Hall, University of Georgia School of Law  
Isaiah R. Jackson, Southwestern University School of Law  
Katrice M. Jenkins, University of Miami School of Law  
Ivan Lee, Cornell University Law School  
Gladys P. Limon, Stanford Law School  
Belinda G. Marin, St. Mary's University Law School  
Gonzalo C. Martinez, Harvard Law School  
Alexander T. Nguyen, Yale Law School  
Duyen Thi Nguyen, UCLA School of Law  
Janelle L. Niles, New York University School of Law  
Izabelle B. Reyes, UCLA School of Law  
Ketema L. Ross, Yale Law School  
Anthony Solana, Jr., UCLA School of Law  
Rogelio J. Valdez, Southern Methodist University School of Law

## Legal Opportunity Scholarship Fund

**L**ast year, the American Bar Association created a new scholarship opportunity for prospective law students—the Legal Opportunity Scholarship Fund—to encourage racial and ethnic minority students to attend law school and to provide financial assistance to students in need. The Fund was created as part of President William G. Paul's initiative to encourage and support diversity in the legal profession. The goals of this diversity initiative are to increase minority participation in the legal profession by encouraging members of racial and ethnic minorities to consider law as a career and to provide increased opportunities for minorities already in the profession. Financial aid to minority law students is an essential part of the initiative.

Scholarships consist of \$5,000 of financial assistance awarded annually to each scholarship recipient attending an ABA accredited law school. Assuming the recipient achieves satisfactory performance in law school, the scholarship may be renewed for two additional years, resulting in financial assistance totaling \$15,000 during his or her time in law school. Beginning with the 2001-2002 academic year, only entering, first-year students are eligible for the Legal Opportunity Scholarships. Although part-time

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## PROFESSIONALISM

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from its newer members.

The Committee appreciates that expectations are likely to differ either regionally or within the local setting. It is our plan to develop a national conference on this subject for 2002 in conjunction with the American Bar Foundation, the ABA's Law Student Division and other interested groups, such as NALP. A conference along these lines could serve as a model to be brought back to our home cities and used by law schools as part of the transition from law school to the legal profession. At the very least,

the Committee believes that an open discussion of expectations can lead to a constructive dialogue and a more particular focus for a professionalism agenda.

The Committee also wishes to enhance communications among law students about professionalism initiatives. As a first step in this direction, the Committee would like to identify at least one person at each law school with whom it can exchange information about professionalism issues. Please take a moment and let us know who the Committee should contact at your school about profes-

sionalism issues. Send information to: [roy@law.law.sc.edu](mailto:roy@law.law.sc.edu) (Professor Roy Stuckey of the University of South Carolina School of Law).

Finally, the Committee is engaged with a leadership group from the Conference of Bar Presidents and Bar executives in an effort to foster bar/academy joint programs and activities in order to build upon the highly successful joint program at the 2000 Midyear Meeting of the American Bar Association, which was developed under the leadership of Dean Robert Walsh. We welcome your participation and ideas. □

## Upcoming Conferences

### **“2001: A Development Odyssey”** *A Conference on Law School Development for Deans and Administrators*

We invite you to attend the Section's sixth conference on development, May 29–June 1, at the Jackson Lake Lodge located in the Grand Teton National Park, Wyoming. During the past decade, no other gathering has attracted more deans and development leaders. This year's schedule will continue to offer a variety of concurrent sessions from the basic “how to” of development to exploring sophisticated “cutting edge” technology issues. The conference committee chose speakers and panelists not only from well-established programs at elite institutions, but also from a more diverse group of schools. A variety of informal gatherings (including a rodeo!) are also planned, since much of the learning and networking occurs “outside the classroom.”

### **Seminar for New ABA Law School Deans**

The Section will sponsor the eighth **Seminar for New ABA Law School Deans** at the Graylyn International Conference Center of Wake Forest University in Winston-Salem, North Carolina, on June 6-10, 2001. The seminar will examine a day-in-the-life-of-a-dean, relations with faculty, the personal side of a deanship, relations with the central administration, law school finances, relationships with outside constituencies, fundraising, leadership, emerging trends in legal education and the transition to a deanship.

### **Dedication of New IU Law Building and Announcement of White Lecture**

The new law building at Indiana University-Indianapolis will be dedicated on Friday, September 21. Justice Kennedy is the speaker. The dedication in the early afternoon will be preceded by a luncheon, during which a portrait of Dean James P. White will be presented and the announcement of the establishment of an annual White Lecture on Legal Education. For more information, contact the Office of the Advisor to the Consultant at 317/264-8347.

### **ABA Annual Meeting**

The 2001 ABA Annual Meeting will take place August 2-8 in Chicago, Illinois. With over 20,000 lawyers and their families and over 2,500 meetings

(including Section-specific programs such as a two-part program on law school financing and student debt), CLE programs and special events, the Annual Meeting is certainly a one-of-a-kind event. To receive registration discounts, and to ensure your choice of accommodations (rooms are going fast!), register by May 31. For more information, visit [www.abanet.org/annual/2001/home.html](http://www.abanet.org/annual/2001/home.html) or call the ABA Meetings and Travel Department at 312/988-5870.



For complete conference information,  
visit the Sections's website at [www.abanet.org/legaled](http://www.abanet.org/legaled)

or contact **Melissa Wilhelm, Events & Meetings Manager** at [wilhelmm@staff.abanet.org](mailto:wilhelmm@staff.abanet.org) or 312/988-6749.

## **PROPOSED REVISIONS TO STANDARDS**

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*Standard 302:* proposed revision to require law schools to make certain that all students receive at least two rigorous writing experiences, at least one of which must be in the first year and the other of which must be outside the first year; proposed reorganization of the curricular requirements of Standard 302 to more clearly communicate what curricular requirements law schools must meet to comply with the Standards.

*Standard 405(c) and Interpretation 405-6:* proposed clarifying amendment to Interpretation 405-6 regarding the scope of security of position for clinical faculty.

*Standard 405(d) and Interpretation 405-9:* proposed revisions to this Standard and Interpretation regarding the professional environment for legal writing directors and instructors.

*Standard 502(a):* proposed revision to remove the requirement that candidates for admission be graduates of institutions accredited by regional accrediting agencies to allow law schools to admit students who have bachelor's degrees from an institution that is accredited by any accrediting agency recognized by the DOE.

diting agency recognized by the DOE.

*Standard 701 and Interpretations 701-3,4,5:* proposed revisions to the Interpretations under Standard 701 removing the requirement that for full approval a law school must own its facilities and requiring instead that for full approval a law school shall have "sufficient continuity of occupancy to carry out its program of legal education."

*Interpretation 105-1 and Rules of Procedure 18 and 19:* proposed revisions to include within the definition of "major change" several matters required by the accrediting agency recognition criteria of the DOE, including the opening of an additional location at which a law school offers at least 20 percent of its educational program.

*Bylaw revision—Article IV, Section 3:* proposed additions to the definition of public members of the Council to be voted on by the Section membership at its annual business meeting at the ABA Annual Meeting in August to bring this matter within the DOE requirements concerning the definition of public members of the Council and the Accreditation Committee. □

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## **SCHOLARSHIP FUND**

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students are eligible to receive a scholarship, the amount awarded to a part-time student will be prorated based on the number of credits taken in each semester. All recipients will receive a maximum of \$5,000 per year and \$15,000 total financial assistance to complete law school.

Students interested in the scholarships submit an application providing information relating to their education, personal and family background, community service and

need for financial assistance. Before receiving scholarship funds, recipients are required to demonstrate admission to and plans to enroll in an ABA accredited law school.

Recipients are selected based on their qualifications for the scholarship and not on the law school they attend or plan to attend. Therefore, law students applying to or attending any and all ABA accredited law schools may benefit from these scholarships. A scholarship commit-

tee comprised of representatives from ABA entities, the national minority bar associations and at-large members was created to screen the applicants. A selection subcommittee, comprised of the president, executive director and three members of the scholarship committee, selects the final scholarship recipients based on the recommendation of the full committee. □

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## **MATCHING PROGRAM**

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ed in the application materials for the 2002-2003 academic year. (The application materials for the 2001-2002 academic year already have been prepared.) In addition, law schools that participate will be listed on the Legal Opportunity Scholarship Fund website, where students are able to download the applica-

tion. Finally, recipients of the Legal Opportunity Scholarships will be informed of the participating law schools at the time they are awarded the scholarships, so that they may make an informed decision in selecting the law school they plan to attend. It is possible that two or more of the ABA scholarship recipi-

ents may elect to attend a single law school. For that reason, participating law schools should specify the number of scholarships that will be matched.

For more information, please contact Krista D. Kauper, Director of Development, at (312) 988-5404. □

## Mark Your Calendar

### APRIL 2001

20-21	Bar Admissions Committee Meeting	Las Vegas, NV
27-29	Accreditation Committee Meeting	Chicago, IL

### MAY 2001

16	ABA/AALS/LSAC Deans' Meeting	Washington, DC
16	Standards Review Committee Meeting	Washington, DC
29-June 1	Law School Development Conference	Jackson Hole, WY

### JUNE 2001

2-3	Council Meeting	Napa, CA
6-10	Seminar for New Law School Deans	Winston-Salem, NC
29-July 1	Accreditation Committee Meeting	Jackson Hole, WY

### AUGUST 2001

2-3	Section Council Meeting	Chicago, IL
2-8	Annual Meeting	Chicago, IL
3	Kutak Award Reception	Chicago, IL
4	ABA/AALS/LSAC Breakfast Meeting for Deans of Approved Law Schools	Chicago, IL
4	Section Program	Chicago, IL
4	Section Annual Meeting	Chicago, IL

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# SYLLABUS

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