

# SYLLABUS

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American Bar Association Section of Legal Education and Admissions to the Bar

## Cost and Financing of Legal Education

By John A. Sebert, Consultant on Legal Education



**W**hile the decade of the 1990s produced tremendous growth, and significant improvements, in legal education, by the start of

the 21st century a number of factors had combined to create great challenges for the legal education community. Some of the most important of those factors include:

- A very substantial increase in the tuition charged J.D. students, both at private and publicly assisted law schools;
- A similarly substantial increase in the expenditures on their programs by ABA-approved law schools;
- A significant reduction in the relative level of financial support provided by state governments to public higher education in general, and to publicly assisted legal education in particular; and
- A dramatic increase in the amount of borrowing by law students and in the average indebtedness of graduating law students.

In 2002, I had prepared a paper

for the Section's Out-of-the-Box Committee on the cost and financing of legal education. That paper was published in the *Journal of Legal Education*, Volume 52, Number 4, at 516 (December 2002). This column updates some of the data contained in that article in an attempt to call the attention of the legal education community and the profession to the seriousness of the present situation. It is not hyperbole to venture that if the trends noted in this column are not moderated, both the quality of and the access to legal education will become at risk at a significant number of law schools.

### Tuition Increases

Law school tuition has increased dramatically, far outpacing inflation. Table A, on page 4, compares average law school tuition in the fall of 1990, fall 2000 and fall 2003.<sup>1</sup>

During both periods the largest percentage tuition increase was in public resident tuition, and the second-largest percentage increase was in public non-resident tuition. This fact is consistent with the perception of many that, beginning with the recession of

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## Proposed Comprehensive Revision of Chapter 3 of the Standards

**I**n December 2003, the Council of the Section approved for notice and comment substantial revisions to Chapter 3 (Program of Legal Education) and revisions to Standards 511 and 512 of the ABA *Standards Rules of Procedure for Approval of Law Schools*. These proposals are reported in this column and are also available, with some background and discussion, on the Section's Web site at [www.abanet.org/legaled](http://www.abanet.org/legaled).

The Council and the Standards Review Committee solicit comments on these revisions, by letter, e-mail or through appearances at the hearings that will be conducted by the Standards Review Committee. Hearings have already taken place during the AALS

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# From the CHAIRPERSON

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By Pauline Schneider

## Thinking about Age and Sage Advice

For sometime I have thought that law schools might produce graduates who were better equipped to be more effective lawyers upon graduation if those graduates were a bit older and wiser at the time of graduation. Before you charge, “age discrimination,” let me share my thinking.

I begin by focusing on what our functions are as lawyers.

Fundamentally, we are problem solvers, and hopefully problem solvers who add value to our clients. Yes, we do research, analyze, advocate and negotiate, but



almost always in the context of preventing or resolving problems. Our ability to resolve problems generally begins with understanding the legal issues and analyzing

the law, but often evolves into making judgments about the most prudent or advantageous options for our clients. It is in the realms of prudence and advantage that we most often add value to our clients.

Notions of prudence and advantage typically cannot be gleaned from court decisions or statutes. More often than not, they are informed by our personal and professional experiences. Unless we truly are impervious, we learn something that might be shared with a client from each professional experience we have. If we are fortunate enough to have parents or be exposed to

other adults who are successful professionally, we can absorb concepts and learn things from them that also will benefit our clients. We can broaden our knowledge and perspectives by reading the newspaper or specialty publications in fields of interest. The more we are educated on the fundamental underpinnings of the law, the more we can absorb from the world around us the strategic perspectives that will help us provide valuable insights and advice to our clients.

This leads me to age. Unlike business schools, most law schools do not insist that students work or explore other opportunities for a period of time before entering law school. While it is true that some law schools, through their admissions practices, express a preference for more mature students by admitting them at a higher rate than students fresh out of undergraduate schools, very few have a written policy that makes clear to potential applicants that their chances of admission would be improved if they waited a few years before applying. According to data from the Law School Admissions Council, nearly 25 percent of applicants in 2002-03 were under 22 years of age and 61 percent were 25 or under. Nearly 80 percent of all applicants were 30 or under.

Placement data suggest that nearly 17 percent of law school graduates go in sole practice or to firms with ten or fewer lawyers. A few even set up their own shops and immediately begin to advise clients — if they

can find clients. I often have looked at the fresh young faces to whom I address my talks at law school graduations and to the new associates who join our firm each year and tried to imagine them advising my most understanding client. I have cringed when I thought of them trying to counsel my most difficult client. It is not that they aren't smart — because many of them are. But it is that they have not lived long enough and generally have not been exposed to enough situations to be able to marry the learning that comes from books with the judgment that comes from life's experiences. So often they have spent their entire lifetime in one school or another, often light years away from the real world. They can do the research that supports the legal correctness of a client's position, but can they help the client understand that even if they win at litigation, the cost to their reputation or business may make the victory hollow at best? Can they tell a client who wants them to “scorch the earth” that in the end, a scorched earth will yield few crops? Can they help the client understand that negotiating an agreement with community groups, even when not required by law, may result in more support for a larger development on a site than a zoning commission otherwise might have been inclined to support? Can they tell a client that while it might be legal to make a contribution to the campaign of a legislator running for re-election while a matter in which the client has an interest is pending before a legislative committee chaired by that official, they think it is prudent for the client not to make the contribution even if it does make the legislator angry? Can they counsel a client that just because he or she can-

not get along with a spouse, it does not make the spouse an unfit parent or support a demand for custody of a child?

At a time when law firms are paying law graduates especially generous beginning salaries, firms are increasingly concerned about the value that these graduates add in the early years. If the experience at my firm is any indication, new associates are not profitable until their second or third year of practice. The billable rates of these associates are tied to the salaries they earn. It is not surprising then that clients are reluctant to pay these rates if they do

not think these lawyers are adding value to the representation. It also is my experience that most clients measure value not just by getting the right answer, but also by what sage advice comes with the right answer.

This brings me back to my starting point: can we really expect to routinely get the correct legal answer and valuable advice from 25-year-olds?

While I cannot answer that question unequivocally, I do think that perhaps it is a good time to examine and rethink whom we are admitting to the nation's law schools. ■

## Kutak Committee Seeks Nomination for 2004 Award

The Section's Kutak Award Committee invites suggestions of individuals whom it should consider for the Kutak Award in 2004.

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. Dean Nina S. Appel of Loyola University Chicago School of Law was the recipient of the award in 2003. The 2004 Kutak Award will be presented on August 6 at the 2004 ABA Annual Meeting in Atlanta, Georgia.

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 2004 award will be carried forward for consideration in future years.

Nominee suggestions must be received by April 1, 2004, to one of the following people:

- Committee Chairman, Professor Emeritus Talbot D'Alemberte, Florida State University College of Law 425 W. Jefferson Street, Tallahassee, FL 32306
- Carl Brambrink, Director of Operations American Bar Association 750 N. Lake Shore Drive, Chicago, IL 60611 cbrambrink@staff.abanet.org

### Past Kutak Award Winners

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Anthony G. Amsterdam	2002
James P. White	2001
Henry Ramsey, Jr.	2000
Peter A. Winograd	1999
Talbot D'Alemberte	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

# SYLLABUS

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## COST AND FINANCING OF LEGAL EDUCATION

Continued from page 1

**Table A: Average Law School Tuition**

	1990	2000	2003	13-Year Increase
Average Public Resident Tuition	\$3,236	\$7,790	\$10,820	234%
Average Public Non-resident Tuition	\$7,385	\$15,683	\$20,171	173%
Average Private Tuition	\$11,728	\$21,790	\$25,584	118%

Over the period 1990-2003, the increase in the Consumer Price Index was 41.5 percent.

the late 1980s, the relative level of state government support for public higher education has declined significantly. The Center for Education Policy at Illinois State University, in its annual survey of state appropriations for higher education, recently reported that aggregate state appropriations for higher education for 2003-04 fell 2.1 percent, to \$60.3 billion. This is the first actual reduction in state appropriations since 1992-93 and may be the largest percentage reduction ever in state support for higher education.<sup>2</sup>

In many states the proportion of state assistance for public legal education has declined even more dramatically, as governors and state legislatures direct the limited funds that are available for higher education more heavily toward undergraduate education. Public law schools have moved rapidly over the past decade from being state-supported to state-assisted, and some are only state-located.

### Law School Expenditures

The average per-student expenditures at ABA-approved law schools quadrupled in the last 20 years of the 20th century, from about \$5,000 in 1979-80 to \$20,713 in 1999-2000.

Some of those increased expenditures have resulted in significant improvements in the quality of legal education. As one example, consider the dramatic reduction in the average student-faculty ratio at ABA-approved law schools over the same period, from between 26:1 and 35:1 at most law schools in 1979-80 to an overall average of 18:1 in 1999-2000. This reduction in student-faculty ratio has made possible the vast increase in the amount and quality of skills training in law schools over the past 20 years. These increased expenditures have also made possible a number of other significant enhancements in law school programs and services over the decade of the 1990s, such as greatly expanded student services (advising, academic support, career and financial aid counseling); significantly improved

instruction in legal writing, research and analysis; increased co-curricular activities (law reviews and moot court competitions); and vastly improved technology (in the library; for faculty, students and staff; and in the classroom).

Table B below displays average direct expenditures by all ABA-approved law schools for 1993-94, 1999-2000, and 2002-03.

By far the largest percentage increase in expenditures throughout the period was in financial aid (162 percent over the total period). The increase in financial aid expenditures probably reflects at least two phenomena: an attempt to relieve some of the neediest students of some of the loan debt burdens caused by the increasing cost of legal education, and increased competition for entering students (and *US News* rankings) through increased merit scholarships.

It is also noteworthy that by far the lowest percentage increase in expenditures (44 percent) was for Library Operations, which includes all acquisitions and online library resources, and all amounts spent for computing in the library budget. The second-largest percentage increase in expenditures (77 percent) was for Other Law School Operations, which includes co- and extra-curricular activities, travel, publications (including both admissions and alumni publications), and equipment (including all computer and other technology expenditures that are not included in Library Operations). This major increase in the Other Law School Operations category suggests there was a significant shift in expenditures over the ten-year period to some activities that previously were not large items in a typical law school budget, such as travel (particularly greatly increased admissions recruiting travel), technology (including classroom and administrative services technology), publications (reflecting increased admissions recruiting, increased development and alumni relations activity, and increased posturing for public visibility), and co-curricular activities

**Table B: Average Direct Expenditures**

Expenditure Category	1993-94	1999-2000	2002-03
Total Salaries & Benefits	\$6,775,574	\$9,216,547	\$10,662,041
Total Library Operations	\$850,418	\$1,103,991	\$1,221,178
Total Other Law School Operations	\$1,291,364	\$2,047,302	\$2,290,135
Total Financial Aid	\$959,053	\$1,797,500	\$2,511,641
Total Direct Expenditures	\$10,098,534	\$14,498,481	\$17,485,921

**Table C: Law Student Borrowing and Loan Debt**

	1990-91	1999-2000	2002-03
Public Law School Student Loan Volume	\$200 million	\$560 million	\$672 million
Private Law School Student Loan Volume	\$650 million	\$1,520 million	\$1,875 million
Total Loan Volume	\$850 million	\$2.08 billion	\$2.55 billion

(most prominently the vast increase in the number and variety of student-edited law journals sponsored by law schools).

### Law Student Borrowing and Loan Debt

Over the 13 years between 1990-91 and 2002-03, there was a dramatic increase in the annual amount of borrowing by law students as indicated in Table C above.

The total student loan volume at public law schools more than tripled over the 13-year period, and student loan volume at private law schools almost tripled.

ABA data show that about 80 percent of J.D. students borrow from some source to finance their legal education, and this figure has been relatively constant at least since 1999-2000. Data on the average amount of debt at graduation by law students who borrow differ depending on how the question is asked and of whom it is asked.

Access Group reports that the median law school indebtedness of all law school graduates of the Class of 2000 who borrowed at least one private loan from Access Group was \$84,400. The ABA did not collect data concerning graduates' indebtedness on graduation until recently. The figures reported for 2003 graduates who borrowed some amount to finance their legal education appear in Table D.

It is not surprising that the median debt reported by Access Group is significantly higher than the median debt reported for all law school graduates. Loan debt data for those law students who borrow, but not from Access Group, are not included in the Access Group data. It is likely that substantial portions of those who do not borrow from Access Group have total law school loan debt at or below the maximum that a law student may borrow under federally guaranteed loan programs—\$55,500 over three years. On the other hand, neither the Access Group nor the ABA data include amounts that law school graduates may still owe on loans taken out to finance their undergraduate education.

### Entry Level Salaries and Managing Debt

What income do the graduates have with which to pay off that debt? The National Association for Law Placement (NALP) reports that the median starting

salary for all law school graduates in the Class of 2002 (the most recent class for which NALP data are available) was \$60,000.<sup>3</sup> Of course, median starting salaries vary greatly depending on the type of position that one takes immediately after law school. The NALP data for the Class of 2002, broken down by type of employer, are shown in Table E on page 6.

It should be apparent that those graduating with the reported median level of law school debt will find it financially very difficult to take a position in public service, government, or small firms, and those graduating with more than the reported debt medians (or with substantial undergraduate debt) will find it impossible to do so. A recent survey of 1,622 graduates of 117 law schools reported that two-thirds of the respondents stated that law school debt is preventing them from considering a public service career.<sup>4</sup>

### Observations

- A significant part of the increase in the cost of legal education in recent years is due to attempts by law schools to ameliorate the problem of student debt through dramatically increased law school financial aid.
- A more significant portion of the cost increases is due to competition by law schools for students (through increased admissions recruiting and increased merit scholarships) and for reputational ranking (through glossy publications, etc.).
- Increased levels of student and other support services are also major contributors to the increases in the cost of legal education. Increased career services staffing and new efforts at providing academic support services are among the prime examples.
- Technology again has been a major contributor to cost increases. In the 1980s the technology costs were primarily for online library resources. Since 1990, the primary technology costs have been in hardware (providing state-of-the-art computers for faculty, staff and students); increasingly sophisticated software systems (including for administrative functions); the staff to enable faculty, students and staff to use the new technology; and (in the most recent years) new and expensive technology for use in the classroom and in distance education.
- The marked increase in the level of law student borrowing between 1990 and 2003 seems to have been caused by five primary factors:

**Table D: 2003 Graduate Borrowing**

Public Law School Median Amount Borrowed for Law School, 2003 Graduates	<b>\$44,591</b>
Private Law School Median Amount Borrowed for Law School, 2003 Graduates	<b>\$68,805</b>

**Table E: Median Starting Salaries, Law School Graduates of 2002**

Overall private practice	\$90,000
Firm size >250	\$125,000
Firm size 101-250	\$100,000
Firm size 51-100	\$80,000
Firm size 26-50	\$65,000
Firm size 11-25	\$52,500
Firm size 2-10	\$45,000
Business & industry	\$60,000
Government (excluding judicial clerkships)	\$42,000
Judicial clerkships	\$42,000
Public interest	\$36,000

the significant reduction in the level of state support for higher and legal education;

the substantial increase in tuition at both public and private schools;

the major increase that occurred in 1993 in the amounts that law students may borrow under federally guaranteed loan programs, raising the borrowing limit to \$18,500 per year of law study;

a significant reduction in the amount and portion of law school expenses that are paid by students' parents; and

an inclination by law students (often with parental encouragement) to borrow the maximum that they can borrow (at the relatively low rates of federally guaranteed student loans and supplemental private loans) even if they do not "need" to borrow the maximum amount.

### Conclusion

These data indicate a serious problem in the financing of legal education, raise numerous questions, and present significant challenges. Some efforts are now underway to address some of these matters:

- The Section, the AALS and the ABA Commission on Loan Repayment and Forgiveness, with the support of the ABA Board of Governors and House of Delegates and the assistance of the ABA Governmental Affairs Office, are seeking to achieve two major changes in policies governing federally guaranteed student loans for law students. One objective is to increase the unsubsidized Stafford loan limit for law students so that they could borrow up to \$38,500 annually (compared to the present \$18,500 annually) through the federal loan pro-

grams (and at the lower interest rates of those programs). The second priority is to improve the Income Contingent Loan Repayment Program by reducing to 15 years (from 25 years) the minimum period during which those who go into low-income public interest or public service employment must repay his or her loan before the remaining balance of the loan is forgiven. These changes require action by Congress, and intensive efforts are now underway to build support for these changes when Congress considers the reauthorization of the Higher Education Act in 2004.

- A number of law schools have established loan repayment assistance programs (LRAPs). In its final report, *Lifting the Burden: Law Student Debt as a Barrier to Public Service* (2003), the ABA Commission on Loan Repayment and Forgiveness reported that 56 ABA-approved law schools have established LRAPs, but the Commission also reported that, of the 50 schools that had LRAPs in 2000, 70 percent of LRAP monies went to graduates of six law schools. The Commission has published a brochure and a "tool kit" to provide information about creating and funding LRAPs by law schools and by bar associations and other entities interested in supporting those desiring to enter public service. Visit [www.abalegalservices.org/lrap](http://www.abalegalservices.org/lrap).

- Others are exploring possible ways to reduce the cost of legal education while continuing to maintain its high quality. These and other issues will be explored at an important conference being co-sponsored by the Section's "Out-of-the-Box" Committee in Dallas, Texas, April 15–17, 2004. Further information about this conference appears on page 15.

These are important issues that affect almost every law school in the country. I urge those at each of our schools, and those in the legal profession who care about legal education, to spend time during 2004 to consider how your school, or your segment of the profession, can take meaningful steps to address some of these challenges. ☞

### Notes

1. Unless otherwise indicated, data reported in this column are gathered from the Annual Questionnaire submitted each year by all ABA-approved law schools to the Office of the Consultant on Legal Education.
2. *Chronicle of Higher Education, Daily Report*, January 8, 2004.
3. *Jobs & J.D.'s: Employment and Salaries of New Law Graduates, Class of 2002* (NALP, 2003).
4. Equal Justice Works, National Association for Law Placement, and Partnership for Public Service, *From Paper Chase to Money Chase: Law School Debt Diverts the Road to Public Service 22* (2002), available at [www.equaljusticeworks.org](http://www.equaljusticeworks.org).

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# Innovative EDUCATION

By Susan B. Apel

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*Note: "Innovative Education" is a new column focusing on innovative law programs at ABA-approved law schools. If your school offers a unique law program that you would like to share and write for this column, please contact Editor Joe Puskarz at [puskarzj@staff.abanet.org](mailto:puskarzj@staff.abanet.org) for editorial consideration.*

## Students Turn Associates in 2-Year General Practice Program

***"Good afternoon. Before we begin our representation of our divorce client, we have a problem. Both Ms. Sanford and her husband have contacted our firm for representation. Can we do it, and if so, do we want to?"***

So begins the first day of the first course of Vermont Law School's General Practice Program. Before the afternoon's end, students, who are now called associates, will research and resolve the ethical and practical issues involved in dual representation. They will also discuss and determine how and what to charge for their services in divorce cases, and will set up client files. Having resolved these preliminary matters, the semester's work for the associates will be to interview their client, draft and file all divorce pleadings and documents with the court clerk, conduct a videotaped client counseling session regarding child custody and support, and negotiate a settlement of all financial matters.

Even now, criticism of law school curricula abounds, many believing that even after decades of so-called reform, law schools

are still not preparing their students for the competent and ethical practice of law. But some innovations in legal pedagogy are doing just that, and Vermont Law School's General Practice Program (GPP) is one of them.

The GPP is a certificate program that recruits up to 16 students each year. Students begin the program in their second year and remain with the program for the next two years, taking four credits of GPP courses each semester. The curriculum, originally designed around studies of general practice, includes courses in domestic relations, environmental law, real estate, business planning, commercial transactions, employment law, criminal law, bankruptcy, education law, and estates. The faculty is a combination of full-time professors and adjuncts who play the part of senior partner to the student associates.

Students in the program learn by doing the things that a practicing lawyer does on a daily basis. They interview, counsel and negotiate, draft wills, learn what to do in a bail hearing, and how to argue a motion in bankruptcy court. They put together business plans and dismantle limited partnerships, do title searches and conduct real estate closings. Occasionally there are field trips, to courthouses, recorders of deeds, and school board meetings.

Courses are all simulation-based, which "allow the faculty to control and cover issues that are integral to the subject matter," says Assistant Director Cathryn Nunlist, while "providing flexibility from year to year, allowing us

to gear the program toward particular topics or skills as needed."

While many law schools have simulation-based courses, the GPP is unique in its format and its comprehensive nature. Spending two years in the program allows students access to many different subject areas and professors, and colleagues who differ in their styles and approaches to practicing law.

Graduate Rhonda Sheffield, who now works as a deputy state's attorney, says "The GPP gave me more confidence. . . The program offers a 'group dynamic,' with people working together. It allowed me to hear how others might solve a problem."



General Practice Program session. Photo courtesy of John Gilbert Fox.

The General Practice Program has become known for its teaching and learning style as much as for the subjects it covers. After the first few years, it became apparent that the GPP was drawing students with diverse career goals, not just those who wanted to become general practitioners, because they were attracted by new learning opportunities.

Jennifer Nuhfer, a third-year student, confesses that during her first year of law school, ". . . My laptop open on my desk, I spent the class time typing everything the professors said, and hiding behind the screen. . . In my second year, I enrolled in the GPP. In GPP classes, I shut my laptop and for the first time became

*Continued on page 14*

## ABA and Law Schools Commemorate the 1954 Ruling

By Joe Puskarz

May 17, 2004, marks the 50th anniversary of the U.S. Supreme Court's landmark decision in *Brown v. Board of Education*, a ruling that opened considerable opportunities in our society, especially for equal justice, fairness and education.

To recognize those opportunities, ABA President Dennis Archer appointed a commission on the celebration of the 50th anniversary of *Brown v. Board of Education*, chaired by Harvard Law Professor Charles Ogletree. The commission is reviewing the current state of *Brown's* goals and its effect on civil rights.

As part of the year-long celebration, the ABA continues its "Dialogue on *Brown v. Board of Education*," a series of conversations with high school students across the nation discussing issues dealing with equality and racial diversity, the role of education and the law in effecting social change, and the legacy of segregation.

The "Dialogue on *Brown v. Board of Education*" builds on the ABA's successful initiative, "Dialogue on Freedom," which was conceived by U.S. Supreme Court Justice Anthony M. Kennedy in the wake of the September 11 terrorist attacks in New York and Washington, D.C. To date, that effort engages thousands of students in conversations on the principles that are fundamental to American democracy.

The dialogue initiatives launched by the ABA invite lawyers, professors, judges and others in the legal community into America's classrooms to promote the role that the law plays in responding to America's challenges.

Law schools nationwide have organized dialogues in their own communities to commemorate the 50th anniversary of *Brown*. This article notes various law school celebrations of *Brown* that have come to the Section's attention as of press time.

Howard University School of Law, which was at the epicenter of the civil rights movement and the venue for much of the planning of the *Brown* litigation, continues its public education events on the significance of the 1954 ruling throughout the year.

Howard's first year legal writing course requires students to brief *Bolling v. Sharpe*, the



Pictured above is Louis Redding, center, with other NAACP attorneys who argued the school segregation case, *Brown vs. Board of Education*. From left are, Special Counsel Thurgood Marshall, Louis Redding and U. Simpson Tate. (AP Photo/Courtesy of the NAACP).

D.C. counterpart to *Brown*, and to participate in oral arguments. Howard's Civil Rights Planning course also features *Brown*, and will infuse discussion of many of the significant cases before and after *Brown*, including *Bakke* and *Grutter*. The *Howard Law Journal* is devoting all three of its issues this year to articles and commentaries related to *Brown*.

Louis D. Brandeis School of Law at the University of Louisville is leading a year long celebration of the *Brown* decision in which each academic unit and program on campus offers planned events relevant to the 1954 ruling. The school of law begins its celebration this month, with a speech by the Brown sisters, the plaintiffs in *Brown v. Board of Education*.

Mrs. Thurgood Marshall opens the Columbia University School of Law and the NAACP Legal Defense and Educational Fund Inc. celebration on February 2, and former President William Jefferson Clinton speaks on February 10. Other events at Columbia continue through December 2004.

The Boyd School of Law at the University of Nevada Las Vegas is hosting a conference on February 20-22 entitled "Pursuing Equal Justice in the West." Historians, legal scholars and leaders in the field of race, gender, and law, and people prominent in the efforts to desegregate

Las Vegas and Nevada, will be participating in the planned events.

Washington University School of Law's "Access to Justice" speaker series includes two programs commemorating *Brown*: "From *Brown* to *Grutter*: The Legal Struggle for Racial Equality," which was held on January 21, and "After *Brown*: Surprising Legacies of the Civil Rights Landmark" on February 26.

The University of Pittsburgh School of Law presented a *Brown v. Board of Education* Symposium on February 6. American University Washington College of Law commemorated *Brown* and Martin Luther King, Jr.'s birthday on January 15. The college's February events observe both Black History Month and *Brown v. Board of Education*. The college will highlight legal issues relevant to the African American community at its Sylvania Woods Conference in April.

The Journal of Appellate Practice and Process, based at the University of Arkansas at Little Rock's William H. Bowen School of Law, will present a symposium entitled "50 Years Later—The Legacy of *Brown*" on April 2. Professor Mark Tushnet of Georgetown, one of the country's leading constitutional law scholars, will chair the event.

The University of Maryland School of Law is co-sponsoring a program entitled "Maryland and the Road to *Brown*." It will consist of four separate programs, which began on November 20, 2003, and continue through March 9, 2004. The programs deal with different aspects of the relationship between the State of Maryland and the decision in *Brown v. Board of Education*. Maryland is also co-sponsoring a three-day conference on the 50th anniversary with Coppin State College and Morgan University from April 29 through May 1.

Seattle University School of Law is hosting the symposium "From *Brown* to *Grutter*: Racial Integration and the Law in the Northwest" on April 2–3. Hamline University School of Law will host the Periakto's Production of "Thurgood Marshall Is Coming!" on March 24–28.

The University of Baltimore School of Law will commemorate the 1954 ruling with a series

of events between April 12-15, featuring discussions on education in Baltimore County before and after *Brown*, a brown-bag lunch, lectures by Honorable Robert M. Bell, chief judge of the Maryland Court of Appeals, and by Theodore Shaw, associate director-counsel of the NAACP's Legal Defense and Education Fund and a member of the U.S. Department of Education's Commission on *Brown v. Board of Education*.

Roger Williams University School of Law will present the "New Social Engineers: The Making of the Black Corporate Bar and the Dual Legacy of *Brown v. Board of Education*" on April 14. The Association of American Law Schools is hosting a conference on "Racial Justice—From *Brown* to *Grutter*," in Portland, Oregon, on June 13-15. Professor Derrick Bell, author of *And We Are Not Saved: The Elusive Quest for Racial Justice*, is the keynote speaker at Northeastern University's 50th Anniversary of *Brown v. Board of Education* Celebration on April 29.

There will be a symposium on *Brown v. Board of Education* at the University of Virginia School of Law on February 20–21. Stetson University College of Law will also sponsor a symposium on February 14.

Villanova Law School, in conjunction with the *Brown* anniversary, celebrated its 50th anniversary on September 13, 2003, with an academic symposium that featured, "The Future of Civil Rights 50 Years after *Brown*," a panel discussion on the possible dimensions of the next 50 years in the law.

This past November, Washburn University School of Law in Topeka, Kansas, hosted the *Brown v. Board of Education* Revisited: 50th Anniversary Symposium. St. John's University School of Law in New York also hosted a day-long symposium entitled "*Brown v. Board of Education* at 50: Have We Achieved its Goals?"

The University of Toledo College of Law also hosted an October symposium "Celebrating the 50th Anniversary: The Meaning and Legacy of *Brown v. Board of Education*." St. Louis University School of Law held a conference in October on "*Brown v. Board of Education*: 50 Years Later." 🏛️

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Joe Puskarz is the editor of Syllabus.

## STATISTICAL REFLECTION

### Historically Black Institutions Since *Brown*

By David Rosenlieb

Fifty years ago, the U.S. Supreme Court ruled in *Brown v. Board of Education* that “separate educational facilities are inherently unequal,” and deprived students of equal educational opportunities.

Fifty years later, the 1954 landmark case resulted in significant gains for blacks and other minorities seeking a higher education, and also changed race relations in the United States. As of fall 2003-04, 6.8 percent of the total of J.D. students (137,681) at ABA-approved law schools are African American (9,437).

Legal education has seen a dramatic change in minority enrollment in law schools from 1954 to 2003, especially at four ABA-approved law schools that

were associated with historically black institutions in 1954. Those schools include:

- Howard University School of Law
- North Carolina Central School of Law
- Southern University School of Law
- Texas Southern School of Law

The data used on the comparison chart for 1954 were derived from the Section of Legal Education’s *1954 Review of Legal Education* publication. The data for 2003-04 were compiled from the 2003 Annual Questionnaire.

The overall J.D. enrollment at law schools associated with historically black institutions grew almost 1200 percent during the 50 years since *Brown v. Board of Education* (from 150 in 1954 to 1,941 in 2003-04). Female J.D. enrollment in law schools associated with historically black institutions increased even more dramatically from 22 in 1954 to 1,091 in 2003-04.

Students at law schools associated with historically black institutions made up 0.5 percent of the total national law school population in 1954. In 2003-04, that percentage rose to 1.3 percent.

While the ethnicity of J.D. students in 1954 is

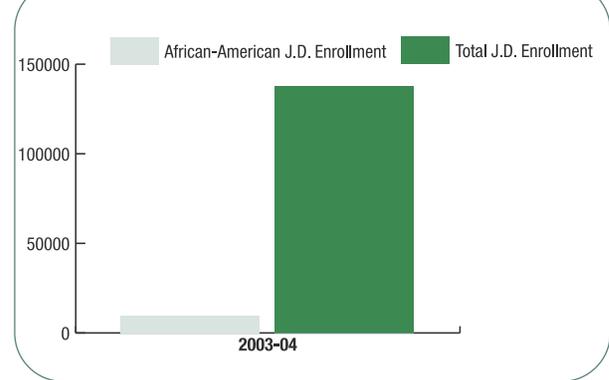
not readily available, one number did surface for that time period. In 1954, Harvard Law School had three black students enrolled with an approximate class size ranging between 500 and 700. Today, Harvard Law School has 159 African-American students enrolled with a total enrollment of 1,654.

Overall, the enrollment at ABA-approved law schools increased from 32,357 in 1954 to 137,676 in 2003-04—a 326 percent change. Female J.D. enrollment grew from 1,252 in 1954 to 67,027 in 2003-04. Today, minority students make up 20.6 percent of law school enrollment. 🏠

David Rosenlieb is the Section’s Data Specialist.



### African-American J.D. Students



### Total J.D. Enrollment at Historically Black Institutions

#### Howard University School of Law

Year	Total	Male	Female
1954	88	78	10

2003-04	Total	Male	Female
	520	185	335

#### North Carolina Central School of Law

Year	Total	Male	Female
1954	14	12	2

2003-04	Total	Male	Female
	412	169	243

#### Southern University School of Law

Year	Total	Male	Female
1954	8	7	1

2003-04	Total	Male	Female
	439	235	204

#### Texas Southern School of Law

Year	Total	Male	Female
1954	40	31	9

2003-04	Total	Male	Female
	570	261	309

## Interview with ABA President Dennis Archer on *Brown*

### Why is commemoration of the decision in *Brown v. Board of Education* appropriate on Law Day?

Commemorating *Brown* is appropriate because it is entirely consistent with educating our nation's young people about an historic decision by this nation's Supreme Court, which finally ended segregation in our school systems. Law Day also provides a good opportunity for adults to reflect on *Brown*. I find that sometimes many adults, including myself, forget important events in our respective lives or in our country's history, until we are reminded of them by recognizing or acknowledging them. For example, we have been celebrating for a number of years the life and legacy of Dr. Martin Luther King on the third Monday of January. If there was not a federal holiday, I'm sure that many people would have forgotten his impact.

### When *Brown v. Board of Education* was handed down, do you think people saw the decision as a precursor of broader social change?

People certainly appreciated that the decision meant the beginning of the end of legislated segregation in public schools. That in itself was a revolutionary social change for much of the country. Fewer people saw how the decision would spark demands for justice in other contexts, in areas like voting rights, gender equity and protections for disabled Americans. The spirit of *Brown* deserves much of the credit for the country's achievements in social justice, and it continues to inspire the push for progress.

### So do you think the promise of the decision has been fully realized?

No, not in my view. The decision in *Brown* set forth the law, but you still need the people to respect the rule of law and embrace it to assure equality of education, especially in our public schools. However, I do believe that many things have occurred as a result of *Brown* and as a result of the work of those outstanding lawyers who followed the work of attorney Thurgood Marshall, who have used the *Brown* decision to open a lot of doors.

### Is *Brown* still a relevant decision today?

There is no question that *Brown* is a seminal and important decision. It was the centerpiece of the *Bakke* decision that came out in 1978 (*Regents of the University of California v. Bakke*), and clearly it was on the minds of everyone when the University of Michigan cases (*Grutter v. Bollinger* and *Gratz v. Bollinger*) were argued and decided this past spring by a divided U.S. Supreme Court.

### On Law Day this year, what can Americans reflect on?

On Law Day and on the 50th anniversary of *Brown* on May 17, I think our nation can, as a whole, reflect on and consider how we might as a country and how we might as a people appreciate the contributions that ethnic minorities have made to world and American civilization. I hope the commemoration will cause us to reduce race as a negative factor, and look at race as something that is positive.

If you look at the world, the majority of people living in the world happen to be people of color. And if we are to be competitive and to work with another and cause the world to be a better place in which to live, it is important that we have respect for one another and for the rule of the law. 🏠



*Interview conducted by the ABA Division for Public Education*

TO WIN EQUALITY BY LAW

Brown v. Board at 50

LAW DAY may 1, 2004

## LAW DAY • May 1, 2004

To Win Equality by Law:  
*Brown v. Board of Education* at 50

Law Day 2004 celebrates the 1954 ruling and illuminates the meaning of equality in our democracy and the role of law, advocates, and courts in establishing and protecting our rights. Each year, the ABA is joined by national organizations, state and local bars, businesses and schools in conducting thousands of programs on the rule of law in a constitutional democracy. For further information on this annual event, visit [www.lawday.org](http://www.lawday.org).

## The Role of Howard University School of Law in *Brown v. Board of Education*

By Okianer Christian Dark

***“For all men of good will May 17, 1954, came as a joyous daybreak to end the long night of enforced segregation... It served to transform the fatigue of despair into the buoyancy of hope.”***

—Dr. Martin Luther King

Howard University and its law school played a pivotal role in the shaping of the legal strategy and the development of the lawyers who led the fight culminating in the cases known under the heading of *Brown v. Board of Education*.<sup>2</sup>

Howard University School of Law, founded in 1869, provided a place to train lawyers, mostly African Americans, who resisted and challenged the legal and legislative systems that significantly oppressed African Americans politically, economically, and socially in this country.

“[T]hroughout most of its existence, Howard has . . . served as an incubator for attorneys and legal scholars dedicated to attacking all aspects of *de jure*

and later *de facto* racial discrimination and segregation and their legacies.”<sup>3</sup>

Much credit, however, must be accorded Howard University President Mordecai W. Johnson and Dean Charles Hamilton Houston for the direction that the Howard University School of Law took in the 1930s. President Johnson demanded excellence and raised academic standards, and admission requirements, and insisted that the graduate and professional schools at Howard University should become accredited.<sup>4</sup> President Mordecai hired Dean Houston, a graduate of Amherst College and Harvard Law School, to lead the law school in 1929.<sup>5</sup> Over the next six years, Dean Houston “built a credible law school and injected enormous momentum into a social movement that has not yet ended.”<sup>6</sup>

Dean Houston was known as an extremely hard worker and “was a veritable dynamo of energy guided by a mind that had as sharp a cutting edge

as any I have known.”<sup>7</sup> He eliminated the part-time evening school, raised standards for admission and continuation in the law school program, extended the semester, formalized the law curriculum, brought on board excellent faculty and “stressed the importance of equipping students with direct professional skills.”<sup>8</sup> Dean Houston was fully committed to producing first-rate lawyers who could be effective in the social justice work that had to be done. Thurgood Marshall, Dean Houston’s student and later his colleague, remembered that “Houston’s drive earned for him the affectionate nickname ‘Iron Shoes.’”<sup>9</sup> But, he was as tough on himself as he was on his students, which is part of the reason he died at a relatively young age of 55 years in 1950.<sup>10</sup> For not only did he establish Howard University School of Law as a first rate institution that by 1950 produced over 90 percent of the African American lawyers in the country;<sup>11</sup> he is also credited with being the architect of the legal strategy that led to the *Brown* cases.

Professor J. Clay Smith of the Howard University School of Law refers to Dean Houston’s approach to law as “Houstonian Jurisprudence.”<sup>12</sup> Dean Houston was committed to using the law to obtain equitable and just ends for African American people, and he had a vision and will to accomplish that objective.

An oft cited quote by Dean Houston that captures the essence of his focus and direction is as follows: “A lawyer’s either a social engineer or he’s a parasite on society,” “What is a social engineer?” . . . “A social engineer was a highly skilled, perceptive, sensitive lawyer who understood the Constitution of the United States and knew how to explore its uses in solving the ‘problems of local communities’ and in ‘bettering conditions of the underprivileged citizens.’”<sup>13</sup> His students learned well and indeed, his most well known student, Thurgood Marshall, Associate Justice of the Supreme Court of the United States, attributed the success of the *Brown* cases to Dean Houston. Quite simply, Justice Marshall declared, “[w]e wouldn’t have been any place if Charlie hadn’t laid the groundwork for it.”<sup>14</sup>



“You have a large number of people who never heard of Charlie Houston. But you’re going to hear about him, because he left us such important items . . . . When *Brown* against the Board of Education was being argued in the Supreme Court . . . [t]here were some two dozen lawyers on the side of the Negroes fighting for their schools. . . . [O]f those . . . lawyers . . . only two hadn’t been touched by Charlie Houston. . . . [T]hat man was the engineer of all of it. . . . I can tell you this . . . if you do it legally, Charlie Houston made it possible. . . . This is what I think . . . Charlie Houston means to us.”<sup>15</sup>

Dean Houston indeed laid the fundamental groundwork for the success of the *Brown* cases and he is one of the critical reasons that Howard had such a significant role in the development of these cases.

However, Dean Houston is clearly not the only reason for Howard’s legacy that can be traced in these landmark decisions. Howard alumni, such as Thurgood Marshall,<sup>16</sup> Oliver Hill, Sr. (lead attorney on the Virginia campaign against segregation),<sup>17</sup> Spottswood Robinson III (lead attorney on the Virginia anti-discrimination cases)<sup>18</sup> and Robert L. Carter (plaintiff’s attorney in *Brown v. Board of Education*)<sup>19</sup>, among others, were everywhere to be found on the cases leading up to *Brown*, and on subsequent litigation to implement *Brown* or school desegregation litigation.<sup>20</sup> Along with alumni, Howard School of Law faculty members were also actively engaged in the litigation. These include James M. Nabrit, Jr.<sup>21</sup> and George E. C. Hayes<sup>22</sup> (both lead attorneys on the *Bolling* case, which was the companion to the Washington, D.C., school desegregation case along with the state cases under the heading of *Brown*).

What is also very interesting about the work of these Howard graduates, many of whom were a part of the NAACP Legal Defense and Education Fund or worked along side this outstanding organization in fighting the vestiges of legal re-enslavement in the form of Jim Crow laws and practices, is that they took a broad approach. Segregation of the races was evil and unjust whether it divided white and blacks or whites from Mexican-Americans or Asian Americans. There was litigation during the time of the *Brown* cases that also challenged segregation laws in Texas and California separating Mexican and Chinese children from white children.<sup>23</sup>

Finally, there were other ways in which Howard University contributed to the overall effort to chal-

lenge segregation. The university was supportive of the faculty in the law school and in other parts of the institution who devoted their skills and knowledge to the litigation. “President Mordecai W. Johnson backed these rebels fully despite the fact that Howard depended upon congressional funding from unsympathetic congressmen from the south as well as the north.”<sup>24</sup> For example, the law school’s facilities were often used by the NAACP lawyers to prepare for arguments before the United States Supreme Court and other courts.<sup>25</sup> The lawyers would be present at arguments in a moot court in front of Howard law students, law faculty, alumni, and members of the Washington Bar who would provide them with critiques.<sup>26</sup>

In preparation for the second argument on *Brown v. Board of Education* in 1953, the NAACP Legal Defense and Educational Fund, Inc., filed a brief that enlisted the involvement of specialists from the fields of History, Education, and Psychology. Again, among those specialists was Howard faculty members, including Dr. John Hope Franklin, History, and “Howard’s School of Education’s *Journal of Negro Education* provided many of the findings that Mr. Marshall and other lawyers used to present their case to the Supreme Court.”<sup>27</sup>

The *Brown* and *Bolling* decisions were the product of the combined efforts of many dedicated people—most significantly, the plaintiffs in these cases who sacrificed and in some instances, suffered greatly, to challenge segregation. However, along with them were a couple of highly skilled lawyers, largely trained by Howard University School of Law, armed with a vision and commitment to make social justice a reality in this country. 🏠

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*Okianer Christian Dark is a professor of law at Howard University School of Law in Washington, D.C., and is co-chair of the “Brown at 50” Planning Committee*

## Notes

1. Dr. Martin Luther King, Jr. from a 1960 address to the National Urban League. Also at [www.brownat50.org/](http://www.brownat50.org/)
2. *Brown v. Bd. Of Educ.*, 347 U.S. 483 (1954).
3. *Id.* at 25.
4. Genna Rae McNeil, *GROUNDWORK: CHARLES HAMILTON HOUSTON AND THE STRUGGLE FOR CIVIL RIGHTS*, 70 (1983).
5. McCoy, *supra* note 5, at 27, 29.

*Continued on page 14*

## HOWARD UNIVERSITY

*Continued from page 13*

6. Richard Kluger, *SIMPLE JUSTICE*, 123-125 (1977).

7. McNeil, *supra* note 5, at 3 (comment attributed to Associate Justice Douglass who also said Charles Hamilton Houston was one of the top 10 lawyers in the country to appear before the United States Supreme Court in his 35 years).

8. *Id.* at 81.

9. *Id.* at 82.

10. McNeil, *supra* note 5, at 210-212.

11. See McNeil, *supra* note 5, at 80; McCoy, *supra* note 3, at 26.

12. J. Clay Smith, *Toward a Houstonian Jurisprudence and the Study of Pure Legal Existence—In Memoriam of Frank D. Reeves*, 18 *Howard L. J.* 1 (1974).

13. McNeil, *supra* at 5, at 84.

14. *Id.* at 3.

15. *Id.*

16. See Juan Williams, *THURGOOD MARSHALL: AMERICAN REVOLUTIONARY* 4-5, 33, 236-39 (1998).

17. See generally, Oliver White Hill: Liberator of Virginia, at [www.law.howard.edu/alumni/legalgiants/huslgiantfeb2kl.htm](http://www.law.howard.edu/alumni/legalgiants/huslgiantfeb2kl.htm) (Feb. 2001).

18. See generally *Spottswood Robinson III, U.S. Appeals Judge Dies in Virginia* at 82, *JET*, Nov. 2, 1998, available at [www.findarticles.com/cf\\_dls/m1355/n23\\_v94?21256449/pl/article.jhtml](http://www.findarticles.com/cf_dls/m1355/n23_v94?21256449/pl/article.jhtml) (Nov. 2, 1998); *SPOTTSWOOD WILLIAM ROBINSON III*, at [www.jtbf.org/article\\_iii\\_judges/robinson\\_iii\\_s.htm](http://www.jtbf.org/article_iii_judges/robinson_iii_s.htm) (last visited Jan. 20, 2004).

19. See generally *ROBERT L. CARTER*, at [www.jtbf.org/article\\_iii\\_judges/carter.htm](http://www.jtbf.org/article_iii_judges/carter.htm) (last visited Jan. 20, 2004).

20. See generally McCoy, *supra* note 3, at 29-30.

21. *Id.*; see also James Nabrit Jr., *Civil Rights Lawyer and Former President of Howard University dies* at 77, *JET*, Jan. 19, 1998, available at [www.findarticles.com/cf\\_dls/m1355/n8\\_v93/20179549/pl/article.jhtml](http://www.findarticles.com/cf_dls/m1355/n8_v93/20179549/pl/article.jhtml) (last visited Jan. 20, 2004). James Nabrit would later become Dean of the Howard Law School and then President of Howard University. He is also credited with creating the nation's first civil rights course in 1949. McCoy, *supra* note 3, at 30.

22. McCoy, *supra* note 3, at 30; See generally Gail R. Redmann, *The Historical Society of Washington*, D.C., George E.C. Hayes Papers, 1922-1956, *SPECIAL COLLECTION*

*REGISTER*, Aug. 7, 1997, available at [www.citymuseumdc.org/Do\\_Research/Research\\_Collections/ms506.pdf](http://www.citymuseumdc.org/Do_Research/Research_Collections/ms506.pdf) (last visited Jan. 20, 2004).

23. *Mendez v. Westminster* (1946) (case struck down segregation of Hispanic children in public schools based on equal protection clause of the Fourteenth Amendment); *Delgado v. Bastrop* (1947) (Court

relied on *Mendez* in striking down segregation of Mexican American children in separate classrooms).

24. McCoy, *supra* at note 3, at 31.

25. *Id.*

26. *Id.*

27. Susan Sanderson, *Brown v. Board of Education: 50 Years of Unfinished Business*, Fall 2003 *Howard Magazine* 34.

## INNOVATIVE EDUCATION

*Continued from page 7*

engaged with a law school class. Our focus was on the actual skills we would use as lawyers. Given our own "clients," I felt a vested interest in the learning."

Nuhfer goes on to talk about how the GPP helped her in real-world practice, first in an internship, where she says she "owed my experiences in the GPP to my ease in dealing with clients," and later, in a judicial externship, where she was required to review lengthy files. "To my surprise and satisfaction, I actually knew, and in some instances had written similar documents contained in the record. Since I knew how to draft the documents, I also knew what to look for in them."

The General Practice Program, although well-established, is still a work in progress. Currently, considering the reality of paperless courts, the GPP is looking into ways to address office and law practice technology. Other possible future initiatives include establishing a mentoring program that will match GPP students with local attorneys, providing students with yet another bridge between theory and practice.

*Susan B. Apel is a professor of law and director of the General Practice Program at Vermont Law School. Comments or questions can be directed to her at [sapel@vermont-law.edu](mailto:sapel@vermont-law.edu) or 802-831-1223.*

## Chair-Elect Seeks Nomination Suggestions

The Honorable Elizabeth Lacy, chair-elect of the Section of Legal Education and Admissions to the Bar, is seeking suggestions for membership to the following Section committees: **Adjunct Faculty, Bar Admissions, Clinical and Skills Education, Communication Skills, Curriculum, Diversity, Governmental Relations and Student Financial Aid, Graduate Legal Education, Law Libraries, Law School Administration, Law School Facilities, Pre-law, Professionalism, Questionnaire and Technology and Education.** Committee appointments are to begin in 2004-05 and often will be for two or three years.

The chairperson seeks committee membership from three components of Section membership: legal educators, practicing lawyers and judges. The Section provides a wide range of services to legal education and the profession. Much of this service emanates from the work of the committees of the Section.

Expression of interests and suggestions should be sent and received by April 1, 2004, to one of the following:

**Consultant John A. Sebert**  
American Bar Association  
750 N. Lake Shore Drive  
Chicago, IL 60611  
[sebertj@staff.abanet.org](mailto:sebertj@staff.abanet.org)

**Chair-elect Honorable Elizabeth B. Lacy**  
Supreme Court of Virginia  
100 North 9th Street  
Richmond, VA 23219

# UPCOMING CONFERENCES

## CRITICAL CHOICES: Educating the Next Generation of Lawyers Conference April 15–17, 2004 • Dallas, TX

Save the date for an important Legal Education Conference—Critical Choices: Educating the Next Generation of Lawyers—on April 15–17. The conference will take place at Southern Methodist University in Dallas, TX.

The conference opens with registration and dinner on Thursday evening, April 15, and will continue with sessions on Friday, April 16, and through noon on Saturday, April 17. The conference hotel is the Park Cities Hilton Hotel in Dallas.

Session topics include:

- Are there future models other than the currently dominant one of three- or four-year on-site legal education?
- What are or should be the objectives of legal education?
- What should be our objectives as to diversity in personnel and ideas, and how can we be creative about achieving those objectives?
- What can we learn from the current use of the

case method in other professional schools?

- What perspectives can be gleaned from former law school deans who are now college or university presidents?
- What are some of the major insights to be gained from the American Bar Foundation/NALP Foundation study of a large sample of law school graduates of the class of 2000?

The conference is intended for deans, associate deans, Curriculum Committee chairs and appointment committee chairs. A number of practitioners, particularly those who train beginning lawyers, will discuss new thinking and new approaches.

The conference will be co-sponsored by the ABA's Section of Legal Education and Admissions to the Bar, the Dallas Institute of Humanities and Culture, the Professional Development Consortium, and the Dedman School of Law at Southern Methodist University.

Registration is open and detailed conference information is available at [www.abanet.org/legaled](http://www.abanet.org/legaled).

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## ABA ASSOCIATE DEANS' CONFERENCE: Managing the Law School, Managing the Job June 3–6, 2004 • Englewood, CO

The ABA Law School Administration Committee will sponsor an Associate Deans' Conference June 3–6, 2004, at the Inverness Hotel and Conference Center in Englewood, Colorado—located 15 miles south of downtown Denver.

The conference provides a basis for attendees to network and share administrative challenges and solutions with colleagues. This year's theme is "Managing the Law School, Managing the Job."

The first Plenary Session on Friday, June 4, "Holding Difficult Conversations," will be based on a discussion of the book *Difficult Conversations: How to Discuss What Matters Most*. The Second Plenary Session, on Saturday, June 5, focuses on "Students Today, Students

Tomorrow—Who Are They? The Millennial Generation."

Other sessions include:

- Managing People and Resources
- Working with Faculty, Students and Deans
- ABA Accreditation & AALS Membership
- Academic Support
- Discipline
- Fostering Student Leaders and Organizations
- Mental Health/ADA
- Part-Time Programs

Registration opens in February and detailed information is available on the Section's Web site at [www.abanet.org/legaled](http://www.abanet.org/legaled).

**For further information on these events contact:  
Kara Pliscott • (312) 988-6749 • Email: [pliscotk@staff.abanet.org](mailto:pliscotk@staff.abanet.org)**

## STANDARDS

Continued from page 1

Annual Meeting in January and at the ABA Mid-Year Meeting on February 6. A third hearing will take place during the Annual Meeting of the American Law Institute on Wednesday, May 19, 2004, in Washington, D.C., at the Renaissance Mayflower Hotel at 10 a.m.

Written comments should be addressed to Dean Barry Currier, deputy consultant, by e-mail [currierb@staff.abanet.org] or letter [American Bar Association, 750 N. Lake Shore Drive, Chicago, IL 60611]. Comments should be received no later than April 15, 2004. Final action is expected at the Council meeting scheduled for June 4–5, 2004, in Washington, D.C.

The proposed revisions to Chapter 3 (Program of Legal Education) are part of a comprehensive review of the Standards. Your attention is directed particularly to Standards 302 and 304, where the proposals for change are the most substantial.

### Standard 301. OBJECTIVES.

**(a) A law school shall maintain an educational program that prepares its graduates students for admission to the bar and to participate effectively and responsiblye participation in the legal profession.**

**(b) A law school shall maintain an educational program that prepares its graduates to deal with current and anticipated legal problems.**

**(eb) A law school shall ensure that all students have reasonably comparable opportunities to take advantage of the school's its educational program, co-curricular programs, and other educational benefits are available to all students.**

**(d) A law school may offer an educational program designed to emphasize certain aspects of the law or the legal profession.**

#### ***Interpretation 301-1:***

*A law school shall maintain an educational program that prepares its students to address current and anticipated legal problems.*

#### ***Interpretation 301-2:***

*A law school may offer an educational program designed to emphasize certain aspects of the law or the legal profession.*

#### ***Interpretation 301-13:***

*Among the factors to be considered in assessing the*

*extent to which a law school complies with this Standard are the rigor of its academic program, including its assessment of student performance, attrition rate of the school's students, and the bar passage and career placement rates of its graduates.*

#### ***Interpretation 301-24:***

*Among the factors to consider in assessing compliance with Standard 301(eb) are whether students have the realistic reasonably comparable opportunities to benefit from regular interaction with full-time faculty and other students, from such co-curricular programs as journals and competition teams, and from special events such as lecture series and short-time visitors.*

#### ***Interpretation 301-35:***

*For schools ~~that have~~ providing more than one enrollment or scheduling option for students, the opportunities to take advantage of the school's educational program, co-curricular activities, and other educational benefits for students enrolled under one option shall be deemed reasonably comparable to the opportunities of students enrolled under other options if the opportunities are ~~shall be available to all students on a basis~~ roughly proportional based upon the relative number of students enrolled to the number of students in the various options.*

### Standard 302. CURRICULUM.

**(a) All students in a J.D. program shall receive A law school shall require that each student receive substantial instruction in:**

**(1) ~~instruction in~~ the substantive law, values and skills (including legal analysis and reasoning, legal research, problem solving and oral and written communication) generally regarded as necessary to effective and responsible participation in the legal profession; and**

**(2) legal analysis and reasoning, legal research, problem solving, and oral communication;**

**(23) substantial legal writing instruction writing in a legal context, including at least one rigorous writing experience in the first year and at least one additional rigorous writing experience after the first year; ;**

**(4) the range of other professional skills**

generally regarded as necessary for effective and responsible participation in the legal profession; and

(5) the history, goals, structure, values, rules, and responsibilities of the legal profession and its members.

~~(b) A law school shall require all students in the J.D. degree program to receive instruction in the history, goals, structure, duties, values, and responsibilities of the legal profession and its members, including instruction in the Model Rules of Professional Conduct of the American Bar Association. A law school should involve members of the bench and bar in this instruction.~~

~~(eb) A law school shall offer in its J.D. program substantial opportunities for:~~

~~(1) adequate opportunities to all students for instruction in professional skills; and~~

~~(2) live-client or other real-life practice experiences, appropriately supervised and designed to encourage reflection by students on their experiences and on the values and responsibilities of the legal profession, and the development of one's ability to assess his or her performance and level of competence; This might be accomplished through clinics or externships. A law school need not offer this experience to all students.~~

~~(2) student participation in pro bono activities; and~~

~~(3) small group work through seminars, directed research, small classes, or collaborative work.~~

~~(d) The educational program of a law school shall provide students with adequate opportunities for small group work through seminars, directed research, small classes, or collaborative work.~~

~~(e) A law school should encourage and provide opportunities for student participation in pro bono activities.~~

~~(f) A law school may offer a bar examination preparation course, but may not grant credit for the course or require it as a condition for graduation.~~

***Interpretation 302-1:***

*Factors to be considered in evaluating the rigor of writing instruction include: the number and nature of writing projects assigned to students; the opportunities a student has to meet with a writing instructor for purposes of individualized assessment of the student's written products; the number of drafts that a student must produce of any writing project; and the form of assessment used by the writing instructor.*

***Interpretation 302-12:***

*Instruction in professional skills instruction need not be limited to any specific skill or list of skills. Each law school is encouraged to be creative in developing programs of instruction in professional skills related to the various responsibilities which lawyers are called upon to meet, using the strengths and resources available to the school. Trial and appellate advocacy, alternative methods of dispute resolution, counseling, interviewing, negotiating, problem solving, factual investigation, organization and management of legal work, and drafting are among the areas of instruction in professional skills that fulfill Standard 302 (e)(1)-(a)(4).*

***Interpretation 302-3:***

*A school may satisfy the requirement for substantial instruction in professional skills in various ways, including, but not limited to, requiring students to take one or more courses having substantial professional skills components. To be "substantial," instruction in professional skills must engage each student in skills performances that are carefully assessed by the instructor.*

***Interpretation 302-24:***

*A law school need not accommodate every student requesting enrollment in a particular professional skills course.*

***Interpretation 302-5:***

*The offering of live-client or real-life experiences may be accomplished through clinics or field placements. A law school need not offer these experiences to every student nor must a law school accommodate every student requesting enrollment in any particular live-client clinic or other real-life practice experience.*

***Interpretation 302-6:***

*A law school should involve members of the bench and bar in the instruction required by Standard 302(a)(5).*

***Interpretation 302-7:***

*If a law school grants academic credit for a bar*

*examination preparation course, such credit may not be counted toward the minimum requirements for graduation established in Standard 304. A law school may not require successful completion of a bar examination preparation course as a condition of graduation.*

**Interpretation 302-38:**

*Each A law school shall engage in periodic review of ~~the~~ its curriculum to ensure that it prepares the school's graduates to participate effectively and responsibly in the legal profession.*

**Interpretation 302-9:**

*The substantial instruction in the history, structure, value, rules, and responsibilities of the legal profession and its members required by Standard 302(a)(5) includes instruction in matters such as the law of lawyering and the Model Rules of Professional Conduct of the American Bar Association.*

**Standard 303. SCHOLASTIC ACADEMIC STANDARDS AND ACHIEVEMENT; EVALUATION.**

(a) A law school shall have and adhere to sound academic standards of scholastic achievement, including clearly defined standards for good standing, ~~advancement~~, and graduation.

(b) ~~The scholastic achievements of~~ A law school shall monitor students' academic progress and achievement shall be evaluated from the beginning of and periodically throughout the students' their studies.

(c) A law school shall not continue the enrollment of a student whose inability to do satisfactory work is sufficiently manifest so that the student's continuation in school would inculcate false hopes, constitute economic exploitation, or detrimentally affect the education of other students.

**Interpretation 303-1:**

*Scholastic achievement of students shall be evaluated by written or oral examinations of suitable length and complexity, papers, projects, or ~~other documents~~, except that evaluation also may include by assessment of performances of students in the role of lawyers.*

**Interpretation 303-2:**

*A law school shall provide academic advising to*

*students to communicate effectively to them the school's academic standards and graduation requirements and guidance regarding course selection and sequencing. Academic advising should include assisting each student with planning a program of study consistent with that student's goals.*

**Interpretation 303-3:**

*A law school shall provide the academic support necessary to assure each student a satisfactory opportunity to complete the program, graduate, and become a member of the legal profession. This obligation may require a school to create and maintain a formal academic support program.*

**Standard 304. COURSE OF STUDY AND RESIDENCE CREDIT- ACADEMIC CALENDAR.**

(a) A law school shall have ~~A~~an academic year ~~shall consist~~ of not fewer than ~~130~~ 104 days on which classes are regularly scheduled throughout the day in the law school, extending into not fewer than eight calendar months. The law school shall provide adequate ~~T~~time for reading periods, examinations, and breaks ~~or other activities~~, but such time does ~~may~~ not be counted for this purpose toward the 104-day academic year requirement.

(b) A law school shall require, as a condition for graduation, successful completion of a course of study in residence of not fewer than ~~56,000~~ 58,000 minutes of instruction time, except as otherwise provided. At least 45,000 of these minutes shall be by attendance in regularly scheduled class sessions at the law school ~~conferring the degree, or, in the case of a student receiving credit for studies at another law school, at the law school at which credit was earned. Law schools may, however, allow credit for distance education as provided in Standard 306. Law schools may also allow credit for study outside the classroom as provided in Standard 305.~~

(c) A law school shall require that the course of study for the J.D. degree be completed no earlier than 24 months and no later than 84 months after a student has commenced law study at the law school or a law school from which the school has accepted transfer credit. ~~To receive residence credit for an academic semester, a student shall be enrolled for not fewer than eight credit hours. In order to graduate in six semesters a student shall be~~

**enrolled in each semester for not fewer than ten credit hours and must receive credit for nine credit hours. If a student fails to receive credit for the specified number of hours, the student may receive residence credit only in the ratio that the hours enrolled in or in which credit was received, as the case may be, bear to the minimum specified.**

**(d) Pro rata residence credit may be awarded for study during a summer session on a basis that fairly apportions a student's effort to the usual residence period. A law school shall require regular and punctual class attendance.**

**(e) Regular and punctual class attendance is necessary to satisfy residence credit and credit hour requirements. A law school shall not permit a student to be enrolled at any time in coursework that, if successfully completed, would exceed 20 percent of the total coursework required by that school for graduation (or a proportionate number for schools on other academic schedules, such as a quarter system).**

**(f) A student may not engage in employment for be employed more than 20 hours per week in any semester week in which the student is enrolled in more than 12 twelve class hours.**

***Interpretation 304-1:***

*This Standard establishes minimum periods of academic instruction as a condition for graduation. The Standard accommodates deviations from the conventional semester and quarter modes by permitting such arrangements as mini or interim terms.*

***Interpretation 304-2:***

*"Classes scheduled throughout the day" means scheduling classes at least during normal business hours; it requires that both first-year and upper-division courses be scheduled throughout this period. An exception is inherent in this Interpretation for schools that operate programs that primarily meet in the evenings.*

***Interpretation 304-3:***

*The academic year is typically divided into two equal semesters of at least thirteen weeks of classroom instruction. Two thirteen-week semesters with classes meeting Monday through Friday would create an academic year of 130 days, the minimum period that the Standards previously had required. The minimum number of days in an academic year is set at 104 to permit schools to sched-*

*ule classes throughout the day on only four days of the typical week in the academic year. A law school may not count more than five class days each week toward the 104-day requirement.*

***Interpretation 304-4 2:***

*In a joint degree program between a law school and another school or college not fewer than 45,000 minutes of the total time credited toward the J.D. degree shall be in courses in residence at the law school. In calculating the 45,000 minutes of "regularly scheduled class sessions" for the purpose of Standard 304(b), the time may include:*

*(a) coursework for which a student receives transfer credit toward the J.D. degree by the law school, so long as that work itself met the requirements of Standard 304;*

*(b) coursework for which a student receives credit toward the J.D. degree that is work done in a foreign study program that qualifies under Standard 307;*

*(c) law school coursework that meets the requirements of Standard 306(c);*

*(d) in a seminar or other upper-level course other than an independent research course, the minutes allocated for preparation of a substantial paper or project if the time and effort required and anticipated educational benefit are commensurate with the credit awarded; and*

*(e) in a law school clinical course, the minutes allocated for clinical work so long as (i) the clinical course includes a classroom instructional component, (ii) the clinical work is done under the direct supervision of a member of the law school faculty or instructional staff whose primary professional employment is with the law school, and (iii) the time and effort required and anticipated educational benefit are commensurate with the credit awarded.*

*A law school shall not include in the 45,000 minutes required to be by attendance in regularly scheduled class sessions at the law school any other coursework, including but not limited to (i) work qualifying for credit under Standard 305;(ii) coursework completed in another department, school or college of the university with which the law school is affiliated or at another institution of higher learning; and (iii) co-curricular activities such as law review, moot court, and trial competitions.*

**Interpretation 304-53:**

Credit for a J.D. degree shall only be given for course work taken after the student has matriculated in a law school. A law school may not grant credit toward the J.D. degree for work taken in a pre-admission program.

**Interpretation 304-4:**

A law school may permit students to graduate in fewer than six academic semesters by earning not more than one semester, or one quarter of residence credit for taking summer courses, if (i) the student meets the class minute requirements of this Standard; (ii) the student meets the employment limitations of this Standard; and (iii) the summer instructional programs in which the student enrolls total no fewer than 65 semester days, or 44 quarter days, over two or more summers during which classes are regularly scheduled in the law school.

**Interpretation 304-5:**

A semester hour of credit requires not fewer than 700 minutes of instruction time, exclusive of time for an examination. A quarter hour of credit requires not fewer than 450 minutes of instruction time, exclusive of time for an examination. To achieve the required total of 56,000 minutes of instruction time, a law school must require at least 80 semester hours of credit, or 124 quarter hours of credit.

Law schools that use semester hours of credit may find the following examples useful. If such a law school offers classes in units of 50 minutes per credit, it can provide 700 minutes of instruction in 14 classes. If such a law school offers classes in units of 55 minutes per class, it can provide 700 minutes of instruction in 13 classes. If such a law school offers classes in units of 75 minutes per class, it can provide 700 minutes of instruction in 10 classes.

Law schools that use quarter hours of credit may find the following examples useful. If such a law school offers classes in units of 50 minutes per class, it can provide 450 minutes of instruction in 9 classes. If such a law school offers classes in units of 65 minutes per class, it can provide 450 minutes of instruction in 8 classes. If such a law school offers classes in units of 75 minutes per class, it can provide 450 minutes of instruction in 6 classes.

In all events, the 130 day requirement of Standard 304(a) and the 56,000 minute requirement of Standard 304(b) should be understood as separate and independent requirements.

**Interpretation 304-6:**

The number of class days in an academic year is the number of days on which classes are regularly

~~scheduled throughout the day. Regardless of scheduling options that a school may offer to students other than full-time students, a law school may not count more than five (5) class days each week toward the 130-day requirement. Days on which classes are not regularly scheduled throughout the day are not a "class day" for full-time students.~~

**Interpretation 304-76:**

A law school shall demonstrate that it has adopted and enforces policies ensuring that individual students satisfy the requirements of this Standard, including the implementation of policies relating to class scheduling, attendance, and limitation on employment, ~~and time devoted to job interviewing. The law school also shall take steps to control absenteeism by students involved in placement interviewing.~~

**Interpretation 304-87:**

Subject to the provisions of this Interpretation, a law school shall require a student who has completed work in an LL.M. or other post-J.D. program to complete all of the work for which it will award the J.D. degree following the student's regular enrollment in the school's J.D. program. A law school may accept transfer credit as otherwise allowed by the Standards.

A law school may award credit toward a J.D. degree for work undertaken in an LL.M. or other post-J.D. program offered by it or another law school if:

(a) that work was the successful completion of a J.D. course while the student was enrolled in a post-J.D. law program;

(b) the law school at which the course was taken has a grading system for LL.M. students in J.D. courses that is comparable to the grading system for J.D. students in the course, and

(c) the law school accepting the transfer credit will require that the student successfully complete a course of study that satisfies the requirements of Standards 302(a)-(c) ~~and 302(b)~~ and that meets all of the school's requirement for the awarding of the J.D. degree.

**Interpretation 304-9:**

In calculating the 45,000 minutes of "regularly scheduled class sessions" for the purpose of Standard 304(b), the time may include:

(a) A seminar or other upper-level course other than an independent research course, the minutes allocated for preparation of a substantial paper or project if the time and effort required and anticipated educational benefit are commensurate

~~surate with the credit awarded; and~~

~~(b) A law school clinical course, the minutes allocated for clinical work so long as (i) the clinical course includes a classroom instructional component, (ii) the clinical work is done under the direct supervision of a member of the law school faculty or instructional staff whose primary professional employment is with the law school, and (iii) the time and effort required and anticipated educational benefit are commensurate with the credit awarded.~~

### Standard 305. STUDY OUTSIDE THE CLASSROOM.

(a) A law school may grant credit toward the J.D. degree for courses or a program that permits or requires student participation in studies or activities away from or outside the law school or in a format that does not involve attendance at regularly scheduled class sessions.

(b) ~~Residence and class hour e~~ Credit granted shall be commensurate with the time and effort ~~expended by~~ required and the anticipated quality of the educational experience of the student.

(c) Each student's academic achievement shall be evaluated by a faculty member. For purposes of Standard 305 and its Interpretations, the term "faculty member" means a member of the full-time, or part-time ~~or adjunct~~ faculty. When appropriate a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program.

(d) The studies or activities shall be approved in advance and periodically reviewed following the school's established procedures for approval of the curriculum.

(e) A field placement program shall be ~~approved and periodically reviewed utilizing the following factors include:~~

~~(1) the stated goals and methods of the program~~ a clear statement of the goals and methods, and a demonstrated relationship between those goals and methods to the program in operation;

~~(2) the quality of the student's educational experience in light of the academic credit awarded;~~

~~(3) the adequacy of instructional resources, including whether the faculty members teaching in and supervising the program who devote the requisite time and attention to satisfy program goals and are sufficiently available to students;~~

~~(3) a clearly articulated method of evaluating each student's academic performance involving both a faculty member and the field placement supervisor;~~

~~(4) any classroom or tutorial component a method for selecting, training, evaluating, and communicating with field placement supervisors;~~

~~(5) any prerequisites for student participation~~ periodic on-site visits by a faculty member if the field placement program awards four or more academic credits (or equivalent) for fieldwork in any academic term or if on-site visits are otherwise necessary and appropriate;

~~(6) the number of students participating a requirement that students have successfully completed one-third of the school's coursework required for graduation prior to participation in the field placement program;~~

~~(7) the evaluation of student academic achievement; opportunities for student reflection on their field placement experience, through a seminar, regularly scheduled tutorials, or other means of guided reflection. Where a student can earn more than four academic credits (or equivalent) in the program for fieldwork, the seminar, tutorial, or other means of guided reflection must be provided contemporaneously.~~

~~(8) the qualifications and training of field instructors;~~

~~(9) the evaluation of field instructors;~~

~~(10) the visits to field placements or other comparable communication among faculty, students and field instructors.~~

~~(f) Additional requirements shall apply to field placement programs:~~

~~(1) A student may not participate before successful completion of at least one academic year of study.~~

~~(2) Established and regularized communication shall occur among the faculty member, the student, and the field placement supervisor. The field placement supervisor should participate with the faculty member in the evaluation of a student's scholastic achievement.~~

~~(3) Periodic on-site visits by a faculty member are preferred. If the field placement program awards academic credit of more than six credits per academic term, an on-site visit by a faculty member is required each academic term the program is offered.~~

~~(4) A contemporaneous classroom or tutorial component taught by a faculty member is preferred. If the field placement program awards academic credit of more than six credits per semester, the classroom or tutorial component taught by a faculty member is required; if the classroom or tutorial component is not contemporaneous, the law school shall demonstrate the educational adequacy of its alternative (which could be a pre- or post-field placement classroom component or tutorial).~~

***Interpretation 305-1:***

*Activities covered by Standard 305(a) include field placement, moot court, law review, and directed research programs or courses for which credit toward the J.D. degree is granted, as well as courses taken in parts of the college or university outside the law school for which credit toward the J.D. degree is granted.*

***Interpretation 305-12:***

*The nature of field placement programs presents special opportunities and unique challenges for the maintenance of educational quality. Field placement programs accordingly require particular attention from the law school and the Accreditation Committee.*

***Interpretation 305-23:***

*A law school may not grant credit to a student for participation in a field placement program for which the student receives compensation. This interpretation does not preclude reimbursement of incidental reasonable out-of-pocket expenses related to the field placement.*

***Interpretation 305-34:***

*(a) A law school that has a field placement program*

*shall develop, publish and communicate to students and field instructors a statement that describes the educational objectives of the program.*

*(b) In a field placement program, as the number of students involved or the number of credits awarded increases, the level of instructional resources devoted to the program should also increase.*

***Interpretation 305-45:***

*Standard 305 by its own force does not allow credit for ~~d~~Distance ~~e~~Education courses.*

**Standard 306. DISTANCE EDUCATION.**

[NO CHANGES ARE PROPOSED FOR THIS STANDARD]

**Standard 307. PARTICIPATION IN STUDIES OR ACTIVITIES IN A FOREIGN COUNTRY.**

A law school may grant credit for student participation in studies or activities in a foreign country only if the studies or activities are approved in accordance with the Rules of Procedure and Criteria as adopted by the Council.

***Interpretation 307-1:***

*In addition to studies or activities covered by Criteria adopted by the Council, a law school may grant credit for (a) studies or activities in a foreign country that meet the requirements of Standard 305 and (b) brief visits to a foreign country that are part of a law school course approved through the school's regular curriculum approval process.*

**Standard 308. DEGREE PROGRAMS IN ADDITION TO J.D.**

**(a)** A law school may not establish a degree program other than its J.D. degree program without obtaining the Council's prior acquiescence. A law school may not establish a degree program in addition to its J.D. degree program unless the school is fully approved. The additional degree program may not detract from a law school's ability to maintain a J.D. degree program that meets the requirements of the Standards.

~~**(b)** Without diverting teaching resources from the J.D. degree program, a program leading to an advanced law degree shall have sufficient resources to meet the objectives set by the law school offering the advanced degree program,~~

~~including not fewer than one full-time faculty member or administrator who has primary responsibility for the advanced degree program. If an advanced degree program relates to a designated field of legal study or research, not fewer than one full-time faculty member or administrator who is identified with the field should be among the program's instructors.~~

**Interpretation 308-1:**

*Reasons for withholding acquiescence in the establishment of an advanced degree program include:*

- (1) Lack of sufficient full-time faculty to conduct the J.D. degree program;*
- (2) Lack of adequate physical facilities which has a negative and material effect on the education students receive;*
- (3) Lack of an adequate law library to support both a J.D. and an advanced degree program; and*
- (4) A J.D. degree curriculum lacking sufficient diversity and richness in course offerings.*

**Interpretation 308-2:**

*Acquiescence in a degree program other than the first degree in law is not an approval of the pro-*

*gram itself, and, therefore, a school may not announce that the program is approved by the American Bar Association.*

...

**Standard 511. STUDENT SUPPORT SERVICES.**

~~Consistent with sound legal education principles, a~~ **A law school shall provide all its students, regardless of enrollment or scheduling option, with basic student services, including maintenance of accurate student records, academic advising and counseling, and financial aid counseling, and an active career counseling service to assist students in making sound career choices and obtaining employment.** 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.

~~Standard 512. CAREER SERVICES.~~

~~A law school should provide adequate staff, space, and resources, in view of the size and program of the school, to maintain an active career counseling service to assist its students and graduates to make sound career choices and obtain employment.~~

## Suggestions for Council Nominations Solicited

The Section's Nominating Committee, chaired by the Honorable Gerald W. VandeWalle, invites suggestions of individuals whom it should consider for nomination for positions on the Council of the Section of Legal Education and Admissions to the Bar. Other Nominating Committee members include: Professor Margaret Martin Barry; Professor Catherine Carpenter; Honorable Martha Craig Daughtrey; J. William Elwin, Jr., Esq.; Professor Timothy J. Heinsz; Dorothy S. Ridings; Professor E. Thomas Sullivan; Barry Sullivan, Esq.; Diane C. Yu, Esq.

The Nominating Committee nominates Section officers and Council members for election at the Section's August meeting in Atlanta, Georgia. Among the positions that may be open for nominations are: vice-chairperson, secretary, a number of Council members-at-large (including some public members who are not employees of ABA-approved law schools and are not members of the ABA), and one Section delegate to the ABA House

of Representatives. Council members-at-large serve three-year terms. Nominees should have extensive experience in legal education, bar admissions, or law school accreditation.

Send nominee suggestions to one of the following persons:

- Honorable Gerald W. VandeWalle, Chief Justice  
North Dakota Supreme Court State Capitol Bldg.  
600 East Boulevard Avenue  
Bismarck, ND 58505  
gvandewalle@ndcourts.com
- Consultant John A. Sebert  
American Bar Association  
750 N. Lake Shore Drive, 7th Floor  
Chicago, IL 60611  
sebertj@staff.abanet.org

Recommendations must be received by March 15, 2004, and should describe the activities that especially qualify the person for membership on the Council.

## Calendar

### APRIL 2004

- 15-17 Conference on "Critical Choices: Educating the Next Generation of Lawyers", Dallas, TX
- 22-24 Accreditation Committee Meeting, Baltimore, MD

### MAY 2004

- 19 ABA Deans' Breakfast Washington, D.C.
- 19 Standards Review Committee Hearing Washington, D.C.

### JUNE 2004

- 3-6 Associate Deans' Conf. Englewood, CO
- 4-6 Council Meeting Washington, D.C.
- 25-26 Accreditation Meeting San Francisco, CA

### AUGUST 2004

- 5-10 ABA Annual Meeting Atlanta, GA
- 5-6 Council Meeting
- 6 Kutak Reception
- 7 ABA Deans Breakfast Section Programs Annual Business Mtg

### SEPTEMBER 2004

- 10 Site Evaluation Chair's Workshop, Chicago, IL

### OCTOBER 2004

- 1-2 Conference On Bar Admissions and Legal Education, Chicago, IL
- 15-16 Technology and Education Conference, Newark, NJ

## ABA is Moving to the North Side of the Chicago River

By Carl Brambrink

The Chicago headquarters of the American Bar Association, along with the Office of the Consultant on Legal Education and Admissions to the Bar, will be moving to 321 North Clark Street, Chicago, on Friday, May 14, 2004. The ABA, including the Office of the Consultant, will resume normal business operations on Monday, May 17.

The new headquarters will allow all of the ABA Chicago offices to be consolidated into one location, just north of the Chicago River between Clark and Dearborn Streets, and only two blocks north of the Loop. The Office of the Consultant will be located in the northeast corner of the 21st floor and will have more offices and a larger conference room than at the present location.

The demolition of the interior office structure, the former headquarters of Quaker Oats, Inc., which began on September 2, 2003, has been completed. New walls, windows and electrical construction have begun and are running on schedule.

Joining the ABA in the move to 321 North Clark will be the American Bar Endowment, American Bar Insurance Plans, Inc., American Bar Retirement Association, National Association of Women Lawyers, and the American Lawyers Auxiliary. The American Bar Foundation offices will remain at 750 N. Lake Shore Drive.

The general phone and fax numbers for the Office of the Consultant will not change. Further information as it becomes available will be distributed before the move and in the spring issue of *Syllabus*. 🏢



ABA's new headquarters at 321 North Clark Street

*Carl Brambrink is the Section's director of operations.*

# SYLLABUS

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American Bar Association  
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