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FEATURED ARTICLES

Update From the Managing Director

William E. Adams

From the Section Director:

Section Spotlight – Committee Update and Upcoming Programs

Erin Winters

Combatting Imposter Syndrome in the Classroom

Professor Allison Caffarone

NEWS AND ANNOUNCEMENTS

Third Party Comments Invited for Law Schools Undergoing Accreditation Site Visits in Spring 2024

ABA Announcements: ABA Judicial Intern Opportunity Program, The Path Forward Affirmative Action Webinar Series, and Presidential Speaker Series



Update From the Managing Director



William E. Adams
Managing Director of Accreditation and Legal Education

The Council has been very busy the past few months and made a number of important decisions at its November meeting. The Strategic Review Committee (hereinafter SRC) has also been working hard and has a goal of wrapping up its business in the next few months. As a result, the Council approved several proposals to amend the Standards and Rules from both the SRC and the Standards Committee.

First, one of the initial goals of the SRC was to revise its Standard on Academic Freedom. Current Standard 405(b) requires schools to have an established policy on academic freedom but provides little additional guidance beyond that. As has been reported in the media, incidents at some law schools involving disruptions of presentations by invited speakers have occurred while the Committee has been discussing these revisions. Since academic freedom doctrine protects faculty, the existing Standard could not reasonably be interpreted to apply to situations not involving faculty.

After extensive study, including a roundtable inviting persons with expertise in academic freedom and the First Amendment from within and outside of legal education, the SRC recommended, and the Council approved, a proposal for a new Standard, which was sent out to interested parties for comment. After reviewing the comments and making revisions in response, the Council at the November meeting approved for sending to the American Bar Association House of Delegates (hereinafter HoD) a new [Standard 208](#), which seeks to ensure that law schools properly protect academic freedom for teachers and freedom of expression more broadly in the law school. Proposed Standard 208 would: (1) move the discussion of academic freedom from Standard 405(b), more specifically address the scope and application of a school's required policy, and decouple the issue of academic freedom (which will apply to all those teaching in the law school) from security of position (which applies only as specified in Standard 405); (2) add a new discussion of freedom of expression modeled on policies adopted by law schools and universities nationwide; and (3) place the Standard in Chapter 2 (Organization and Administration) because these requirements, like others in that chapter, concern the law school's operation generally and

are not specific to topics addressed in other chapters, such as Chapter 3 (Program of Legal Education) or Chapter 4 (Faculty).

In addition to the change to the Academic Freedom Standard, the Council also approved a proposal to send to the HoD changes to the Standards in Chapter 6 regulating Library and Information Resources. The amendments will substantially streamline and re-organize Chapter 6 to give law libraries flexibility to use space, technology, information resources, and collection formats most appropriate for their law schools. Furthering flexibility for law libraries, there is no longer a requirement of a core collection (former Standard 606(a)) that must consist of the materials enumerated in former Standard 606(b); revised Standard 604(a) instead requires reliable and efficient access to a collection of materials and information resources that is complete, current, and with sufficient continuing access.

As noted above, in addition to the revisions recommended by the SRC, the Council also had before it proposals from the Standards Committee. It approved a [batch](#) of revisions to Standards 202, 311, 313, 502, and 510 and Rule 9, which provide additional clarity to existing Standards and also bring others into compliance with new guidance from the U.S. Department of Education. Amongst the changes is a change to locations offered by a law school beyond its main campus. The definition of a separate location will be deleted and replaced by a definition for an additional location. Also in this group of changes is a proposal to remove the 24-month and 84-month time limitations on completing study for a JD. The decision for the appropriate time limits will now be left to the discretion of the school. As with the academic freedom and free expression proposal, this group of changes will also be presented to the HoD at its February meeting.

The Council also approved revisions proposed by the SRC, which undertook a comprehensive review of Chapter 7 of the Standards (Facilities, Equipment, and Technology) to determine whether any of those Standards needed revisions allowing law schools to undertake additional distance education offerings or to make changes to their physical plants due to increased distance education offerings or remote work arrangements. Unlike the above proposals, these revisions are at an earlier stage, and along with other proposals, will be sent out for Notice and Comment shortly.

The Council also announced that the SRC would be proposing revisions to the Standards and Rules for Notice and Comment that would effectively allow a fully online law school to apply for provisional and full ABA approval, including changes to Standard 105 (Acquiescence for Substantive Change in Program or Structure). A fully online law school cannot apply for provisional and full ABA approval under the current Standards and Rules. While the Council approved sending the proposal out for Notice and Comment, no timetable was announced.

The Council also discussed a [report](#) from its Experiential Learning Working Group, which is considering changes to how many credits a law school student must earn in clinics, field placements, and simulation courses. No action was taken as the Working Group and Council want to seek additional input before moving forward.

Finally, the Council made an important decision about the leadership of the Managing Director's Office. As I previously announced, I will be retiring at the end of May 2024. The Council has announced that my replacement will be [DePaul Law Dean Jennifer Rosato Perea](#). Dean Rosato Perea is in her sixteenth year of deaning and will therefore be bringing a wealth of experience to the position. She is well-respected by her peers and others in legal education. I feel confident that she will provide excellent leadership that will benefit the Council and legal education.

Return to cover.

From the Section Director: Section Spotlight – Committee Update and Upcoming Programs



Erin Winters
Section Director

I want to use this column to highlight the great work of two of the Section's committees – Resources on Outcomes and Assessments and Adjunct Faculty, as well as provide details on the Section's upcoming 2024 workshops and conferences.

The Section's committees create valuable opportunities, not only for members to serve in leadership roles, but to provide expertise and guidance to law schools. Through their various initiatives such as publications, surveys, programming, and idea sharing, to name a few, they serve our members well.

The mission of the Section's [Resources on Outcomes and Assessments Committee](#) is to supplement the Standards by providing guidance, best practices, and real life examples on assessments and learning outcomes. The committee has used its collective expertise and experience to gather resources to be used for a sourcebook and ultimately a web resources portal. The Committee meets every other week, provides input when needed such as comments on the recent proposed changes to the Standards, and surveyed law schools, as well as hosted several discussion sessions this past year to learn more about how they can best serve and guide those who oversee outcomes and assessments efforts within their law schools.

The Section's [Adjunct Faculty Committee](#) exists to provide a forum for law schools to discuss ways to better recruit, train, mentor, and supervise adjunct faculty, and to provide a focus within the Section for discussion of issues that are of particular interest to adjunct faculty.

The Committee's primary project this past year was to conduct a survey of best practices on the use of adjunct faculty at law schools. A similar survey was last conducted in 2010. The 2023 survey had over 85 law school respondents and the Committee is now working to summarize the data and provide a comparison to the 2010 survey data, as well as highlight new trends. The report will be published in the new year.

2024 Events - Save the Date!

The Section is planning to host several events in 2024, please see below for those events with confirmed dates.

- **Law School Development Conference** | June 2024 | Chicago, IL
- **New Deans' Workshop** | July 16 - 18 | Seattle, WA
- **Deans' Workshop** | July 19-20 | Seattle, WA
- **ABA Annual Meeting** | July 31 – August 6 | Chicago, IL

Please visit the Section's [Events page](#) for more information.

Return to cover.

Combatting Imposter Syndrome in the Classroom

Allison Caffarone

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I suffer from imposter syndrome.¹ I am filled with self-doubt, never quite feel as though I belong, and fear that I will be discovered to be less than. I tend to assume any successes I have are due mainly to luck. I felt this way in law school, as a Biglaw associate, and still today at times in academia.

It turns out I'm not alone. Unfortunately, imposter syndrome is very common among law students (and lawyers), especially those from underrepresented and marginalized populations.² Not surprisingly, students who feel out of place, unqualified to be in the room, and deficient when internally comparing themselves to their peers, are less likely to participate in class. Because imposter syndrome disproportionately affects women, minorities, and first-generation law students,³ the classroom is at risk of becoming a homogeneous environment.

As law professors, we have a responsibility to create learning environments where all students understand they belong. Below are ten specific strategies law professors can employ in the classroom to help students suffering with imposter syndrome.

- 1. Share your story.** High achieving individuals commonly struggle with imposter syndrome and feelings of inadequacy. I will never forget a conversation I had with a Biglaw partner I worked for in my prior life. The conversation took place years after I had left the firm. I ran into him at a conference at the preeminent law school center on corporate wrongdoing and enforcement. I was explaining how nervous I was to present, and his response was, "We're all just pretending. I'm just doing it with more confidence than you. You've got this."

Of course, neither he nor anyone else in the room was pretending. They were the top lawyers, policy makers and scholars in the industry. And of course, it's very possible that he didn't *actually* feel as he said he did and was simply trying to help me, but his words made me consider that perhaps I wasn't alone in feeling inadequate. That simple concept made all the difference. After all, if he could feel

¹Imposter syndrome is defined as the anxiety or self-doubt that results from persistently undervaluing one's competence and active role in achieving success, while falsely attributing one's accomplishments to luck or other external forces. <https://todayslearner.cengage.com/how-imposter-syndrome-affects-students-and-instructors/>

²<https://www.forbes.com/sites/rebekahbastian/2019/11/26/why-imposter-syndrome-hits-underrepresented-identities-harder-and-how-employers-can-help/?sh=591b681533c1>

³<https://ccnow.sdsu.edu/supporting-students-through-imposter-syndrome/>

this way about himself—a clear delusion—perhaps my feelings about myself were also not reality.

If you are amongst those of us who feel like imposters, share your story with your students. When we are transparent and share our stories with others, we help them feel less alone. Students' realization that even successful professors have felt like frauds may help them realize the disconnect between how they view themselves and the reality of who they are.

- 2. Learn your students' names and their correct pronunciation.** The more diverse the classroom, the more likely it is that questions of name pronunciation will arise. If you are unsure how to pronounce a student's name, ask for clarification, then make note of the correct pronunciation to assure you get it correct moving forward.
- 3. Ask students for their preferred pronouns.** It goes without saying that using an individual's preferred pronoun is affirming. Moreover, using the wrong pronoun can be harmful. At the beginning of the semester, professors should ask students for their preferred pronouns. To avoid unintentionally embarrassing or outing students, this can be done by asking students to fill out a form or write their preferred pronouns on index cards or the seating chart, rather than asking aloud.
- 4. Employ alternative means of communicating information.** Not all students learn the same way and most law professors are likely to encounter more than a few students who do not learn quite as easily as they did. To be the most effective and reach the widest range of students, professors should employ different formats and mediums to convey information. For auditory learners, lecture and class discussion may be best. To reach visual learners, professors can incorporate images, graphs, charts, and video clips into their lessons. As an example, the teacher's manual for an evidence casebook comes with a DVD of videoclips.⁴ Having the class watch and analyze the clips, frees them from rote analyses of textbook problems and can allow for visual learners to absorb the information more easily. To reach kinesthetic learners, consider having students play the role of lawyer and make arguments to you as the judge. Allow students opportunities to demonstrate practical skills during class. Varying instruction techniques can lead to a greater number of students having successful learning experiences. And the more times students feel successful, the more confidence they build and the more engaged they become.
- 5. Pause after asking a question.** Students suffering from imposter syndrome are less likely to volunteer in class. One technique to help foster participation is pausing before calling on a volunteer. After asking a question in class, wait. The pause need not be long, maybe 15 seconds. During this time, provide subtle encouragement by making eye contact and smiling at more reluctant students. This simple technique

⁴George Fisher, Evidence (4th ed. 2023).

can provide students with a chance to process their thoughts and encourage those who otherwise would not have chosen to speak up, to voice their views.

- 6. Create PowerPoints that depict a range of cultures.** Just as your classroom is diverse (hopefully), so should be the graphics on your presentations. Graphics can be alienating if they depict, for example, only one gender or race. Promote inclusivity and a sense of belonging by including pictures of people with diverse characteristics with respect to disabilities, race, ethnicity, and gender.
- 7. Make your PowerPoint presentations and online material accessible to people with disabilities.** Universally design your presentations so they are accessible to everyone.⁵ If using PPTs, use large, simple text and high-contrast color schemes. Leave plenty of uncluttered, white space. For online materials, provide a text-based description of the content of images and use a heading structure.⁶
- 8. Create hypotheticals and exams that depict a range of cultures.** When drafting hypotheticals, use inclusive and respectful language that includes a variety of diverse names and relationships. Consider, for example, including same-sex and interracial couples.
- 9. Use electronic polling.** The ability to assess student understanding during the learning process is an extremely useful tool for professors. One way to get instant feedback is simply by asking the class to raise their hand in response to a question. While this type of polling has its positives—no technology needed—it can be hampered if students suffering from imposter syndrome simply don't raise their hand, or perhaps even more commonly, wait to see how most of the class answers and then mirror that response. Another way to get instant feedback that avoids this problem is by using electronic polling. Professors can use free online services to pose questions to their students and get anonymous responses in real time. Students can answer using their phones or computers. Such resources are great ways to assess the whole class's understanding without requiring students to answer aloud. For students with imposter syndrome, this technology can be freeing.⁷ For professors of students with imposter syndrome, this this technology can lead to more accurate assessment of class understanding.

⁵<https://www.washington.edu/doiit/programs/center-universal-design-education/overview>

⁶*Id.*

⁷<https://deliverypdf.ssrn.com/delivery.php?ID=672090112009085082108116091029080076109025046003043075006116078007098123064110126095098106127035013015098002065070118100022105051055086041049116125069031086010086113036087084029011122097114098000105066112118127113031020078017031095106064101127029001117&EXT=pdf&INDEX=TRUE>

10. Flip the script. Encourage students to embrace their mistakes. When students get an answer wrong in class or on an assessment, they often see that as failing. This feeling of failure reinforces the feelings of inadequacy already present in those suffering from imposter syndrome.

At some point in our lives, we've all heard "it's okay to make mistakes." But sometimes students need to hear it from their professors. Professors should explain to students that mistakes and wrong answers are part of the learning process. Moreover, if they are on a path to learning they are succeeding (after all, school is about learning). Mistakes don't equate to failure; indeed, they mark the beginning of success.

As law schools become more diverse and inclusive, classes will include a greater number of students suffering with imposter syndrome. Employing these simple strategies will not solve the problem of imposter syndrome but they can help.

[Return to cover.](#)

Third Party Comments Invited for Law Schools Undergoing Accreditation Site Visits in Spring 2024

The law schools listed below are scheduled for site evaluation visits in Spring 2024. Any additional visits scheduled after the date of this memo will be posted on the Section's [website](#).

Consistent with Internal Operating Practice 4(a), written comments related to current compliance with the Standards for the Approval of Law Schools may be submitted to the ABA Section of Legal Education and Admissions to the Bar. Comments on law schools with Spring 2024 visits should be sent by **January 15, 2024**. Please click on this link to submit [third party comments](#).

Law schools undergoing accreditation site visits in Spring 2024 are:

- Illinois Chicago School of Law, University of
- Loyola University – Chicago
- Maine, University of
- Miami, University of
- Michigan, University of
- New Mexico, University of
- Pennsylvania, University of
- San Francisco, University of
- Santa Clara University
- Washburn University

Note: Your comments must be signed. Only comments directly related to the [ABA Standards and Rules of Procedure for Approval of Law Schools](#) will be considered.

Return to cover.

ABA Announcements: ABA Judicial Intern Opportunity Program, The Path Forward Affirmative Action Webinar Series, and Presidential Speaker Series

ABA Judicial Intern Opportunity Program

The [American Bar Association's Litigation Section](#) is a place where law students become engaged in the legal profession and advance Diversity, Equity, and Inclusion. One example of this work is the Section's Judicial Intern Opportunity Program (JIOP), which is a summer internship program open to all first- and second-year underrepresented law students. Selected students intern for six weeks or more during the summer with a participating state or federal judge. The program offers a \$2,000 award or law school credit to each selected student.

The deadline to apply is **January 12, 2024**. Last year, they offered internships to 159 law students representing 80 different law schools in locations throughout the country with a goal of placing 160 students during Summer 2024.

Please share this program information with your students, including the [program description](#) and [frequently asked questions](#). The program application and detailed program information can be found at ambar.org/jiop. Applications are only accepted electronically through the JIOP website. Contact JIOP Program Director Gail Howard with additional questions at gail.howard@americanbar.org or (312) 988-6348.

ABA Presidential Speaker Series

This series, developed for ABA President Mary Smith's term, "Lifting Our Voices, Charting the Future," features exclusive conversations with world leaders, thought leaders, businesspeople, philanthropists, entertainers, and others and is dedicated to spotlighting trailblazers and thinkers who are shaping the course of our collective future, and is designed to inspire, provoke thought, and foster deeper understanding of pressing national and global issues. Programs include an interview with Martin Scorsese, director of Killers of the Flower Moon and Chief Geoffrey Standing Bear, and other programs have centered around the topics of AI, native American women in the law, and international events.

[Learn More](#)

The Path Forward: Discussions and Strategies in Ensuring Diversity, Equity, and Inclusion post-SFFA v. Harvard Webinar Series – Upcoming Programs

This complimentary webinar series, sponsored by the ABA's Diversity, Equity, and Inclusion Center, was created to provide an avenue for meaningful discussion about the path forward for programs that seek to promote diversity, equity, inclusion and belonging. Each session is focused on distinct groups and the unique challenges they face post-decision. The goal of the series is to share information, facilitate discussion, and to provide concrete recommendations to sustain the ongoing quest toward a more equitable society for all. Topics have included the role of institutional general counsel, preserving diversity pipeline programs, and admissions.

[View Upcoming Webinars](#)

[Return to Cover.](#)