

**AMERICAN BAR ASSOCIATION**

**Section of Legal Education  
and Admissions to the Bar**

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Memorandum

To: Senator Charles Grassley

From: Section of Legal Education  
and Admissions to the Bar,  
American Bar Association

Date: July 20, 2011

This memorandum is submitted in response to Senator Grassley's letter of July 11, 2011, to the President of the American Bar Association, Stephen N. Zack. The memorandum provides background on the Accreditation Project of the ABA and responds to all the questions raised by the Senator.

BACKGROUND

The Section of Legal Education and Admissions to the Bar is the ABA entity responsible for the law school Accreditation Project. The Council of the Section is recognized by the Department of Education as the accreditor for programs and institutions leading to the award of the J.D. degree. Pursuant to Department regulations, the Section is required to be "separate and independent" from the ABA for purposes of accreditation decision-making, governance, and budgeting. The Department has consistently found that the Section operates in compliance with its "separate and independent" obligations.

The Section has adopted the *Standards and Rules of Procedure for Approval of Law Schools* [hereinafter, "the Standards"] (attachment #1), and a law school must comply with each of the Standards in order to be accredited by the Section. The 53 "black letter" Standards address such issues as the organization and administration of the law school, the program of legal education, the faculty, the students, admissions and student services, the library, and the facility. Each ABA-approved law school must demonstrate compliance with each of the Standards (and the Interpretations) to remain on the list of law schools approved by the Section.

One of the methods the Section uses to ensure compliance with the Standards is an Annual Questionnaire that is sent to ABA-approved law schools. Each fall, all schools must submit answers and data in response to a series of questions related to entering class credentials, enrollment, finances, curriculum, faculty, facilities, library, financial aid, student services, and other matters relevant to continuing accreditation. If a law school is determined by the Council to be out of compliance with any Standards, including the Standard requiring the timely submission of accurate and complete responses to the questionnaires, the Council can remove the law school

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from the list of schools approved by the ABA. This information is collected and reviewed for compliance purposes, and the questions relate directly to the Standards.

A summary of the data collected is reported in the ABA/LSAC *Official Guide to ABA-Approved Law Schools* (attachment #2). This publication, which is available in hard copy and on-line, contains four pages of narrative and data on each of the 200 ABA-approved law schools. One of the charts for each school entitled “Grants and Scholarships” reports the grants and scholarships the school made available the previous year. The *Guide* is widely available and is posted on the Law School Admission Council website

<http://www.lsac.org/LSACResources/Publications/official-guide-archives.asp>, where any interested person may view or download it for free.

Every five years, pursuant to Department of Education regulations, the Section engages in a comprehensive review of the Standards. That process is currently underway. Attachment #3, entitled *Statement of Principles of Accreditation and Fundamental Goals of a Sound Program of Legal Education*, provides helpful background on the purposes of accreditation and the principles that guide the Standards Review Committee as it conducts the comprehensive review.

With this overview, the Section below responds to the questions asked by Senator Grassley. The answers are grouped into four categories:

1. Scholarship Information (#1-13)
2. Student Borrowing/Debt (#14 & 15)
3. Provisional and Full Approval of Law Schools (#16-24)
4. Governance of the Section (#25-31)

## **1. SCHOLARSHIP INFORMATION (Questions 1-13):**

The decision to offer scholarships and any particular procedures regarding the award, renewal, or amount of scholarship assistance are matters for individual institutional determination. The Standards do not require schools to offer scholarships and do not have specifications regarding the details of such scholarships. However, all ABA-approved law schools are required to report on the available grants and scholarships.

Attachment #4 is a compilation of scholarship data collected from law schools for both 2005 and 2010 (for comparison purposes). There has been substantial growth in the aggregate amount of scholarship funding, and the aggregate number of students receiving scholarships, over this five-year period. The comparison also shows that while the number of students receiving scholarships based solely on financial need has decreased, the number of students receiving merit-based scholarships and students receiving scholarships based on a combination of financial need and other factors have substantially increased. Furthermore, the total amount of scholarship funds has increased in all categories. From 2005 to 2010, total scholarship assistance to students has grown from \$536 million to \$899 million (an increase of over 67%) and the total number of recipients has grown from 60,000 to 69,000 students. Nearly

half (47%) of all law students enrolled in ABA-approved law schools in 2010 received scholarship assistance through their law schools.

The Accreditation Project through its Annual Questionnaire (mentioned above) collects from each law school the data referenced above: the number of scholarships offered in each category and the total amount of scholarship assistance in each category. The Questionnaire does not currently ask for retention rates (i.e., how many students retain the scholarships into their second and third years) because there is no Standard regarding retention of scholarships, and data has not been collected on scholarship retention.

All scholarships come with requirements for retention, which usually include maintaining satisfactory academic performance. These rules range from simply remaining in good standing to achieving a specific grade point average or class rank. Each individual law school determines these requirements. The Section has received no complaints about recipients not being given prior notice of the requirements to maintain their scholarships; therefore, the concern seems to be that students do not fully understand or appreciate the implication of those rules (for example, achieving a 3.0 in law school is much more challenging than maintaining such an average in undergraduate school).

The Section has seen no evidence that law schools decline to renew scholarships in the second year for reasons not set forth in the stated rules. To the contrary, the increased availability of scholarship funding suggests that this is not the case. However, it is true that if a school requires a specific GPA in the first year in order to keep the scholarship for the second year, some students may lose those scholarships in the second year based on their failure to maintain the necessary grade point average. If the student fails to meet the requirements established and announced for scholarship retention, he/she no longer qualifies to continue receiving the scholarship.

The *Official Guide* contains for each school data on the number of students, both full and part-time, who received scholarships the prior year; how many received full tuition, half-tuition or less than half tuition; and the median size of the scholarships awarded. In addition, the *Guide* includes extensive chapters on Financing a Legal Education and Finding a Job, and the Chapter on Admissions contains a chart on law school tuition.

The Section has undertaken two complementary processes to address whether additional information regarding scholarships would be helpful to future law students. First, as mentioned above, the Questionnaire Committee of the Section is reviewing all the questionnaires administered by the Section. At its meeting this fall, the Questionnaire Committee will consider recommendations to add questions to the Annual Questionnaire about scholarship retention.

Secondly, the Section's Standards Review Committee, which is responsible for recommending changes in the Standards and Rules, has already adopted a proposed

change to Standard 509 that will require schools to display on their websites specific information about scholarship retention. Some schools already do this (e.g., St. John's University Law School site at <http://www.stjohns.edu/academics/graduate/law/prospective/admissions/tuition.stj>). If the Council adopts this change to the Standard, all schools will be required to publish this specific scholarship retention information.

In summary, based on available information, we believe that the issue with merit scholarship retention is not based on any "bait and switch" intention by law schools, but arises because of the affected students' failure to maintain the required grade point average or class rank.

## **2. STUDENT BORROWING/DEBT (Questions 14-15):**

The two Standards below require all law schools to minimize loan defaults and to offer debt counseling, financial aid counseling, and career counseling.

Standard 510- **STUDENT LOAN PROGRAMS** states:

*A law school shall take reasonable steps to minimize student loan defaults, including provision of debt counseling at the inception of a student's loan obligations and prior to graduation. (emphasis added)*

In addition, Standard 511- **STUDENT SUPPORT SERVICES** states:

*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, financial aid counseling, and an active career counseling service to assist students in making sound career choices and obtaining employment. (emphasis added)*

The site teams that visit schools are instructed to collect facts regarding each school's compliance with these Standards, as well as others, and the Accreditation Committee reviews these matters when analyzing the school's ongoing compliance.

The ABA Section does not itself offer education programs or financial services to students, but it does hold law schools accountable for providing the services specified in Standards 510 and 511. Attachment #5 is a list of the student loan default rates for the 19 independent (non-university based) law schools approved by the ABA. It reveals that default rates are very low, ranging from 0% to 7.4% (the latter statistic was based on a very small cohort of students). All of these schools except one have default rates below 2.2%. Student loan default rates at law schools which are part of accredited universities and colleges are included within the aggregate data reported to the universities' accrediting agency. We would emphasize that, however useful having that data might be, the Council does not have access to specific law school

default rates of non-independent law schools because the law schools themselves do not get that information from their universities.

### **3. PROVISIONAL AND FULL APPROVAL OF LAW SCHOOLS** **(Questions 16-24):**

The Office of the Consultant on Legal Education to the American Bar Association maintains a publicly accessible website containing information regarding all ABA-approved law schools, including a web link to the ABA-LSAC *Official Guide to ABA-Approved Law Schools*. The web link for the Section of Legal Education and Admissions to the Bar is: [http://www.americanbar.org/groups/legal\\_education.html](http://www.americanbar.org/groups/legal_education.html).

Since 1990, the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association has granted provisional approval to 27 law schools (a list of those schools and the date of provisional approval is attachment #6): Twenty-three of those 27 schools have been granted full approval by the Council of the Section of Legal Education and Admissions to the Bar. Three schools are currently provisionally approved by the Section: Drexel University Law School, Charleston School of Law, and the University of California-Irvine School of Law.

Since 1990, two law schools have lost their provisional approval status.

1. In August 2004, Western State University College of Law relinquished its provisional approval; it subsequently applied for provisional approval in the fall of 2004 and was granted provisional approval in 2005.
2. In June 2011, the University of La Verne College of Law was not granted full approval; the school did not file an appeal and was automatically removed from the list of law schools approved by the American Bar Association on July 14, 2011.

Since 1990, four ABA-approved law schools have been placed on probation. Attachment #7 lists those schools, the tenure of their probation, and the dates that they were removed from probation. Each of the four schools was eventually removed from probation and each is currently a fully approved law school.

The net increase in ABA-approved law schools over the past 20 years from 174 in 1990 to 200 in 2011 represented a growth in the number of law schools of 14.9% as compared to a net growth of the United States' population of 24.2% from the 1990 to the 2010 census. Most of the new law schools were formed in states or regions where there has been rapid growth in population or in other areas historically underserved by legal education. And, perhaps more to the point, neither that Department of Education nor the antitrust laws allow the ABA to cap or limit the number of accredited law schools.

#### **4. GOVERNANCE OF THE SECTION (Questions 25-31):**

The Bylaws of the Section define the governance entities of the Section of Legal Education and Admissions to the Bar (attachment # 8). The Council of the Section is the ultimate policy and decision-making body of the Section. It is organized and elected in accordance with the Bylaws' provisions, but also in accordance with Department of Education and Department of Justice requirements. To comply with the Bylaws and federal regulations, the professional qualifications and background of every member is documented and tracked. A document detailing the membership and professional qualifications of the Council members is attachment # 9. Also attached (#10) is the "Public Member Volunteer Form," which is required to help ensure against conflicts of interest.

The composition of the three accreditation-related entities of the Section is as follows:

Council: 21 members		
Legal Academics	ten	48%
Judges	four	19%
Practicing Lawyers	three	14%
Public Members	three	14%
Student	one	5%

Accreditation Committee: 19 members		
Legal Academics	nine	47%
Practicing Lawyers	five	27%
Public Members	three	16%
Judges	one	5%
University President	one	5%

Standards Review Committee: 14 members		
Legal Academics	seven	50%
Practicing Lawyers	three	22%
Judges	two	14%
University Pres or VP	two	14%

A list of the members and professional qualifications of each member of the Accreditation Committee is attachment #11.

The structure of the Accreditation Committee is determined by the Bylaws' requirements and Department of Education regulations.

#### **ADDITIONAL COMMENTS:**

The Section would also like to address concerns raised in the body of the letter of July 11, 2011, to President Zack. On June 9, 2011, the Section leadership appeared before the National Advisory Committee on Institutional Quality and Integrity (NACIQI).

The article that appeared in the Chronicle of Higher Education on-line that evening seriously misconstrued the outcome of that appearance. The accreditation staff of the Department of Education recommended the continuing recognition of the Section and NACIQI voted by substantial majority to accept the staff recommendation (of the 18 members of NACIQI, four voted in opposition). A majority of the Committee did not “express its frustration” with the ABA; only two members of the minority did. In addition, the NACIQI staff findings did not conclude that the ABA “appears to be doing little to assess student loan defaults.” The staff found that the Accreditation Project, when gathering data on student loan defaults through its school questionnaires, does not have a benchmark for what is an unacceptable default rate. You will see from the answers above that student loan default rates at ABA-approved independent law schools are very low. The Section regrets that the Chronicle article contained this misinformation.

Finally, the Section would like to comment on the implication that there are far more law graduates than the economy can absorb. The purpose of accredited law schools is to graduate attorneys who can serve the justice system and the long term need for lawyers over a lifetime. Denying accreditation to an otherwise-qualified law school would be a violation of Department of Education regulations. Furthermore, adjustments in the numbers of students enrolling in law school to begin their careers cannot and should not be affected by short-range economic developments. The Section does monitor enrollments and placement and distributes information on both. However, as indicated above, regardless of what some may see as the desirability of denying access to the legal profession on the basis of even medium-term employment opportunities, the accrediting agency simply cannot lawfully do so.

We appreciate the opportunity to comment on these matters. Should you have any questions on the responses presented in this memorandum, please do not hesitate to contact us through our Legal Education Consultant, Hulett Askew, at (312) 988-6744, [bucky.askew@americanbar.org](mailto:bucky.askew@americanbar.org).

## **ATTACHMENTS**

1. Standards and Rules of Procedures for Approval of Law Schools (link to website)
2. ABA/LSAC Official Guide to ABA-Approved Law Schools (link to website)
3. Statement of Principles of Accreditation and Fundamental Goals of a Sound Program of Legal Education
4. Compilation of Scholarship Data (2005 and 2010)
5. List of Student Loan Default Rates (19 ABA-Approved Independent Law Schools)
6. List of Provisionally Approved Law Schools
7. List of Schools Placed on Probation, Tenure of Probation, and Dates Removed from Probation
8. Bylaws of the Section of Legal Education and Admissions to the Bar
9. Membership and Professional Qualifications of the Council
10. Public Member Volunteer Form
11. Membership and Professional Qualifications of the Accreditation Committee



**Statement of Principles of Accreditation and Fundamental  
Goals of a Sound Program of Legal Education  
May 6, 2009**

**Donald J. Polden, Dean, Santa Clara University School of Law  
Chair, Standards Review Committee**

In Summer 2008, the Standards Review Committee, at the request of the Council of the Section of Legal Education and Admissions to the Bar, initiated a comprehensive review of the Standards for Approval of Law Schools. This periodic re-evaluation of accreditation policies and procedures is required of all agencies approved by the United States Department of Education to perform program evaluations. Moreover, the comprehensive review was preceded by an intense national discussion of the overarching purposes of accreditation review of legal education that culminating in the Report of Accreditation Policy Task Force. The Report attempted to identify and articulate the policies and practices that were helpful in reviewing law schools' programs and those that were not and to set an agenda for future review of the accreditation policies in legal education.

As the Committee initiated its review of the Standards, Interpretations of Standards and Rules of Procedure, its members attempted to identify the fundamental principles served by accreditation of law schools and to articulate the fundamental goals of contemporary American legal education. The following statement describes the goals and principles identified by the Committee. It does not provide an exhaustive list of fundamental principles of accreditation and it does not purport to provide an exclusive list of the goals of legal education as practiced in the United States. However, the Committee intends to use this statement to guide its work in the comprehensive review of the Standards.

**Preamble**

Accreditation must serve the goals of the discipline being reviewed, evaluated and "accredited." The core function of accreditation review is the notion that there are constituencies that rely on the accreditation process for accurate information about accredited programs and institutions, and that, from a consumer protection perspective, the results of accreditation review permit informed judgments to be made about the quality of the accredited institutions.\* It is therefore important that we articulate shared

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- This overarching purpose of accreditation is reflected in U.S. Department of Education policies for accreditation agencies' standards. Section 602.16 states that agencies (such as the ABA) must demonstrate that it has standards "that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits." The regulation goes on to specify how an agency meets this requirement, including the agency's publication and enforcement of accreditation standards that address the quality of the institution or program in the following areas:
    - "(i) Success with respect to student achievement in relation to the institution's mission, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

notions of what the fundamental principles of the process and purposes of accreditation review of law schools and identify the goals of legal education that are being advanced, supported and protected by accreditation review.

## **Principles of Accreditation Review**

The following paragraphs articulate the fundamental principles that guide accreditation review.

**Assuring educational quality.** Accreditation review in law, as in other disciplines, has as one of its most fundamental goals, to provide assurances to various groups (especially, prospective students) as to the quality of the educational program of schools held out as meeting national accreditation standards. There are at least three aspects to this principle:

- (1) There is a consumer protection attribute whereby accreditation review provides assurances to potential consumers (e.g., prospective students, prospective employers of law graduates) that the program is credible.
- (2) The second aspect concerns the assurance of institutional integrity—that is that the program meets appropriate professional standards for the education of lawyers for multiple employment opportunities and is a program of integrity. So, for example, state supreme courts, state boards of bar examiners, and the U.S. Department of Education rely on accreditation review by a national accreditation agency (for example, the ABA) to fully review, in a principled manner, all law schools whose graduates seek to sit for examination and admission for entry to the profession.
- (3) Finally, accreditation, especially for new law schools, helps insure that the law school and, when applicable, its university, is committed to providing a program of legal instruction into the future. In this respect, it is essential that programs and institutions participating in a regime of accreditation review and approval must, through institutional self-examination and planning, constantly improve the quality of education and professional preparedness of its graduates. It is similarly essential

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- (ii) Curricula.
  - (iii) Faculty.
  - (iv) Facilities, equipment, and supplies.
  - (v) Fiscal and administrative capacity as appropriate to the specified scale of operation.
  - (vi) Student support services.
  - (vii) Recruiting and admissions practices, academic calendars, catalogs, publications, grading, and advertising.
  - (viii) Measures of program length and objectives of the degrees or credentials offered.
  - (ix) Record of student complaints received by, or available to, the agency.
  - (x) Record of compliance with the institution's program responsibilities under Title IV of the Act, based on the most recent student loan default rate data provided by the Secretary, the results of financial or compliance audits, program reviews, and any other information that the Secretary may provide to the agency; ...”

that accreditation agencies create appropriate incentives for programs and institutions to improve the quality of their programs.

**Advancing Core Mission of Legal Education.** Accreditation attempts to measure and evaluate the basic requirements and attributes of a fundamental and sound program in legal education that is shared by all law schools. Consistent and uniform evaluation according to appropriate discipline-specific standards is necessary so law schools (like other disciplines' educational institutions) can engage in useful and efficient interactions (e.g., facilitate transfers of students, information sharing and other collaborate enterprises between and among institutions). It also permits agencies, such as state supreme courts and bar admission committees, to approve graduates of those programs to gain admission to practice across the many jurisdictions. Accreditation processes must rely on a common set of basic educational and programmatic attributes shared by the approved schools. This does not mean that all schools should or must have the same mission and purposes, but rather that every school has met the core or essential qualities necessary to be held out as "approved" or "accredited." This balance between a "common" or "shared" mission and individual schools' pursuit of unique attributes or missions is reflected in other disciplines' accreditation processes.

In this regard, then, all accredited law schools share a common overarching mission that accreditation reviews attempts to measure, and, more importantly, to advance and promote. In American legal education, a commonly embraced and overarching mission would be stated something like this: To educate men and women for entry into and ethical participation in the legal profession. A somewhat more elegant, but equally pertinent, description was provided by a member of the committee: An approved law school must have a program of instruction which will develop the cognitive, performance, and professional identity competencies that the profession and the public expect of a lawyer and member of the legal profession.

In addition to a common or "core" mission shared by all law schools, individual law schools should be encouraged to create and provide programs advancing or pursuing other missions without undue interference from the accreditation agency. So, for example, schools should be permitted to advance their programs of interdisciplinary research or scholarly publication, or promotion of student engagement in social justice and public service careers, or to educate lawyers for "county seat" practices so long as the advancement and pursuit of these missions do not impair or impede the institution's ability to meet the fundamental or overarching shared mission of legal education.

**Accountability.** Accredited institutions have an obligation to be accountable for the funds they take from students and to perform the commitments made to those students and to any profession they serve. One of the most important accountability factors is having sufficient financial resources to meet, at a minimum, the fundamental goals of the educational enterprise and to provide students with the education and professional preparedness necessary for their entry into the profession and success in the careers they choose. Without sufficient resources a law school cannot

provide educational programs and career opportunities sufficient to meet the minimum expectations of all legal education.

Moreover, law schools are accountable to their students and other constituencies (such as alumni, university administration, etc.) for the efficient and effective operation of the law school enterprise. Accreditation review can assist law schools in ensuring that sufficient financial resources are dedicated to support the educational missions of the schools and sharing “best practices” in the efficient administration of law school programs.

Accreditation review should not unduly burden law schools by imposing costly and extraneous procedures and standards that hamper innovation in legal education or serve to increase the cost of attending law school. Accreditation standards should be measured by, among other things, the costs they are likely to impose on the schools that seek accreditation review and approval.

Finally, accreditation agencies are accountable to the United States Department of Education, which appoints them to serve as the official agency for the discipline, and those agencies should establish and follow policies that ensure ongoing compliance with U.S. Department of Education policies.

**Clarity and precision.** Accreditation standards and requirements should be clearly stated so that subjectivity and uncertainty during program review is reduced to acceptable levels. Again, the policies and procedures should be carefully drawn to advance the fundamental goals of the discipline. Moreover, accreditation review cannot be unduly intrusive and should be carefully and precisely drawn so that all programs and institutions undergoing review know the meaning and purposes of the standards. Law school accreditation should consider and adopt, where appropriate, the best practices of other professional education accreditation programs and processes. Finally, accreditation standards and requirements should be enforced fairly and consistently.

**Assessment of program quality and student learning.** Applying the lessons learned and practiced in other disciplines’ accreditation review processes, legal education programs and institutions should be measured both by essential program quality indicators (e.g., sufficiency of faculty and adequacy of facilities in light of mission and student body) and by the learning achieved by their students. In the past, most accreditation measurements have been on “input” factors and very little attention has been given to “output” factors. Accreditation review in law, like other disciplines, must move law schools toward articulation and assessment of student learning goals and achievement levels.

### **Fundamental Goals of a Sound Program of Legal Education**

As described above, accreditation policies and procedures must serve to advance the goals of legal education. Therefore, an identification of fundamental goals of legal education will advance an understanding of the proper scope of accreditation review. The

fundamental goal of legal education is to provide a sound program of legal education that prepares students for admission to the bar and effective and responsible participation in the legal profession. Constituent aspects of that fundamental goal include (in no particular order of importance):

- Articulate the essential skills and abilities that graduates need to possess to be competent professionals following graduation and to periodically measure the program's ability to impart those skills and abilities.
- Attract and retain a high quality faculty.
- Provide appropriate resources to support the educational mission of the school and support students seeking to qualify for admission to the practice of law and the legal profession.
- Articulate and advance protections to academic freedom of students and faculty.
- Because legal education serves a profession that is committed to inclusiveness and diversity, it must create and advance opportunities for groups underrepresented in the legal profession.
- Instill in students an appreciation for the roles and responsibilities played by lawyers and the legal profession in our society and for the importance of ethical behavior in their work.
- Contribute as an active participant in the processes of advancing the rule of law, strengthening the legal profession, and service to communities and the underserved in our society through pro bono provision of legal services. These contributions can be made by law schools through educational programs (such as internships and clinics), faculty and student scholarship advancing reform of law, and education of law students about their responsibilities as members of the legal profession.

The Standards Review Committee solicits other viewpoints on accreditation practices and principles and on the values advanced and goals served by contemporary legal education.

Comments should be sent to Charlotte Stretch, Assistant Consultant, ABA Section of Legal Education and Admissions to the Bar, [stretchc@staff.abanet.org](mailto:stretchc@staff.abanet.org)  
For more information about the Comprehensive Review, visit the Standards Review Committee page at [www.abanet.org/legaled/committees/comstandards.html](http://www.abanet.org/legaled/committees/comstandards.html).

Attachment #4

Year 2005 data for JD candidates 2004-2005  
Year 2010 data for JD candidates 2009-2010

1a - Number of students receiving need based scholarships, fellowships and grants from law school or university sources. Include only those awards that are based exclusively on submission a financial needs assessment.

2005 – 20,781  
2010 – 17,610  
Change= -3,171 students

1b - Total \$ amount of need based scholarships, fellowships and grants:

2005 – \$120,228,522  
2010 – \$143,361,001  
Change= + \$23,132,480

2a - Number of students receiving non need-based scholarships, fellowships and grants from law school or university sources. Include only those awards that do not require a financial needs assessment but are based exclusively on other factors (e.g., grades, LSAT scores, public service, diversity, etc.).

2005 – 31,265  
2010 – 39,845  
Change= + 8,580 students

2b - Total \$ amount of non need-based scholarships, fellowships and grants:

2005 - \$290,889,230  
2010 - \$522,171,590  
Change= + \$231,282,360

3a - Number of students receiving scholarships, fellowships, and grants from law school or university sources that are not included in the responses to Questions 1 or 2 above (e.g., awards based on need plus other factors):

2005 – 16,274  
2010 – 20,165  
Change= +3,891 students

3b - Total \$ amount of these scholarships, fellowships and grants:

2005 – \$127,427,982  
2010 – \$235,519,918  
Change= + \$108,091,936

4a - Total unduplicated number of students receiving scholarships, fellowships and grants reported above in Questions 1 - 3. (This may not be the same as the sum of Questions 1A, 2A, and 3A because some students may receive awards in more than one category):

2005 – 60,148 (total 2005 JD enrollment= 140,785 ; 42.7% of enrollment)  
2010 – 69,466 “ 147,525 47.08%  
Change= + 9,318

4b - Total amount of all scholarships, fellowships and grants reported above in 1B, 2B, and 3B:

2005 – \$536,654,882  
2010 – \$899,506,281  
Change= + \$362,851,399

**U.S. Department of Education Default Prevention & Management  
Federal Student Aid Default Rates 2006-2008**

<b>School Name</b>	<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>Type</b>
<b>Albany Law School</b>				Private
Default Rate	0.4	1.9	0.4	
No. in Default	1	5	2	
No. in Repay	218	253	483	
<b>Appalachian</b>				Private
Default Rate	0.9	0.6	0.9	
No. in Default	1	1	2	
No. in Repay	108	148	206	
<b>Ave Maria</b>				Private
Default Rate	0.9	0	0	
No. in Default	1	0	0	
No. in Repay	104	90	142	
<b>Brooklyn Law School</b>				Private
Default Rate	0.2	1.4	0	
No. in Default	1	5	0	
No. in Repay	395	344	888	
<b>California, Hastings College of Law</b>				Public
Default Rate	0.7	1	0.1	
No. in Default	3	3	1	
No. in Repay	394	285	885	
<b>California Western</b>				Private
Default Rate	1.7	0	0.7	
No. in Default	5	0	5	
No. in Repay	285	293	679	
<b>Charleston School of Law</b>				Proprietary
Default Rate	0			
No. in Default	0			
No. in Repay	1			
<b>Cuny School of Law</b>				Public
Default Rate	0.8	0.6	0.5	
No. in Default	1	1	1	
No. in Repay	124	162	171	
<b>Florida Coastal</b>				Proprietary
Default Rate	1.6	1	0.7	
No. in Default	7	4	4	
No. in Repay	432	393	557	
<b>Franklin Pierce Law Center</b>				Private
Default Rate	0.7	0	0	
No. in Default	1	0	0	
No. in Repay	135	133	208	
<b>John Marshall (ATL)</b>				Proprietary
Default Rate	7.1	4.9	0	
No. in Default	3	3	0	
No. in Repay	42	61	45	
<b>John Marshall (Chicago)</b>				Private
Default Rate	1.1	0.3	0.8	
No. in Default	5	2	8	



**Federal Student Aid Default Rates 2006-2008**

<b>School Name</b>	<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>Type</b>
No. in Repay	432	520	918	
<b>Michigan State</b>				<b>Private</b>
Default Rate	0.6	1.3	0.2	
No. in Default	2	5	1	
No. in Repay	311	369	441	
<b>New England School of Law</b>				<b>Private</b>
Default Rate	1.1	0.8	0.3	
No. in Default	3	3	2	
No. in Repay	254	338	638	
<b>New York Law School</b>				<b>Private</b>
Default Rate	0.5	0.7	0.1	
No. in Default	2	2	2	
No. in Repay	368	272	1100	
<b>Phoenix School of Law</b>				<b>Proprietary</b>
Default Rate	0			
No. in Default	0			
No. in Repay	7			
<b>South Texas College of Law</b>				<b>Private</b>
Default Rate	0.5	0.7	0.2	
No. in Default	2	3	2	
No. in Repay	368	380	737	
<b>Thomas M. Cooley</b>				<b>Private</b>
Default Rate	2.2	0.7	0.8	
No. in Default	26	8	14	
No. in Repay	1157	1119	1646	
<b>Vermont Law School</b>				<b>Private</b>
Default Rate	0	1	0.4	
No. in Default	0	2	2	
No. in Repay	196	195	430	
<b>Western State University</b>				<b>Proprietary</b>
Default Rate	1.3	0.5	1	
No. in Default	2	1	3	
No. in Repay	150	192	273	
<b>William Mitchell</b>				<b>Private</b>
Default Rate	1	0.5	0.1	
No. in Default	3	2	1	
No. in Repay	289	354	746	

<b>TOTALS</b>	<b>2008</b>	<b>2007</b>	<b>2006</b>	<b>2006-08</b>
NO. IN DEFAULT	69	50	50	169
NO. IN REPAY	5770	5547	11193	22510

Since 1990, the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association has granted provisional approval to 27 law schools:

Appalachian School of Law	(2001)
Atlanta's John Marshall Law School	(2005)
Ave Maria School of Law	(2002)
Barry University School of Law	(2002)
Chapman University School of Law	(1998)
Charleston School of Law	(2006)
Charlotte School of Law	(2008)
University of California, Irvine, School of Law	(2011)
Drexel University School of Law	(2008)
University of the District of Columbia School of Law (1991)	
Elon University School of Law	(2008)
Faulkner University School of Law	(2006)
Florida Coastal School of Law	(1999)
Florida A & M University College of Law	(2004)
Florida International University College of Law	(2004)
University of LaVerne College of Law	(2006)
Liberty University School of Law	(2006)
University of Nevada-Las Vegas School of Law	(2000)
Phoenix School of Law	(2007)
Quinnipiac University School of Law [formerly the University of Bridgeport School of Law]	(1992)
Pennsylvania State University, Dickinson School of Law (1997)	
Roger Williams University School of Law	(1995)
University of St. Thomas School of Law (MN)	(2003)
Seattle University School of Law [formerly the University of Puget Sound School of Law]	(1994)

Texas Wesleyan University	(1994)
Thomas Jefferson School of Law	(1996)
Western State University School of Law	(1998)

The four law schools that have been placed on probation by the Council since 1990 are the following:

Pontifical Catholic University of Puerto Rico School of Law  
Southern University Law Center  
Golden Gate University School of Law  
Whittier Law School

The probationary status of each of the four law schools was removed and each of the law schools was continued as a fully ABA-approved law school.

The period of probation for each of the four law schools was as follows:

Pontifical Catholic University of Puerto Rico School of Law  
[The school was placed on probation in December of 1992 and was continued as a fully approved law school in February 1996 (three years and two months).]

Southern University Law Center  
[The school was placed on probation in June 1992 and was continued as a fully approved law school in August 1995 (three years and two months).]

Golden Gate University School of Law  
[The school was placed on probation in December 2005 and was continued as a fully approved law school in December 2007 (two years).]

Whittier Law School

[The school was placed on probation in August of 2005 and was continued as a fully approved law school in June of 2008 (two years and ten months).]

**AMERICAN BAR ASSOCIATION  
SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR**

**PROPOSED SECTION BYLAWS**

**(Approved by Section Council  
August 7, 2010)**

**ARTICLE I**

**NAME, PURPOSES**

**Section 1. Name.**

This section shall be known as the Section of Legal Education and Admissions to the Bar and herein referred to as the "Section."

**Section 2. Purposes.**

The purposes of this Section as stated in its Mission Statement are:

to be a creative national force in providing leadership and services to those responsible for and those who benefit from a sound program of legal education and bar admissions,

to provide a fair, effective, and efficient accrediting system for American law schools,

to serve, through its Council, as the nationally recognized accrediting body for American law schools.

In particular the Section through its Council shall:

(a) establish standards and procedures to be met and observed by law schools in obtaining and retaining the approval of the Council, which standards and procedures shall be publicly available;

(b) receive and process applications of law schools for provisional or full approval, grant or deny such applications, and withdraw, suspend or terminate approval of law schools;

(c) consider policies and resolutions referred to it by the Board of Governors or the House of Delegates;

(d) study and make recommendations in cooperation with the National Conference of Bar Examiners, the Conference of Chief Justices and bar admissions authorities for the improvement of the bar admission process; and

(e) foster close cooperation among legal educators, practitioners, judges and law students through workshops, conferences and publications.

## **ARTICLE II**

### **MEMBERSHIP**

#### **Section 1. Members.**

(a) Any member of the Association in good standing shall be a member of the Section upon request to the Secretary of the Association and the payment of the annual Section dues.

(b) Any member of the Law Student Division of the Association in good standing shall be enrolled as a Law Student Division member of the Section upon request to the Secretary of the Association and the payment of the annual Section dues applicable to members of the Law Student Division. Law Student Division members shall not be eligible to vote or serve as officers, but shall have the privilege of the floor at Section meetings, including the privilege to make motions and present resolutions, and shall receive Section publications on the same basis as lawyer members of the Section.

(c) Any individual who is an associate of the Association, upon payment of the dues as provided for Associates of the Section, shall be enrolled as an Associate of the Section. The privileges of Associates shall be prescribed by the Bylaws of the Association and by guidelines adopted by the Board of Governors.

#### **Section 2. Dues.**

Upon recommendation of the Council, and, where necessary, approval of the Board of Governors, the Section may establish the amount of the annual dues to the Section for continued membership in the Section.

#### **Section 3. Termination of Membership.**

Any member of the Section whose annual Section dues are more than six months past due shall cease to be a member of the Section. Any person who ceases to be a member of the Association shall also cease to be a member of the Section.

## **ARTICLE III**

### **SECTION MEETINGS**

#### **Section 1. Annual Meeting.**

The Section shall meet immediately before or during the Annual Meeting of the Association, in the same city or place as the Annual Meeting of the Association, with such agenda, program and order of business as the Council or the Chairperson with the approval of the Council may arrange.

#### **Section 2. Special Meetings.**

The Section may hold other meetings of its membership during the year, provided that the Board of Governors approves the times and places of other meetings.

**Section 3. Quorum.**

The members of the Section present at a meeting of the membership shall constitute a quorum for the transaction of business.

**Section 4. Agenda.**

The agenda of the annual meeting of the membership shall consist of the election of officers and members of the Council, the annual report of the Consultant, and such other matters as the Chairperson of the Section or the Council deems appropriate. The agenda shall be published on the Section's website by July 15. The agenda of a special meeting of the membership shall consist of those matters that the Chairperson of the Section or the Council deems appropriate and of which notice has been given by publication on the Section's website at least ten (10) business days before the date of the special meeting.

**Section 5. Voting.**

Voting and privilege of the floor at any meeting of the Section is limited to Section members recorded 45 days prior to the meeting. The Secretary shall make this official membership roster open for inspection at any meeting to which it is applicable. All substantive action of the Section shall be by a majority vote of the members present and voting at a duly called meeting, except in those cases in which a referendum by mail ballot may be authorized by the Council pursuant to Article IV, Section (1)(e).

**Section 6. Parliamentary Authority.**

The Chairperson shall preside at all meetings of the Section. The conduct of the meetings shall in general conform to these Bylaws and to Robert's Rules of Order.

**Section 7. Notice**

Unless otherwise specified in these Bylaws, all notices required or permitted in the Bylaws may be by written notice, e-mail, or other manner of electronic communication and/or publication on the Section website, as the Council may direct.

**ARTICLE IV**

**COUNCIL**

**Section 1. Powers and Functions.**

(a) The Council shall be vested with the powers and duties necessary for the administration of the business of the Section. It shall authorize all commitments for expenditures of Section monies.

(b) The Council shall develop separate budgets for the Accreditation of Law Schools Project and for other activities of the Section. The Accreditation Project budget will not be subject to review of, approval by, or consultation with the Board of Governors of the Association or any other entity outside the Section. The budget for the activities of the Section other than the Accreditation Project will be subject to the Association's regular budget process. With respect to those activities other than the Accreditation Project, the Council shall not authorize commitments for expenditures in a fiscal year



that would exceed the income and reserves of the Section for that fiscal year without approval of the Board of Governors.

(c) The Council is authorized to establish and organize committees and other entities. The Council shall establish an appropriate chain of responsibility for any committee or entity that it creates. No Section committee or other entity shall have authority to speak for the Section unless specifically authorized by these Bylaws or by the Council.

(d) Between meetings of the membership, the Council shall have authority to conduct the business of the Section. The Council shall report to the membership of the Section at each annual meeting any actions taken pursuant to this subsection since the last meeting of the membership of the Section.

(e) The Council may direct a referendum by mail or electronic ballot of Section members as defined in Article III, Section 5. A majority of the votes cast in the referendum shall determine the policy of the Section with respect to the question submitted. Such referendum shall be conducted according to rules established by the Council and the results shall be certified by the Secretary.

(f) At appropriate times, as determined by the Section Officers Conference, the Council is authorized to submit a nomination for a Section member-at-large of the Board of Governors. Notice of an opening for this position and the procedure to be followed for submitting nominations shall be published on the Section website at least sixty (60) days before the Council decides on the nominee. The selection of the nominee shall be made by the Council with due regard for the eligibility requirements for election to the Board of Governors.

### **Section 2. Qualifications of Members of the Council.**

Members of the Council of the Section shall be chosen without reference to their race, color, creed, gender, age, disability, sexual orientation or national origin. Members of the Council shall be persons of integrity and intelligence who have evidenced interest in legal education or admission to the bar and whose participation is likely to be guided by the interests of the public and by the high standards of the legal profession, rather than any personal interest. Members of the Council (with the exception of public members) shall be members of the Section.

### **Section 3. Composition.**

The Council shall be composed of the following voting members: the Officers of the Section; fifteen members-at-large, who shall include public members whose qualifications and election are consistent with the regulations of the United States Department of Education applicable to the accreditation of professional schools; and a representative of the Law Student Division to be selected for nomination by the Nominating Committee from a slate of three nominees recommended to the Section by the Law Student Division no later than May 1 of each year. The Council shall include legal educators, practitioners, members of the judiciary, and representatives of the public. No more than fifty percent of the voting members of the Council may be persons

whose current primary professional employment is as a law school dean, faculty or staff member.

#### **Section 4. Terms.**

The term of a member-at-large is three Association years beginning with the adjournment of the Annual Meeting during which the member is elected. The terms of at least one-third of the members-at-large shall expire each year. No member-at-large may serve more than two successive three-year terms in that capacity or more than a total of six years as a member-at-large. Members may, however, be elected to serve additional terms as Officers.

#### **Section 5. Meetings.**

(a) The Council shall hold at least one regular meeting each year at the time and place of the Annual Meeting of the Association. The Chairperson may call other regular meetings of the Council at times and places determined by the Chairperson. The Chairperson shall, upon request of five members of the Council, call special meetings of the Council between annual meetings. Meetings of the Council other than the meeting at the Annual Meeting of the Association may be held by means of telecommunications which permit direct communication among all members participating. Subject to consent of the Chairperson, and when good cause prevents in-person participation, individual members of the Council may participate in meetings of the Council by means of telecommunications.

(b) There shall be neither absentee nor proxy voting.

(c) If a meeting of the Council is not feasible, the Chairperson of the Section shall, upon the written request of five members of the Council, submit in writing to each of the members of the Council any item upon which the Council may be authorized to act. The members of the Council may vote upon the proposition either by written or electronic ballot or by telephone vote, confirmed in writing, to the Secretary of the Section who shall record the proposition and votes on the matter.

#### **Section 6. Compensation.**

No salary or compensation for services shall be paid to any Officer, member of the Council, or member of any committee, except as may be specifically authorized by the Board of Governors.

#### **Section 7. Vacancies.**

If any member of the Council shall fail to attend two successive meetings of the Council, the member's seat on the Council shall be automatically vacated unless he or she is excused for good cause by action of the Executive Committee. If there is a vacancy in the position of a member-at-large the vacancy shall be filled by the Council from one or more nominations received from the Nominating Committee (See Article VIII). Members so elected shall serve the remainder of the term for which their predecessors were elected. In the case of a vacancy in the position of the Law Student Division representative, the Council may request the Law Student Division to propose another representative.

**Section 8. Liaisons from Other Association Entities.**

The Council shall permit a duly designated representative from the Young Lawyers Division and the Board of Governors to attend meetings of the Council in open and closed session and to have the privileges of the floor at such meetings. Such liaison representatives are not entitled to vote. Attendance at a closed session dealing with accreditation matters is limited to Council members and Section Delegates and those determined by the Council to be necessary for the conduct of its business. Attendance at other closed sessions may include the duly designated representative from the Young Lawyers Division and the Board of Governors. No liaisons appointed by other ABA entities may attend closed sessions of the Council.

**ARTICLE V**

**OFFICERS**

**Section 1. Officers.**

The Officers of the Section shall be the Chairperson, the Chairperson-Elect, the Vice-Chairperson, the Secretary, and the Immediate Past Chairperson of the Section.

**Section 2. Chairperson.**

The Chairperson shall:

- (a) preside at all meetings of the members of the Section and of the Council;
- (b) appoint the chairperson and members of all committees of the Section who are to be appointed during his or her term as Chairperson;
- (c) plan the program of the Section during his or her term, subject to the directions and approval of the Council;
- (d) oversee the performance of all activities of the Section;
- (e) keep the Council informed of the activities of the Section and oversee the implementation of its decisions;
- (f) communicate on a regular basis with the Consultant and serve as the Consultant's immediate supervisor; and
- (g) perform such other duties and acts as usually pertain to the office of Chairperson or as may be designated by the Council.

**Section 3. Chairperson-Elect.**

The Chairperson-Elect shall:

- (a) aid the Chairperson in the performance of the Chairperson's responsibilities in the manner and to the extent as the Chairperson may request;
- (b) preside at meetings of the Section and the Council in the absence of the Chairperson; and
- (c) perform the duties and have the powers that usually pertain to the office or as may be designated by the Council or the Chairperson.
- (d) In case of the death, resignation, or disability of the Chairperson, the Chairperson-Elect shall perform the duties of the Chairperson for the remainder of the Chairperson's term or disability.

**Section 4. Vice-Chairperson.**

The Vice-Chairperson shall:

- (a) aid the Chairperson in the performance of the responsibilities of the office of Chairperson in the manner and to the extent the Chairperson may request; and
- (b) preside at meetings of the Section and the Council in the absence of the Chairperson and Chairperson-Elect.

**Section 5. Secretary.**

The Secretary shall:

- (a) consult with and assist the other Officers of the Section in the work of the Section in the manner and to the extent requested;
- (b) be the liaison between the Section and the Association staff with respect to the retention and maintenance of books, papers, documents, and other property pertaining to the work of the Section; and
- (c) supervise the keeping of a true record of the proceedings of all meetings of the Section and of the Council.
- (d) confirm the eligibility of those nominated by petition.

**Section 6. Terms.**

- (a) The term of the Chairperson, Chairperson-Elect and the Vice-Chairperson is one Association year, beginning with the adjournment of the Annual Meeting of the Association during which he or she is elected.
- (b) The Secretary shall serve a two-year term beginning with the adjournment of the Annual Meeting of the Association during which he or she is elected. A Secretary may serve no more than two terms as Secretary.
- (c) The Chairperson shall not be eligible for re-election as Chairperson or Chairperson-Elect. The Chairperson-Elect becomes the Chairperson upon the

adjournment of the next Annual Meeting of the Association after he or she was elected Chairperson-Elect and is not again eligible for either office.

(d) The Immediate Past Chairperson shall serve a term of one year after expiration of his or her term as Chairperson.

**Section 7. Vacancies.**

The office of an Officer who fails to attend two successive meetings of the Council shall be automatically vacated unless the officer is excused for good cause by action of the Executive Committee. The Council, between annual meetings of the Section, may fill vacancies in the office of Chairperson-Elect, Vice-Chairperson or Secretary. Officers so elected shall serve until the adjournment of the next Annual Meeting of the Association, except a person elected as secretary who shall serve the remainder of the term of his or her predecessor. In the event of a vacancy in the position of Immediate Past Chairperson, that position shall not be filled.

**Section 8. Consultant.**

The Council of the Section shall employ a Consultant on Legal Education to the American Bar Association, who shall be responsible to the Council, and shall perform such duties relating to the business of the Council as shall be prescribed by the Chairperson and the Council and shall assist the Officers and Council in furthering the work of the Section and of the Association. The Consultant shall supervise all staff employees of the Section.

**ARTICLE VI**

**EXECUTIVE COMMITTEE**

**Section 1. Membership.**

There shall be an Executive Committee of the Council comprised of the Officers and two members-at-large. The Chairperson of the Section shall appoint the members-at-large to serve on the Executive Committee for a one-year term beginning at the adjournment of the annual meeting at which the Chairperson is elected. The membership of the Executive Committee should include practitioners, members of the judiciary, and at least two legal educators.

**Section 2. Duties.**

The Executive Committee shall act on behalf of the Council concerning any matters that require action before the next meeting of the Council and shall have such duties as prescribed by the Council. The Executive Committee may not:

- (1) elect, appoint, or remove members of the Council or fill vacancies on the Council or any of its committees;
- (2) adopt, amend, or repeal the Bylaws; or
- (3) approve any action with respect to an accreditation matter, including variances or waivers of accreditation standards or rules.

**Section 3. Notice and Actions.**

Each member of the Executive Committee shall receive notice of the meetings of the Committee. A vote of a majority of the total members of the Executive Committee shall be necessary for Executive Committee action. The Chairperson of the Section shall timely report the actions of the Executive Committee to the Council.

**ARTICLE VII**

**SECTION DELEGATES**

**Section 1. General.**

The Section Delegates shall represent the Section in the House of Delegates. At appropriate times, as determined by the Section Officers Conference, the Section Delegate so designated by the Council shall serve on the Nominating Committee of the House of Delegates.

**Section 2. Eligibility.**

To be eligible for the position of Section Delegate, a person must have served as a member-at-large on the Council. The term of a Section Delegate is three Association years beginning with the adjournment of the Annual Meeting of the Association during which the Delegate is elected. A Section Delegate may serve no more than two consecutive terms or more than a total of six years in this capacity for the Section. The terms of the Section Delegates shall be staggered.

**Section 3. Vacancies.**

If a Section Delegate fails to attend two successive regular meetings of the Council and/or two successive meetings of the House of Delegates, the position shall be automatically vacated unless the Delegate is excused for good cause by action of the Executive Committee. In the event of the absence or inability of a Section Delegate to serve, the Council shall appoint an individual to serve the remainder of the vacated term.

**Section 4. Voting.**

Section Delegates are entitled to attend meetings of the Council in open and closed session and to have the privileges of the floor at such meetings. Section Delegates are not entitled to vote at meetings of the Council.

**ARTICLE VIII**

**NOMINATING COMMITTEE**

**Section 1. Membership, Terms, and Qualifications.**

The Nominating Committee shall consist of eight members. Six members of the Committee shall be appointed by the Chairperson of the Section from the Section membership and shall serve one three-year term. The terms of one-third of the

appointed members shall expire every year. Each Immediate Past Chairperson of the Section shall serve a two-year term on the Nominating Committee and shall act as Chairperson of the Nominating Committee in the second year of his or her term on the Committee. Membership on the Committee should include legal educators, practitioners and members of the judiciary. Terms commence at the adjournment of the Annual Meeting of the Association.

**Section 2. Nominations for General Elections.**

The Consultant shall solicit nominations from the membership of the Section to fill vacancies on the Council. One or more candidates may be nominated by the Nominating Committee for each position to be filled by election as provided in these Bylaws. The Nominating Committee shall report the identity of each nominee and shall include a brief statement of his or her activities in the Section, in legal education, and in the legal profession. The Nominating Committee shall submit its report to Section members no later than May 1. The report may be submitted to Section members by written notice, by e-mail or other digital communication, and/or publication on the Section website, as the Council may direct.

**Section 3. Nominations for Filling Vacancies.**

If there is a vacancy in a member-at-large position on the Council, the Nominating Committee shall provide the Council with one or more names of persons to serve the remainder of the unexpired term (see Article IV, Section 7).

**ARTICLE IX**

**ELECTION OF OFFICERS, COUNCIL MEMBERS,  
LAW STUDENT DIVISION REPRESENTATIVE, AND SECTION DELEGATES**

**Section 1. Election.**

Elections shall be held at the Annual Meeting of the Association. The seats of members-at-large shall be designated as legal educators, other legal professionals or public seats so as to cause the composition of the Council to comply with the provisions of Article IV, Section 3, and nominees must be qualified for the seat as so designated. Elections for positions for which there is more than one nominee shall be by written ballot, and each such position shall be voted upon separately. Election shall be by majority of the votes cast. If there are more than two candidates for a single office and no one of them receives a majority of the votes cast then there shall be a second ballot between the two candidates having the greatest number of votes on the first ballot. In the case of nominees of the Nominating Committee who are unopposed, election to fill such positions may be by voice vote.

**Section 2. Petition.**

One or more additional nominations may be made for any designated seat on the Council, including officers of the Council (except Chairperson, Immediate Past Chairperson, and representative of the Young Lawyers Division), by petition signed by not less than 50 members of the Section in good standing, not more than 10 of whom are residents of any one state. A person so nominated shall be called the "petitioner".

The petition shall specify which nominee the petitioner is challenging and shall state that the petitioner has agreed to the nomination and meets the criteria for the position being sought. The petition shall be delivered in person or by mail to the Section Office at the Association headquarters and must be received no later than June 1. The Secretary shall thereupon confirm that such individual is eligible to serve if elected.

**Section 3. Notice.**

The Chairperson shall announce the nominees for the offices of Chairperson-Elect, Vice-Chairperson, Secretary, Section Delegate, Law Student Division representative, and members-at-large of the Council. If additional nominations are made pursuant to Article X, Section 2, the Chairperson shall distribute to the membership a final notice of nominations as soon as practical but no later than July 15.

**ARTICLE X**

**COMMITTEES**

**Section 1. Standing Committees.**

The Section shall have the following standing committees:

**(a) Accreditation Committee.**

The Accreditation Committee shall act on matters relating to the accreditation of law schools. The Accreditation Committee shall include legal educators, practitioners, members of the judiciary, and public members. No more than fifty percent of the voting members of the Committee may be persons whose current primary professional employment is as a law school dean, faculty or staff member. A person may not serve simultaneously as a member of the Accreditation Committee and as a member of the Council. Accreditation Committee members must be guided by the interest of the public and by the standards of the legal profession.

The Chairperson of the Section shall appoint the members and chairperson of the Committee. Members shall serve two-year staggered terms. The chairperson shall serve a one-year term, renewable for a second year. Members shall not serve more than three terms, except that a person serving as chairperson of the Committee may serve up to eight years on the Committee. If five or more members of the Committee would otherwise be required to leave in a single year, the Chairperson of the Section may extend for an additional year the terms of up to three members whose terms are expiring.

Public members of the Committee shall include such number of representatives of the public as to bring the Committee into compliance with applicable regulations of the United States Department of Education with respect to recognition of the Council (see Article IV, Section 3).

**(b) Standards Review Committee.**

The Standards Review Committee shall conduct an ongoing review of the Standards for Approval of Law Schools, the Interpretations of the Standards and Rules



of Procedures for Approval of Law Schools, propose amendments and revisions thereto, solicit comments and conduct public hearings on proposed Standards, Interpretations and Rules, and make recommendations to the Council.

The Chairperson of the Section shall appoint the members and the chairperson of the Committee. Members shall serve two-year staggered terms. The chairperson shall serve a one-year term, renewable for a second year. In extraordinary circumstances, the Council may authorize a third one-year term for the chairperson of the Committee. Members shall not serve more than three terms except that a person serving as chairperson of the Committee may serve up to eight years on the Committee. The Standards Review Committee shall include legal educators, practitioners and members of the judiciary and may include public members. A person may not serve simultaneously as a member of the Council and as a member of the Standards Review Committee. The Standards Review Committee is an "accreditation-related" committee

**(c) Governance Committee.**

The Governance Committee shall be responsible for interpretation of and compliance with these Bylaws and shall serve as the Section's grievance committee. The Council shall prescribe the duties of the Governance Committee.

The Chairperson of the Section shall appoint the members of the Governance Committee, who shall serve two-year staggered terms. The chairperson of the Governance Committee shall serve a one-year term, renewable for a second year. Members shall not serve more than three terms except that a person serving as chairperson of the Committee may serve up to eight years on the Committee.

**(d) Finance Committee.**

The Finance Committee shall have responsibility for overseeing the financial affairs of the Section, including the preparation of budgets and reporting to the Council on budget and Section financial matters. The Chairperson of the Section shall appoint its members, who shall serve two-year staggered terms. The chairperson of the Committee shall serve a one-year term, renewable for a second year. Members of the Finance Committee shall not serve more than three terms except that a person serving as chairperson of the Committee may serve up to eight years on the Committee. The development of the Section's accreditation budget is an "accreditation-related" activity.

**Section 2. Regular Committees.**

In addition to Standing Committees, the Section may have such regular committees as created from time to time by the Council. The Chairperson of the Section shall appoint the members of the regular committees for two-year terms. Members may serve up to three terms on any regular committee. The Chairperson of the Section shall appoint the chairpersons of regular committees for one-year terms. The chairperson may serve a second term as chair of any regular committee.

**Section 3. Special Committees.**

The Chairperson of the Section may create such special committees and task forces to serve the purposes of the Section. The term of members of a Special Committee shall be one year unless reappointed.

## **ARTICLE XI**

### **REPRESENTATION OF ASSOCIATION POSITION**

To be deemed an action by the American Bar Association, action by the Section must be approved by the House of Delegates or by the Board of Governors before the action can be effective. On request of the Council or the Section, the Chairperson or Section Delegate shall report any resolution or recommendation adopted or action taken by the Council or the members of the Section to the House of Delegates or to the Board of Governors for action by the Association. This Article shall not apply to the adoption and revision of Standards, Interpretations of the Standards and the Rules of Procedure for Approval of Law Schools or to any actions or decisions related to the Accreditation Project.

## **ARTICLE XII**

### **AMENDMENTS**

#### **Section 1. Method of Proposing an Amendment.**

The Council may propose amendments to these Bylaws. Any member of the Section may propose an amendment to these Bylaws by submitting the proposed amendment and a statement of its purposes to the Secretary, who shall transmit the proposed amendment and the statement of purposes to the Governance Committee. The Governance Committee shall report its recommendation on the proposed amendment to the Council which shall consider the recommendation at the next Council meeting held 30 or more days thereafter. By majority vote the Council shall submit to the Section at the annual meeting such proposed amendments of the Bylaws, as it deems appropriate. Notice of proposed amendments shall be given to Section members by written notice, by e-mail or other means of electronic communication and/or publication on the Section website, as the Council may direct. If any amendment proposed by a member as described above is not reported favorably by the Council of the Section, the amendment shall be submitted to the Section membership at the following annual meeting if a petition signed by 100 or more Section members requesting its submission is filed with the Secretary no later than June 1 following the unfavorable report by the Council.

#### **Section 2. Adoption of an Amendment.**

The Section may consider only those amendments to the Bylaws that are submitted to it by the procedures described in Article XII, Section 1. Such proposed amendments shall be submitted to a vote of the members of the Section present at the annual meeting of the Section and may be adopted by majority affirmative vote of the members of the Section present and voting. Amendments so adopted shall become effective upon approval of the Board of Governors.



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## 2010-2011 Council

**Chair: Honorable Christine Durham** has been on the Utah Supreme Court since 1982, and has served as Chief Justice and Chair of the Utah Judicial Council since 2002. She previously served on the state trial court after a number of years in private practice. She received her A.B. with honors from Wellesley College and a J.D. from Duke University, where she is a member of the Board of Trustees. Currently she serves on the Board of Directors for the National Center for State Courts, is a member of the Council of the American Law Institute, and is a Fellow of the American Bar Association. Past professional service includes the governing boards of the American Inns of Court Foundation, the Appellate Judges Conference of the ABA, the Rand Corporation's Institute for Civil Justice, the ABA's Commission on Women in the Profession, and the Federal Judicial Conference's Advisory Committee on the Rules of Civil Procedure. Justice Durham is a past president of the National Association of Women Judges, and was that organization's Honoree of the Year in 1997. Active in judicial education, Justice Durham was a founder of the Leadership Institute in Judicial Education, helped to create and lead the Utah Coalition for Civic Character and Service Education, and serves on the Utah Commission on Civic Education. She was an adjunct professor for many years at the University of Utah College of Law, teaching state constitutional law, and served for twelve years on the Utah Constitutional Revision Commission. She has received honorary degrees from four Utah universities and has been recognized nationally for her work in judicial education and efforts to improve the administration of justice. In 2007 she received the William H. Rehnquist Award for Judicial Excellence.

**Chair-Elect: John F. O'Brien** has been dean of New England Law | Boston since 1988. A native of Staten Island, New York, he received a B.A. in 1973 from Manhattan College; a J.D. in 1977 from New England Law | Boston, where he graduated first in his class; and an LL.M. in taxation in 1980 from Boston University School of Law. From 1977 to 1985, he was a senior attorney in the Office of the Chief Counsel of the Internal Revenue Service. In 1985, he joined the faculty of New England Law | Boston, teaching Constitutional Law and Federal Income Taxation. He served as associate dean for two years before being named dean. Dean O'Brien previously served as chair of both the Accreditation Committee and the Independent Law Schools Committee of the Section. Before serving as chair of the Accreditation Committee, he was involved in the accreditation process, serving as special fact-finder and as both member and chair of law school evaluation teams. He is admitted to practice in Massachusetts, the United States District Court for the District of Massachusetts, the United States Tax Court, and the United States Supreme Court. He has received honorary doctor of laws degrees from New England Law | Boston (1998) and from his undergraduate alma mater, Manhattan College (2006).

**Vice-Chair: Kent Syverud** is the dean and Ethan A.H. Shepley University Professor at Washington University School of Law. Before coming to Washington University in 2006, Dean Syverud was the Garner Anthony Professor of Law at Vanderbilt University Law School for eight years, and spent 1987 to 1997 at the University of Michigan Law School, first as a professor and then as professor and associate dean for academic affairs. Prior to joining legal education, Dean Syverud was an attorney at Wilmer, Cutler & Pickering in Washington, D.C. and clerked for Justice Sandra Day O'Connor at the U.S. Supreme Court and Judge Louis F. Oberdorfer at the United States District Court for the District of Columbia. He is a member of numerous legal education organizations including the Law School Admission Council (chair of the board of trustees, 2005-2007; board member, 1999-2008), the American Law Institute, and was president of the American Law Deans Association from 2003 to 2005. From 1998 to 2004, Dean Syverud was editor of the Journal of Legal Education. He was also an expert witness on behalf of the University of Michigan in the case of *Gutter v. Bollinger et al* before the U.S. Supreme Court. Dean Syverud earned a

B.S., magna cum laude and Phi Beta Kappa, from the Georgetown University School of Foreign Service; a master's degree in economics from the University of Michigan Rackham School of Graduate Studies; and a J.D. magna cum laude from the University of Michigan Law School where he was Order of the Coif and editor-in-chief of the Michigan Law Review. His previous Section activities include serving on the 2006-2007 Accreditation Policy Task Force, co-chairing the 2009 Deans Workshop Planning Committee, and participating on site evaluation teams, several times as chair.

**Secretary: J. Martin Burke** served as dean at the University of Montana School of Law from 1988 through 1993. Currently, Professor Burke teaches Federal Tax, Taxation of Property Transactions, Taxation of Business Organizations, Federal Estate and Gift Tax, and Exempt Organizations at Montana and also has been a visiting faculty member at the graduate tax programs at New York University School of Law, the University of Florida, and the University of Washington. He earned a law degree from the University of Montana School of Law, and an LL.M. degree from New York University School of Law. Professor Burke is the coauthor of *Taxation of Individual Income, Eighth Edition* (LexisNexis 2007), *Understanding Federal Income Tax, Third Edition* (LexisNexis 2008), *Modern Estate Planning, Second Edition* (2002). He served on the Section's Accreditation Committee from 1996 to 2002 serving as chair in 2001-2002; the Standards Review Committee from 2002-2005, serving as chair in 2004-2005; and on the Task Force on Accreditation Processes from 2001 to 2003.

**Immediate Past Chair: Jerome C. Hafter** is a partner in the Jackson, Mississippi office of Phelps Dunbar, LLP, which has offices in Louisiana, Mississippi, Texas, Florida and the United Kingdom. He practices in the areas of business, corporate, and commercial law with a particular emphasis on representing agribusiness industries. Hafter has served as president of the Washington County Bar Association, is a member of the American Law Institute and the American Judicature Society, and a fellow of the Mississippi Bar Foundation. Since 1979 he has served as chairperson of the Mississippi Board of Bar Admissions; from 1989 to 2000 as a member of the Board of Managers of the National Conference of Bar Examiners and its chair from 1998 to 1999. Hafter received his undergraduate degree, *summa cum laude*, from Rice University where he was a member of Phi Beta Kappa and president of the Student Association. He attended Oxford University in England as a Marshall Scholar, obtaining a BA/MA with First Class Honors in Modern History and attended law school at Yale University, where he served as associate editor of the *Yale Law Journal*. Hafter is the author of numerous published books and articles. He served on the Accreditation Committee from 1998 to 2002 and on the Council since 2000.

## Members

**The Honorable Rebecca White Berch** was appointed to the Arizona Supreme Court in March 2002 and became its 23rd chief justice in 2009. Before her appointment to the supreme court, she served the state of Arizona as solicitor general, first assistant attorney general, and as a court of appeals judge. Following graduation from the Arizona State University (ASU) law school in 1979, Justice Berch practiced law in Phoenix. In 1986, she joined the faculty at Arizona State University College of Law as director of the Legal Writing program. She also served as director of the law school's academic support program. For the Section, she has served on the Bar Admissions Committee, including two years at its chair. Before joining the Arizona Supreme Court, Justice Berch served on the Arizona Bar Examinations Committee. She currently serves on the board of trustees of the National Conference of Bar Examiners. In addition to her J.D. degree, Justice Berch holds a master's degree in English, also from ASU. The law school textbook she co-authored, *Introduction to Legal Method and Process*, is in its fifth edition and is used in law schools throughout the nation. Justice Berch is a strong proponent of *pro bono* work; the Pro Bono Suite at ASU's Sandra Day O'Connor College of Law is named in her honor.

**General Leo A. Brooks** retired in January 1984 from the United States Army, having reached the grade of Major General. He began his military career as an infantry rifle platoon leader in the 2nd Infantry Division in Anchorage, Alaska. Subsequently, he was an assistant professor of military science at Central State University in Wilberforce, Ohio, an advisor to the Vietnamese Army, and a battalion commander in Vietnam. He served in the Pentagon twice: first, as a budget liaison to the U.S. Congress and secondly, as a senior logistician in the Office of the Joint Chiefs of Staff. Upon his retirement from the Army, General Brooks became the managing director of the City of Philadelphia, where he headed the activities of the city's 30,000 employees in the ten service departments. He is currently an ordained deacon, a lay leader and an adult Sunday school teacher at Alfred Street Baptist Church, Alexandria, Virginia. General Brooks holds a bachelor of science degree from Virginia State University and a master of science in financial management from George Washington University. He is also a graduate of the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas, and the National War College in Washington, D.C.

**Paulette Brown** is Partner and Chief Diversity Officer at the national law firm of Edwards Angell Palmer & Dodge LLP. Her practice is focused on all facets of labor and employment and commercial litigation, successfully defending cases involving discrimination on the basis of age, sex, marital status, sexual

harassment, disability, race, and national origin. Prior to joining Edwards Angell Palmer & Dodge, Ms. Brown was a partner at Duane Morris and at Brown & Childress, served as corporate counsel to several Fortune 500 companies, and served as a municipal court judge. Ms. Brown is a certified mediator for the United States District Court, District of New Jersey, a member of the Employment AAA Panel, and serves as secretary of the Labor and Employment Section of the New Jersey State Bar Association. From 1993 to 1994, she was president of the National Bar Association and has held a number of other leadership positions in the organization. From 1991 to 1993, Ms. Brown was Master of the C. Willard Heckel Inn of Court. After earning a bachelor's degree from Howard University, Ms. Brown earned a J.D. from Seton Hall University School of Law. She has been recognized by the *New Jersey Law Journal* as one of the prominent women and minority attorneys in the state of New Jersey, named by the *National Law Journal* as one of the "50 Most Influential Minority Attorneys in the United States," and received the Thurgood Marshall College Fund's Award of Excellence. Ms. Brown is completing a term on the ABA Board of Governors and the House of Delegates. She has also been active in the ABA Governance Commission, the Section of Litigation, the Section of Labor and Employment, Commission on Women in the Profession, Fund for Justice Education, and was chair of the Council on Racial and Ethnic Justice.

**Edwin J. Butterfoss** is a professor at Hamline University Law School in St. Paul, Minnesota. Professor Butterfoss joined the Hamline faculty from the Philadelphia law firm of Pepper, Hamilton and Scheetz, where he practiced in the areas of product liability, employment discrimination, and commercial law. He also handled pro bono cases involving prisoners' rights and was a volunteer attorney for the Support Center for Child Advocacy. At Hamline, Professor Butterfoss teaches Contracts, Criminal Law, and Criminal Procedure. He previously served as associate dean for academic affairs and was dean of the law school from 1998 to 2003. He will again assume the role of associate dean beginning July 1, 2010. He has served as a special assistant Hennepin County attorney, as a member of the Mayor's Task Force on Police-Community Relations in St. Paul, a member of the Minnesota Supreme Court-Criminal Courts Study Commission, a member of the board of the ACLU of Minnesota, and as a founding board member of the Innocence Project of Minnesota. Currently, he is a member of the Minnesota Judges' Criminal Benchbook Committee. Professor Butterfoss has served as a member of the Accreditation Committee, which he chaired for three years and currently serves on the Standards Review Committee and the Foreign Programs Committee. He graduated *magna cum laude* from Miami University of Ohio with a bachelor's degree in accounting and *magna cum laude* with a J.D. from Georgetown University Law Center where he was on the editorial board and case and note editor for the *Georgetown Law Journal*.

**Michael J. Davis** is the Centennial Teaching Professor of Law at the University of Kansas School of Law. Professor Davis joined the KU law faculty in 1971 and teaches Property, Government Regulation of Land Development, and Religion and the State. In 1991, he received the Immel Award for Teaching Excellence. In addition to his faculty duties, Professor Davis served as the university's general counsel for six years, dean of the law school from 1980 to 1989 and as interim dean from 2005 to 2006. He was also Of Counsel to the Kansas City law firm of Stinson Morrison Hecker from 1989 to 2009. Before joining the law school, Professor Davis was an associate at Arent, Fox, Kintner, Plotkin & Kahn, a Reginald Heber Smith Fellow at the Legal Aid Society of Greater Kansas City, and a legislative assistant to U.S. Representative Louis Stokes. Professor Davis graduated with honors from Kansas State University and earned a J.D. from the University of Michigan Law School where he was the editor of the *Michigan Law Review*. He has served as chair of Section's Accreditation Committee and Standards Review Committee, and served on the Finance Committee.

**Honorable Martha Craig Daughtrey** has served as a judge on the Tennessee Court of Criminal Appeals and as an associate justice on the Tennessee Supreme Court. In 1993, President Bill Clinton appointed her to serve as a circuit judge on the United States Court of Appeals for the 6th Circuit in Nashville. Judge Daughtrey was the first woman on the faculty at Vanderbilt University Law School and the first woman assistant U.S. attorney in Nashville. Judge Daughtrey's leadership roles at the American Bar Association include council member of the Judicial Administration Division, House of Delegates and Executive Committee of the Appellate Judges' Conference, and as a member of the Standing Committee on Continuing Education of the Bar and the Commission on Women in the Profession. Judge Daughtrey received both her B.A. and J.D. degrees from Vanderbilt University. She served on the Standards Review Committee from 2003 to 2005.

**Robert D. Dinerstein** is a professor of law at American University Washington College of Law, where he has served on the faculty since 1983. From 1997 to 2004, he was associate dean for academic affairs. Professor Dinerstein was the director of the law school's nationally recognized clinical program from 1988 to 1996 and since August 2008 has once again assumed those duties. He has directed and taught in the Criminal Justice Clinic and now directs the law school's Disability Rights Law Clinic. Professor Dinerstein specializes in the Americans with Disabilities Act and the rights of people with intellectual disabilities and mental illness, homelessness, civil rights, lawyer-client issues (especially client counseling) and clinical legal education. Before joining American University, Professor Dinerstein worked as an attorney in the

U.S. Department of Justice's Civil Rights Division, Special Litigation Section. He has written extensively on clinical legal education and disability rights, and is coauthor and coeditor of *A Guide to Consent* (American Association on Mental Retardation, 1999). Professor Dinerstein was a member of the Clinton transition team in 21992 and was named by President Clinton to membership on the President's Committee on Mental Retardation, on which he served from 1994 to 2001. His Section activities include Standards Review Committee, serving as chair in 2004-2005; the Skills Training Committee (now Clinical Skills), and the Technology Committee, as well as serving on more than 15 site evaluation teams. He also has been active in the Association of American Law Schools (AALS), serving as chair of the Sections on Clinical Legal Education and Law and the Community, as well as a member of chair of AALS committees on Membership Review, Clinical Legal Education and the Sections and the Annual Meeting. Professor Dinerstein has an A.B. from Cornell University and a J.D. from Yale Law School. He has served on the Council since 2006.

**Susan Gainey-Odoyo (Young Lawyers Division Liaison)** is a former partner at the firm of Kightlinger & Gray in Indianapolis, Indiana, where she practiced in the fields of litigation, products liability and employment law. Ms. Gainey-Odoyo is currently on sabbatical to focus on writing. She recently spent two months performing volunteer work at an HIV-affected orphanage in Kenya. A native of Tampa, Florida, Ms. Gainey-Odoyo received her bachelor's degree from Indiana University and her J.D. degree with honors from Valparaiso University School of Law in 1999. She obtained an L.L.M., magna cum laude, from Indiana University School of Law in 2008. Ms. Gainey-Odoyo was admitted to the Indiana bar in 1999. She is also admitted to practice before the U.S. District Courts for the Northern and Southern Districts of Indiana, as well as the Seventh Circuit Court of Appeals. Ms. Gainey-Odoyo is active in numerous bar and community associations, where she often maintains a leadership position. In 2003, she was asked by Indiana's Chief Justice to serve on the Indiana Supreme Court Commission for Continuing Legal Education and served as chair in 2006. She was also twice selected to participate in the Indiana Supreme Court's Conclave on Legal Education. Ms. Gainey-Odoyo served on the governing council for the Young Lawyers Division of the American Bar Association from 2006 to 2008 and has also served on the Indiana State Bar Association's Young Lawyers Council since 2005. Additionally, she participates in many pro bono programs, including serving as a Court-Appointed Special Advocate, providing the ABA's disaster legal services and participating in the ABA's Wills for Heroes program. Ms. Gainey received-Odoyo an award from the Indiana Lawyer in 2006 as one of fifteen statewide "Up and Coming Lawyers."

**Tracy Allen Giles Esq.**, is a partner in the firm of Giles & Lambert, P.C. in Roanoke, Virginia, where he practices in the field of bankruptcy law. After receiving a bachelor of arts degree from the University of Virginia, Mr. Giles earned a J.D. degree from Mercer University, Walter F. George School of Law. He is admitted to practice in Virginia, the U.S. Court of Appeals 4th Circuit, and U.S. Bankruptcy Court Western District of Virginia. Mr. Giles has served on numerous American Bar Association committees including the Presidential Appointments Committee (2003-2004, 2004-2005), Standing Committee on Membership (2001-present), Standing Committee on Meetings and Travel (2004-present), and the Working Group on Strategic Planning (2004-present). From 1997 to 2000, he served on the ABA Board of Governors, the House of Delegates, and the Board of Governors Finance Committee. Mr. Giles is also active in the Virginia State Bar, currently serving on the executive committee of the Conference of Local Bars, and teaching at Virginia State Bar workshops and conferences. In 1996, the Virginia State Bar named him the R. Edwin Burnett Jr. Young Lawyer of the Year. He has also received a National Public Service Award from the Federal Emergency Management Agency and the Platinum Key Award from the ABA's Law Student Division.

**Joan S. Howland** is the Roger Noreen Professor of Law and Associate Dean for Information and Technology at the University of Minnesota Law School. Professor Howland teaches American Indian Legal History, Law in Cyberspace, and Business Law. Her scholarship focuses on American Indian law and culture, cyber law, business management, legal research methodologies, and law librarianship. She served on the Accreditation Committee from 2001 to 2006 and has served on the Council since 2006. Professor Howland was a member of the ABA Law Libraries Committee from 1992 through 1994 and co-chaired that Committee from 1994 through 1996. Professor Howland is active in the Association of American Law Schools, the Law School Admissions Council, the American Association of Law Libraries, and the American Indian Library Association. She is a member of the American Law Institute. In 2003, she received the Spirit of Law Librarianship award for her volunteer work with American Indian populations and with indigenous communities in South America. In addition to a J. D., Professor Howland earned master's degrees in history, library science, and business administration. Prior to joining the faculty at Minnesota, she held administrative positions in the law libraries at U.C. Berkeley, Harvard, and Stanford.

**Dennis O. Lynch** is dean emeritus and professor of law at the University of Miami School of Law. He holds a B.A. from the University of Oregon, a J.D. from Harvard Law School, and J.S.D. and LL.M. degrees from Yale Law School. Professor Lynch was a program advisor in law and urban affairs for the Ford Foundation in Bogot?, Colombia in 1969-72. In 1974 he was appointed to the faculty of the University

of Miami School of Law where he taught until 1990, having served as associate dean from 1983 to 1986. He served as dean and professor at University of Denver College of Law from 1990 to 1997, and was dean of the University of Miami School of Law from 1999 to 2008. A nationally recognized authority on Latin American law, employment law, and labor arbitration, Dean Lynch received several awards and grants, including a Fulbright Scholar in economics in Venezuela (1965-66), a Research Fellowship in Law and Modernization (Yale, 1972-74), and an International Legal Center Research Grant (1974-77) for the study of the Colombian legal profession. He is active in the Association of American Law Schools, served on board of the Law School Admission Council, and the Section's Accreditation Committee from 2001 to 2005.

**Bryan M. O'Keefe** (Law Student Division Member) is a law student at Pennsylvania State University, The Dickinson School of Law, where he is an Andrew G. Curtin Scholar and associate editor of the Penn State Law Review. He is the recipient of a CALI Award for earning the highest grade in Legal Research and Writing I and II, Post-Conviction Process, Labor Law, and Employee Benefits Law. In 2009, Mr. O'Keefe was a judicial intern for the Honorable D. Brooks Smith in the United States Court of Appeals for the Third Circuit in Duncansville, Pennsylvania. After graduating summa cum laude with a B.A. in political communications from George Washington University in 2004, Mr. O'Keefe worked as a research assistant at the American Enterprise Institute, as an associate at Burson Marsteller where he wrote on labor issues, and established an independent consulting firm to provide strategic planning and research on labor issues. In the latter business, Mr. O'Keefe also worked with the Center for College Affordability and Productivity, a Washington, D.C.-based research project examining higher education reform.

**Maureen A. O'Rourke** is dean and Michaels Faculty Research Scholar at the Boston University School of Law. Dean O'Rourke joined the law school faculty in 1993 after working at IBM Corporation, where she handled software licensing issues. At the law school, her scholarship is focused on the intersection of intellectual property law and other fields, such as contract and anti-trust law. Dean O'Rourke is the author of a leading copyright casebook, *Copyright in the Global Information Economy* (Aspen Law & Business). She has published articles in the law reviews of Columbia, Duke, Iowa, and Minnesota and the technology journals of Berkeley, Harvard, and Boston University. Currently, she is the associate reporter on the American Law Institute's Principles of Software Contracting Project. Dean O'Rourke graduated summa cum laude with a bachelor of science degree from Marist College and earned a J.D. from Yale Law School. In May 2006, she became Boston University's sixth recipient of the Metcalf Award, the school's highest teaching honor. She served as acting dean for two years prior to becoming the dean in 2006.

**Raymond C. Pierce** is the dean of North Carolina Central University School of Law. Prior to joining the law school in 2005, Dean Pierce was a partner in the national law firm of Baker & Hostetler LLP, representing clients in the steel, energy, construction, and banking businesses. From 1993 to 2000, he served as President Bill Clinton's deputy assistant secretary for civil rights at the U.S. Department of Education, where he managed the enforcement of federal civil rights laws in education and the development of federal civil rights education policy. Dean Pierce serves on the North Carolina Banking Commission, the North Carolina Chief Justice's Commission on Professionalism, the American Law Deans Association board of directors, the National Association of Law Placement Foundation, and the executive board of Duke University's Center on Law, Ethics and National Security. He earned a bachelor's degree from Syracuse University where he was admitted into the Sigma Tau Delta English Honorary Society, and earned a J.D. from Case Western Reserve University School of Law.

**Morgan T. Sammons, Ph.D.** is the dean of the California School of Professional Psychology at Alliant International University in San Francisco, California. A fellow of the American Psychological Association and a diplomate of the American Board of Professional Psychology, Dr. Sammons currently serves as president of the National Register of Health Service Providers in Psychology and was specialty leader for U.S. Navy Clinical Psychology. He served as special assistant for mental health to the U.S. Navy's Surgeon General. Prior to that, he served as Director for Clinical Support for the United States Navy Bureau of Medicine and Surgery, directing policy implementation and service delivery for U.S. Navy shore-based military treatment facilities. A prolific author, Dr. Sammons has edited two volumes and published over 40 journal articles. He is an associate editor for the APA journal *Psychological Services*. Dr. Sammons received both his M.C. and Ph.D. from Arizona State University and completed a fellowship in psychopharmacology at Walter Reed Army Medical Center from 1991 to 1994.

**Edward N. Tucker** is a senior director with the accounting firm of Ellin & Tucker, Chartered. He has more than 40 years of experience with the firm as a certified public accountant (CPA), specializing in management advisory services, particularly mergers, acquisitions, divestitures, strategic planning, human resources, real estate development, dispute resolution, investment, syndication, business valuation, and litigation support. Mr. Tucker earned a bachelor of science degree in business administration from the University of Maryland and received the designation of CPA in 1963. In addition, Mr. Tucker holds the

Accredited in Business Valuation (ABV) credential awarded by the American Institute of Certified Public Accountants. He is active in numerous professional and civic organizations including the American Institute of Certificate Public Accountants, the Maryland Association of Certified Public Accountants (MICPEL), the Suburban Club of Baltimore County, and the Lancers Greater Baltimore Walk for the Homeless, and is a faculty member of the MICPEL Business Law Institute and the Judicial Institute of Maryland. Mr. Tucker served on the Section's Accreditation Committee from 2001 to 2007.

**Honorable Charles R. Wilson** is a judge in the U.S. Court of Appeals in Tampa, Florida. In 1999, President Bill Clinton appointed him to the U.S. Court of Appeals for the 11th Circuit. He earned a B.A. from Notre Dame University. and a J.D. from Notre Dame Law School. After a clerkship with Judge Joseph Hatchett of the U.S. Court of Appeals for the 5th Circuit, Judge Wilson practiced law for five years in Tampa. Subsequently, he was a County Judge in Florida, an U.S. Magistrate Judge in the Middle District in Florida, and a U.S. Attorney for the Middle District in Florida. Judge Wilson is a member of the Advisory Council of the University of Notre Dame Law School, the American Inns of Court, and the American Law Institute. He previously served on the Section's Accreditation Committee.

### [Section Delegates to the House of Delegates](#)

**Honorable Ruth V. McGregor** is a former chief justice of the Arizona Supreme Court. She received her B.A. degree, *summa cum laude*, from the University of Iowa in 1964 followed by an M.A. in 1965. Justice McGregor received her J.D., *summa cum laude* from the Arizona State University College of Law in 1974 after which she entered private practice with the Phoenix firm of Fennemore Craig. In 1981, she accepted a clerkship to Justice Sandra Day O'Connor, returning to Fennemore Craig in 1982, where she continued to practice in the areas of civil trial, administrative and appellate cases in both state and federal jurisdictions. She became a judge of the Arizona Court of Appeals in 1989, serving as vice chief judge from 1993 to 1995 and chief judge from 1995 to 1997; she was elevated to the Arizona Supreme Court in 1997. Justice McGregor served as Chair of the Council from 2007 to 2008 and has also served on the Section's Standards Review Committee.

**Pauline Schneider** is a partner in the Washington, D.C. office of Orrick, Herrington & Sutcliffe LLP where she practices primarily in the area of public finance. Prior to joining Orrick, Ms. Schneider practiced public finance at Hunton & Williams LLP for 21 years. She holds a B.A. from Glassboro State College, an M.A. in urban studies from Howard University, and a J.D. from Yale Law School. Ms. Schneider is a member of the National Association of Bond Lawyers and is a former member of the Board of National Association of Securities Professionals. She served as both secretary and president of the District of Columbia Bar and was a member of its Board of Governors. She is a past Chair of the Section's Council and a former chair of the Accreditation Committee. Ms. Schneider is also a former member of the ABA Board of Governors as well as serving on the ABA Nominating Committee, the Standing Committee on the Federal Judiciary, and chair of the Standing Committee on Election Law. In 1999, she received the ABA's Margaret Brent Women Lawyers of Achievement Award.

### [Board of Governors Liaison](#)

**Amelia Helen Boss** is Trustee Professor of Law at Drexel University Earle Mack School of Law. She is an internationally recognized expert on legal issues in electronic commerce, a leading scholar on codifying international commercial law through treaty, a member of the Council of the American Law Institute, and the first professor and second woman to chair the ABA's Business Law Section. Previously, Professor Boss was professor and director of the Institute for International Law and Public Policy at Temple University Beasley School of Law and was a faculty member at Rutgers-Camden School of Law, and a visiting professor at the University of Miami School of Law. A member of the Permanent Editorial Board of the Uniform Commercial Code, Professor Boss currently serves as an advisor and as the U.S. delegate to the United Nations Commission on International Trade Law on issues relating to electronic commerce. Professor Boss has written scores of books, articles and reports on the uniform commercial code, electronic data transfer, and leasing transactions. After receiving a J.D. from Rutgers-Camden School of Law, where she served on the *Law Review* and participated in Jessup International Moot Court, Professor Boss clerked for the Honorable Milton B. Conford of the Supreme Court of New Jersey. She later entered private practice as an associate with Pepper, Hamilton & Scheetz in Philadelphia and with McCarter & English in Cherry Hill, New Jersey. In 1998, *The National Law Journal* ranked Professor Boss as one of the 50 most influential women attorneys in the U.S. In January 2009, she was elected chair of the Commercial and Related Consumer Law Section of the Association of American Law Schools



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Exhibit 13-Process for Selecting Members of Decision Making Bodies

The Nominating Committee consists of eight members. Six members of the Committee shall be appointed by the Chairperson of the Section from the Section membership and shall serve one three-year term. The terms of one-third of the appointed members shall expire every year. Each Immediate Past Chairperson of the Section shall serve a two-year term, and shall act as Chairperson of the Nominating Committee in the second year of his or her term on the Committee. Membership on the Committee should include legal educators, practitioners and members of the judiciary. Terms commence at the adjournment of the Annual Meeting of the Association.

The 2010-2011 Nominating Committee has eight members—four law faculty, one federal judge, two practicing lawyers and one public member. The Nominating Committee seeks nominations from the constituencies that are interested in legal education and admissions to the bar, through memoranda and a notice published in the Section's Newsletter (Syllabus).

The Committee provides a report to Section members that includes a statement on the candidates background, including academic and professional qualifications, and relevant employment and organizational affiliations. It is through this process that a candidate is vetted to determine eligibility. Any questions regarding eligibility are referred to counsel for review.

The Nominating Committee's slate of nominees is placed before the membership of the Section at the Section's Annual Meeting (August of each year) and voted on at that time. Council members are elected for three-year terms and may not serve more than two consecutive terms. Neither the ABA Board of Governors, House of Delegates, or ABA officers have a role in the nomination or election of members of the Council. (See Bylaws of Section, Article IV) Members of the Accreditation Committee are appointed by the Chairperson of the Council. They serve two-year staggered terms and may not serve more than three terms on the Accreditation Committee. (See Bylaws of Section, Article X). The ABA Board of Governors, House of Delegates, or ABA Officers have no role in the appointment of members of the Accreditation Committee.

The Appeals Panel consists of three people appointed by the Chair of the Council to serve a one year term beginning at the end of the Annual Meeting of the Section and continuing to the end of the next Annual Meeting of the Section. The Chair of the Council also appoints, at the same time and for the same term, three alternates to the Appeals Panel. All members of the Appeals Panel and alternates shall be (1) former members of the Council or Accreditation Committee or (2) experienced site team evaluators. The Appeals Panel and the panel of alternates will each include one legal educator, one judge or practitioner, and one public member. The Chair of the Council shall designate one member of the Appeals Panel to serve as its chair. Members of the Appeals Panel and alternates shall be:

1. Experienced and knowledgeable in the Standards, Interpretations and Rules of Procedure;
2. Trained in the current Standards, Interpretations and Rules of Procedure at a retreat or workshop or by other appropriate methods within the last 3 years;
3. Subject to the Section's Conflicts of Interest Policy, as provided in IOP 19; and
4. Appointed for a one-year term and eligible to serve consecutive terms.

In the event that any member of the Appeals Panel is disqualified under IOP 19 (Conflict of Interest) or is otherwise unable to serve on a particular Appeal (A member of the Appeals Panel must recuse from participating in a matter if the member participated in making the underlying decision or recommendation on such matter), that member of the Appeals Panel shall be replaced for that Appeal by the alternate from the same occupational category. In the event that neither the member nor designated alternate in the same occupational category is able to serve on a particular Appeal, the Chair of the Council shall appoint a second alternate, from the same occupational category, for that Appeal.

# SYLLABUS

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



## Robert K. Walsh Is the 2010 Kutak Award Recipient



**R**obert K. Walsh, professor and dean emeritus at Wake Forest University School of Law, is the 2010 recipient of the Section's Robert J. Kutak Award. Nominating letters underscored Professor Walsh's current tenure as president of the American Inns of Court as evidence of his qualifications for the award. A long-time advocate of including law schools in the Inns of Court, he has made it a priority to encourage law school deans, faculty and students to embrace the organization's pursuit of legal excellence, civility, ethics, and professionalism. Under Professor Walsh's leadership, Inns of Court membership has grown from single digits to more than 100.

During his term as president, the organization developed a series of practice skills videos entitled "Visions of Excellence," which were distributed to every law school in the country. One of the few non-judges to serve as Inns of Court president, Professor Walsh was also recently elected an Honorary Academic Bencher of the Honorable Society of the Inner Temple, one of the four Inns of Court in London, an honor that is rarely bestowed outside the United Kingdom.

Professor Walsh served as dean of Wake Forest University School of Law from 1989 to 2007. Previously, he was a litigation partner with a Little Rock, Arkansas, law firm; dean of the University of Arkansas at Little Rock School of Law; a law professor at Villanova University School of Law; and an associate with a Los Angeles law firm. He earned a bachelor's degree at Providence College and a law degree at Harvard Law School.

In addition to serving as chair of the Section of Legal Education and Admissions to the Bar from

*Continued on page 12*

## Syllabus Goes Digital

**B**eginning with the Fall 2010 issue, *Syllabus* will become an electronic publication, published four times a year, in an html version. This transition will allow us to communicate with Section members faster and more often. *Syllabus* will continue to bring you updates on law school accreditation, trends in legal education, and activities of the Section. Past issues will be archived on the Section's Web site.

To ensure that you receive *Syllabus*, please log onto to **myABA** to verify that we have your correct email address. Here are step-by-step instructions:

1. From the ABA home page, **www.abanet.org**, click on myABA under the Member Resources tab at the top of the page.
2. Enter your ABA ID number or your e-mail address on file.
3. Enter your password.

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**8-9** ABA Annual Meeting

# Nominating Committee Announces 2010-2011 Council Slate

The Nominating Committee has made the following recommendations to Jerome C. Hafter, Chair of the Section. All of the nominees have indicated their willingness to have their names placed into nomination. The election of Section officers and Council members will occur at the Section's Annual Business Meeting, Saturday, August 7, 2010, at the Hotel Nikko, 222 Mason Street, San Francisco.

## Chair

(automatic under the Bylaws)

### Honorable Christine Durham

has been on the Utah Supreme Court since 1982, and has served as chief justice and chair of the Utah Judicial Council since 2002. She previously served on the state trial court after a number of years in private practice. She received an A.B. with honors from Wellesley College and a J.D. from Duke University, where she is a member of the board of trustees. Currently she serves on the board of directors for the National Center for State Courts, is a member of the Council of the American Law Institute, and is a fellow of the American Bar Association. Past professional service includes the governing boards of the American Inns of Court Foundation, the Appellate Judges Conference of the ABA, the Rand Corporation's Institute for Civil Justice, the ABA's Commission on Women in the Profession, and the Federal Judicial Conference's Advisory Committee on the Rules of Civil Procedure. Justice Durham is a past president of the National Association of Women Judges, and was that organization's Honoree

of the Year in 1997. Active in judicial education, Justice Durham was a founder of the Leadership Institute in Judicial Education, helped to create and lead the Utah Coalition for Civic Character and Service Education, and serves on the Utah Commission on Civic Education. She was an adjunct professor for many years at the University of Utah College of Law, teaching state constitutional law, and served for 12 years on the Utah Constitutional Revision Commission. She has received honorary degrees from four Utah universities and has been recognized nationally for her work in judicial education and efforts to improve the administration of justice. In 2007 she received the William H. Rehnquist Award for Judicial Excellence.

## Chair-Elect Nominee

**John F. O'Brien** has been dean of New England Law School since 1988. A native of Staten Island, New York, he received a B.A. in 1973 from Manhattan College; a J.D. in 1977 from New England Law School, where he graduated first in his class; and an LL.M. in taxation in 1980 from Boston University School of Law. From 1977 to 1985, he was a senior attorney in the Office of the Chief Counsel of the Internal Revenue Service. In 1985, he joined the faculty of New England Law School, teaching constitutional law and federal income taxation. He served as associate dean for two years before being named dean. Dean O'Brien previously served as chair of both the Accreditation Committee and the Independent Law Schools Forum

of the Section. Before serving as chair of the Accreditation Committee, he was involved in the accreditation process, serving as special fact-finder and as both member and chair of law school evaluation teams. He is admitted to practice in Massachusetts, the United States District Court for the District of Massachusetts, the United States Tax Court, and the United States Supreme Court. He has received honorary doctor of laws degrees from New England Law School (1998) and from his undergraduate alma mater, Manhattan College (2006). Dean O'Brien has served on the Council since 2005 and served as Vice Chair in 2009-2010.

## Vice Chair Nominee

**Kent D. Syverud** is the dean and Ethan A.H. Shepley University Professor at Washington University School of Law. Before coming to Washington University in 2006, Dean Syverud was the Garner Anthony Professor of Law at Vanderbilt University Law School for eight years, and spent 1987 to 1997 at the University of Michigan Law School, first as a professor and then as professor and associate dean for academic affairs. Prior to joining legal education, Dean Syverud was an attorney at Wilmer, Cutler & Pickering in Washington, D.C., and clerked for Justice Sandra Day O'Connor at the U.S. Supreme Court and Judge Louis F. Oberdorfer at the United States District Court for the District of Columbia. He is a member of numerous legal education organizations including the Law School Admission Council (chair

of the board of trustees, 2005-2007; board member, 1999-2008), the American Law Institute, and was president of the American Law Deans Association from 2003 to 2005. From 1998 to 2004, Dean Syverud was editor of the *Journal of Legal Education*. He was also an expert witness on behalf of the University of Michigan in the case of *Gutter v. Bollinger et al.* before the U.S. Supreme Court. Dean Syverud earned a B.S. *magna cum laude* and Phi Beta Kappa, from the Georgetown University School of Foreign Service; a master's degree in economics from the University of Michigan Rackham School of Graduate Studies; and a J.D. *magna cum laude* from the University of Michigan Law School where he was Order of the Coif and editor-in-chief of the *Michigan Law Review*. His previous Section activities include serving on the 2006-2007 Accreditation Policy Task Force, co-chairing the 2009 Deans Workshop Planning Committee, and participating on site evaluation teams, several times as chair. Dean Syverud has served on the Council since 2009.

**Council Member Nominees**  
**The Honorable Rebecca White Berch** was appointed to the Arizona Supreme Court in March 2002 and became its 23rd chief justice in 2009. Before her appointment to the supreme court, she served the state of Arizona as solicitor general, first assistant attorney general, and as a court of appeals judge. Following graduation from the Arizona State University (ASU) law school in 1979, Justice Berch practiced law in Phoenix. In 1986, she joined the faculty at Arizona State University College of Law as director of the Legal Writing program. She also served as director of the law school's academic support

program. For the Section, she has served on the Bar Admissions Committee, including two years as its chair.

Before joining the Arizona Supreme Court, Justice Berch served on the Arizona Bar Examinations Committee. She currently serves on the board of trustees of the National Conference of Bar Examiners. In addition to her J.D. degree, Justice Berch holds a master's degree in English, also from ASU. The law school textbook she co-authored, *Introduction to Legal Method and Process*, is in its fifth edition and is used in law schools throughout the nation. Justice Berch is a strong proponent of pro bono work; the Pro Bono Suite at ASU's Sandra Day O'Connor College of Law is named in her honor.

**General Leo A. Brooks Sr.** retired in January 1984 from the United States Army, having reached the grade of major general. He began his military career as an infantry rifle platoon leader in the 2nd Infantry Division in Anchorage, Alaska. Subsequently, he was an assistant professor of military science at Central State University in Wilberforce, Ohio, an advisor to the Vietnamese Army, and a battalion commander in Vietnam. He served in the Pentagon twice: first, as a budget liaison to the U.S. Congress and secondly, as a senior logistician in the Office of the Joint Chiefs of Staff. Upon his retirement from the Army, General Brooks became the managing director of the City of Philadelphia, where he headed the activities of the city's 30,000 employees in the ten service departments. He is currently an ordained deacon, a lay leader and an adult Sunday school teacher at Alfred Street Baptist Church, Alexandria, Virginia.

General Brooks holds a bachelor of science degree from

# SYLLABUS

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## Section of Legal Education and Admissions to the Bar

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Virginia State University and a master of science in financial management from George Washington University. He is also a graduate of the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas, and the National War College in Washington, D.C.

**Paulette Brown** is Partner and Chief Diversity Officer at the national law firm of Edwards Angell Palmer & Dodge LLP. Her practice is focused on all facets of labor and employment and commercial litigation, successfully defending cases involving discrimination on the basis of age, sex, marital status, sexual harassment, disability, race, and national origin. Prior to joining Edwards Angell Palmer & Dodge, Ms. Brown was a partner at Duane Morris and at Brown & Childress, served as corporate counsel to several Fortune 500 companies, and served as a municipal court judge. Ms. Brown is a certified mediator for the United States District Court, District of New Jersey, a member of the Employment AAA Panel, and serves as secretary of the Labor and Employment Section of the New Jersey State Bar Association. From 1993 to 1994, she was president of the National Bar Association and has held a number of other leadership positions in the organization. From 1991 to 1993, Ms. Brown was Master of the C. Willard Heckel Inn of Court.

After earning a bachelor's degree from Howard University, Ms. Brown earned a J.D. from Seton Hall University School of Law. She has been recognized by the *New Jersey Law Journal* as one of the prominent women and minority attorneys in the state of New Jersey, named by the *National Law Journal* as one of the "50 Most Influential

Minority Attorneys in the United States," and received the Thurgood Marshall College Fund's Award of Excellence. Ms. Brown is completing a term on the ABA Board of Governors and the House of Delegates. She has also been active in the ABA Governance Commission, the Section of Litigation, the Section of Labor and Employment, Commission on Women in the Profession, Fund for Justice Education, and was chair of the Council on Racial and Ethnic Justice.

**Edwin J. Butterfoss** is a professor at Hamline University Law School in St. Paul, Minnesota. Professor Butterfoss joined the Hamline faculty from the Philadelphia law firm of Pepper, Hamilton and Scheetz, where he practiced in the areas of product liability, employment discrimination, and commercial law. He also handled pro bono cases involving prisoners' rights and was a volunteer attorney for the Support Center for Child Advocacy. At Hamline, Professor Butterfoss teaches Contracts, Criminal Law, and Criminal Procedure. He previously served as associate dean for academic affairs and was dean of the law school from 1998 to 2003. He will again assume the role of associate dean beginning July 1, 2010. He has served as a special assistant Hennepin County attorney, as a member of the Mayor's Task Force on Police-Community Relations in St. Paul, a member of the Minnesota Supreme Court-Criminal Courts Study Commission, a board member of the ACLU of Minnesota, and as a founding board member of the Innocence Project of Minnesota. Currently, he is a member of the Minnesota Judges' Criminal Benchbook Committee.

Professor Butterfoss has served as a member of the Accreditation Committee, which he chaired for

three years and currently serves on the Standards Review Committee and the Foreign Programs Committee. He graduated *magna cum laude* from Miami University of Ohio with a bachelor's degree in accounting and *magna cum laude* with a J.D. from Georgetown University Law Center where he was on the editorial board and case and note editor for the *Georgetown Law Journal*.

**Michael J. Davis** is the Centennial Teaching Professor of Law at the University of Kansas School of Law. Professor Davis joined the KU law faculty in 1971 and teaches Property, Government Regulation of Land Development, and Religion and the State. In 1991, he received the Immel Award for Teaching Excellence. In addition to his faculty duties, Professor Davis served as the university's general counsel for six years, dean of the law school from 1980 to 1989 and as interim dean from 2005 to 2006. He was also Of Counsel to the Kansas City law firm of Stinson Morrison Hecker from 1989 to 2009. Before joining the law school, Professor Davis was an associate at Arent, Fox, Kintner, Plotkin & Kahn, a Reginald Heber Smith Fellow at the Legal Aid Society of Greater Kansas City, and a legislative assistant to U.S. Representative Louis Stokes (D-OH).

Professor Davis graduated with honors from Kansas State University and earned a J.D. from the University of Michigan Law School where he was the editor of the *Michigan Law Review*. He has served as the chair of the Section's Accreditation Committee and Standards Review Committee, and served on the Finance Committee.

**Maureen A. O'Rourke** is dean and Michaels Faculty Research Scholar at the Boston University School of Law. Dean O'Rourke

joined the law school faculty in 1993 after working at IBM Corporation, where she handled software licensing issues. At the law school, her scholarship is focused on the intersection of intellectual property law and other fields, such as contract and anti-trust law. Dean O'Rourke is the author of a leading copyright casebook, *Copyright in the Global Information Economy* (Aspen Law & Business). She has published articles in the law reviews of Columbia, Duke, Iowa, and Minnesota, and the technology journals of Berkeley, Harvard, and Boston University. Currently, she is the associate reporter on the American Law Institute's Principles of Software Contracting Project.

Dean O'Rourke graduated *summa cum laude* with a bachelor of science degree from Marist College and earned a J.D. from Yale Law School. In May 2000, she became Boston University's sixth recipient of the Metcalf Award, the school's highest teaching honor. She served as acting dean for two years prior to becoming the dean in 2006.

**Raymond C. Pierce** is the dean of North Carolina Central University School of Law. Prior to joining the law school in 2005, Dean Pierce was a partner in the national law firm of Baker & Hostetler LLP, representing clients in the steel, energy, construction, and banking businesses. From 1993 to 2000, he served as President Bill Clinton's assistant secretary for civil rights at the U.S. Department of Education, where he managed the enforcement of federal civil rights laws in education and the development of federal civil rights education policy.

Dean Pierce serves on the North Carolina Banking Commission, the North Carolina Chief Justice's Commission on Professionalism,

the American Law Deans Association board of directors, the National Association of Law Placement Foundation, and the executive board of Duke University's Center on Law, Ethics and National Security. He earned a bachelor's degree from Syracuse University where he was admitted into the Sigma Tau Delta English Honorary Society, and earned a J.D. from Case Western Reserve University School of Law.

#### Law Student Division Member

**Bryan M. O'Keefe** is a second-year law student at Pennsylvania State University, The Dickinson School of Law, where he is an Andrew G. Curtin Scholar and associate editor of the *Penn State Law Review*. He is the recipient of a CALI Award for earning the highest grade in Legal Research and Writing I and II, Post-Conviction

Process, Labor Law, and Employee Benefits Law. In 2009, Mr. O'Keefe was a judicial intern for the Honorable D. Brooks Smith in the United States Court of Appeals for the Third Circuit in Duncansville, Pennsylvania.

After graduating *summa cum laude* with a B.A. in political communications from George Washington University in 2004, Mr. O'Keefe worked as a research assistant at the American Enterprise Institute, as an associate at Burson Marsteller where he wrote on labor issues, and established an independent consulting firm to provide strategic planning and research on labor issues. In the latter business, Mr. O'Keefe also worked with the Center for College Affordability and Productivity, a Washington, D.C.-based research project examining higher education reform. 🏠

## 2009-2010 NOMINATING COMMITTEE

**Chair: The Honorable Ruth V. McGregor**, Chief Justice (retired)  
Arizona Supreme Court

Randy A. Hertz, Professor  
New York University Law School

James Klein, Visiting Professor  
Charleston School of Law

Kent D. Lollis, Executive Director for Diversity Initiatives  
Law School Admission Council

Richard J. Morgan  
Las Vegas, New Mexico

The Honorable Solomon Oliver Jr., United States District Judge  
Cleveland, Ohio

Suellyn Scarnecchia, Vice President and General Counsel  
University of Michigan

Edward N. Tucker, CPA/ABV  
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# Fall 2009 Law School Enrollment Statistics Released

The following is a comparison of Fall 2009 and Fall 2008 enrollment at ABA-approved law schools. The data are taken from Part 2 of the ABA Annual Questionnaires from 2008 and 2009. Please note that the law schools in Puerto Rico were not included in the minority enrollment counts.

## LAW SCHOOL ENROLLMENT

	2008	2009	Net Change	Percent Change
<b>Total Law School Enrollment</b>	152,033	154,549	2,516	1.02%
<b>Total J.D. Enrollment</b>	142,922	145,239	2,317	1.02%
<b>Total Male J.D. Enrollment</b>	75,954	76,737	783	1.01%
<b>Total Female J.D. Enrollment</b>	66,968	68,502	1,534	1.02%
<b>Total Minority J.D. Enrollment</b>	31,371	32,505	1,134	1.04%

## PERCENTAGE OF TOTAL J.D. ENROLLMENT

	2008	2009	Percent Change
<b>Total Male J.D. Enrollment</b>	53.1%	52.8%	-.3%
<b>Total Female J.D. Enrollment</b>	46.9%	47.2%	.3%
<b>Total Minority J.D. Enrollment</b>	21.9%	22.3%	.4%

## FIRST YEAR ENROLLMENT

	2008	2009	Net Change	Percent Change
<b>Total First Year Enrollment</b>	49,414	51,646	2,232	1.05%
<b>Total Male First Year Enrollment</b>	26,007	27,341	1,334	1.05%
<b>Total Female First Year Enrollment</b>	23,407	24,305	898	1.04%
<b>Total Minority First Year Enrollment</b>	11,323	11,840	517	1.05%

## PERCENTAGE OF TOTAL FIRST YEAR ENROLLMENT

	2008	2009	Percent Change
<b>Total Male First Year Enrollment</b>	53%	53%	0
<b>Total Female First Year Enrollment</b>	47%	47%	0
<b>Total Minority First Year Enrollment</b>	22.9%	22.9%	0

# Former Section Chair Receives Opperman Award

**T**he Honorable Randall T. Shepard, Chief Justice of the Indiana Supreme Court, is the recipient of the American Judicature Society's (AJS) sixth annual Dwight D. Opperman Award for Judicial Excellence. In making the announcement, Chief Judge Judith S. Kaye, chair of the selection panel, said, "He is a shining star of the American justice system, the pride of lawyers and judges—especially State Court judges—in and well beyond Indiana, and an example of the success of the great objectives of the American Judicature Society."

Chief Justice Shepard was appointed to the Indiana Supreme Court in 1985 and was named chief justice 18 months later at the age of 38, then the youngest chief justice in the nation. A nationally recognized authority on judicial ethics and legal professionalism, Chief Justice Shepard has written more than 850 majority opinions and taught at Yale Law School, New York University School of Law, and Indiana University School of Law-Indianapolis. Chief Justice Shepard is a graduate of Princeton University and Yale Law School and earned an LL.M. from the University of Virginia School of Law. He served as chair of the Section of Legal Education and Admissions to the Bar from 1998 to 1999.

The AJS created the Opperman Award to honor state trial and appellate judges for distinguished service. It is named for Dwight D. Opperman, former chairman and CEO of West Publishing Company, who currently serves on the AJS Board of Directors as a Distinguished Lifetime Director. 🏠



## DWIGHT D. OPPERMAN AWARD FOR JUDICIAL EXCELLENCE

The American Judicature Society created the Opperman Award in honor of Dwight D. Opperman, the former chairman and CEO of West Publishing Company. The Opperman Award is presented annually to a state judge of a trial or appellate court who has had a career of distinguished judicial service.

For more information about the award, visit:

[www.ajs.org/ajs/awards/opperman/opperman\\_default.asp](http://www.ajs.org/ajs/awards/opperman/opperman_default.asp)



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August 5-10, 2010



# SAN FRANCISCO

# 2010

## Annual Meeting

San Francisco, California • August 5-10, 2010

### Section Schedule At-a-Glance

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**Section Headquarters Hotel** • Hotel Nikko • 222 Mason Street • 415-394-1111

#### Thursday, August 5

8:00 a.m. — 4:00 p.m.

Section Office • Mendocino I, 2nd floor

8:30 a.m. — 4:30 p.m.

Council Meeting • Bay View, 25th floor

6:00 p.m. — 9:00 p.m.

Chairperson's Dinner

#### Friday, August 6

8:00 a.m. — 4:00 p.m.

Section Office • Mendocino I, 2nd floor

8:30 a.m. — 4:30 p.m.

Council Meeting • Bay View, 25th floor

6:30 p.m. — 8:00 p.m.

Kutak Award Reception • Nikko Ballroom, 3rd floor

#### Saturday, August 7

7:00 a.m. — 1:00 p.m.

Section Office • Mendocino I, 2nd floor

7:30 a.m. — 9:30 a.m.

Deans Breakfast • Golden Gate, 25th floor

10:00 a.m. — 11:00 a.m.

**Section Program I:** Student Learning Outcomes and Assessment

Nikko Ballroom I, 3rd floor

Legal educators will share practical information about how their institutions address student learning outcomes and assessment.

11:15 a.m.-12:15 pm.

**Section Program II:** Student Loans and Federal Lending

Nikko Ballroom I, 3rd floor

Join in a discussion of the current state of student loans and the recent changes in federal funding for higher education.

12:30 p.m. — 1 p.m.

Annual Section Business Meeting • Monterey II, 3rd floor

# Florida A&M University College of Law Hosts the ABA Law Student Division During the Midyear Meeting

Timothy D. Blevins, Professor, Legal Methods, Florida A&M University College of Law



Members of the judiciary and FAMU faculty who participated in the Law Student Division event included (left to right) Justice Frank Sullivan Jr. (Indiana Supreme Court), Judge Ramona See (Los Angeles Supreme Court), Judge William Palmer (Fifth District Court of Appeals for Florida), Judge Bruce Jacobus (Fifth District Court of Appeals for Florida), Judge C. Alan Lawson (Fifth District Court of Appeals for Florida), Associate Judge Toni Clarke (Prince George's County [Maryland] Circuit Court, 7th Judicial Circuit), and Professor Timothy Blevins (Florida A&M University College of Law).

Nearly 100 members of the Law Student Division (LSD) of the American Bar Association (ABA), guided by Judge Ramona See and Judge Toni E. Clarke, arrived by bus from the ABA's midyear meeting site in Orlando to Florida A&M University's College of Law

(FAMU) to observe live oral arguments in front of the Fifth District Court of Appeals for Florida. The February 4th event involved actual appeals that included an attempted murder case appeal, a breach of oral contract case, and a sexual assault case. Associate Dean Darryll Jones addressed

the law school guests before the arguments took place and reminded the students that they were witnessing the pinnacle of dispute resolution, the peaceful settlement of the dispute.

The appellate panel included Chief Judge C. Alan Lawson, Judge William Palmer, and Judge Bruce

Jacobus, all of the Fifth District Court of Appeals for Florida. Judge Lawson set a relaxed tone in the courtroom but reminded everyone of the gravity of the appellate decision making process. In the attempted murder case and the sexual assault case, the convictions resulted in life in prison sentences. The oral contract case involved \$27,000 in disputed damages.

As each round of oral argument was completed, the panel allowed those in attendance to ask questions directed to appellate procedures and the expectations of the judges in listening to the oral arguments. In addition, the panel and the advocates fielded questions regarding career development, the steps in preparing for the appeal, and the style employed by the advocate during oral argument. Comments made by the judges and the attorneys, following the event, revealed their delight in the nature and depth of the questions asked by the students.

Generally, we find that our students gain a level of insight into the appellate process that they could get only if they went to the court. This event brings



FAMU students and members of the ABA Law Student Division filled the courtroom for live oral arguments in front of the Fifth District Court of Appeals for Florida.

the court to the students and this year we moved the annual event to February to coincide with the ABA's midyear meeting and allow the LSD guests to attend.

Members of FAMU student body served as hosts and ambassadors throughout the event. Questions raised by guests were best handled by current students

at the law school and FAMU's students made their contemporaries feel welcome. LSD members were provided with lunch before re-boarding buses to take them back to the meeting site. Regina Smith from the ABA's Center for Racial and Ethnic Diversity was instrumental in helping to coordinate the event. 🏠

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## American Bar Foundation Issues Call for Visitors

The American Bar Foundation invites scholars to join the intellectual community of the ABF for the 2010-2011 academic year (August 31, 2010 to June 30, 2011). The ABF encourages national and international scholars on leave or sabbatical to take advantage of the ABF's diverse intellectual community and excellent facilities. For visitors, the ABF offers an office, telephone, and computer, but no stipend. Preference will be given to visitors whose scholarship coincides with the research agenda of the ABF and who will be in residence full-time.

To apply, please send an email with the subject line "Visiting Scholars Program" to Robert Nelson at [rnelson@abfn.org](mailto:rnelson@abfn.org), which states:

- (1) the topic on which you are working
- (2) the preferred dates for residence
- (3) the days each week you would expect to be at the ABF.

Please attach a CV. Applications will be considered as space allows. The ABF Appointments Committee will review applications and prospective visitors will be notified in late Spring 2010. 🏠

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## KUTAK AWARD

*Continued from page 1*

1999 to 2000, Professor Walsh was chair of the Section's Accreditation Committee and the Standards Review Committee. As chair of Standards Review from 1991 to 1996, he oversaw the first comprehensive review of the Standards in 20 years. Professor Walsh has also served on the board of trustees of the National Association of Law Placement Foundation, the ABA Central European and Eurasian Initiative Advisory Council, as vice president of the North Carolina Bar Association and a member of its board of governors. Supreme Court Chief Justice John Roberts recently appointed him to a five-year term on the Federal Judicial Center Foundation Board.

Professor Walsh will receive the 2010 Kutak

Award at a reception on Friday evening, August 6, at the Hotel Nikko in San Francisco during the ABA Annual Meeting.

Robert J. Kutak was a founding partner of the national law firm of Kutak Rock, LLP. Kutak, who passed away in 1983, dedicated his career to public service and the improvement of legal education and the legal profession. The Section of Legal Education and Admissions to the Bar and Kutak Rock established the Robert J. Kutak Award in 1984. The award is given annually to an individual who has contributed significantly toward increased cooperation between legal education, the practicing bar, and the judiciary. 🏠

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## 2010 KUTAK SELECTION COMMITTEE

**Chair: Peter A. Winograd, Professor Emeritus**

University of New Mexico School of Law  
Albuquerque, New Mexico

Nina S. Appel, Dean Emerita and Professor  
Loyola University-Chicago School of Law  
Chicago, Illinois

Jose R. Garcia-Pedrosa, Esq.  
Farm Stores Corporation/Gardener's Market  
Palmetto Bay, Florida

Robert MacCrate, Esq.  
Sullivan & Cromwell LLP  
New York, New York

Harold L. Rock, Esq.  
Kutak Rock, LLP  
Omaha, Nebraska

The Honorable Randall T. Shepard  
Supreme Court of Indiana  
Indianapolis, Indiana

E. Thomas Sullivan, Provost  
University of Minnesota  
Minneapolis, Minnesota

Diane Yu, Chief of Staff and Deputy to the President  
New York University  
New York, New York

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## SYLLABUS GOES DIGITAL

*Continued from page 1*

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When each issue is available online, you will receive an email message from the Section with a link to the current issue. You will be able to create a pdf version of individual articles to print or to send to non-Section member colleagues.

We welcome your feedback on this change. Please send your comments to the *Syllabus* editor, Mary McNulty, at [mcnultym@staff.abanet.org](mailto:mcnultym@staff.abanet.org). 🏠

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# CALENDAR

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## JUNE 2010

- 1-4** Law School Development Conference  
Jackson Hole, Wyoming
- 11-13** Council Meeting • Washington, D.C.
- 24-25** Accreditation Committee Meeting  
Washington, D.C.
- 24-26** Associate Deans Conference  
Minneapolis, Minnesota

## JULY 2010

- 24-25** Standards Review Committee  
Chicago, Illinois
- 24** Site Evaluation Questionnaire Training  
Chicago/Rosemont, Illinois

## AUGUST 2010

- 5-10** ABA Annual Meeting  
San Francisco, California
- 5-6** Council Meeting
- 5** Chair's Dinner
- 6** Kutak Award Reception
- 7** Deans Breakfast
- 7** Annual Section Business Meeting
- 21** Annual Questionnaire Training  
Chicago/Rosemont, Illinois

## SEPTEMBER 2010

- 25** Site Team Chairs Workshop  
Chicago, Illinois
- 29-Oct. 3** Accreditation Committee Meeting  
and Retreat • Chicago, Illinois

## OCTOBER 2010

- 2-3** Council Retreat • Chicago, Illinois
- 30** Site Evaluators Workshop  
Rosemont, Illinois

## NOVEMBER 2010

- 7-8** Standards Review Committee • TBD
- 11-13** Accreditation Committee Meeting  
Portland, Oregon

## JANUARY 2011

- 20-22** Accreditation Committee Meeting  
Charleston, South Carolina

## APRIL 2011

- 28-30** Accreditation Committee Meeting • TBD

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## UPCOMING CONFERENCES



**June 24-26, 2010**  
**Associate Deans Conference**  
Minneapolis, Minnesota

**August 5-10, 2010**  
**ABA Annual Meeting**  
San Francisco, California

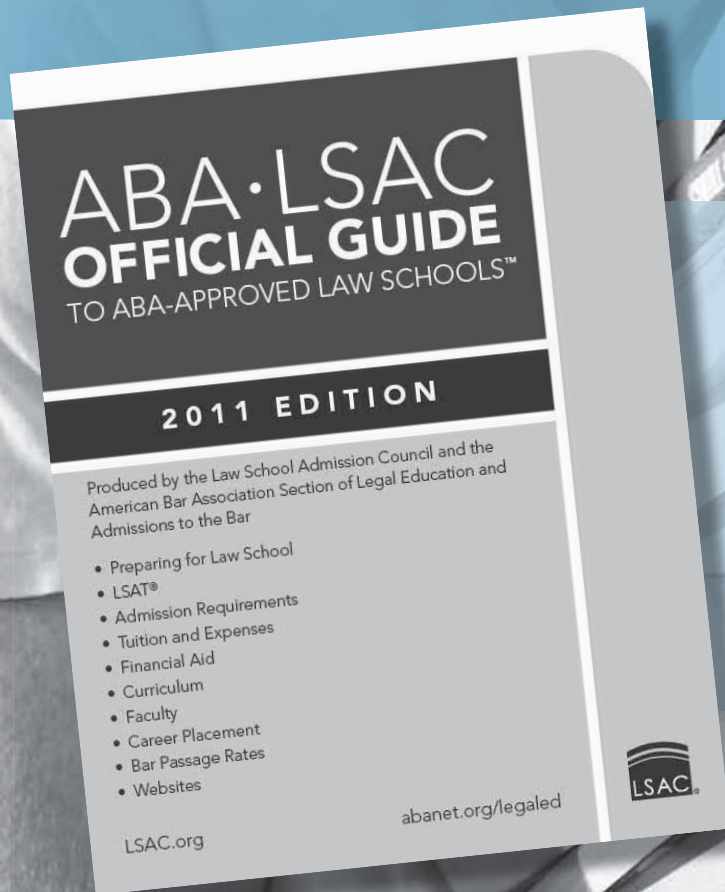
**October 30, 2010**  
**Site Evaluators Workshop**  
Rosemont, Illinois

Register online at [www.abanet.org/legaled](http://www.abanet.org/legaled).



# PUBLICATIONS

FROM THE SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR



## OFFICIAL GUIDE TO ABA-APPROVED LAW SCHOOLS, 2011 EDITION

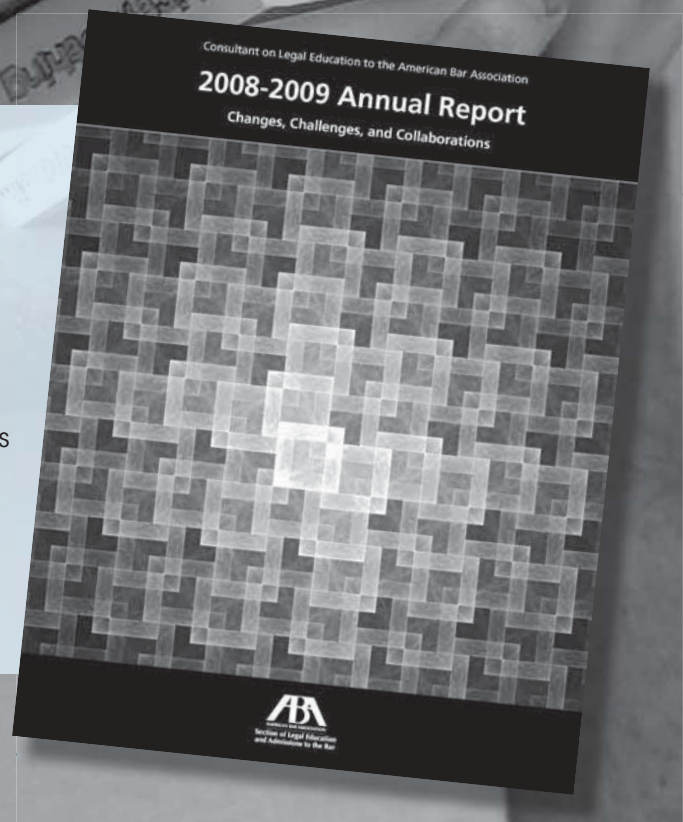
Published annually with the Law School Admission Council, the *Official Guide* contains comprehensive information on each ABA-approved law school including admission requirements, tuition and expenses, financial aid, curriculum, faculty, career placement, and bar passage rates. Chapters also include information on preparing for law school, the law school admission process, law school enrollment statistics, and post-JD/non-JD programs.

Product code: 529008511ED

## 2008-2009 ANNUAL REPORT OF THE CONSULTANT ON LEGAL EDUCATION TO THE ABA

The *Annual Report* provides an overview of the activities and accomplishments of the ABA Section of Legal Education and Admissions to the Bar in the previous year. Chapters include a report of the Accreditation Committee (licensed along with the Section's Council as the national accrediting agency for programs leading to the J.D. degree), a report of the Standards Review Committee, lists of law school site inspections and site teams, Section leadership lists, and the list of ABA-approved law schools.

Product code: 52900890809



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# Proposed Revisions for Section Bylaws

At its March 2010 meeting, the Council reviewed revisions to the Section's Bylaws proposed by the Governance Committee and voted to approve those proposed revisions. These Bylaw revisions will be presented to the American Bar Association Board of Governors meeting, June 3-6, 2010 (as required by ABA Rules) and will be presented to the Section membership for approval at the Section's Business Meeting on August 7, 2010, in San Francisco during the ABA Annual Meeting.

The proposed Bylaw revisions and commentary can be viewed on the Section's Web site at [www.abanet.org/legaled](http://www.abanet.org/legaled).



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Volunteer Position: Council  Accreditation Committee  Appeals Panel

I. Questions

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| 2. Are you an officer of the ABA?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are you an employee, owner, or shareholder of or consultant to an institution or program approved by the Section of Legal Education?                 | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Are you a member of any trade association or membership organization related to, affiliated with, or associated with the Section of Legal Education? | <input type="checkbox"/> | <input type="checkbox"/> |
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## 2010-2011 Accreditation Committee

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### Chair

#### **Jay Conison, Dean**

Valparaiso University School of Law, Valparaiso, Indiana

Jay Conison is dean of the Valparaiso University School of Law. He received a B.A. from Yale College in 1975, an M.A. (Philosophy) from the University of Minnesota in 1978, and a J.D. magna cum laude from the University of Minnesota in 1981. While in law school, Dean Conison was a Notes and Comments Editor of the *Minnesota Law Review* and was Order of the Coif. Previously, he practiced in the field of business litigation with Sonnenschein, Nath & Rosenthal in Chicago. Dean Conison has been a member of the Accreditation Committee since 2005 and was co-chair of the Section's Clinical Skills Committee from 2001 to 2004.

### Vice Chair

#### **Diane F. Bosse, Esq.**

Hurwitz & Fine, P.C., Buffalo, New York

Diane F. Bosse has practiced law in Buffalo, New York for over 30 years. She has chaired the New York State Board of Law Examiners since 2001 and served on the Board of Trustees of the National Conference of Bar Examiners from 1999 to 2008 (Chair, 2006-2007). Ms. Bosse served on the Standards Review Committee of the Section from 2004 to 2007. She is a past president of the Defense Trial Lawyers of Western New York, and a past member of the boards of directors of the Bar Association of Erie County and of the Western New York Trial Lawyers Association. In 2001, Ms. Bosse received the Award of Merit from the Bar Association of Erie County, and she received the Distinguished Alumnus Award for Public Service from the University at Buffalo Law Alumni Association in 2005. She was honored in 2006 as the Defense Trial Lawyer of the Year by the Defense Trial Lawyers of Western New York. In 2010, she received a New York State Bar Association Award for Excellence in Public Service. Ms. Bosse received her B.A. and J.D. degrees from the State University of New York at Buffalo.

### Members

#### **Jonathan Alger**

Rutgers, The State University of New Jersey, New Brunswick, New Jersey

Jonathan Alger is senior vice president and general counsel at Rutgers, The State University of New Jersey, where he is as a member of the senior leadership team, oversees all legal affairs for the university, serves as chief compliance officer, and advises the governing boards and administration. He teaches undergraduate courses on higher education law and diversity issues. He has previously served as assistant general counsel at the University of Michigan (where he helped coordinate two landmark admissions lawsuits in the U.S. Supreme Court), counsel for the American Association of University Professors, attorney-advisor in the U.S. Department of Education's Office for Civil Rights, and as an associate in labor and employment law at Morgan, Lewis & Bockius. Mr. Alger currently serves as first vice president of the National Association of College and University Attorneys and is a member of several national advisory boards in higher education. He has given hundreds of presentations on higher education

law and policy in the U.S. and abroad. Mr. Alger graduated with honors from Harvard Law School and high honors from Swarthmore College.

### **Alice Gresham Bullock, Professor**

Howard University School of Law, Washington, D.C.

Alice Gresham Bullock, a tax and estate planning lawyer, joined the Howard University School of Law faculty in 1979. After having served twice both as associate dean for academic affairs and interim dean, Professor Bullock was named dean of the school of law in 1997 and lead the law school until 2002. She also served as deputy director of the Association of American Law Schools from 1992 to 1994. She has been a member of more than eight ABA sabbatical site visit teams and chaired three site teams. Among other awards, Professor Gresham Bullock was honored by the National Bar Association as a model of excellence in legal education and persistence in the law, public policy and activism and received the inaugural Legacy Diversity Award from the Council on Legal Education Opportunity in honor of her leadership and dedication to diversity in the legal profession. Professor Bullock is a Fellow of the American Bar Foundation.

### **Barbara J. Cox, Professor**

California Western School of Law, San Diego, California

Barbara J. Cox is the Clara Shortridge Foltz Professor of Law at California Western School of Law in San Diego. She received her B.A. from Michigan State University and her J.D. from the University of Wisconsin. Professor Cox served as associate dean for academic affairs at California Western, as interim deputy director at the Association of American Law Schools, and held a joint appointment at the University of Wisconsin Law School and Women's Studies Program. She teaches Civil Procedure; Property; Women and the Law; Comparative Gender, Family, and Sexuality; and Sexual Orientation and the Law. She is the past chair of the AALS Sections on Gay and Lesbian Legal Issues and Women in Legal Education, and is a member of the AALS Resource Corps. Her recent scholarship focuses on interstate recognition of domestic partnerships, marriages, and adoptions by same-sex couples, and she chairs both the executive and steering Committees of Freedom to Marry, the national organization dedicated to winning marriage equality for same-sex couples.

### **Thomas C. Galligan, Jr., President**

Colby-Sawyer College, New London, Ohio

Thomas Galligan earned a bachelor of arts degree in political science from Stanford University; a J.D. from University of Puget Sound (now Seattle University) School of Law, *summa cum laude*, first in class; and a master of laws degree from Columbia University Law School. Mr. Galligan joined Colby-Sawyer College as its eighth president and as a professor in the humanities department in August 2006. Before being selected as the college's president, he served as dean and professor of law at the University of Tennessee College of Law in Knoxville, Tennessee. While there, he was the Elvin E. Overton Distinguished Professor of Law and he taught torts and admiralty. Mr. Galligan has published numerous books and articles on torts and admiralty. His scholarship has been cited in the proposed Restatement (Third) of Torts and by numerous legal scholars. It also has been cited by the United States Supreme Court and other federal and state appellate and trial courts.

### **Dr. Robert Glidden**

Rockbridge Baths, Virginia

Robert Glidden served as president of Ohio University from 1994 until his retirement in 2004. Previously he was at Florida State University for fifteen years, as professor and dean of the School of Music (1979-91) and then as provost and vice president for academic affairs (1991-94). During his career he has been a member of the faculties at Wright State University, Indiana University, the University of Oklahoma, and he was dean of music at Bowling Green State University in the late 1970s. He also served for three years, 1972 to 1975, as the executive director of the National Association of Schools of Music and National Association of Schools of Art in Washington. President Emeritus Glidden has been active in higher education accreditation for more than 35 years. He was chairman of the Council on Postsecondary Accreditation in the mid-1980s and more recently (1996-98) he was founding chair of the Council on Higher Education Accreditation (CHEA). He served on the CHEA board until 2004 and continues to work with CHEA on special projects. Dr. Glidden has been a consultant or evaluator for more than 80 colleges and universities across the United States and has delivered papers on various aspects of American higher

education in both Europe and Asia. He continues to serve as a consultant to colleges and universities in planning, development, and governance issues.

**Charles W. Goldner, Jr., Professor**

University of Arkansas at Little Rock, Arkansas

Charles W. Goldner, Jr., professor of law at the University of Arkansas at Little Rock William H. Bowen School of Law, has served on the faculty since January 1988 and served as dean of the school from July 2000 through June 2008. He received his B.A. from DePauw University in 1971, his J.D. from the University of Oklahoma in 1973 and his LL.M. from Georgetown University in 1987. Dean Goldner served six years as chair of the Pre-law Committee of the ABA Section of Legal Education and Admissions to the Bar. He currently serves on the board of the Law School Admission Council, as chair of Finance and Legal Affairs for the Law School Admission Council, as chair of the Arkansas Supreme Court Professional Practicum Committee, and as chair of the Arkansas Access to Justice Commission.

**Peter G. Glenn, Of Counsel**

Stevens & Lee, P.C., Reading, Pennsylvania

As general counsel at Stevens & Lee, Peter Glenn is responsible for lawyer recruiting and professional development. He also manages professional responsibility and professional liability risk management for the firm. Mr. Glenn joined Stevens & Lee from The Dickinson School of Law of Penn State University, where he served as dean and Donald B. Farage Professor of Law for eight years. Previously, Mr. Glenn taught on the law faculties of the University of South Carolina, Case Western Reserve University, Washington and Lee University, and the University of North Carolina at Chapel Hill. During 2003-2005, Mr. Glenn served the Commonwealth of Pennsylvania as executive deputy general counsel. He also spent several months as acting general counsel to Governor Edward G. Rendell. A former law clerk to the Hon. Abraham L. Freedman of the U.S. Court of Appeals for the Third Circuit, Mr. Glenn has taught, presented and published on issues of ethics, the professional responsibilities of lawyers, and civil procedure. He earned a J.D., *cum laude*, from the University of Pennsylvania Law School.

**Professor Peter A. Joy**

Washington University School of Law, St. Louis, Missouri

Peter Joy is the director of the Criminal Justice Clinic at Washington University School of Law and was the inaugural director of the Trial and Advocacy Program for the law school from 2002 to 2006. Prior to joining the Washington University law faculty, he was professor of law and director of the Milton A. Kramer Law Clinic at Case Western Reserve University Law School. Before becoming a law professor, Professor Joy had a general litigation practice in Cleveland, Ohio, served as an arbitrator with the Cuyahoga County Court of Common Pleas, and a mediator for the Center for Human Services in Cleveland. He currently serves on the Board of Editors for the *Clinical Review*, the Committee on Academic Freedom and Tenure of the Association of American Law Schools (AALS), the Executive Committee of the AALS Section on Professional Responsibility, the board of directors of the Society of American Law Teachers (SALT), and is a member of the Education Study Project sponsored by the Carnegie Foundation for the Advancement of Teaching and Stanford Law School. He previously served on the Clinical Skills Committee of the ABA's Section of Legal Education and Admissions to the Bar. Professor Joy has written about clinical legal education, legal ethics, lawyer and judicial professionalism, access to justice issues, and criminal justice issues. He is a contributing editor and co-authors a regular ethics column for *Criminal Justice*, a quarterly publication of the American Bar Association, and is the co-author of, *Ethical Issues for Prosecution and Defense*, to be published by the ABA. Professor Joy earned a B.A. from Youngstown State University and a J.D. from Case Western Reserve University Law School.

**Joel H. Kaye, CPA, MPA**

Ellin & Tucker, Chartered, Baltimore Maryland

Joel Kaye is a director in the Audit, Accounting, and Consulting Department of Ellin & Tucker and chairperson of the firm's Printing Industry Services Group. He has more than 30 years of experience with the firm, specializing in management advisory services to many of the firm's major clients. His industry expertise includes printing, retail, wholesale distribution, manufacturing, automotive, golf course operations, and service organizations. In addition, Mr. Kaye has extensive experience in mergers and acquisitions, divestiture planning, financial structuring or restructuring, litigation support, forensic accounting, cost accounting, financial modeling and forecasting and assisting companies in financially troubled situations and bankruptcies representing debtors, unsecured creditors, and secured lenders. Mr. Kaye is a graduate of the University of Maryland, earning both a bachelor of science degree and a master of business and public administration degree.

### **Anne Lukingbeal, Associate Dean**

Cornell Law School, Ithaca, New York

Anne Lukingbeal has been an administrative dean at Cornell Law School since 1978 and currently serves as Associate Dean and Dean of Students. Dean Lukingbeal has been a frequent site inspection team member and served on the Section's Bar Admissions Committee from 1995 to 1998. Additionally, Dean Lukingbeal was a member of the Law School Admission Council (LSAC) Board of Trustees from 1984 to 1986, chaired the LSAC Programs, Education, and Prelaw Committee, and served on other LSAC committees including the Services Committee, the External Affairs Committee, and the Conference Planning Committee. In 1992, she was appointed to the ABA Standing Committee on Lawyer Competence and in 2003 she was elected to the National Association of Law Placement (NALP) Board of Directors. Dean Lukingbeal's other NALP include serving on the Task Force on Conditional Admission of the National Conference of Bar Examiners for 2003-2004 and in 2007 chaired the NALP Task Force on Women's Leadership issues. From 1975-78, she served as a trial attorney in the Los Angeles County Public Defender's Office. She was admitted to the California bar in 1975 and has been on inactive status since 1979. Dean Lukingbeal received her undergraduate degree in political science (with distinction) from Stanford University in 1972 and her J.D. from the University of California-Davis in 1975.

### **Pamela Lysaght, Professor**

University of Detroit Mercy School of Law, Detroit, Michigan

Pamela Lysaght is the associate dean of academic affairs and an associate professor of law at University of Detroit Mercy School of Law. She is the author of *Michigan Legal Research*, the co-author of *Successful Legal Analysis and Writing: The Fundamentals*, the co-creator and co-author of *CiteStation*, and a contributor to the *Sourcebook on Legal Writing Programs*. Additionally, she has published articles in *J. ALWD* and the *Journal of the Legal Writing Institute*. Professor Lysaght is a member of the Association of Legal Writing Directors, serving as president in 2000-2001, and the Legal Writing Institute. Currently, she serves on the editorial board of the *Journal of the Legal Writing Institute*. Within the ABA Section of Legal Education and Admissions to the Bar, Professor Lysaght has been a frequent member of site evaluation teams and is a former member of the Communication Skills Committee. At UDM, Professor Lysaght was the inaugural director of the Applied Legal Theory and Analysis Program and was instrumental in designing the school's Writing Across the Curriculum Program. She currently co-chairs the school's Curriculum Committee. Professor Lysaght received her undergraduate degree from the University of Michigan and her J.D. from the University of Detroit. While in law school, Professor Lysaght was a member of the *Law Review* and the Moot Court Board of Directors.

### **Ada Meloy, General Counsel**

American Council on Education, Washington, D.C.

Ada Meloy joined the American Council on Education (ACE) in 2007, where she focuses on legal issues in higher education and has chaired a working group examining ethical and conflict issues faced by institutions and their faculty, staff and administration. Ms. Meloy joined ACE after a 28-year career at New York University's Office of Legal Counsel. She served as deputy general counsel for over 10 years and as acting general counsel for NYU in 2005-2006. Ms. Meloy has also served on extensive committees and spoken at conferences of the National Association of College and University Attorneys. In 2000, she co-founded the Prisoners' Reading Encouragement Project, which enhances literacy and educational opportunities for inmates, for which she currently serves as a director. She has been a member of the Committee on Professional Ethics and the Disciplinary Committee for New York attorneys. She is a member of both the New York and District of Columbia bars as well as the bars of various federal courts. Ms. Meloy is a graduate of Wellesley College, where she was a Wellesley Scholar. She earned a J.D. from the NYU School of Law.

### **Veryl V. Miles, Dean**

The Catholic University of America, Columbus School of Law, Washington, D.C.

Dean Miles joined the faculty of the Columbus School of Law in 1987 and served as associate dean of academic affairs from 1997 to 1999. Previously, she was on the law faculty at George Mason University and has also taught in the summer school program at Washington University School of Law and as an adjunct professor at American University Washington College of Law. Her teaching focus is primarily consumer bankruptcy and commercial law and she has written extensively on these topics. From August 2001 to August 2003, Dean Miles served as deputy director of the Association of American Law Schools. She is a graduate of Wells College in Aurora, New York, and earned her law degree at the Catholic University of America.



### **Dr. Charles Nash**

The University of Alabama System, Tuscaloosa, Alabama

Charles R. Nash has served as Vice Chancellor for Academic Affairs at The University of Alabama System since 1992. As a senior academic officer in the System, he is the chief liaison to academic, institutional research and planning officials at The University of Alabama, The University of Alabama at Birmingham, and The University of Alabama in Huntsville. He advises the Chancellor on all academic policy matters and provides primary leadership in program planning, development, and review. Dr. Nash holds a bachelor's degree from Jackson (MS) State University, a master's degree from the University of Southern Mississippi, and a doctoral degree from Mississippi State University; and has studied at SE LA, Stanford, and Harvard Universities. Prior to assuming his current position, Dr. Nash served as associate executive director for the Commission on Colleges of the Southern Association of Colleges and Schools. He has also held the position of dean of the School of Education at Armstrong State College (GA) and Director of Special Studies and Assistant Vice Chancellor for Academic Development for the Board of Regents of the University System of Georgia. Dr. Nash is on the executive committees of the boards of directors of the Council for Higher Education Accreditation (CHEA) and the National Alliance of State Science and Mathematics Coalition (NASSMC).

### **Scott B. Pagel, Associate Dean**

George Washington University, Washington, DC

Scott B. Pagel is a professor, associate dean for information services, and director of the Burns Law Library at the George Washington University Law School. He received his B.A. from Michigan State University, his M.A.L.S. from the University of Michigan, and his J.D. from the University of California at Berkeley. He teaches Advanced Legal Research and his scholarship focuses on legal bibliography and rare books. Professor Pagel has served on the Accreditation Committee since 2006 and has been a member of the ABA Law Libraries Committee since 2005. He served on the Membership Committee of the American Association of Law Schools from 2004 to 2006 and is active in the American Association of Law Libraries. Prior to coming to George Washington he served as law library director and associate professor at the University of Oklahoma and assistant director for Public Services at Columbia University.

### **Honorable Margret G. Robb**

United States Court of Appeals, Indianapolis, Indiana

Judge Robb was appointed to the Indiana Court of Appeals in July 1998 by Governor Frank O'Bannon. Prior to joining the Court, Judge Robb was engaged in the general practice of law for 20 years and was a Chapter 11, 12, and a Standing Chapter 7 Bankruptcy trustee for the Northern District of Indiana. She was a registered family and civil law mediator and served as a Tippecanoe County Deputy Public Defender. Judge Robb has held numerous board positions for and been an officer for the Indiana State Bar Association, the Indiana Bar Foundation, Tippecanoe County Bar Association, Indianapolis Bar Association, Indianapolis Bar Foundation, American Bar Foundation, and the National Association of Women Judges. She holds a B.S. and M.S. in Business Economics from Purdue University and is a 1978 magna cum laude graduate of Indiana University School of Law-Indianapolis.

### **Frederick Y. Yu**

Sherman & Howard, Denver, Colorado

At Sherman & Howard, Frederick Yu's areas of emphasis are health care, government contracts, and administrative law and litigation. He is admitted to the bar in Colorado and served as a member of the Colorado Supreme Court Board of Law Examiners from 1987 to 1997. In October 2000, Mr. Yu was appointed to the Board of Trustees of the National Conference of Bar Examiners. He is also chair of the board of directors of The Colorado Health Foundation and a member of the American Health Lawyers Association. From 1993 to 1999, Mr. Yu was a member of the United States District Court Committee on Conduct, and from 1999 to 2000, served as chair of the Colorado Bar Association Health Law Forum Committee. He earned a bachelor's degree from Columbia University, a master's degree from the University of Michigan, and a J.D. from Columbia Law School.

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## **Staff Liaisons to the Council and Accreditation Committee**

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### **Hulett H. Askew, Esq.**

Hulett "Bucky" Askew became the Consultant on Legal Education of the American Bar Association on September 1, 2006. Prior to that, he was the Director of the Office of Bar Admissions of the Supreme Court of Georgia from 1990 to 2006. He also concurrently served as executive Director of Chief Justice's Commission on Professionalism from 1990 to 1996. From 1983 to 1990, he was the Director of the Civil Division of the National Legal Aid & Defender Association in Washington, DC. Prior to that, he worked for the Legal Services Corporation in Washington, D.C., from 1976 to 1983. Mr. Askew has been a legal services lawyer at the local, regional and national levels for 22 years. In 1969 he worked in the Office of Economic Opportunity (OEO) as special assistant to the director of the Office of Health Affairs. Later, he became the Deputy Regional Director and then Regional Director of legal services for OEO (1972-1975). Mr. Askew is a former member of the governing Council of the Section of Legal Education and Admissions to the Bar. He has served the Section in several other capacities, including as chair of a subcommittee to accredit foreign study programs that U.S. law schools provide for their students, and as vice-chair of the Accreditation Committee. He also has been a member of the Section's Bar Admissions Committee, and of the Association's standing committees on Legal Aid and Indigent Defendants, Professionalism and Professional Discipline. He was co-chair of the Access to Justice Committee of the State Bar of Georgia from 2002 to 2006, and a member of the state bar's Committee on Standards of the Profession, the Committee on Professionalism and the Individual Rights Section; and a member of the Multistate Performance Test Policy Committee and the Minority Affairs Committee of the National Conference of Bar Examiners. Mr. Askew received his B.A. from the University of North Carolina at Chapel Hill in 1964 and his J.D. from Emory University School of Law in 1967; he was admitted to the State Bar of Georgia in 1967.

#### **Dan J. Freehling, Esq.**

Dan J. Freehling assumed the position of Deputy Consultant on Legal Education in September 2006. Prior to coming to the Section of Legal Education and Admissions to the Bar, Mr. Freehling was professor of law, law library director and associate dean for information services at Boston University School of Law. He also held positions at the law schools at the University of Maine, Cornell, Maryland and Alabama before coming to Boston University in 1986. Mr. Freehling was a member of the Section's Accreditation Committee from 1995-2001 and was on the Council of the Section from 2002-2006. He has served on a number of site teams and fact finding visits for the Accreditation Committee. He has chaired or otherwise served on a number of committees for the American Association of Law Libraries and the Association of American Law Schools and has been listed in a variety of Who's Who publications. Mr. Freehling received his B.S. from Huntingdon College and his J.D. and M.L.S from the University of Alabama and is a member (inactive) of the Florida Bar.

#### **Camille deJorna, Esq.**

Camille deJorna assumed the position of Associate Consultant on Legal Education in July of 2001. In that role she works closely with the Consultant and Deputy Consultant on the accreditation process for law schools. Ms. deJorna served as director of admissions and assistant to the dean at the University of Iowa College of Law from 1995 to 2001. Prior to coming to Iowa, she worked in legal education, in the areas of minority admissions, student affairs, and academic support at Columbia and Hofstra Law Schools. Ms. deJorna served for a number of years on the Board of Trustees for the Law School Admission Council and served as Chair of its Minority Affairs Committee from 1997-1999. Ms. deJorna worked as an assistant district attorney in the Bronx following her graduation as a Root Tilden Scholar from New York University School of Law. She received her undergraduate degree from Sarah Lawrence College in Bronxville, New York. Ms. deJorna's professional career has been devoted to improving the diversity of the legal profession. She is a featured national speaker on the subject of affirmative action in legal education.

#### **Charlotte (Becky) Stretch, Esq.**

Charlotte (Becky) Stretch joined the Section of Legal Education and Admissions to the Bar on July 23, 2007 as Assistant Consultant. She joined the ABA Center for Professional Responsibility in 1989 as counsel to the Commission on Evaluation of Disciplinary Enforcement, which conducted a three-year nationwide study of lawyer disciplinary systems. Ms. Stretch worked with the Joint Subcommittee on Lawyer Regulation in implementing the Commission's recommendations and with the Joint Committee on Judicial Discipline in drafting the Model Rules for Judicial Disciplinary Enforcement. She served as a project consultant for the Conference of Chief Justices' Working Group for a Study and Action Plan to Improve Lawyer Competence and Professionalism, and worked with the Center and the Conference of Chief Justices on a project funded by the Open Society Institute to implement the Action Plan. From 1997 to 2002, Ms. Stretch served as counsel to the Commission to Evaluate the Rules of Professional Conduct, the "Ethics 2000" Commission, which proposed extensive amendments to the ABA Model Rules of Professional Conduct. She has worked for a number of years with the Center's Policy Implementation

Committee, advising states that are reviewing ABA policies for adoption. Before joining the ABA, Ms. Stretch served as Assistant Director of the Hawaii State Ethics Commission and as Counsel to the Ethics Commission of the City and County of Honolulu. Ms. Stretch received her J.D. from the University of California Hastings College of the Law.

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