SYLLABUS

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

VOLUME 42 ISSUE No. 1 | FALL 2010

Welcome to the digital *Syllabus*. It is our hope that by transitioning to an online publication, we can deliver Section news to you quickly and economically. The online version also allows you to send articles to non-Section members and to print individual articles. Each newsletter will be archived on a members-only page of the Section website. You can access that page from the Past Issues link on the Syllabus homepage and from the Publications page on the website.

We value your opinion. Please send your comments on the new format to Mary McNulty, *Syllabus* editor, at mcnultym@staff.abanet.org .

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Changes in Store for Section of Legal Education and Admissions to the Bar

By **Gary Munneke**, Chair, Finance Committee
Professor, Pace University School of Law

Gary Munneke

As the Section of Legal Education and Admissions to the Bar enters another year (in ABA Finance-speak that would be FY2011), a number of changes are afoot, which promise to generate a variety of new programs and services for members. This electronic version of the Section ' s newsletter, *Syllabus*, is just one example. This article describes some of the other changes that were adopted by Council on recommendation from your Finance Committee.

Background

It might be useful to backtrack a bit, in order to understand the context. In 2008, the Section Council adopted a Strategic Plan for the future that incorporated the dual goals of strengthening the accreditation process and building non-accreditation activities of the Section. In the past, not only did the Accreditation Committee struggle to carry out its mandate with limited resources, but also Section committees and other activities not related to accreditation often were limited in what they could do as a result of the labor-intensive demands of accreditation. The Finance Committee in 2009 approved a staffing plan for both accreditation and other Section activities that would increase staff support over a period of years to enhance services in both areas. Also in 2009, the ABA Board of Governors adopted a report with recommendations of its own Accreditation Task Force. The report reaffirmed the separate and independent status of the accreditation process, but it called for a more robust Section of Legal Education and Admissions to the Bar in areas outside of accreditation.

Staffing Plan Implemented

In 2009-2010 (FY 2010), the Finance Committee set out to implement the recommendations of the Strategic Plan, Staffing Plan and Accreditation Task Force Report. First, in cooperation with the Consultant's Office, we examined both existing staff positions and new positions proposed by the Staffing Plan. In the past staff members often worked on both accreditation and non-accreditation matters, blurring the line between the two areas. The Committee believed that the separate and independent principle in accreditation would be best served by realigning staff responsibilities, so that accreditation staff worked on accreditation matters, and Section staff handled Section work. Although the science was imprecise (for example, the Consultant inevitably deals with both accreditation and non-accreditation questions), we were able to establish a division of staff responsibilities.

Budgets Birfurcated

Second, the Committee proposed bifurcating the Section's previously unitary budget into an Accreditation Project budget and a Section budget. Expense lines were migrated to one or the other budget depending on their purpose. Revenue from school fees was assigned to the Accreditation budget, while dues, conference and publication revenue were included in the Section budget. Our objective was to establish two budgets that would be functional, viable and sustainable. In order to do this, the Finance Committee proposed a $10 per year increase in Section membership dues and adjustments to the fees that schools are charged for services to accurately reflect the true costs of those services. The dues increase will be presented to the ABA Board of Governors for approval with

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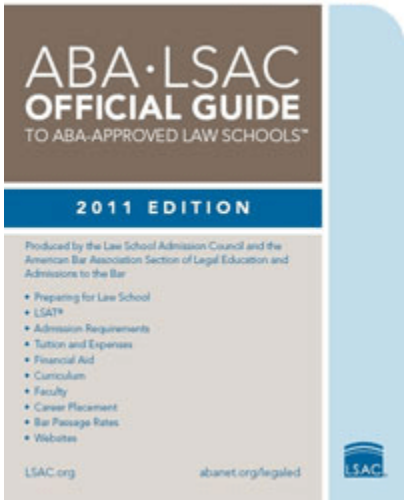

The Official Guide to ABA-Approved Law Schools, 2011 edition
The *Official Guide* is published in cooperation with the Law School Admission Council and pursuant to the Section's Standard 509, modeled after U.S. Department of Education regulations requiring law schools to "publish basic consumer information in a fair and accurate manner reflective of actual practice." Categories include admission data, tuition, fees, enrollment date, graduation rates, curricular offerings, bar passage data, and post-JD programs.
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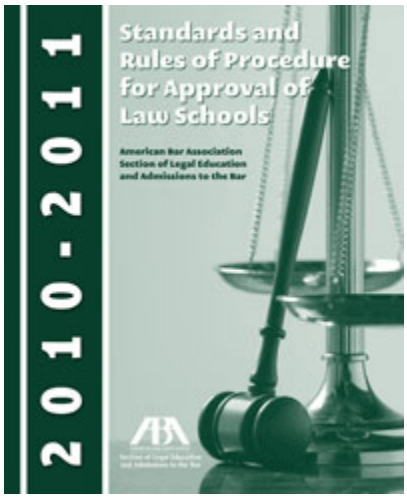

2010-2011 Standards and Rules of Procedure for Approval of Law Schools
This publication sets forth the standards that law schools must meet to obtain ABA approval. The 2010-2011 edition reflects all changes approved at the August 2010 meeting of the Section's Council. **Request Product Code: 529008511ED**

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Site Team Chairs Meet in Chicago

Twenty-seven chairs of law school site evaluation teams met at the ABA offices on Saturday, September 25. Among those were 5 new site team chairs, all of whom are seasoned veterans of the law school evaluation process.

From left:

- Professor Peter Alces, College of William and Mary, Marshall-Wythe Law School
- Associate Dean Michele Dickerson, University of Texas School of Law
- Dean Walter (Jack) F. Pratt, Jr., University of South Carolina School of Law
- Dean Frederic White, Texas Wesleyan University School of Law
- Senior Associate Dean Nicolas Terry, Saint Louis University School of Law

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2010-2011 Section Council Elected
At the Section's Annual Business Meeting on Saturday, August 7, in San Francisco, the membership elected the 2010-2011 Section Council and the Honorable Christine M. Durham became the Section's Chair for the upcoming year. The complete list of the Section's Council officers and members can be found on the Section's web site: The 2010-2011 Section Council. Members whose terms expire in August 2011 are Martin Burke (academic seat), Robert Dinerstein (academic seat), the Honorable Martha Craig Daughtrey (judicial seat), Morgan T. Sammons (public seat), and Edward N. Tucker (public seat). The call for 2011 nominations will be posted in February 2011.

Revised Section Bylaws Approved

Robert K. Walsh Receives 2010 Kutak Award
Colleagues, family, friends and law students gathered to honor Robert K. Walsh, professor and dean emeritus at Wake Forest University School of Law, as he received the Section's 2010 Robert J. Kutak Award on Friday, August 6 at the Hotel Nikko San Francisco. Six previous winners of the award, Rennard Strickland, Peter Winograd, James P. White, The Honorable Gerald Vande Walle, Henry Ramsey Jr., and Nina Appel, were there to extend their congratulations to Professor Walsh.

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Chairperson's Dinner Honors Council Members

Jerry Hafter, the Section's 2009-2010 Chair, hosted the annual Chairperson's Dinner on Thursday, August 5, at Le Colonial in San Francisco. As part of the evening's festivities, outgoing Council members were honored for their service. From left: Rennard Strickland, Mary Kay Kane, Jerome Hafter, Daniel Thies, Phoebe Haddon, Diane Camper, and Joseph Baca.

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Complaints Process
In 2009, the chair of the Accreditation Committee appointed a Rule 24 subcommittee to assist the Committee in its responsibility to periodically review complaints received in the Consultant's Office and to review the procedures for filing complaints. The subcommittee, led by Peter Joy of Washington University School of Law, proposed revisions to Rule 24 and submitted them to the full committee for approval. The Council motion to adopt the Rule was approved. It will be sent to the ABA House of Delegates for review at its February 2011 meeting.
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Interference with Clinics
The Council received a report on the matter of law clinics in Maryland and Louisiana that are facing a backlash from lawmakers in those states. ABA President Carolyn Lamm issued a statement on behalf of the ABA in support of law clinics in their role of providing legal assistance for members of society who might not otherwise have access to the justice system. Council Chair Jerome Hafter established a three-person Special Committee that would look into whether further ABA policy should be adopted in support of clinics. The proposed approach is that the Section will develop a policy statement and then submit it to the House of Delegates of the ABA for adoption at the February 2011 meeting.

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It has come to our attention that some copies of the current Standards book are missing pages. If you have recently received a copy, please check the contents. If pages are missing, please contact Mary McNulty, Manager of Publications and Technology, at 312.988.6751 or mcnultym@staff.abanet.org.

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New Staff Members Join the Section

As part of the Section's Staffing Plan, two new positions were added this fall: administrative assistant and membership/marketing specialist.

Harold Bradford became the Section's new administrative assistant on September 27. In this position, Harold provides support for the Section's work involving publications, meetings and conferences, and membership. Harold has been with the ABA for 6 years, beginning as a mail services representative and then advancing to customer service representative in the ABA's busy call center.

While in the call center, Harold consistently received high marks for customer service and problem-solving. He also brings excellent technology skills to the Section with knowledge of the ABA's myriad computer programs and processes. Harold can be contacted at bradforh@staff.abanet.org; 312.988.5571.

Lindsay Clark joined the staff as the membership and marketing specialist on October 19. Lindsay's primary responsibilities include managing strategic membership development plans such as recruiting and retention campaigns, and marketing products, events, and sponsorships.

Lindsay's most recent position was director of e-marketing and outreach for CropLife America, a national trade association for the crop protection industry. A graduate of Denison University in Granville, Ohio, she holds a B.A. with dual majors in English literature and psychology. Lindsay can be reached at clarkl@staff.abanet.org; 312.988.5566.

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implementation in FY2012. Most of the fee adjustments are scheduled for FY2011.

Financial, Reserve and Investment Policy Adopted
In order to more effectively manage the Section's financial resources, the Committee drafted and Council adopted a written Financial, Reserve and Investment Policy. The Board of Governors requires all Sections that keep reserve funds to maintain a written reserve policy. Unlike ABA standing committees and other entities financed through the ABA General Fund, Sections are permitted to roll over unspent funds from year to year, and to keep those monies in reserve funds. The reserve funds not only provide operating cash for 6 to 12 months of operations, but help the Sections to capitalize new initiatives. The ABA allows the Sections to allocate reserve funds among cash and short- and long-term investments in order to yield greater returns for funds not needed for operations. The Section's Financial, Reserve and Investment Policy guides the Finance Committee and Council in carrying out these responsibilities.

Three New Committee Created
Perhaps the most significant development for the future of the Section was the Finance Committee's decision to include three new administrative committees in this year's budget: Conferences, Membership and Publications. We are pleased to say that Council adopted the budget and Chair Christine Durham has appointed chairs and members of each.

- Lisa Kloppenberg, dean of the University of Dayton School of Law, will chair the Conferences Committee, which will oversee all Section Conferences, midyear and annual meeting programs, and new media such as web- and podcasts. Although the Section has sponsored a variety of conferences in the past, these have been developed on a more or less ad hoc basis, with no oversight or accountability. The Conferences Committee will not only work to improve existing offerings, it will actively look for new topics that will appeal to Section members and produce needed non-dues revenue for the Section.

- Former ABA President Bob Hirshon, who now teaches at The University of Michigan, will chair the Membership Committee. Although a recent ABA study showed that our Section had the greatest market penetration of any Section in our primary membership base (legal educators), we have identified a number of other groups who might find a home in the Section: bar examiners, judges, professional responsibility lawyers, adjunct professors, pre-law advisors and legal educators in other countries, to name a few. By growing our membership we not only extend the benefits of Section membership to the new members, we enhance the value proposition for existing members.

- Bryant Garth, dean of Southwestern Law School, will chair our Publications Committee. Despite an explosion of conversation in legal education about teaching methods and theory, licensing and discipline of lawyers, globalization, professionalism and a variety of other subjects, the Section has remained relatively silent. We hope this too will change as the Publications Committee explores new opportunities to deliver information to our membership and beyond.

The Finance Committee believes that the new Section committees will be self-sustaining, and that they will generate the resources to produce a vibrant and energized Section. For example, by shifting *Syllabus* from a paper to electronic product, we not only eliminate the bulk of the production costs, we also reduce the turnaround time to produce an issue, permit links to stories and resources not included in the issues themselves, and deliver the newsletter in a format that is now universally accepted among our members. Everybody wins.

As you can see, it has been a busy year. The Section maintained financial stability as the ABA went through its most challenging financial crisis at least since the 1930s. The Finance Committee, Council and Section staff all worked together to do more than stay afloat; we sought to plan strategically for the future and to take specific steps to move us from where we were to where we want to be. Please feel free to offer your thoughts about the contents of this report, as well as your thoughts about funding our future.

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Changes to Criteria for Approval of Foreign Study Programs

Foreign study programs continue to be of great interest to law students and to law school schools. In order to ensure the high quality of these programs and to clarify important matters that have not been understood by schools planning such programs, the Criteria for Approval of Foreign Summer Programs and the Criteria for the Approval of Semester Abroad Programs were revised in August 2010.

The first revision is in the titles of the criteria to clarify the types of programs covered and the fact that these criteria apply to programs established by ABA-approved law schools. The Criteria for Foreign Summer Programs is now titled the Criteria for Foreign Summer and Intersession Programs Established by ABA-Approved Law Schools. The Criteria for Semester Abroad Programs is now the Criteria for Semester and Year-Long Study Abroad Programs Established by ABA-Approved Law Schools.

Changes to the Criteria include clarification of

- Requirements regarding faculty oversight onsite
- Requirements regarding appointment of faculty from non-sponsoring schools
- Requirements regarding maximum class minutes per day, instruction in a foreign language, and visits to legal institutions
- Requirements for admission as well as enrollment for credit
- Requirements regarding program cancellation, state department travel information/advisories, and refunds
- Requirement for all students to furnish evidence of good standing, not just students from non-sponsoring schools

Criteria for Approval of Foreign Study Programs

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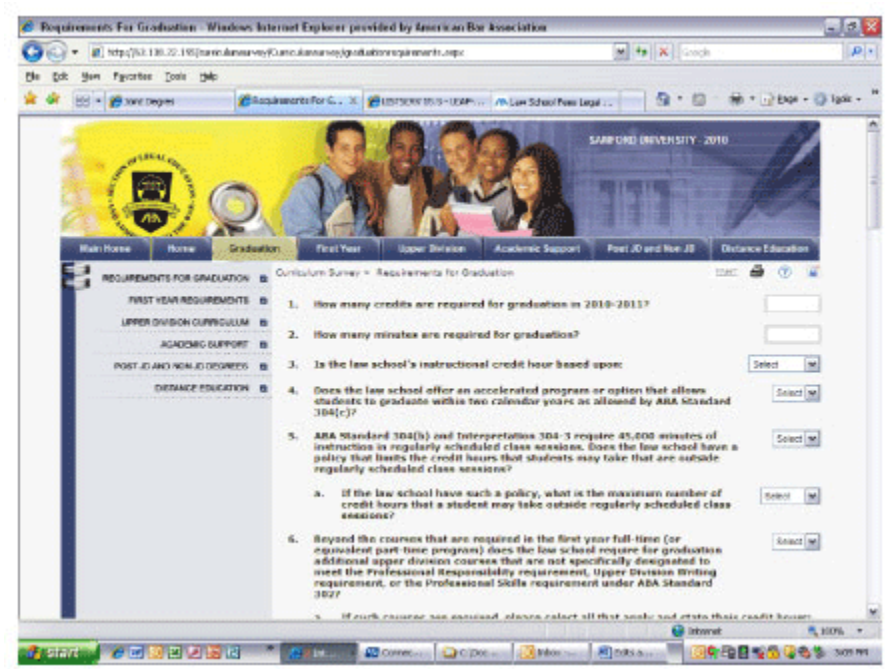
Curriculum Survey Distributed to ABA-Approved Law Schools

By **Catherine L, Carpenter**, Professor, Southwestern Law School
Chair, Curriculum Committee

On behalf of the Curriculum Committee, I am pleased to announce the launch of *A Survey of Law School Curricula 2002-2010*. This survey will track changes in legal education since the last Survey was published in 2004. We encourage you to complete the Survey and submit it to the Section by December 15, 2010. Easy-to-follow instructions are included with the Survey. It should take approximately 45 minutes to complete.



The Survey can be accessed at http://www.curriculumsurvey.org/. Instructions for accessing and navigating the survey, including information regarding UserID and password for your school can be found on the Section's home page: www.abanet.org/legaled. If you have any questions regarding the technical aspects of the survey, please contact Ken Williams at 312.988.6739 or via email at williamk@staff.abanet.org.

A Survey of Law School Curricula 1992-2002 tracked nearly 83 percent of ABA-approved law schools and included detailed empirical information on such topics as requirements for graduation, first-year curriculum, elective offerings, concentrations, and post- and non-J.D. degrees. The second edition tracks these topics, but also addresses academic support and bar preparation classes and alternative scheduling options, and provides detailed information on legal research and writing courses and professional skills offerings.

We extend a special thank you to the 14 law schools that tested the beta version of the Survey over the summer. These schools provided important feedback on the quality of the questions and the technical ease of the Survey, with many schools reporting that the Survey is straightforward and easy to complete.

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University of Dayton School of Law
Faulkner University, Thomas Goode Jones School of Law
Georgetown University Law Center
John Marshall Law School (Chicago)
University of Michigan Law School
University of New Mexico School of Law
New York University School of Law
Santa Clara University School of Law
South Texas College of Law
Southwestern Law School
Stanford University Law School

The strength of the publication, of course, rests on the breadth and depth of the data we are able to collect. Your school's participation in the Survey is vital to the value of the report.

Thank you for your participation in this important project.

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

VOLUME 42 ISSUE No. 1 | FALL 2010

Annual Meeting Recap

2010-2011 Section Council Elected
At the Section's Annual Business Meeting on Saturday, August 7, in San Francisco, the membership elected the 2010-2011 Section Council and the Honorable Christine M. Durham became the Section's Chair for the upcoming year. The complete list of the Section's Council officers and members can be found on the Section's web site: The 2010-2011 Section Council. Members whose terms expire in August 2011 are Martin Burke (academic seat), Robert Dinerstein (academic seat), the Honorable Martha Craig Daughtrey (judicial seat), Morgan T. Sammons (public seat), and Edward N. Tucker (public seat). The call for 2011 nominations will be posted in February 2011.

Revised Section Bylaws Approved

Robert K. Walsh Receives 2010 Kutak Award
Colleagues, family, friends and law students gathered to honor Robert K. Walsh, professor and dean emeritus at Wake Forest University School of Law, as he received the Section's 2010 Robert J. Kutak Award on Friday, August 6 at the Hotel Nikko San Francisco. Six previous winners of the award, Rennard Strickland, Peter Winograd, James P. White, The Honorable Gerald Vande Walle, Henry Ramsey Jr., and Nina Appel, were there to extend their congratulations to Professor Walsh.

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Chairperson's Dinner Honors Council Members

Jerry Hafter, the Section's 2009-2010 Chair, hosted the annual Chairperson's Dinner on Thursday, August 5, at Le Colonial in San Francisco. As part of the evening's festivities, outgoing Council members were honored for their service. From left: Rennard Strickland, Mary Kay Kane, Jerome Hafter, Daniel Thies, Phoebe Haddon, Diane Camper, and Joseph Baca.

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Site Team Chairs Meet in Chicago

Twenty-seven chairs of law school site evaluation teams met at the ABA offices on Saturday, September 25. Among those were 5 new site team chairs, all of whom are seasoned veterans of the law school evaluation process.

From left:

- Professor Peter Alces, College of William and Mary, Marshall-Wythe Law School
- Associate Dean Michele Dickerson, University of Texas School of Law
- Dean Walter (Jack) F. Pratt, Jr., University of South Carolina School of Law
- Dean Frederic White, Texas Wesleyan University School of Law
- Senior Associate Dean Nicolas Terry, Saint Louis University School of Law

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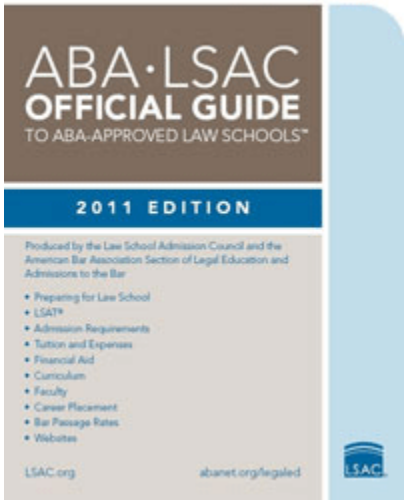

The Official Guide to ABA-Approved Law Schools, 2011 edition
The *Official Guide* is published in cooperation with the Law School Admission Council and pursuant to the Section's Standard 509, modeled after U.S. Department of Education regulations requiring law schools to "publish basic consumer information in a fair and accurate manner reflective of actual practice." Categories include admission data, tuition, fees, enrollment date, graduation rates, curricular offerings, bar passage data, and post-JD programs.
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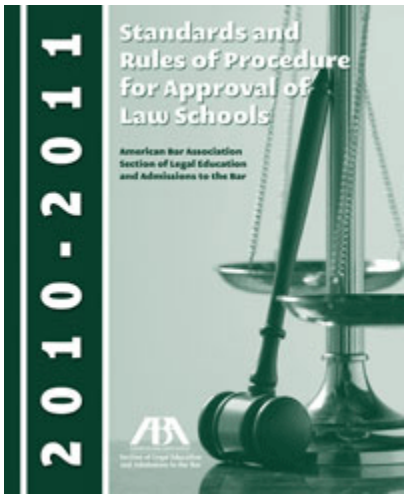

2010-2011 Standards and Rules of Procedure for Approval of Law Schools
This publication sets forth the standards that law schools must meet to obtain ABA approval. The 2010-2011 edition reflects all changes approved at the August 2010 meeting of the Section's Council. **Request Product Code: 529008511ED**

Order today at www.ababooks.org

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New Staff Members Join the Section

As part of the Section's Staffing Plan, two new positions were added this fall: administrative assistant and membership/marketing specialist.

Harold Bradford became the Section's new administrative assistant on September 27. In this position, Harold provides support for the Section's work involving publications, meetings and conferences, and membership. Harold has been with the ABA for 6 years, beginning as a mail services representative and then advancing to customer service representative in the ABA's busy call center.

While in the call center, Harold consistently received high marks for customer service and problem-solving. He also brings excellent technology skills to the Section with knowledge of the ABA's myriad computer programs and processes. Harold can be contacted at bradforh@staff.abanet.org; 312.988.5571.

Lindsay Clark joined the staff as the membership and marketing specialist on October 19. Lindsay's primary responsibilities include managing strategic membership development plans such as recruiting and retention campaigns, and marketing products, events, and sponsorships.

Lindsay's most recent position was director of e-marketing and outreach for CropLife America, a national trade association for the crop protection industry. A graduate of Denison University in Granville, Ohio, she holds a B.A. with dual majors in English literature and psychology. Lindsay can be reached at clarkl@staff.abanet.org; 312.988.5566.

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