



SYLLABUS

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

Fall 2011
Volume 43 No. 1

Cover Story

[Scott Norberg Assumes Role of Deputy Consultant](#)

Featured Articles

[Implications of the Budget Control Act of 2011](#)

by Stephen Brown, Assistant Dean, Fordham University School of Law

[ABA Annual Meeting Recap](#)

[Council Accreditation Decisions](#)

Council Grants Full Approval to Two Schools; Provisional Approval to One

News

- [Comments Invited for Site Visits](#)
- [Membership Updates](#)
- [2012 Conferences Set](#)
- [New Section Publications](#)

Scott Norberg Assumes Role of Deputy Consultant

Scott Norberg has assumed the position of the Deputy Consultant on Legal Education effective August 15, 2011. Norberg follows Dan Freehling who held the position over the past five years. Other legal educators who served as Deputy were Tom Read, Art Gaudio, Richard Hurt, Barry Currier, and Stephen Yandle.

Norberg comes to the Section from Florida International University College of Law, where he was on the faculty for the past 10 years. While at FIU he served for four years as the founding associate dean for academic affairs. From 1999 to 2001 he was a visiting professor at the University of California Hastings College of the Law. He began his academic career at Mississippi College School of Law, where he also served a stint as associate dean for academic affairs. Norberg has taught commercial law subjects, and published numerous articles in the area of bankruptcy law.

Involved in the accreditation project for more than 12 years, Norberg has served on 10 site teams, including three as chair, and as a special fact finder. He has also served as the AALS representative on several site teams. For the past three years he was a member of the Section's Questionnaire Committee.

When asked about assuming the position of deputy consultant, Norberg mentioned a number of factors that led him to the ABA:

"I jumped when I saw the job announcement for the deputy position. I have greatly enjoyed my work as a volunteer in the accreditation project over the years, and learned a lot from it. In particular, the deans, judges, practitioners, faculty members who give their time to the project are great to work with. The tasks of serving on a team or committee require significant time and talent. I think that people who volunteer that kind of time and talent tend to be wonderful to work with. Likewise, the staff in the Consultant's office is outstanding: smart, thoughtful, knowledgeable and hard working.

This is a very interesting time for legal education. The issues are large: comprehensive review of standards, the costs of legal education, student debt loads and changes in the employment market. I am very excited to be here and look forward to the work ahead."

Implications of the Budget Control Act of 2011

by Stephen Brown, Assistant Dean, Fordham University School of Law

(Editor's note: The following message, with updated information, was sent to the students of Fordham University School of Law. We appreciate Assistant Dean Stephen Brown's permission to share it with the Section.)

On August 3, Congress passed and President Obama signed the [Budget Control Act of 2011](#) that will result in cuts to federal programs. There will be changes to the federal student loan programs beginning July 1, 2012. The new law will not affect the amount of funding available, just the cost (loans will cost more).

In the President's 2012-2013 budget proposal in March 2011, he recommended the elimination of the interest subsidy of the Subsidized Federal Direct Loans for Graduate and Professional students. The savings would be used to bolster the Pell Grant program. (\$17 billion of the total savings will go to funding Pell Grants.) Congress proposed the dissolution of the subsidy for ALL students. Section 502 of the new law eliminates the Subsidized Federal Stafford Loan for graduate students beginning July 1, 2012 (next year). Eligible students will continue to be able to borrow \$20,500 annually, but interest will accrue on the entire amount beginning at each disbursement.

The loss of the interest subsidy to a full-time day student who borrows for the first time in 2012-2013 and was eligible for \$8,500 in the past would be about \$2,800 term time and \$900 in grace period (total \$3,700). The additional interest costs for four-year evening students would be about \$4,800 term time and \$1,200 in grace period (\$6,000). Of course, the interest is capitalized on the loans, so borrowers will also be paying interest on the higher amount of their loans. The Department of Education is projected to save \$18 billion over the next 10 years.

In addition, under Section 503 of the new law, students will lose the "origination fee rebate" on Direct and GradPLUS loans disbursed after July 1, 2012. Currently there is a 1% origination fee on direct loans (0.5% assessed at disbursement and 0.5% if the borrower fails to make the first 12 months on time). Borrowers would be charged the full 1% regardless of on time payments. For the GradPLUS, the total is 4% (2.5% on disbursement and 1.5% if the borrower fails to pay the first 12 months on time). Borrowers would be charged the full 4% regardless of on time payments. The most obvious result of this is that a borrower who borrows \$20,500 will now receive \$20,295 and a borrower who borrows \$40,000 GradPLUS will now receive \$38,400. Borrowers who choose to repay the loans electronically may still qualify for the 0.25% interest rate reduction for electronic loan payments. The Department of Education is projected to save \$3.6 billion over the next 10 years.

The Department of Education will be issuing Regulations that address these changes in more detail. With prolonged budget issues facing Congress, there is possibility of more cuts to education funding.

In sum, the changes are NOT for 2011-2012, they are for 2012-2013. As to whom they will apply and how, more detail once the Department of Education issues Regulations regarding the new laws.

ABA Annual Meeting Recap

2011-2012 Section Council Elected

At the Section's Annual Business Meeting on Saturday, August 6 in Toronto, John O' Brien, dean of New England Law| Boston was elected Section chair, Kent Syverud, dean of Washington University School of Law was elected chair-elect, and the Honorable Solomon Oliver Jr., chief judge of the U.S. District Court for the Northern District of Ohio, was elected vice chair. Newly elected Council members include Jane Aiken (Georgetown University Law Center), Gregory Murphy (Billings, Montana), and Erika Robinson (University of South Carolina School of Law).

[Complete list of the Section's Council officers and members.](#)



Immediate Past Chair Christine Durham with outgoing Council members Bryan O'Keefe, Martha Craig Daughtrey, Robert Dinerstein, and Jerome Hafter.

Chairperson's Dinner Honors Council Members

The Honorable Christine Durham, 2010-2011 Section Chair, hosted the annual Chairperson's Dinner on Thursday, August 4, at Rosewater in Toronto. Outgoing Council members Jerry C. Hafter, Martha Craig Daughtrey, Robert D. Dinerstein, Christine M. Durham, Susan Gainey Odoyo, and Bryan M. O'Keefe were recognized for their service to the Section. Bucky Askew also took the opportunity to thank Dan Freehling, the former Deputy Consultant who retired from the Section in September, for his work over the past five years.



John Feerick is congratulated by Kutak Award Committee chair Randall Shepard and past award recipients Talbot D'Alemberte, James P. White, Nina Appel, Peter Winograd, and Robert K. Walsh

John Feerick Receives the 2011 Robert J. Kutak Award

Surrounded by colleagues, friends, and law students, John D. Feerick, professor and former dean at Fordham University School of Law, received the Section's 2011 Kutak Award. Professor Feerick was introduced by the Honorable Randall Shepard, chief justice of the Indiana Supreme Court and chair of the Kutak Award Committee. Justice Shepard began his remarks by noting "If all lawyers were like John Feerick, there would be no lawyer jokes." He then cited John Feerick's exemplary record as a law student, law school dean, legal scholar, and moral compass in the community as factors that led to his selection as a Kutak Award winner.

[Justice Shepard's remarks](#)

In accepting the award, Professor Feerick said he did so "on behalf of an entire law school whose colleagues of mine were my equal partners in so much of my work in the academy." He also expressed his gratitude to be considered worthy of an award bearing the name of Robert Kutak, who he described as "a servant of the public and justice always".

[Professor Feerick's remarks](#)

Council Accreditation Decisions

At its meeting, June 10-11, 2011, the Section's Council granted full approval to [Charlotte School of Law](#) and [Elon University School of Law](#).

The Council also granted provisional approval to the [University of California-Irvine School of Law](#).

Comments Invited for Spring 2012 Site Visits

Interested parties wishing to comment on current compliance with accreditation standards of law schools undergoing accreditation site visits in spring 2012 are encouraged to submit **signed, written comments** to the Office of the Consultant on Legal Education by January 15, 2012.

[Law schools with accreditation site visit dates for spring 2012.](#)

Written comments should be sent to:

Shirley Gonzalez

American Bar Association

Section of Legal Education and Admissions to the Bar

M.S. 21.2

Chicago, IL 60654-7598

shirley.gonzalez@americanbar.org

Note: Your comments must be signed. **Comments, with the signatures redacted, may be provided to the law school and to members of the site reviewing the law school.** Only comments directly related to the [ABA Standards and Rules of Procedure for Approval of Law Schools](#) will be considered.

Membership Updates

Job Board

The ABA Job Board is now accessible from the Section's [Membership](#) page. Academic jobs will automatically post to our site. Users will also have the ability to access all job listings.

Bar Information for Applicants with Disabilities

The ABA's Commission on Mental and Physical Disability Law hosts a free directory for law students with disabilities. The Bar Information for Applicants with Disabilities directory ([BIAD](#)) provides information on state bar requirements for requesting accommodations for the bar exam and questions asked for character and fitness as they relate to disabilities. The directory also lists applicable state laws and cases regarding these two issues. A link to the BIAD is also available on the Section's [Bar Admissions](#) page and [Resources](#) page (under Law Students.)

Travel Reimbursement Policies

Consistent with the separate and independent standard that applies to law school accreditation activities, the Section has a separate budget for those activities. Included in that budget are reimbursement policies that are specific to work relating to the accreditation project. All other activities of the Section are subject to the ABA reimbursement policy for members and volunteers. These can be found on the [Membership](#) and [Committees](#) pages of the website.

[Accreditation Reimbursement Policy](#)

[Section \(ABA\) Reimbursement Policy](#)

2012 Conferences Set

[Bricks, Bytes and Continuous Renovation: Law School Facilities Conference](#) March 10–13, 2012

Thomas Jefferson School of Law will host the 2012 conference, which features plenary sessions and more than 40 programs designed for law school deans, faculty, librarians, architects, and law school IT professionals who are designing or renovating law school space.

Visit the [Bricks and Bytes](#) conference site for program information and to register.

[Law School Development](#) [Jackson Lake Lodge](#) [Grand Teton National Park, Wyoming](#) May 29–June 1, 2012

The premier conference on philanthropy in legal education. Topics include fundraising campaigns, communications, planned giving, annual fund, alumni relations, and the popular Development 101 program.

[Associate Deans Conference](#) [The Mirage](#) [Las Vegas, Nevada](#) June 21–24, 2012

Boot Camp for Associate Deans: “Corps” Principles

New Section Publications



[Best Practices Report on the Use of Adjunct Faculty](#)

A new publication produced by the Section's Adjunct Faculty Committee. The Committee obtained data from 116 ABA-approved law schools and conducted additional interviews with approximately 20 schools. The report presents current practice across legal academia in the hiring, retention, training and supervision of adjunct faculty, providing both the results of an exhaustive survey on current practices and commentary pointing out new trends and best practices.

Product Code: 5290102

Price: \$24.95



[2011-2012 ABA Standards and Rules of Procedure for Approval of Law Schools](#)

Sets forth the standards that law schools must meet to obtain and retain approval. The 2011-2012 edition reflects all changes and revisions approved at the 2011 annual meeting of the Section's Council.

Product Code: 529008411ED

Price: \$15.00