



Association of American Law Schools

President

H. Reese Hansen
Brigham Young University

March 15, 2010

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University of Houston

**ABA Section on Legal Education and Admissions to the Bar
Standards Review Committee
c/o Becky Stretch
321 N. Clark Street
Chicago, IL 60610**

Immediate Past President

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University of California,
Berkeley

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University of Missouri

Dear Dean Polden and Members of the Standards Review Committee:

Leo P. Martinez

University of California,
Hastings

As you know, the Association of American Law Schools (AALS) is a membership association of 171 ABA accredited law schools and is the primary academic and scholarly society for law professors in the United States. The core values of the AALS provide guidance in the Association's activities and to our member schools.¹

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Katharine T. Bartlett
Duke University

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The University of Texas

The Executive Committee of the Association is concerned about the possible impacts on legal education resulting from current proposals under consideration by the ABA to revise the Accreditation Standards for law schools. Our concerns stem in part from the fact that there is the potential in this period to change the standards in fundamental ways without first adequately developing a full understanding of the implications, intended and unintended. We also appreciate the fact that it is challenging to design an administrable system of accreditation that affords law schools latitude in their educational choices.

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Dorothy Andrea Brown
Emory University

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American University

Executive Director

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Susan Westerberg Prager

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Elizabeth H. Patterson

Managing Director

Jane M. La Barbera

¹ AALS By Law 6-1. "The core values of the AALS emphasize excellent classroom teaching across a rigorous academic curriculum. They focus on the importance of faculty scholarship, academic freedom, and diversity of viewpoints. The core values also establish an expectation that member schools will value faculty governance and instill in our students commitments to justice and to public service in the legal community. All of these objectives are to be supported in an environment free of discrimination and rich in diversity among faculty, staff, and student body. These core values combine to provide an environment where students have the opportunity to study law in an intellectually vibrant institution capable of preparing them for professional lives as lawyers instilled with a sense of justice and an obligation of public service. In this environment our students are exposed to the best kinds of thinking in a culture of learning from a talented and engaged faculty and from fellow students who enrich the learning environment in and out of the classroom." H. Reese Hansen, Presidential Address, 2010 AALS Annual Meeting, New Orleans, La.


For these reasons we particularly appreciate the efforts the Standards Review Committee is making to provide information about its explorations and deliberations, to encourage comment and to make available the comments it is receiving.


The Executive Committee is particularly concerned about the proposed revisions to Standards 301, 302, 303, 304, and 305 dealing with student learning outcomes because of the impact the proposed revisions could have on curriculum, teaching methods, and the academic content of legal education. We also believe that legal education in the United States has been highly successful because of the value that has been placed on a framework which heavily depends on a full time faculty dedicated to teaching and advancing knowledge about law and legal institutions where the faculty plays significant educational policy roles. In this regard we are concerned that some of the proposals under consideration to eliminate elements of the existing framework, such as those dealing with security of position for faculty and those which create a baseline level of full time faculty, are likely to have adverse effects on the overall quality of law schools and legal education.

Because of these concerns, the President of the Association has appointed a special advisory group to study the proposed revisions, assess the impacts the proposed revisions might have on law schools as they relate to our core values and advise the Executive Committee regarding the positions the Association should take in commenting to the ABA on the proposed revisions. The Advisory Group is chaired by Thomas D. Morgan, Oppenheim Professor of Antitrust and Trade Regulation Law at George Washington University Law School. Members of the committee are: John H. Garvey, Dean and Professor of Law at Boston College Law School; Lauren K. Robel, Dean and Val Nolan Professor of Law at Indiana University Maurer School of Law; Ann C. Shalleck, Professor of Law and Director of the Women and the Law Program, American University Washington College of Law; Bryant G. Garth, Dean and Professor of Law, Southwestern Law School; and Blake D. Morant, Dean and Professor of Law at Wake Forest University School of Law.

The Advisory Group has undertaken its work and will report its findings and conclusions to the AALS Executive Committee in the near future. The Association will be providing substantive input on the work of the Standards Review Committee in due course and looks forward to meaningful dialogue on these matters in the future.

Respectfully Submitted,


H. Reese Hansen
President


Susan Westerberg Prager
Executive Director

cc: Jerome Hafter, Chair, Section on Legal Education and Admissions to the Bar
Hewlett H. Askew, ABA Consultant on Legal Education