

OFFICE OF THE DEAN

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March 28, 2011

Donald J. Polden, Dean
Santa Clara Law School
Chair, Standards Review Committee of the
American Bar Association

Dear Dean Polden and Members of the Standards Review Committee,

I write to you on behalf of the faculty of Suffolk University Law School. Last Thursday, March 24, 2011, the resident faculty of the Law School passed the attached resolution. Suffolk University Law School is one of the largest such institutions in the nation, with approximately 1090 fulltime and 590 part time J.D. candidates. Similarly, our resident faculty is quite large comprising 93 voting members -- which include tenure track, tenured, legal practice skills and clinical professors.

After a discussion regarding the merits of the attached proposal at a regular meeting of the faculty, the resolution passed unanimously. As indicated more clearly in the resolution itself, the faculty of Suffolk University Law School vigorously opposes the current proposed changes to the accreditation standards regarding security of position, academic freedom, and attraction and retention of faculty. We are certain that this clear statement will be considered by you and the committee as you consider further actions regarding the accreditation standards,

Sincerely,

A handwritten signature in black ink, appearing to read "Camille Nelson", written over a horizontal line.

Camille Nelson

(Posted as public comment to the ABA Standards Review Committee)

Resolution of Faculty of Suffolk University Law School
Regarding Proposed Changes to Existing ABA Standards
Regarding Security of Position, Academic Freedom, and Attraction and Retention of Faculty

The Standards Review Committee of the American Bar Association's Section on Legal Education and Admissions to the Bar ("Committee") has proposed substantial changes to ABA Standards 206, 405, and 603. These changes would dramatically reduce the ABA's longstanding commitment to a system of tenure and of security of position for law school deans, traditional faculty, clinical faculty, legal writing faculty, and librarians. Specifically, the proposed changes would weaken or eliminate the:

- (1) Standard 206(c) mandate of tenure for law school deans;
- (2) Standard 405(b) requirement of an established tenure policy for traditional faculty;
- (3) Standard 405(c) mandate of security of position for clinical faculty members;
- (4) Standard 405(d) mandate of security of position for legal writing faculty; and
- (5) Standard 603(d) support for security of position for directors of law libraries.

The Suffolk University Law School faculty vigorously opposes these proposed changes, on the grounds that they would:

- (1) Undermine the quality of legal education;
- (2) Undermine academic freedom in the legal academy;
- (3) Undermine faculty governance in the legal academy; and
- (4) Undermine the movement, long endorsed by Suffolk, to bring clinical law professors, legal writing professors, and library directors into full membership in the academy.

IT IS THEREFORE RESOLVED:

The faculty of Suffolk University Law School opposes the proposed changes to ABA Standards 206, 405, and 603 as presently outlined in the Committee's draft, dated January 8-9, 2011. The faculty endorses and adopts the official comments filed in opposition to the proposed changes by AALS (Association of American Law Schools), AAUP (Association of American University Professors), SALT (Society of American Law Teachers), CLEA (Clinical Legal Education Association), and an informal group of past AALS presidents. The faculty urges the dean to take all possible steps to resist the proposed changes and to urge other law schools to do so as well.

Dated: 3/27/2011