

JUL 13 2015

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July 10, 2015

Dr. Ann Weaver Hart
President
University of Arizona
Tucson, AZ 85721

Dean Marc Miller
University of Arizona
James E. Rogers College of Law
1201 East Speedway Boulevard
Tucson, AZ 85719

Dear President Hart and Dean Miller:

Attached please find the decision of the Accreditation Committee at its meeting on June 25-27, 2015, with respect to the University of Arizona, James E. Roger College of Law's Bachelor of Arts in Law degree in partnership program.

The Honorable Scott Bales recused himself from participation in the Committee's consideration of this matter.

Please feel free to call me, Deputy Managing Director William E. Adams, Executive Assistant Cathy A. Schrage, or Paralegal Shirley A. Gonzalez if you have questions or need clarification or guidance.

Sincerely yours,



Barry A. Currier
Managing Director of Accreditation and Legal Education

BAC/cs
Attachment

cc: Dean Louis D. Bilionis

SC

DECISION OF THE ACCREDITATION COMMITTEE

June 2015

The Accreditation Committee (the "Committee"), at its June 25-27, 2015 meeting, considered the University of Arizona, James E. Rogers College of Law (the "Law School"), in regard to its newly-established Bachelor of Arts in Law degree program ("the program") in partnership with the University's School of Government and Public Policy ("SGPP"). The Committee had before it the Fact Finding Report from Dean Louis D. Billionis, dated February 3-4, 2015; a letter from Dean Marc L. Miller to Dean Billionis dated February 17, 2015, providing details about the program; another letter from Dean Miller dated March 31, 2015, with the Law School's responses to the Rule 21(h) questionnaire for the B.A. in Law degree program and the curriculum vitae of the Director of the degree program; a letter from Dean Miller dated April 7, 2015, with clarifications to the Fact Finder's report; and other correspondence regarding this program.

FINDINGS OF FACT:

Background

(1) At its April 2014 meeting, the Committee considered the Law School's proposal for a Bachelor of Arts in Law program in partnership with the University of Arizona School of Government and Public Policy. The Law School sought acquiescence for the program because, although it is an undergraduate degree program, the curriculum calls for 27 credit hours offered by the Law School. The Law School thus sought acquiescence under former Standard 308 [current Standard 313], which requires that a degree program in addition to the J.D. not interfere with the ability of a law school to operate in compliance with the Standards and to carry out its program of legal education.

(2) The Committee concluded in April 2014 that the Bachelor of Arts in Law degree program, as proposed, would not interfere with the Law School's ability to maintain a sound J.D. program. The Committee thereby acquiesced in the application for the establishment of the B.A. in Law program in partnership with the SGPP, conditioned on the provisions of the application and with the understanding that any variance from those provisions would require a new application for acquiescence.

(3) The Committee also directed that, pursuant to former Rule 21(h) [current Rule 29(d)], a fact finder be appointed to conduct an on-site evaluation of the Law School during the first semester in which students are enrolled in the B.A. in Law partnership program.

(4) The Committee also affirmed Standard 313 and Interpretation 313-1 [former Standard 308 and former Interpretation 308-2] to the effect that acquiescence in a degree program other than the J.D. degree is not an approval of the program itself by the ABA, and therefore a school may not announce that the program is approved by the Council.

The Program

(5) The Bachelor of Arts in Law program began in August 2014, although no students were enrolled in Law School courses until January 2015. According to Dean

Miller's letter of April 7, 2015, in clarifying points in the Fact Finder's Report, the projected enrollment for the program was a total of 300 junior and senior students. As of January 2015, in the first year of the program, the actual enrollment was 140, with 46 students enrolled in undergraduate law courses offered by the Law School. These B.A. in Law students were not taking courses offered in the J.D. program, as they are not eligible to do so until they have completed the four undergraduate Law core courses required for the degree.

(6) Of 105 units required for the B.A. in Law degree, 78 units will be taught by non-law faculty. These 78 units include general education and core SGPP courses. In spring 2015, undergraduate law courses were taught by four full-time Law School faculty members who volunteered for the assignment. They were assisted by one full-time teaching fellow, one part-time teaching fellow, and one part-time teaching assistant who is a current S.J.D. student in the Law School. The Law School added two new tenured and tenure-track professors in fall 2014, one of whom has committed to teach a single course once a year in the undergraduate law program. No law faculty members are required to teach in the B.A. in Law program.

(7) An associate dean has overall administrative responsibility for the program, but the Law School has appointed a Director to manage the day-to-day operations of the B.A. in Law and the Master of Legal Studies programs. The Director of the program is not a full-time faculty member. She has broad legal experience and that experience, both academic and professional, shows her to be well-qualified to manage this program.

(8) Principal responsibility for library services for the program rests with the University's Main Library. No additional library resources have been required to support the program, although the University's Main Library has acquired reference materials that were recommended to support the undergraduate law courses.

(9) Administrative expenses, including building maintenance and administrative staff, are shared between the B.A. in Law and the Law School's existing M.L.S. program. Administrative space for the two programs is provided in a converted house across the street from the Law School. Admissions, career counseling, and advising support for the B.A. in Law program are provided by the SGPP partners and the University.

(10) For two reasons it is too early to provide detailed financial information, especially regarding revenues, relating to the program. One reason is that the program is not yet fully enrolled; the other is that the University is transitioning to a new RCM (Responsibility Centered Management) budgeting program and that will not be implemented until fall 2015. However, the College of Social and Behavioral Sciences (which houses the SGPP and is the degree-granting college) and the Law School have agreed to share revenues "in a manner reflective of the costs incurred by each partner," and the two colleges are committed to developing a final revenue model that allows both colleges to benefit financially from this program. According to the Law School's understanding, anticipated revenues for its part of the B.A. in Law program should exceed anticipated expenditures.

Fact Finder's Report

(11) The Fact Finder conducted an on-site observation/evaluation of the B.A. in Law partnership program on February 3-4, 2015. He pointed out that the program involves a curriculum that is separate and distinct from the Law School's J.D. program, and that while members of the Law School faculty may teach courses in the program, those courses are not designed for and are not open to J.D. students. J.D. courses are not available to program students except pursuant to Law School policy predating establishment of the program, and then only if space is available after J.D. students have had opportunity to register. Thus, no undergraduate can displace a J.D. student who seeks to take any course in the J.D. program.

(12) The Law School has determined that the B.A. in Law and its existing Master of Legal Studies program have similar missions, i.e., to educate non-J.D. students who will be better prepared to deal with law-related issues in their careers, and that, accordingly, both programs can benefit by drawing upon a jointly-offered curriculum of core courses and electives. Thus, some courses offered by the Law School for B.A. in Law students are being co-convened as graduate-level courses open to M.L.S. students. In addition to the efficiency it affords, this practice will reduce any impact of the M.L.S. program on the J.D. program.

(13) The curriculum for the B.A. in Law degree requires four Law core courses (12 units) and five Law electives (15 units). Elective courses will be taught by adjuncts, or in some cases by full-time faculty members who volunteer. All of the core courses, however, are and will be taught by full-time faculty members who are aided by teaching fellows or teaching assistants. The Law School anticipates offering two Law core courses each semester. The Law courses taught in spring 2015 and their enrollments were as follows:

Course	Undergraduate Enrollment	Graduate Enrollment	Instructor
LAW 401/501 – Procedure	19	9	1 FT faculty member; 1 PT teaching fellow
LAW 402B/502B – American Common Law System II	18	16	1 FT faculty member; 1 FT teaching fellow
LAW 404/504 – American Public Law	6	4	1 FT faculty member
LAW 451/551 – Public International Law (elective)	20	2	1 FT faculty member; 1 PT teaching assistant (SJD stdt)

(14) It was reported to the Fact Finder that the program has not had and should not have any negative effects on the J.D. degree program, partly because the Law School has a surfeit of faculty teaching resources. Faculty members interviewed were enthusiastic about the program and their involvement with it. They identified several potential benefits of the program to the Law School, including a strengthening of diversity and the School's ability to serve diverse populations because of linkages between B.A. in Law students, the Law School's Indigenous Peoples Law and Policy Program, and the law-related needs of Native American tribes. Faculty members also foresaw the possibility of some students from this program entering law school with better preparation and more developed critical skills.

(15) The Associate Dean for Information Services reported that the B.A. in Law program has had a *de minimis* effect on the law library. Undergraduate students in the program are not permitted to use the law library as a place for study, although they may use the law library for legal research. The Associate Dean indicated that he hopes for a greater role for the law library as the B.A. in Law program grows more robust.

(16) It was reported that the University is currently pursuing an opportunity to offer the B.A. in Law major abroad with a non-U.S. university, with foreign students earning the degree entirely in-residence on their campus.

CONCLUSIONS:

(1) The Committee, at its meeting of June 25-27, 2015, reviewed and accepted the Fact Finder's report regarding the University of Arizona, James E. Rogers College of Law's Bachelor of Arts in Law degree program in partnership with the University's School of Government and Public Policy. The Committee also reviewed and accepted the Law School's response to the former Rule 21(h) Request for Information for Non-J.D. Programs. [See Findings of Fact (5)-(16).]

(2) The Committee concludes that the degree of Bachelor of Laws in partnership with the School of Government and Public Policy is being operated in compliance with Standard 313(c), in that the program as presently implemented does not interfere with the ability of the Law School to carry out its program of legal education. [See Findings of Fact (6), (8), (10), (11), (14), and (15).]

(3) The Committee reminds the Dean and the Law School that acquiescence for the establishment of this degree program was conditioned on the implementation of the program as originally proposed, and that any variance in the future from the proposed provisions will require a new application for acquiescence.

(4) The Committee further reminds the Law School that, in accordance with Interpretation 313-1, acquiescence for the establishment of the Bachelor of Arts in Law degree is not an approval of the program itself and, therefore, the Law School may not announce that the program is approved by the Council.