



Association of Legal  
Writing Directors

FROM: Association of Legal Writing Directors (ALWD)  
Mary E. Adkins, Board Member

DATE: September 24, 2019

RE: ABA Section on Legal Education & Admissions to the Bar - Council Meeting Report

Dear ALWD Colleagues,

On August 23 I attended, as your representative, a meeting of the Council of the ABA's Section on Legal Education and Admissions to the Bar, in Chicago. ALWD is an affiliate organization of the Section; while at times our role is to advocate and report, at this meeting our role was to observe and note topics the Council discussed, as it oversees many issues of interest to our membership.

The Council took little substantive action at this meeting, but discussed several items. Primarily, it approved changes to, and new interpretations of, some standards, largely to codify existing practice or clarify vague language. Following is a brief description of areas of probable interest to us as leaders in legal writing.

Standard 202, Resources for Program: the change clarifies the language requiring university-affiliated law schools to obtain an annual accounting from their university for all charges the university assesses against the law school, and requires (through a new interpretation, 202-2) line-item specificity.

Standard 206, Diversity and Inclusion: A new interpretation, 206-3, would specify that Standard 206(b), which requires law schools to "demonstrate by concrete action a commitment to diversity and inclusion by having a faculty and staff that are diverse with respect to gender, race, and ethnicity," applies to staff and full-time, adjunct, and part-time faculty. However, at an August 21 public hearing the Council decided to return this recommendation to committee.

The Council approved small changes to several other standards; you can see the changes that were proposed and approved [here](#).

Our now-retired legal writing colleague, Pamela Lysaght, is the Standards Review Subcommittee Chair who reported these changes. She also submitted the Subcommittee's agenda for academic year 2019-20, which is driven by new standards from the U.S. Department of Education. The agenda is [here](#).

As you know, Standard 316, which shortened the period by which law schools must demonstrate a 75% bar passage rate from 5 years, with exceptions, to 2 years, was passed by the Council in its May meeting and is in effect. The Council had an animated discussion about whether to require schools to report demographic information about bar takers who fail, as this disclosure could have the effect of identifying, and embarrassing, some unsuccessful bar takers.

The leadership of the Council is undergoing change; its chair is now Diane Bosse, Special Counsel with Hurwitz & Fine. The longtime Managing Director of the Section, Barry Currier (my former professor!) is retiring, and a search committee is seeking his successor.

ALWD did not make a written or oral report at this meeting. We continue to develop our relationships not only with other affiliate organizations, such as AALS, AALL, SALT, and CLEO, but also with the council members themselves. It is my hope that ALWD continues to gain respect as a reasoned advocate for our profession.

Kind regards,

Mary E. Adkins