

# COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

**AGENDA ITEM:** March 2016 - O- 402

**DATE:** March 9, 2016

**TO:** Subcommittee on Educational Standards

**FROM:** George Leal, Director, Educational Standards

**SUBJECT:** California Southern University School of Law – Request for Major Change

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## BACKGROUND

Attachment A is a Request for a Major Change submitted by the California Southern University School of Law (CSUSOL) requesting the approval and acquiescence of the Committee of Bar Examiners (Committee) to offer two new law degrees, a Master of Laws (LL.M) and a Master of Science in Dispute Resolution (MSDR). The request is governed by Rules 4.245 and 4.246(E) of the *Unaccredited Law School Rules and Guidelines* 11.1 and 11.2 of the *Guidelines for Unaccredited Law School Rules* (Guidelines), which require that CSUSOL obtain Committee approval prior to offering any new law degree, and that it “apply to and obtain the acquiescence of the Committee to award any professional law degree in addition to the Juris Doctor (J.D.) degree.”

CSUSOL is a registered, unaccredited correspondence law school that is among the professional schools that comprise California Southern University, a for-profit entity offering undergraduate and graduate degrees through online course work. Both the University and the law school operate from administrative offices located in Irvine, California and each is now accredited by the Western Association of Schools and Colleges (WASC). CSUSOL currently offers a four-year Juris Doctor degree (J.D.) program through asynchronous online course work and it already has the Committee’s approval to offer a two-year Master of Science in Law (M.S.L.) degree program.

## DISCUSSION

CSUSOL now wishes to add two more law degrees to its curriculum. As described by Dean Ellen Sampong, the proposed LL.M degree will be an 18-month, 24-semester unit program that is designed to provide those with a J.D. degree the opportunity to develop expertise in a specific area of law. Though a combination of both required and elective courses, the LL.M curriculum will offer classes in the areas of alternative dispute resolution (ADR), commerce and global trade and environmental resource policy.

The Masters of Science in Dispute Resolution (MSDR) will be a two-year, 36-semester program that will offer courses designed to teach students both the theoretical and

practical principles and skills used by effective mediators to resolve civil disputes. Students will also be required to take classes in the ethical issues associated with alternative dispute resolution proceedings and will be able to focus on various types of conflicts such workplace disputes, trades disputes and family law disputes.

For those applying to either the LL.M or MSDR program, Dean Sampong has confirmed that all applicants will be required to meet the same admissions standards as are applied to those seeking admission to CSUSOL's J.D. program, including requiring that applicants have bachelor's degrees. As with its J.D. degree program, these alternative law degrees are intended to appeal to mid-career, working adults hoping to expand their career opportunities. However, as will be made clear to all who apply, given the limited scope of the curriculum to be offered in each non-J.D. degree programs, neither degree will qualify recipients to take the California Bar Examination.

The request also confirms that the current law school administrators, including Dean Sampong and an associate dean, will oversee and supervise implementation of the new degrees and that CSUSOL's faculty will develop and teach all of the new courses to be offered in each new program. Each member of CSUSOL's faculty is a licensed attorney, either in California or in some other jurisdiction. As enrollment in each new degree program grows, Dean Sampong has advised that additional faculty members will be hired so that the law school maintains its desired faculty/student ratios.

Under Guideline 11.2, in order to receive the Committee's acquiescence, CSUSOL "must demonstrate to the satisfaction of the Committee that granting it authority [to offer any additional law degrees] will not detract from the law school's ability to maintain its Juris Doctor degree program" compliantly. The law school has represented that there will only a minimal impact on its financial resources and that there will be no impact on the operational, academic or scholastic policies, procedures associated with the J.D. program; it believes the J.D. degree program will not be adversely impacted if the additional degrees are approved.

To further this goal, Dean Sampong has indicated that students in the J.D. program will not be permitted to take any of the classes offered exclusively in the MSDR curriculum, although, for the purpose of completing their upper division electives, students in the Master's program will be permitted to take classes in the J.D. program. In doing so, however, Master's degree students will be held to the same grading standards as those studying in the J.D. program. Since they have already earned a J.D. degree, LL.M students will be able to enroll and take all classes in the J.D. curriculum while J.D. students will be permitted to take classes specially developed for the LL.M curriculum. In being able to do so, the LL.M. curriculum will augment and expand the law school's current J.D. curriculum by offering classes in specialized areas of law not now offered.

Based upon each of these reasons, it appears that, as required by Guideline 11.2, CSUSOL is able to "demonstrate to the satisfaction of the Committee" that receiving its acquiescence to grant professional law degrees in addition to its Juris Doctor will not detract from the law school's ability to maintain its Juris Doctor Degree program in compliance with the Rules and Guidelines.

## **RECOMMENDATION**

It is recommended that the Committee approve the requested major change request submitted by CSUSOL and, further, to provide its acquiescence so that the law school may begin to offer both the proposed LL.M and MSDR degree programs at a time of its choosing.

## **PROPOSED MOTION**

Should the Subcommittee agree with the above recommendation, the following motion is suggested:

Move, that the request of the California Southern University School of Law, for approval of a major change and the acquiescence of the Committee, which would allow the school to offer and award both a Masters of Law (LL.M) degree and a Master of Science in Dispute Resolution (MSDR) degree be received and filed; that the request be granted; that the acquiescence of the Committee for each degree program be granted; that the law school may begin offering both the LL.M and MSDR degree at a time of its choosing; and that the law school include, without alteration as required by Guideline 11.3 of the *Guidelines for Unaccredited Law School Rules*, the appropriate disclaimer in its course catalog and website that neither degree will qualify a recipient to take the California Bar Examination or satisfy the requirements for admission to practice law in California.