



May 23, 2016

Committee of Bar Examiners  
State Bar of California  
18 Howard Street  
San Francisco, CA 94105

RE: Trinity Law School's Request for a waiver from Guideline 7.11, restricting the number of units allowed through distance-education to 12

Dear Committee of Bar Examiners:

Trinity Law School hereby applies to the Committee of Bar Examiners, requesting a waiver of the Guideline that limits the number of units a student may take in the J.D. program through distance-learning to 12 units. Trinity seeks to teach 24 units through distance-learning, so as to serve the consumer public by allowing students to begin and complete their first year of law school without moving near the Santa Ana campus or undertaking a long commute.

### **Brief Summary**

The present Guidelines for Accredited Law School, at Guideline 7.11, allow students in the J.D. program to take up to 12 units through distance learning. While this allows students to save some time during their program by opting to take several subjects without the necessity of traveling to campus four days per week, the full benefit of distance-learning is not always achieved when students who physically attend the law school take sporadic distance learning courses.

The real benefit to students through distance-learning takes place when they are able to take entire semesters away from campus, in order to save money on travel or delay moving expenses, and can continue in their prior employment without relocation. This beneficial impact is best experienced in the first year of study, before a student moves near the campus, and before quitting their job to do so.

The optimal benefit to a student who takes a hybrid of distance-learning/on campus study is through an opportunity to complete the first year of studies through distance-learning before coming to the campus. The current Guideline

7.11 does not allow for this, as the limit of 12 units almost certainly means that most students will reach their maximum number of such units, if at all, by taking four classes throughout their academic career while concurrently enrolled in onsite classes during the same semesters.

While the current Guideline would allow students to take the first semester of law school before moving near the campus, the value of this is less than it could be. Several of the first year classes are year-long classes, and education is not optimal if the classes begin one semester through distance-learning, and then are onsite for the second semester.

Trinity seeks permission to offer 24 units of distance-learning credit to first year students as part of a two-year project beginning in January 2017, which would allow students to take their entire first year of classes before moving to Santa Ana to complete the last 3/5 of the J.D. program.

### **Committee Authority**

The current grant of authority to California Accredited Law Schools is found in the Guidelines, at Guideline 7.11, rather than in the Rules. The Committee of Bar Examiners is granted authority under the Rules, at Rule 4.109, which allows that "A law school may request that the Committee waive any rule. The Request must clearly show that the law school otherwise complies with these rules." Implicit in the Committee's authority to waive Rules in appropriate circumstances where the law school is otherwise in compliance, is the authority for the Committee to waive the Guidelines which it has itself adopted.

The Committee has shown an increased interest in encouraging distance-learning. This is shown through the amendment of the Guidelines in 2015 to allow the 12 permitted units of "distance-learning" to be taken at any point in the curriculum, without the prior prohibition on first year courses, and by broadening the scope of instruction allowed under the definition of distance-learning. Further, as the State Bar takes up the issue of allowing accredited schools to offer J.D. degrees offered completely through distance-learning, the Committee has already shown its high regard for distance-learning through its initial approval of such programs. Allowing 24 units to be taught through distance-learning on a temporary basis is thus consistent with the Committee's current policies.

Quality education is advanced for consumers by allowing competitively priced legal education to be provided to students wherever they live before they matriculate, so that they can enjoy the benefits of starting their education where they currently live and work. Students who live far away from a law school can then delay and reduce some of the costlier aspects of education

which require generally moving near the law school. In fact, students from out of town can plan on living near campus for only two years before returning to their home communities if they are allowed to complete their first year of education through distance-learning.

### **Program Details**

Trinity Law School already has experience offering distance-learning education through teaching six units of Property to its students in the 2015-2016 school year. The class was well received by the students, and they performed at the same level of quality output as those who took that class in the traditional classroom method. Many of these students stated their desire to take more classes through distance-learning.

Trinity Law School relies on the support of the distance-learning department of its parent institution, Trinity International University, to assure the highest quality of distance-learning education. The University has offered distance-learning program for several years, and is successful in planning and supporting excellence in education through such programs.

If this request is approved, Trinity Law School would immediately prepare for offering 12 units of instruction for the Spring 2017 semester, and 12 units for the Summer 2017 term. This cycle would be repeated again in Fall 2017 and Spring 2018, and again in Spring and Summer 2018. This schedule would align with the schedule for the current onsite program which allows students to matriculate in both Fall and Spring, with Spring matriculants completing their second semester courses in the summer.

The classes offered by Trinity Law School would be:

#### *Spring 2017*

Legal Research and Writing I  
Contracts I  
Torts I  
Criminal Law

#### *Summer 2017*

Legal Research and Writing II  
Contracts II  
Torts II  
Criminal Procedure

The content, comprehensiveness and standards for these classes would be identical to those offered to our onsite students. The students would have

access to all online library materials, and would be required to participate in academic support programs as do all of our students.

At the completion of the first year of studies, students would complete their education by taking the remainder of their classes on campus, beginning in Fall 2017.

### **Impact on Education**

This program would have a positive impact on the financial health of the school. While distance-learning requires additional costs in preparing each class for the first time, the total cost of this development for each semester is estimated to be \$15,000. This cost would be recaptured in tuition and provide for development of the second semester with just ten students enrolled in the program. Trinity expects that 15 students or more will enroll in this program during its first year.

The quality of education will be high in the distance-learning program, as is demonstrated by the success Trinity has shown in offering distance-learning for six units of instruction thus far. In fact, the variety of teaching methods enhances education generally, as lessons learned from the more thorough lesson planning requirements of distance-learning has reaped benefits already in enhancing the classroom experience.

### **Conclusion**

Trinity Law School requests that the Committee grant a waiver from the current 12-unit cap on distance-learning for a period of two years, and allow the school to offer 24 units during this time. This will allow for a fully online first year J.D. curriculum to be offered to the public. This advances the interests of consumers who will now see an additional opportunity for starting a career in law for those to whom, time, finances, and community obligations would otherwise make the start of legal studies impossible

Very truly yours,  
TRINITY LAW SCHOOL



Myron S. Steeves  
Dean