

Confidential

Report and Recommendations of the Presidential  
Task Force on the Future Role and Mission of Legal  
Education at Valparaiso University

August 14, 2017

## **Report and Recommendations of the Presidential Task Force on the Future Role and Mission of Legal Education at Valparaiso University<sup>1</sup>**

To: Mark Heckler, Ph.D., President of Valparaiso University

The Task Force on the Future Role and Mission of Legal Education at Valparaiso University is pleased to submit its report and recommendations for your consideration. We hope that it is useful and look forward to further discussion of the issues.

### **Introduction, Background and Charge:**

Founded in 1879, the Valparaiso University School of Law (VULS or Law School) is among the nation's oldest law schools. It received initial ABA accreditation in 1929 and has been continuously accredited since then. Its alumni include distinguished judges; elected officials in national, state and local government; public servants; business executives; scholars; private practitioners in all fields of law; and community leaders. It is noted for its excellence in teaching, its outstanding practice-based curriculum, and the purpose-driven mission of training students who are called to the law. The Law School benefitted from and echoed the heritage and ethos of Lutheran values held by the University, particularly those of maintaining the highest ethical standards and devotion to service.

For many years, VULS was financially self-sustaining and, indeed, even in recent years generated surpluses.<sup>2</sup> VULS's history and values have not insulated it from recent systemic and cyclical challenges facing American legal education and the profession, however. Nationally, the number of law school applicants has declined by approximately 40% from the peak in 2010, largely in response to a surplus of law graduates in the later years of the Great Recession and other changes in the legal employment market. In fiscal year 2016, the Law School went from having a surplus to a small financial loss. Increasing losses are projected for the next several years.

The declining applicant pool has been a particular challenge to "unranked" law schools as higher ranked law schools have lowered their admission standards and increased tuition discounts to fill their classrooms.<sup>3</sup> This may be the easiest time in decades to get into law school. VULS and other unranked (and lower ranked) law schools are competing for a smaller number of qualified students, many of whom are being admitted to higher ranked schools and getting substantial financial aid. At the same time, the demand for and means of delivering legal services are changing due to advances in technology, communication, and other factors. Although there remain vast unmet legal needs, the number of paying legal jobs has not expanded to meet the increasing number of lawyers entering the profession. Changes in the way legal services are delivered appear to be having some impact on the number of jobs in traditional law practices and in the types of positions in which graduates (and legally trained non-JD holders) are being

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<sup>1</sup> Task Force members and their affiliations are attached at tab A, at the end of this report.

<sup>2</sup> The surpluses were set aside by the University in a "rainy day fund" for the benefit of the Law School. That fund has been exhausted by the Law School in connection with recent "buy-outs" of senior faculty.

<sup>3</sup> Currently VULS is in the "fourth tier" of law schools in the US News & World Report ranking of law schools, a position it has been in for some number of years. US News does not attempt to differentiate among schools in that tier. The top 145 schools are ranked and the remaining 50 or so, of which VULS is one, are listed alphabetically.

employed. The changing market likewise affects the kinds of training that will be relevant going forward.

VULS has been further disadvantaged in the most recent recruiting “season” and will continue to be disadvantaged in the near term because of the ABA’s actions. In particular, the ABA Section on Legal Education and Admission to the Bar, which is authorized by the Department of Education to accredit law schools, found VULS to be out of compliance with its Standards 501(a) and (b) pertaining to admissions. In short, the ABA found that VULS had admitted students who were not qualified to attempt to enter the profession. In October 2016, the ABA Section publicly censured the school and dictated certain remedial actions. As discussed below, the ABA censure included requirements of specific communications about the censure to enrolled and prospective students, even though the law school’s admissions policy already had changed to address the potential problems created by lowered admission standards. This unwanted focus on the prior admissions policy has had a serious adverse impact on applications and acceptances. Although recently the ABA has found that VULS’s current admissions plan complies with the ABA standard, it has not yet lifted the censure, waiting to see the data from the most recent class. The Law School administration believes that these data will support lifting of the censure as early as November 2017, the soonest the ABA will consider its case.

A result of these factors has been projections that the law school, rather than running a surplus, will operate at a net loss for the immediate and foreseeable future, at least until the full effect of these factors can be determined. Enrollment and revenue will be especially low in academic year 2017-2018. As the somewhat larger classes that entered in 2015 and 2016 graduate, overall enrollment will continue to decline for the next two years before it begins to increase again, assuming the entering 1L enrollment stabilizes at a number closer to normal figures. Expenses, inclusive of University overhead charges, are expected to exceed tuition revenue for at least 4 years based on current projections.

The University and Law School have already taken steps to address the financial issues caused by the drop in enrollment and projected enrollments. The most drastic and visible of these was the reduction in headcount, with buyouts of senior faculty and layoffs of certain staff members. The Law School is continuing to look for ways to reduce costs but virtually all faculty now have very full teaching loads so that further reductions are not recommended. Other administrative functions, such as Career Services, Admissions and Marketing, are considered vital to continued operations.

To some degree the negative attention focused on the Law School, particularly the ABA’s action, also reflected on the University, even as VULS continues to earn high praise in the legal world for its training programs, innovative curriculum and recognition for the outstanding contributions made by its graduates. VULS benefitted greatly by the accolades conferred on retiring Indiana Supreme Court Justice Robert Rucker, for example, who has been featured, along with his VULS connections, in multiple publications. Cornell Boggs was recognized in 2017 as a Legend in the Law at the Library of Congress. John Bouman, President of the Sargent Shriver Poverty Law Center, has received much positive attention for leading efforts in Illinois, the Calumet Region and nationally to fight injustices associated with poverty. Other alumni have also been

recognized for their contributions to the communities in which they live and beyond.<sup>4</sup> In 2017, VULS was again recognized by a national publication for its excellence in teaching, particularly in legal writing and in practical education.

With these facts in mind, in mid-March 2017 the University President commissioned this Task Force to study and report to him on the future role and mission of VULS. The President noted the Board of Directors' concerns about the impact decreased enrollment would have on the law school's financial outlook, but directed the Task Force not to make recommendations specifically focused on ways to address the financial challenges. Nor was the Task Force charged with studying potential alliances, mergers or acquisitions with other law schools as a means of addressing those issues. These responsibilities are being addressed by University administrative and other personnel in consultation with the Law School. That said, the Task Force members have views on these topics and have gained insight that may be of value in discussion of them.

The University President gave the Task force the following charge:

- Review the mission and vision of Valparaiso University as a whole and consider the current and future role of legal education at Valparaiso University in ways that are consonant with and contribute to the overall institutional mission and vision.
- Examine data from the previous two decades on law admissions, bar passage, and employment outcomes.
- Consider the current and projected state of the legal education and the legal services sector in the United States, with particular emphasis on the states of Indiana and Illinois, and the role of legal education in addressing current and future needs for legal services.
- Discuss the current role of the Valparaiso University Law School and its degree-granting programs as compared to the evolving needs of the legal services sector in the foreseeable future.
- Confirm, or offer suggestions for changing, the Role and Mission of the Law School and legal education at Valparaiso University.
- Develop recommendations for any changes in curricula and/or degrees offered—professional, graduate, and, potentially, undergraduate—that might best position legal education at Valparaiso University and its graduates for success in the future.

In undertaking its work, the Task Force considered various sources of information, particularly, but not exclusively, from interested stakeholders, including University Board members, Law School administration, Law School alumni, community members, and Law School faculty, both present and past. Academic studies and publications on the future of legal education, the future of the profession, legal employment, and other sources were considered. The ABA Task Force reports on the Future of Legal Education and the State Bar of Indiana Conclave Report were reviewed. A survey was sent to all Law School alumni for whom contact details were available requesting comments on the topics within the charge. Current Law School students were

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<sup>4</sup> These include general counsels of corporations, members of corporate boards of directors, leaders in the non-profit and charitable world, and judges at various levels. No attempt was made to identify leaders in traditional law firm positions but many graduates are members of international and national law firms, have their own prominent practices, and serve in important roles within bar associations.

interviewed. Several individuals outside of the VULS community with close ties to legal education also provided information, including practicing lawyers, deans or former deans of other law schools, law professors, and judges. The President assigned a staff member to assist the Task Force with various administrative and research matters and a retired Law School faculty member to serve as liaison to the University and the Law School. In addition, the University Provost and the Vice President of Finance provided detailed information to assist in the Task Force's study.

The Task Force met in person on 4 occasions and engaged in various exchanges of views and information by email and telephone. This report is the product of multiple deliberations and does not represent the views of any one individual Task Force member. Task Force members were encouraged to communicate any differences with the final report directly to the President.

Each topic of the President's charge will be addressed in order below:

**I. The Law School's Contribution to the Mission and Vision of the University**

The Mission and Vision of the University and the Mission of the Law School are aligned and complementary as expressed in the published documents. The University's Mission and Vision is stated as follows<sup>5</sup>:

**VALPARAISO UNIVERSITY MISSION STATEMENT**

*Valparaiso University, a community of learning dedicated to excellence and grounded in the Lutheran tradition of scholarship, freedom, and faith, prepares students to lead and serve in both church and society.*

**VALPARAISO UNIVERSITY VISION STATEMENT**

*Valparaiso University will be renowned worldwide for preparing women and men who are highly sought for their knowledge, character, integrity, and wisdom.*

**THE LAW SCHOOL'S MISSION STATEMENT**

*Founded in 1879, the Law School embraces law as a calling to leadership and service. Our legal education blends theoretical and practical skills with humanitarian values to ready lawyers for that calling. The Law School is a community of learning, inquiry, and opportunity dedicated to excellence in legal education and invested in the academic and personal success of its students, preparing and empowering them to serve others and fulfill their potential in their chosen careers.*

The Task Force interviewed several present and former faculty members to explore whether the Law School in fact carries out its purpose-driven aspirations in practice. Evidence of consistency between the University's Mission and Vision and the Law School's Mission can be

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<sup>5</sup> This is only a portion of the Mission and Vision Statement of the University. The complete Mission and Vision Statement, including its statement of core values, is attached at tab B.

found in many sources, beginning with a strong commitment to excellence in teaching. Through its clinical programs, the Law School has demonstrated strong and long-standing commitment to equipping students with the practical skills to become successful lawyers and to serve their communities. VULS's clinical program is nationally recognized for its excellence and, having begun 50 years ago in 1967, is one of the oldest clinical training and service programs in the nation. Not only do the legal clinics provide opportunities for experiential learning, they also provide needed service to under-served members of the communities.

Presently, there are nine separate clinical programs which, overall, are recognized by National Jurist as first tier in the nation.<sup>6</sup> In addition to equipping students to enter the practice as successful practitioners, the clinics are well-known for providing service to people living in poverty. Participants in the Immigration Clinic have assisted numerous clients facing uncertainties and barriers due to the changes in immigration policy from the new administration in Washington. A specific example includes the recent success of two Immigration Clinic students in gaining asylum for a former student at an Eritrean military school who had been imprisoned and tortured for speaking out against favoritism towards pro-government students. VULS has become nationally recognized in the area of animal law which came to prominence with the Michael Vick animal abuse case several years ago, another example of how the Law School fosters advocacy and scholarship in the area of public service.

Opportunities for closer alignment between the University and the Law School were discussed by the Task Force. Some of these opportunities are directly related to the Mission and Vision of the University and the Lutheran foundations of the University. For example, in the past, the Law School has co-sponsored a law and the ministry conference which, if revived, could attract pastors and other religious leaders to the University and the Law School for training and information on the many legal issues confronting religious institutions. These issues include separation of church and state, domestic abuse, confidentiality, religious free exercise rights in the workplace and elsewhere, among others. The Law School can and does provide training to current and future leaders of non-profit organizations. Other examples of potential for closer alignment, discussed below, involve development of additional courses of study that cross over between the University's other colleges and schools and the Law School.

Further evidence of the alignment of the Mission and Vision of the University with the Law School comes from the students themselves and their demonstrated commitment to serving society. VULS was one of the first law schools in the nation to adopt a pro bono requirement for all second and third year students, something that the ABA adopted later as a guideline. ABA guidelines suggest that law students provide 50 hours of service per year. VULS requires 60 hours, but even with this higher level, many students exceed that requirement by substantial margins. Many reportedly serve in excess of 100 hours, and some provide more than 1,000 hours of pro bono time over the course of their three years at VULS.

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<sup>6</sup> In 2017, The National Jurist, a journal focused on legal education, awarded VULS an A+ rating for its experiential learning programs, ranking it 7th among all law schools in the nation. VULS is also highly ranked based on the number and variety of externship programs (over 100) available to law students.

VULS alumni often discuss the fact that the law school experience included a strong sense of commitment to community service and accountability to high ethical standards as a part of the education. In fact, a significant number of alumni, as noted in this report and at tab 2, have devoted their professional careers to public service and practically all alumni have made substantial contributions to their communities through pro bono work, community leadership and public service.

To get a broader understanding of alumni views, the Task Force emailed a survey to all alumni for whom the University had email addresses to gather information about their attitudes toward and support for the Law School. The goal was to determine why they attended the Valpo Law School; what they perceive as the Law School's strengths and what sets it apart from other law schools; what suggestions they had for changes in mission, programs, and curriculum; and whether the alumni felt a sense of responsibility to maintain the quality of a Valpo Law School education.

Responses regarding the strength and attractiveness of the Law School consistently centered on location, small size, quality of faculty, Lutheran heritage, availability of financial aid, and specialized programs, specifically the legal clinics and the legal writing program.<sup>7</sup>

Feedback regarding whether alumni felt a personal responsibility to maintain the quality of the VULS education resulted in both strong positive and negative responses. Positive responses generally commented on formative nature of their VULS education and their desire to give back. Negative responses fell into several categories. Some commented on a lack of expertise to assist, being geographically removed from Valparaiso, or a long-term sense of lack of connection to the Law School. Some earlier graduates feel the Law School has abandoned the education of fine lawyers in favor of making more money, while some more recent graduates tended to focus on the high cost of their education.

A number of respondents expressed concern or anger about negative press nationally on the Law School, particularly the New York Times Article from June 2016,<sup>8</sup> the departure of some of its most experienced professors, and its censure by the ABA. Several others conveyed genuine regret about the state of the Law School and the possibility that it may not survive. Although the

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<sup>7</sup> Of the 3857 alumni contacted, 394 responded. The verbatim responses from the alumni are available for review. The distribution of responses based on decade of graduation is as follows:

Decade	Respondents
1950s	5
1960s	18
1970s	41
1980s	69
1990s	71
2000s	91
2010s	91

<sup>8</sup> <https://www.nytimes.com/2016/06/19/business/dealbook/an-expensive-law-degree-and-no-place-to-use-it.html>

survey did not specifically ask whether alumni felt there was alignment between the Mission and Vision of the University and the Mission of the Law School, it was apparent that many of the respondents were drawn to the VULS because of its identity with the University.

One difference between the University's Mission Statement and the Law School's is the omission of any reference to the Law School's Lutheran heritage. The University's Mission Statement refers to its "ground[ing] in the Lutheran tradition" and its Strategic Plan discusses "[a]dvancing . . . its vision of being a Lutheran University." The omission of parallel statements from the Law School's documents may be unintentional but it raises the question of whether the Law School retains, or should retain, connections to its Lutheran roots and whether there are distinctive qualities to a Lutheran legal education. Despite this omission, there is nothing in the Law School's Mission Statement that clashes with the University's statements and, indeed, the statements appear to be complimentary. The Task Force, therefore, recommends that the University, including the Law School, study what it means for the Law School to be part of a university that is "grounded in the Lutheran tradition."

The Task Force believes that greater emphasis could be placed on instilling within students and alumni the conviction that law is a "calling," terminology used in Lutheran philosophy and theology. Other law schools with a Christian heritage have shaped their identities around their religious heritage. Notre Dame Law School, for example, is noted not only for its strong academic standing, but also for the pervasive Catholic theological influence in all its teaching. Notre Dame has been successful in part because it has unapologetically embraced that Catholic heritage and yet maintained its commitment to inclusiveness for those who accept the institution for what it is. Its website proclaims that "a Notre Dame lawyer embodies the characteristics of exceptional moral and ethical standards, extraordinary ability, and a compassion for others. With the honor of a Notre Dame degree, comes the responsibility to maintain this distinct reputation."

The faith component of the University can be a distinguishing characteristic for VULS as well, one that enriches the educational experience and that draws students. While VULS does not aspire to be a Lutheran mirror image of its neighbor to the East, there is much to be learned from an institution that knows what it is at its core. For the Law School to thrive, it must attract students who want to be there for more than a JD and the hope for rewarding employment. Moreover, for the University to support VULS through this challenging time, it must demonstrate that it is more than another fourth tier or unranked institution.<sup>9</sup>

Other issues concerning the relationship between the University and the Law School are also important to recognize. The sense of the Task Force, based on personal experience as well as comments from alumni and community members, is that the Law School enhances the stature of

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<sup>9</sup> As a practical matter, Lutheran colleges and universities with Christian religious roots should be a rich source of potential law students. There are 41 colleges in the Lutheran Colleges organization. <https://www.lutherancolleges.org> There are many more colleges with Christian religious roots that likewise should likewise be receptive to a message about the Law School's Mission. Recent data suggest that relatively few Law School students earned their undergraduate degrees from Lutheran or similar religiously grounded institutions. Data on file from the Admissions Office.



the University as a broad, liberal arts institution that promotes interdisciplinary learning as well as advanced scholarship. The Law School, together with the other graduate and specialized schools, is what makes the institution a true university, not just a liberal arts college. The Business School, Nursing School, and Engineering School can make that claim to some degree but law is distinctive in that it is, practically by definition, a learned profession that compels multi-disciplinary engagement. The Law School faculty exemplifies this quality. University faculty are certainly qualified academically and many have outstanding reputations. The Law School in particular, however, has brought together teachers and scholars who are preeminent in their fields, some with national and international reputations. Examples include Ivan Bodensteiner and Rosalie Levinson who have co-authored the leading treatise on Civil Rights Legislation and Litigation which has been in use nationally for nearly 20 years. Professor Edward Gaffney has written or contributed to many amicus briefs in the Supreme Court and other courts on issues related to religious liberty and published numerous books, articles, and editorials on related subjects. Dr. Jeremy Telman has published internationally on topics ranging from Constitutional law to contracts to international law and human rights. Rebecca Huss is a nationally recognized authority on animal rights and animal law, among other subjects. David Cleveland has gained attention for his study of the judicial process and, in particular, courts' use of unpublished opinions. Andrea Lyon, the current dean, is nationally known for her scholarship and advocacy in death penalty cases. These are just a few examples of the high academic and professional standing of the VULS faculty, both past and present. Drawn in part by their stature, internationally recognized scholars and jurists have come to the Law School to teach seminars, deliver lectures, judge student competitions, and interact with the faculty and student body.

In sum, the Law School contributes to the overall standing of the University in the academic community and sets it apart from the ranks of small, liberal arts colleges. If the Law School should cease to exist, the University would suffer a loss. The Task Force finds that the Law School enhances the Mission and Vision of the University in practice as well as in policy. The University's Mission and Vision in turn reinforce the message to incoming students and the community that VULS is a different kind of law school, one focused on preparing students for success based on calling and service. This is borne out by the many examples of law school graduates whose success can be measured against the University's core values. The Law School further contributes to the reputation of the University due to the high professional standing of its faculty and the enrichment brought about by its ability to attract others to participate in University life.

## **II. Two decades of data on law admissions, bar passage, and employment outcomes**

As directed by the President, the Task Force examined the available data on admissions, bar passage and employment outcomes. Standardized data reporting became available only after 2011, although some data have been available for longer periods.<sup>10</sup>

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<sup>10</sup> See the ABA Section of Legal Education and Admission to the Bar website for additional information and statistics.

Admissions: Nationally, the trend in first year law admissions has been down significantly from its peak in the fall of 2010 and is near its lowest point in the two decades examined.<sup>11</sup> By way of illustration, according to the Law School Admissions Council (LSAC), first year law school enrollment in the fall of 2010 was at 49,700, the highest year.<sup>12</sup> By the fall of 2015, that number had dropped to 35,700, a decline of 28%.<sup>13</sup>

For context, the three-year period from fall of 2007 to the fall of 2010 had been marked by a 10% *increase* in 1L students. The increase in this period is attributed in part to the recession. Economic downturns have often been thought to encourage new college graduates to delay entry into the workforce by enrolling in graduate school. Some of the increase in enrollment in this period, however, may also be due to the unrealistic lure of large salaries at major law firms reported in the press, salaries that are earned by only a small percentage of new lawyers, mostly from elite level schools.<sup>14</sup>

The drop in enrollment has similarly been attributed to economic factors, in part the perceived surplus of newly graduated lawyers who had not been able to secure long term legal employment during the extended years of the recession. In other words, law school was no longer perceived as a temporary safe haven during the downturn. In addition to continuing economic stress, some erosion of demand for legal services due to various factors such as technology advances and alternative legal services providers may have begun to affect demand for new lawyers although the impact of these changes cannot be accurately assessed.

There are some signs that interest in law school may be recovering from its recent lows. For example, there was a 20% increase in the number of LSAT tests administered in June 2017 over a year earlier. Attendance at a recent Washington, DC law school forum sponsored by the Law School Admissions Council was up by over 23% from 2016, another early indication of rising interest in law school enrollment.<sup>15</sup>

During the two-decade period studied by the Task Force, VULS's 1L enrollment rose from 119 in 1997<sup>16</sup> to over 219 just 5 years later in the fall of 2002, a nearly 85% increase. Enrollments

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<sup>11</sup> The focus here is on first year admissions. The overall enrollment trends mirror these numbers. In 2011-12, total national law school enrollment was 146,288. By 2016, that number dropped to 110,951, a 25% decline.

<sup>12</sup> See the LSAC website, <https://lsac.org>

<sup>13</sup> The earliest available data on first year enrollment goes back to 2001. At that time, 42,700 students enrolled. The number of 1L students fluctuated until peaking in 2010. It fell below the 2001 number in 2012, sliding to the bottom in 2015. In 2016, national enrollment increased by 900 students.

<sup>14</sup> Lawyer salary studies have shown that beginning in 2000, starting salaries can be plotted on a "bimodal" distribution curve, with distinct peaks at approximately \$45,000 and then again at \$125,000, a phenomenon that has continued since then. Starting salaries at large law firms in 2017 are now at \$180,000, while there has been little change in other segments of the profession. No other profession has this kind of entering salary distribution.

<sup>15</sup> Data received from University sources. 853 prospective students attended the forum in 2017, up from a low of under 600 in 2014. Attendance spiked in the DC forum in 2009 at over 1,800 but had been in the approximately 1,000-1,200 range in prior years. Nationwide LSAC forum attendance followed a similar pattern but 2017 data are not yet available.

<sup>16</sup> First year classes had been in the just above 110-120 range for several years before 1997, jumped to 166 in 1998 where enrollment hovered until 2002 when it jumped again to 219. With some year-to-year variation, 1L

near or above 200 1Ls continued from 2002 through the fall of 2013, dropping to 174 in 2014 and 103 in the most recent (2016) entering 1L class, essentially the same entering class size as in the 1980s and 1990s.<sup>17</sup> This was a drop of over 50% from the high water mark.

While academic standards for the incoming VULS classes were initially stable and, when measured by LSAT score, even rose somewhat for most of this period, maintaining high enrollments in the years after 2010 and before 2015 came at a price measured by a drop in the academic quality of the incoming class. As measured by LSAT score, on a scale of 120 to 180, the median score of VULS 1L students dropped from 150 to 143 between 2010 and 2013. To put that number in perspective, a score of 150 is just below the 50th percentile of all LSAT takers and a score of 143 is at the 20th percentile. The median score of 143 for the class entering in 2013, therefore, means that *half* of that entering VULS class scored in the “teen” percentiles. LSAT scores are designed to be predictive of first year grades, suggesting that a significant number of first year students would have difficulty succeeding in law school. Although the relationship between LSAT score and ultimate bar passage is controversial, to the extent a low LSAT score predicts difficulty in law school it can also be correlated to bar passage to some extent. VULS’s bar passage rate in fact declined in recent years, although that decline has stabilized, and as discussed below, is improving relative to other schools.<sup>18</sup>

VULS’s entering class LSAT scores have now risen again and are expected to be above 150, a standard the law school intends to enforce.

The enrollment statistics tell many other stories and, like all statistics, undoubtedly hide information as well. One startling fact is that in 2002, the year in which VULS’s 1L class had its highest median LSAT score (above the 50th percentile), the number of applications was substantially less than in later years and not far above the recent low levels in 2014 and 2015. Similarly, admittances were lower, but 1L enrollments in each of the high LSAT score years (2002-2005) were at or, in some years, above the enrollments in the “low” LSAT years. In other words, in this period VULS succeeded at attracting higher quality students from a smaller applicant pool, almost the reverse of the recent situation. The case could be made that something was being done in those years that made higher quality students enroll at VULS. Presumably, some of the decline in quality can be explained by increasing reliance on US News rankings as VULS has never been highly ranked in that report. In addition, prospective students are now far more reliant on social media and other sources of information that have influenced some

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enrollment averaged 204 for the period 2002-2013. A “normal” first year enrollment number may be in the 110-120 range, with total enrollment in the 300 range.

<sup>17</sup> About 25 of the approximately 200 US law schools enroll 100 or fewer 1L students. These include the University of Missouri (Columbia), Drake, University of Connecticut, and the University of Massachusetts (Dartmouth). Several other highly regarded schools that enroll fewer than 125 1L students, including Case Western Reserve, University of Kentucky, Washburn, and University of Arizona. See [Lawschoolnumbers.com](http://Lawschoolnumbers.com)

<sup>18</sup> The LSAC strongly disagrees with use of the LSAT as a predictor of bar passage and it has data to support its views. For most of the period studied by the Task Force there was no apparent correlation between LSAT scores and bar passage as VULS students passed the Indiana bar at or near the rate of other schools with higher LSAT scoring 1Ls. Bar passage rates at VULS have declined in recent years, however, as have admission standards.

applicants to choose ranked law schools. It is unclear from the information available to the Task Force what caused this positive effect in the 2002-2005 period but is something that should be given additional study.<sup>19</sup>

One segment of the potential law student population that has remained steady for VULS is non-traditional students, defined loosely as students over the age of 25. Based on data from the University, the percentage of non-traditional applications reached 50% in 2014, and has been well over one-third of all applications for the most recent nine years. In general, these applicants are in or have been in jobs and are looking to augment their credentials, or are considering a second career. They represent a diverse group and, because of their varied life experiences, are a source of enrichment in the classroom. Because many of the non-traditional students are likely tied to Northwest Indiana, they are less likely to be drawn away by other law schools. In general, the Law School should consider ways to identify potential non-traditional students in the area who are interested in augmenting their careers with law school education.

The Law School has also succeeded in attracting diverse students. In part this is due to its proximity to large numbers of racially and ethnically diverse populations in Northwest Indiana, but it also appears that the Law School succeeds in attracting under-represented minorities from other geographic areas. The legal profession is constantly seeking ways to increase diversity in its ranks. The Law School provides a valuable resource to the profession by preparing lawyers from a variety of cultural, economic, and racial backgrounds.

As already noted, the pool of potential applicants from which all law schools draw is smaller now than it was in recent years. This has significance for VULS, particularly if it chooses to compete with other law schools on US News and similar rankings as higher ranked schools reach “down” into the applicant pool. Nationally, law school applicants are down slightly in 2017 and quality, again measured by LSAT score, is also down.<sup>20</sup> As discussed in the Task Force recommendations, continued success of VULS is dependent in part on an ability to differentiate itself from other schools and to attract students who want to be a part of its mission and vision. It is unrealistic to expect the Law School to compete on US News rankings, at least in the near term.

Evaluating the importance of US News and other rankings is a difficult topic. A case can be made that the unranked law schools will continue to suffer decline as higher ranked schools continue to attract (and subsidize) students whose previous choices might have been more limited. In other words, potential incoming students to VULS are being lured to ranked schools

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<sup>19</sup> One senior faculty member noted that this period coincided with a concerted effort to promote the VULS brand as “an identifiable community with shared values, a common sense of mission, and a common investment in the enterprise.” It was in this period that the concept of “law as a calling” was introduced into marketing materials. A copy of the VULS Branding Documents is attached at tab C. Some suggestion was made that this focus was lost in subsequent years.

<sup>20</sup> The number of LSAT takers with scores below 150 has gone up substantially in the last several years while the number of takers with scores in the 150-159 range, representing a score band VULS often sees, has continued to decline, suggesting an overall decline in the quality of the national applicant pool.

that in prior years would not have accepted them. While the Task Force did not specifically study what it would take to move the Law School into the category of ranked schools and out of the fourth tier, the assumption is that this would require a substantial investment. This is a topic that has been discussed for almost as long as the US News rankings have been published. Further, even if there were a path toward ranking that has not been tried, the following conclusions can be drawn. First, it is likely to be costly as the rankings are based on a variety of factors that require investment in faculty and students. It seems unlikely that there would be a willingness to make that investment at this time. Second, it would take an indefinite period of time to accomplish this goal. Third, even if successful, the most that could be hoped for in the near term is a ranking in the third tier, something that is not in itself particularly attractive at this time.

The sense of the Task Force is that VULS should not set a goal of achieving a US News ranking at this time. As outlined elsewhere in this report, there are other avenues for the Law School to distinguish itself. If those other avenues prove to be successful, then the rankings may very well take care of themselves. In addition, neither the University's nor the Law School's Mission and Vision are built around external rankings, as if the only measure of success is how these institutions compare to others according to a wholly separate standard-setting body's judgment.

On the topic of admissions standards, however, the Task Force also discussed at length the importance of not admitting students who are unprepared. Obviously the ABA's actions have made admission standards an area of focus and the Law School has taken steps to address the ABA's concerns. The Task Force believes that controls over admission standards were inadequate and decisions to admit students with lower LSAT/GPA in the period including 2013 may have been motivated, at least in part, by a concern over maintaining enrollment (and revenue) as the applicant pool began to shrink and competition for students increased. The Task Force recommends vigilance over admission standards and that careful consideration be given if decisions are made to deviate from them on an individualized basis.<sup>21</sup>

Bar Passage: Bar passage data have been the subject of national legal commentary because scores on the Multistate Bar Exam (MBE) and passage rates have declined in recent years. Over the two decade period of Task Force study, *national* bar passage rates for "first time takers" (all schools) peaked in 2008 at 82%, but fell to 69% in 2016, the lowest percentage so far.<sup>22</sup>

Over most of the 20-year period of study, VULS Indiana bar passage rates for first time takers have been comparable to all Indiana bar first time takers, with some years above and some slightly below the statewide average.<sup>23</sup> This variation may be statistically meaningless given the

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<sup>21</sup> Law schools have been criticized, with some justification, for enabling students who were not qualified to take on substantial debt to finance their legal education. Unfortunately VULS was featured in a prominent news article about the issues of law student debt. See <https://www.nytimes.com/2016/06/19/business/dealbook/an-expensive-law-degree-and-no-place-to-use-it.html>

<sup>22</sup> See the National Conference of Bar Examiners website, [www.ncbe.org/publications/statistics](http://www.ncbe.org/publications/statistics)

<sup>23</sup> Because more VULS graduates take the Indiana bar than any other state's bar, and because the number of takers of other state's bars is relatively low, the Task Force only examined Indiana data.

relatively small numbers of Indiana bar takers (in the range between about 400<sup>24</sup> and 700 each of the 20 years, with VULS representing roughly 20% of the takers).<sup>25</sup>

The general alignment in bar passage rates between VULS and all Indiana takers ended in 2014 and 2015, however. In 2014, only 61% of VULS first time takers passed the Indiana bar compared to 79% of all Indiana first time takers, an 18% unfavorable spread. In 2015 the respective numbers were 65% and 79%, a 14% unfavorable spread.

The recent relatively unfavorable bar passage rates may be undergoing a reversal, however. In 2016, the Indiana all taker percentage *dropped* almost 10 points to 70% while VULS *held steady* at 64%, essentially the same percentage as the prior year.<sup>26</sup> In other words, VULS's performance compared to other schools improved over prior years, and slightly higher than in 2014. Possible explanations include that the recent adjustments to the curriculum aimed at preparing students to pass the bar had a positive effect. The increase in bar passage is all the more remarkable because the 2016 class had the lowest incoming median LSAT score of any prior entering class.

Improving the quality of incoming classes may have a positive impact on VULS bar passage rate, as will continued attention to bar preparation in the curriculum. The Task Force believes that by the time they earn their JD, VULS students should be prepared to pass the bar of the state in which they choose to practice provided they devote sufficient attention to specific preparation following graduation with a JD. While not succumbing to the temptation to “teach to the test” at the expense of all other goals, the Law School needs to be sure the curriculum is sufficiently related to bar-tested subjects so that graduates are prepared to succeed. Similarly, the Law School needs to continue to engage in early intervention with students who do not appear to be on track for successful entry into the profession. As discussed elsewhere in this report, at least for some of these students, there may be alternative career paths where having a foundation of some legal training but not a JD will be advantageous. Others may benefit from more directed preparation and a few may need to be counseled out of the Law School program.

Employment: The Task Force also considered post-JD employment, particularly employment in the categories of “bar admission required,” “JD advantaged” and other professional employment over the last 20 years to the extent available.<sup>27</sup> Nationally, post-graduation employment

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<sup>24</sup> The years with numbers near 400 only counted Indiana law school graduate takers, not takers from out of state law schools.

<sup>25</sup> See ABA 509 reports and, for national statistics, the NCBE data.

<sup>26</sup> Interestingly the 2016 VULS takers would have been in the entering class of 2013 which had the lowest median LSAT score. Some of the success of this class on the Indiana bar, while below average, may be attributed to the Law School's recognition of the need to focus on preparation.

<sup>27</sup> Reporting of employment data has varied over the years studied and so some numbers may not be strictly comparable. VULS Career Services rigorously follows ABA guidelines for reporting which now require determination of 8 separate data points for each graduate. If data are not available in each area, the graduate is deemed unemployed, which may result in some overstating of unemployment statistics.

percentages declined from 90.6% of all graduates (2007) to a low of 82.9% (2012).<sup>28</sup> Recently, national employment rates appear to have begun to stabilize around 85%.<sup>29</sup>

Historically VULS employment statistics have lagged slightly behind the national average by a few percentage points. Some of that lag has been explained by the types of employment VULS graduates seek which appear to differ somewhat from the national norm. In particular, a higher percentage of VULS students are employed in positions where bar passage is required before the offer is made. A somewhat higher than average percentage of graduates choose to attend graduate school after graduation compared to national norms. After a few additional months from graduation, VULS employment statistics are believed to be at or approach the national average, although the Task Force does not have data to confirm that view. The small numbers in any class also means that the status of only a few students in the 10 months after graduation, when employment status is determined, makes percentage comparisons to national or other norms potentially misleading.

Even with these caveats, recent employment numbers are concerning. Beginning in 2009 and continuing to the present, VULS employment numbers deviated substantially from prior years and from national percentages. While national employment statistics were tracking in the low to mid 80% employment range, VULS graduates fell to a range hovering around 70%.

Disappointingly, while national employment numbers took a slight turn upwards in 2014, and then leveled out in 2015 (85.3%), VULS reported that only slightly above 50% of its class of 2016 had secured full time, long term professional employment 10 months after graduation. Some of this decline is attributed to fewer entry level jobs and thus increasing competition from graduates of more highly ranked schools, as well as changes in how ABA now suggests employment data be reported. Nevertheless, full-time professional employment at this level is not acceptable. Among other things, this level of reported employment will likely discourage potential new students and may also encourage students who have opportunities elsewhere to transfer out of VULS to other schools.<sup>30</sup> Without more opportunities, new graduates will become increasingly disappointed in the decision to earn their JD at VULS.

There is more to these employment numbers than meets the eye, however, when additional factors are considered. Of those graduates from the class of 2016 who passed the bar, nearly all had secured positions where bar passage was necessary or considered an employment-related advantage. Conversely, almost all of the graduates who had not passed the bar were unemployed

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<sup>28</sup> See the National Association of Law Placement website for data.

<sup>29</sup> Employment status is determined, under ABA standards, on March 15 of the year following graduation. The time for determining status was changed from February 15 to March 15 beginning with the class of 2014, a change which may have artificially resulted in an apparent increase in employment percentages that year and thereafter.

<sup>30</sup> The way US News weighs the quality of the student body creates a perverse incentive for ranked law schools to seek transfers of students who were rejected for entry into their classes. The LSAT scores of incoming 1L students are given significant weight in the ranking equation, but law schools are only required to report, and US News only considers, the LSAT and GPA of the incoming class, not members of the second and third year classes. Thus a transfer in of a low scoring student has no impact on the transferee school's rating, but may represent additional tuition revenue to the school.

or in non-professional positions. Even though, as discussed above, VULS bar passage rates held steady for this class even as other schools declined, a significant percentage of the 2016 VULS class failed to pass the bar, over 1/3 of the first time takers in Indiana alone.<sup>31</sup>

Those who fail the bar the first time have a second disadvantage to gaining employment before the ABA's March 15 reporting date, and further depress the employment rate: once they are known to have failed the bar, VULS Career Services refocuses these graduates on bar passage for the next time the test is given, in February. This is because lack of bar passage is considered to be a major barrier to obtaining legal employment. Once the bar is behind them, then Career Services turns the graduates' attention back to seeking employment. In that period from getting their bar results until the February bar, many of these graduates remain unemployed. Because February bar results are not known until after March 15, the ABA reporting date, the numbers of unemployed graduates remain higher than they would be if measured at a later date.

Taking all factors into consideration, the employment numbers among graduates who passed the bar are not as concerning as the overall employment rate. There is no question, however, that employment in full time/bar required positions remains a challenge for many VULS graduates. The danger is that VULS will be perceived by potential students as having a double disadvantage of low bar passage rates and low employment rates. The Task Force recommends that the Law School continue to make Career Services and bar preparation a high priority. Consideration should be given to having Career Services continue with reasonable efforts to assist graduates studying for the February bar to obtain employment, keeping the two tasks in balance.

The Law School has focused its attention on bar passage and employment. It must continue to assist graduates in entering the profession in areas where the best chances at employment exist. The decline in the number of law graduates nationally has begun to stabilize the job market and recent employment numbers are up. This should also result in better employment prospects. With higher quality incoming classes, a curriculum that seems to be working, careful attention to bar preparation, and an improving overall job market, the employment numbers should show improvement in the near term.

The Task Force also believes that VULS alumni need to be engaged in helping place graduates in legal positions. As the question of employment was studied, it became clear that one of the most important advantages a VULS graduate can have is someone with a VU or VULS degree in a position to influence the hiring decision. Career Services already cultivates a network of employers, many of whom are University and Law School alumni, to assist in this task. In order to further gain the most from this critical resource, the alumni need to be engaged in and committed to working for the benefit of newer graduates or those who are preparing to change employment. The Law School and its alumni need to support Career Services and alumni networking efforts in every possible way.

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<sup>31</sup> Even though the LSAT is not considered a valid predictor of bar passage, the Task Force noted that this class had the poorest LSAT median score (143) of any VULS entering class.



### III. The current and projected state of the legal education and the legal services sector in the United States, with particular emphasis on the states of Indiana and Illinois.

Several studies have reported on the demand for bar admitted and JD advantage employment in the future. The Great Recession continues to have effects on the legal market to the present. Technology has also made it possible for some potential clients to by-pass engaging a lawyer for legal service and for some services within law firms and corporations to be provided with drastically reduced lawyer time. Initially technology simplified preparation of documents; but it is now growing in sophistication with artificial intelligence coming into use in more applications. Companies such as Legal Zoom now provide an array of services and also link networks of lawyers who provide services at reduced rates. In corporate litigation practice, artificial intelligence and other computer-based technologies are increasingly common tools for review of documents in discovery, replacing the large numbers of chargeable hours spent by junior lawyers. Alternative dispute resolution technologies are another encroachment into traditional legal services. The way legal services are delivered is being “disrupted” as are other industries that have been disrupted by innovation. The Law School needs to understand how these changes create new opportunities for individuals with legal training so that students can be prepared for and channeled into such opportunities.

Despite these and other challenges, there are and will continue to be needs for lawyer-provided legal services and VULS is in a position to provide graduates who will fill those needs. The overall legal employment market is projected to grow. The Bureau of Labor Statistics, for example, projects a growth rate of 6% for lawyers in the period 2014-2024, just one point below the 7% projected for all employment sectors. In July, 2017, legal sector employment was reported as having reached a four-year high, with the addition of more than 2,000 new jobs in May. Employment of newly graduated lawyers is, as noted above, also returning to pre-downturn levels.

Growth will come in different areas, some of which are relatively new. According to a Huffington Post summary of a recently published study, the top 10 trending legal careers include<sup>32</sup>:

1. Compliance (which intersects with public benefits law, contract law, and civil rights – including access to care, insurance coverage, drug safety, ethical choices – often involving beginning or end-of-life issues, embryonic stem cell research, and technology encompassing healthcare management system).
2. E-Discovery (litigation support)
3. Immigration Law (in firms, agencies, and legal services)

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<sup>32</sup> See [http://www.huffingtonpost.com/tamesha-keel/top-10-trending-legal-car\\_b\\_7070676.html](http://www.huffingtonpost.com/tamesha-keel/top-10-trending-legal-car_b_7070676.html)

4. Family Law (child custody, collaborative divorce, mediation, enforcement procedures, and adoption)
5. Elder Law (By 2030, 20% of U.S. population will be 65 or older)
6. Environmental Law (sustainability and regulation)
7. Labor & Employment (discrimination, unemployment, collective bargaining, and safety)
8. Non-Profit Management (public defense, civil legal services, or issue-specific advocacy and international issues)
9. Veterans Affairs (service members are underserved in healthcare, education, and life benefits)
10. Private Business & Industry, which includes several traditional and emerging fields of law (corporate compliance, M & A, corporate law, and intellectual property; globalization, mobile and social media, and government regulation)

Aside from these areas, the Task Force believes growth areas will include healthcare and data privacy/cybersecurity.

The University already has developed programs and courses at the undergraduate and graduate level that address these needs and the existence of these programs suggests further opportunities for partnership between and integration of the Law School with the University. For example, one of the subcategories mentioned above, corporate compliance, is rapidly growing and offers both JD required and JD advantage job opportunities. The University's Health Management and Policy program includes some compliance components but there are many additional needs in this area. The University offers a master's degree in cyber operations and cybersecurity. This is a growth area in the law as well. As discussed below, the cybersecurity master's degree program is among others that may offer opportunities for partnership between the Graduate School and the Law School.

While the market for top paying law firm positions has not expanded in recent years, many opportunities for meaningful law-related professional employment exist. VULS graduates are well positioned to enter into the profession to serve these needs.

In addition to those mentioned above, many of the needs in the profession match the Mission of the Law School and the Mission and Vision of the University in direct ways. One opportunity for new graduates is in rural areas, a growth area emphasized in legal employment studies and discussions with the Law School Career Services personnel. Rural areas are losing lawyers due to age and newer graduates have become conditioned to think that urban centers offer more and better life style advantages. At the same time, there are unmet legal needs in those communities

over a range of practice areas.<sup>33</sup> While not providing high incomes, reports indicate that reasonable salaries, coupled with lower costs of living, can be achieved.

Other segments of the population that are underserved include the elderly, a growing population that often needs help with issues such as guardianship, SSI, financial issues, consumer fraud, financial planning and other areas. Healthcare remains one of the most complex areas to navigate and, as the population ages, the need for expertise in healthcare law will also increase.

The homeless, veterans, non-English speaking/non-citizen residents, and other sub-populations are also in need of better availability of legal services. Criminal defense and juvenile law skills are other areas of need.

Of course, saying that there are unmet legal needs is not to say that there are paying positions that VULS graduates can fill to meet them. Many potential clients simply cannot afford legal help or are unwilling to seek it. Many of the positions that provide legal services are dependent on government funding and private contributions. The current administration in Washington is attempting to cut all federal funding to legal services and many states are doing the same.<sup>34</sup> Even if federal and state funding survive these proposed cuts, there will be an enormous gap between the need for lawyers and the funding to pay them.

The clinical programs at the Law School already provide students with meaningful experiences in family law, elder law, and immigration law, among others. The curriculum has also always offered multiple courses in labor and employment. In fact, of the 10 highest demand categories from the Huffington Post report summarized above, the Law School has teaching competencies in virtually all of them. The University also has competencies in these areas.

Overall, it is difficult to generalize about the future needs for legal professionals. Unlike single-skilled workers whose jobs vanish with the closing of a plant or a mine, legal professionals are trained to be adaptable and to accept new challenges within a changing environment. VULS has never focused, as some elite schools have, for example, on sending graduates to the highest paying law firms, a part of the legal market that may be the most vulnerable to disruption. Although significant numbers of students obtain employment in corporations, larger firms, social service organizations and government, the largest number of VULS graduates obtain initial employment in general practice firms. The positions to which the largest number of VULS

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<sup>33</sup> See Addressing the Access to Justice in Rural America, [https://www.americanbar.org/publications/human\\_rights\\_magazine\\_home/2014\\_vol\\_40/vol\\_40\\_no\\_3\\_poverty/access\\_justice\\_rural\\_america.html](https://www.americanbar.org/publications/human_rights_magazine_home/2014_vol_40/vol_40_no_3_poverty/access_justice_rural_america.html)

<sup>34</sup> In July 2017, the Senate Subcommittee on Commerce, Justice, Science and Related Agencies voted to restore Legal Services Corporation funding to current levels.

graduates have traditionally gravitated will continue to exist and will continue to employ them.<sup>35</sup>

#### **IV. The role of legal education in addressing current and future needs for legal services.**

Due to restrictions on the practice of law in virtually all jurisdictions, the JD degree will remain the standard for legal education for most students in the foreseeable future. Nevertheless, professions and businesses face significant legal/regulatory issues where having a lawyer available to provide counsel is unnecessary or impractical. Human resources departments, for example, need to navigate issues related to employment discrimination, privacy, data protection, equal pay act, wage and hour standards and other areas. Healthcare organizations need to have knowledge of government reimbursement limitations, anti-kickback restrictions, patient privacy issues, government contract requirements and the like. Healthcare organizations also serve individuals and families who may need family law and planning services in addition to social services. Manufacturers and others that handle equipment or hazardous materials need to navigate environmental, worker safety, consumer protection and other issues. Law enforcement and other government employees confront myriad legal requirements. Virtually all larger businesses have to be concerned about data privacy and cybersecurity.

Skilled business people and professionals in other fields are already providing some of these legal services. Law schools may have an opportunity to offer courses to employed lawyer and non-lawyer professionals to provide them with specialized training in these areas. For example, law school courses in employment discrimination, healthcare regulation, environmental law, privacy and data protection, criminal procedure, among others, could be opened and adapted to continuing education for lawyers and non-lawyers. In some instances, these courses might be opened to undergraduate students or graduate students in other fields such as accounting, business administration, nursing, and social work. Although issues may arise in adapting law school courses for students who have not had foundational law courses, opportunities for enrichment of the classroom experience may also come from participation by students not primarily focused on the law or who already function in the professional or business world.

The Task Force does not have solid data on the demand for non-JD training in law schools or in partnership with universities in these areas. Through interviews with representatives of other law schools that offer programs to non-JD track students and review of offerings at some other law schools, the sense is that certificate programs for non-traditional students (mainly students already in the workforce) is a growth area. One law school with a similar profile to VULS offers several semester-long certificate programs in healthcare, compliance, cybersecurity and other

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<sup>35</sup> Many of the positions where there is need do not offer high starting salaries. In private practice, however, even in smaller firms, lawyers with business development skills and a willingness to work hard have prospects for a financially rewarding career. The challenges new lawyers face in the early years of their careers make it important for them to make sure that they do not incur unmanageable levels of education debt.

areas.<sup>36</sup> These programs include a significant portion of instruction on-line with additional in person instruction.<sup>37</sup> These programs are reportedly successful at attracting substantial enrollment, though we were not given actual enrollment numbers. It is unclear if additional faculty resources were required to offer these programs or if they could be taught using existing or modified law school offerings. According to the sources interviewed about these programs, one advantage of them is that often tuition was paid for by the employer. This suggests that a current employer has made the determination that the legal training would be beneficial to the enterprise and, to the extent covered by the employer, the individual employee does not have to bear the cost associated with acquiring that training.

Other law schools offer non-JD track courses of study for students interested in a deeper understanding of law either for academic or professional reasons. Although the Task Force did not attempt to conduct a comprehensive study of all such programs, one example that came to its attention is the University of Iowa's law school offerings of an "SJD" and Master of Studies in Law (MSL) degrees. Depending on the course offerings and other factors, it is possible that there would be interest in graduate level, non-JD track academic study in law.

A second area of opportunity for the Law School is through dual degrees. The University's Graduate School Website suggests under the tab "Law Dual Degrees" the possibility of combining legal studies with up to 13 different programs ranging from healthcare administration, to economics, to sports media and so on. It is unclear how robust each of those law dual degrees programs advertised on the Graduate School website is at this point. However, four "premier" dual degree programs are identified on the Law School website and, according to Law School personnel, have a history of enrolling students.<sup>38</sup> These are:

- Law and Business Administration (JD/MBA)
- Law and Clinical Mental Health Counseling (JD/MA)
- Law and Psychology (JD/MA)
- Law and Sports Administration (JD/MS)

In addition to "add on" training for people already in the work force or who have specific interests as part of their non-JD requirements, there is need for legal education to prepare for entry into what has become known as the field of "alternative legal services." For example, the field of electronic discovery (e-discovery) in litigation, which was new and dominated by

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<sup>36</sup> Members of the Task Force interviewed representatives from other law schools, including two deans, board members, and others. In addition, before the Task Force convened, the University commissioned a study conducted by the Academic Affairs Forum that investigated joint degrees, master's degrees, certificate programs, and continuing legal education at four other law schools. The Task Force considered the findings in the Integration of Law Schools With Other Academic Programs report.

<sup>37</sup> This law school also offers a hybrid program of on-line and intensive in person instruction leading to a JD under an ABA variance from standard instructional guidelines. It has been fully subscribed since the offering began. On-line instruction should be considered as another avenue of expanding the reach of the Law School.

<sup>38</sup> Consideration should be given to integrating the Law School website and the Graduate School website to further promote these programs and for consistency.

lawyers working with outside consultants just in the last few decades, has now matured to the point where e-discovery is largely conducted by independent businesses working with corporations and law firms. These companies employ legally trained individuals, with or without a JD, and will continue to do so.

New and established enterprises are rapidly developing alternative ways of delivering legal services. Thomson Reuters, the largest legal publishing company in the world, is working with law firms to develop a technology that will help banks deal with regulations related to certain types of financial products in Europe. Deloitte has collaborated with another law firm to develop another type of banking regulatory product.

Rocket Lawyer, Avvo and other new companies provide access to legal advice on a low-fee basis for businesses and individuals and some companies are now bundling legal, accounting and other services, marketing them as one-stop shopping for start-up companies. Computerized legal research is moving from the original models of Lexis/Westlaw (essentially searchable books on computers), to use of legal analytics intended to predict what arguments and factors influence legal decision making and other complex problems. All this is now possible through access to massive amounts of data.

The Law School needs to understand the opportunities and the challenges these technological changes are bringing to the practice of law.

Another development that may offer opportunities for the Law School is certification of non-lawyer legal professionals, although this is not something that is practical to adopt in the near term. Paralegals or legal assistants have provided support to lawyers for many decades, but state law prohibits these individuals from giving legal advice or collecting a fee. Because of ethical rules, lawyers are also prohibited from sharing fees with them. Recognizing the problems this limitation created, the Washington State Bar Association (WSBA) has begun licensing Limited License Legal Technicians (LLLT). These are legally trained individuals who are licensed to offer legal services in limited areas of family law, similar to what a nurse practitioner might do in certain states. Additional areas are expected to be opened up in the future. The intent is that these legal technicians will be able to provide personal legal service at low cost, and will assist these clients in obtaining assistance from a lawyer when the problem exceeds the technician's license. The WSBA decision to license LLLTs was based in part on a study that found that 80% of people in the state with low or moderate income experienced a legal need but went without help because of cost or they did not know where to turn.<sup>39</sup>

The point is that the way legal services are being delivered is changing in response to the forces discussed above and others as well. One is in response to the complexity of regulation that, in certain areas, has stabilized to the point where non-lawyers are capable of navigating through

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<sup>39</sup> WSBA also licenses Limited Practice Officers who have the ability to complete certain types of loan, sale and real estate documents. A few other states have limited licenses for non-JD holders. According to a recent survey by the National Organization of Bar Counsel, at least 10 states are exploring whether to adopt programs similar to WSBA's. Indiana and Illinois are not among them.

most problems without daily reliance on a lawyer. But these non-lawyers would benefit from and provide more value with legal education that can be delivered by law schools. A second force is technology which is changing the way legal services are being delivered through new business models and new technology tools. A third force is the continuing need to find ways to provide legal services to people with low and moderate income. Thus far, the WSBA models have not spread widely but the need exists. If they are adopted, legal education will be needed to prepare practitioners. These developments will not eliminate the need for the JD-bar admitted professional, but they will change how and where many of those professionals will be employed.

As discussed below, the Law School should prepare to adapt to these changes in the market by understanding these developments and preparing students to excel in this evolving environment.

**V. The role of Valparaiso University Law School and its degree-granting programs; the evolving opportunities in the legal services sector, recommendations for changing.**

As an accredited law school, VULS's current JD and LLM degree granting programs provide opportunities for graduates to enter the profession upon bar passage and meeting other bar requirements, the basic role of any law school. The law school does much more than meet that minimal standard, however. It must continue to emphasize the highest quality of teaching and practical instruction so that students are prepared to enter the profession with the skills necessary to succeed. The Law School needs to instill in the students it graduates a sense of responsibility to the community and that law is itself a calling. To succeed at what it does best, the Law School must understand and embrace its heritage as a Lutheran institution, not to the exclusion of other faiths or beliefs, but as the source of an identity. The Law School and the University need to recognize the value that the Law School provides to the University and that the University provides to the Law School.

**VI. Suggestions for changing the role and mission of Legal education at Valparaiso University**

The Law School continues to serve an important role in training lawyers and in complementing the overall mission of the University. The Task Force does not recommend radically changing the Law School's fundamental, core activities as a law school, but as discussed elsewhere in the report and below, the Law School has many opportunities to work more closely with the University, better define its distinctiveness from other law schools and facilitate the placement of graduates in JD required/JD advantaged positions. Similarly, the University has an opportunity to expand its involvement in the Law School's curriculum. Many of these potential changes are discussed in the report of the Integration Task Force (April 19, 2017), a report which this Task Force endorses. The Task Force encourages the Law School and University faculty and administration to expand upon the work performed by that task force.

**VII. Recommendations for changes in curricula and/or degrees offered—professional, graduate, and, potentially, undergraduate—to position legal education at Valparaiso University and its graduates for success in the future.**

The Integration Task Force offered several specific suggestions for changes in the Law School and University curriculum that are likely to position legal education at the University, both within the Law School and within the larger University, for success in the future. Its recommendations and conclusions will not be repeated here. Given the present situation, emphasis should be placed on changes that can be implemented rapidly and that have the most immediate impact on enrollment of quality students, whether in JD or non-JD programs. Some of these programs already exist and may be in need of fine-tuning or better promotion while others have not been implemented. The Task Force also noted that the existing curriculum at the Law School has already gone through transformations, some of which are noted above. In the summer of 2017, VULS learned that it will be recognized by Pre-Law Magazine as one of the top 20 most innovative law schools in the country based on its curriculum and its many advanced clinical training programs.

The following is a summary of the main suggested changes in curriculum and degrees<sup>40</sup>:

The University/Law School 3+3 program, which allows students from the College of Arts and Sciences to complete a bachelor's and a JD in six years, was mentioned most frequently as a program that is potentially the most beneficial to students and the University. It is also an option that may be under-promoted and underused and so presents an opportunity for growth. This program is beneficial to the student because it reduces total time in school, resulting in lower cost/debt and earlier entry into the employment market. It benefits the University as an attractive offering to potential students who are considering a law career and it offers a potential pipeline of law students to the Law School. A few other law schools affiliated with universities offer similar programs and based on limited interviews they are generally thought to be advantageous. Relatively few students at Valparaiso University enroll in this program, however. Low enrollment is thought to be due to low awareness, lack of advisor support and potential difficulty with course sequencing. The Integration Task Force identified a few relatively simple steps that could be taken to enhance this program's use. They should be adopted.

The Task Force also recommends increasing promotion of dual JD/Masters Programs. As noted above, the Law School website features four "premier" programs and the Graduate School website suggests that there are many other potential "Law Dual Degree" programs. Current enrollment numbers are modest but the programs have potential for expansion at little or no cost. These dual or joint degree programs can be featured as attractive options for prospective students with academic or professional interests in a particular area. At the time of this report, there were

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<sup>40</sup> Some of these recommendations are also discussed in the Integration of Law Schools with Other Academic Programs report that was relied upon in part by the Integration Task Force. The report investigated offerings at four other law schools with ties to universities.



seven students in joint degree programs: four in the JD/MBA, and one each in the JD/SA, JD/PSY and JD/HADM. The highest number of joint degree students in recent years has been 12. Challenges in making these programs work logistically exist but it appears that with additional effort and no increased costs these challenges could be met.

Additional joint degree programs should also be considered. These include a JD/CPA and perhaps a “generic” JD/masters level program that could be customized for an incoming student with a particular interest in graduate level offerings.<sup>41</sup> Another example is a JD/MA course in cyber security to augment the University’s cybersecurity master’s program that already exists. The potential benefits of partnership with the Business School include possibly developing a concentration that would address accounting, financial analysis, and financial fraud investigations, all areas of interest and demand.

There are two University fields where joint degree programs do not exist but where an expanded, new program may be particularly well-suited to advancing the VULS/University Mission and Vision. The first is a JD/Master’s in Social Work program to be developed in connection with the Department of Social Work.<sup>42</sup> This is a particularly exciting possibility because the social work students need to fulfill practical training requirements and the legal clinics offer opportunities to do that. As legal aid organizations have increasingly recognized, clients in poverty rarely have purely legal needs, but also social, employment, housing, medical and other needs. Lawyers are not trained to deal with these needs and social workers are not equipped to address legal needs. A combined program offers the opportunity to train dedicated professionals with skills in several of these areas.

Somewhat similar, the College of Nursing and Health Professions (formerly the Nursing School) is another potential opportunity for a joint graduate program. One example would be a JD/MSN or, more likely, a master’s level program in health policy or health compliance combined with a JD or with a concentration in courses offered in the Law School. Course offerings in health law, government contracts, legal compliance, privacy, employment law and other issues could be offered to graduate level healthcare students who are interested in pursuing administrative level careers. As indicated in many studies, careers in healthcare fields are continuing to expand both at the clinical level but also in government, regulatory and private service fields.

Within the JD programs, the Law School should determine whether its existing curriculum matches the expected need for legal services in the future, particularly those needs that mesh well with its and the University’s Mission. Examples include focus on legal problems of the elderly, the most rapidly growing segment of the population, rural communities, where lawyers serving those communities are aging out and not being replaced, and in healthcare, with its myriad legal

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<sup>41</sup> VULS students have earned a JD with master’s degrees in Chinese Studies, Liberal Studies and International Commerce and Policy in addition to the established programs.

<sup>42</sup> The Department of Social Work currently offers a bachelor’s degree program and is working on a master’s level program. Ideas about a joint JD/MSW have been exchanged within the Law School/Department of Social Work but no formal proposal has been made.

and social issues.<sup>43</sup> Regulatory compliance, privacy, data management/cybersecurity, family law, immigration, and other areas as discussed above may offer opportunities for attracting students and training them for productive service.

In addition to JD programs, other non-JD degree opportunities exist within the current curriculum. These include allowing upper level undergraduate students to enroll in Law School classes that are closely related to their major field of study or that are complimentary to that study. For example, employment law, data privacy, health law, criminal procedure and other courses might be of value to upper level undergraduates, and at the same time build or enhance integration of the University and Law School.

In addition to existing Law School classes, consideration should be given to co-teaching courses where a Law School faculty member, for example, teaches a portion of an undergraduate course or one of the other University faculty members teaches a portion of a Law School class. Including law faculty in the undergraduate and Graduate schools should be a way of furthering the goals of integrating the Law School into the University. Doing so will also be a way of enriching the curricula in those schools.

Master of Law (LLM) programs remain as potential ways to enhance the curriculum and attract additional students. Currently the Law School offers an LLM in American Law for non-US lawyers who want to enhance their career prospects in their home countries or who may, in some instances, be qualified for admission to a US jurisdiction bar if they meet all other requirements such as passing the bar examination. Recent enrollment in the LLM programs has been around six full time students per year. Again, the LLM could be expanded without significant additional cost. Typically LLM students in this program do not receive financial assistance from the Law School or University, which is economically advantageous. Also important, students in these programs enhance cultural diversity for the entire student body.

The Task Force noted that the University is establishing a new center for entrepreneurship, Innovation Hub, a joint venture of the Business School and the Engineering School.<sup>44</sup> This center is intended to provide an interdisciplinary environment for undergraduates and an incubator for new businesses. Law students from the clinics or recent graduates should be encouraged to provide advice and assistance to this new center. The existence of this center could be promoted by the Law School as a way of attracting potential law students with an interest in entrepreneurship.

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<sup>43</sup> An ABA publication focused on access to justice in rural America recommends that law schools provide “essential learning opportunities designed specifically for law students and lawyers to successfully undertake a career practicing law in a rural community. Courses that incorporate the skills of opening and running a small legal business, entrepreneurial skills including outreach and marketing, and how to run a general practice are all important to equip law students with the necessary skills and experience.” [https://www.americanbar.org/publications/human\\_rights\\_magazine\\_home/2014\\_vol\\_40/vol\\_40\\_no\\_3\\_poverty/access\\_justice\\_rural\\_america.html](https://www.americanbar.org/publications/human_rights_magazine_home/2014_vol_40/vol_40_no_3_poverty/access_justice_rural_america.html)

<sup>44</sup> See <http://www.valpo.edu/news/2017/04/18/valparaiso-university-establishes-innovation-hub/>

Along the same lines, consideration should be given to establishing a law firm incubator following the model of entrepreneurial incubators. Such an incubator would be an extension of the Law School experience where graduates interested in starting their own private practices would be able to do so while receiving support from experienced attorneys. The new practitioners would be allowed to gain experience in the practical aspects of running a law firm, such as billing, developing business, clerical support, as well as counsel on solving legal problems for the first time. Several law schools, including I.I.T. Kent, Northeastern, and the University of Maryland, have established law firm incubators. The Innovation Hub on the University campus would provide an opportunity for lawyers in the law firm incubator to gain additional experience and to provide a service to the students involved in developing new businesses.

Finally, consideration should be given to other post-JD, non-degree studies. The Law School already hosts and presents continuing legal education seminars which are typically one day or half-day presentations. For more rigorous study, consideration should be given to offering either live or remote courses in specialized areas, courses that would require tuition payment and evaluation. It may be possible to develop programs such as these in the near term and would not involve any change in existing licensing or bar association approval. In the longer term, if the profession allows LLLT or similar non-bar admitted practitioners to provide limited legal services, the Law School should strongly consider developing certification and training programs. As noted above, Washington State moved in this direction when it realized that a large percentage of the population failed to secure legal advice due to cost and unfamiliarity with how to access a lawyer and several other state bars have similar proposals under consideration.<sup>45</sup>

### **Summary of Recommendations**

Over the course of study, the Task Force investigated and discussed many issues facing legal education in general and at VULS in particular. That study challenged the Task Force to consider basic questions about how the Law School can meet those issues and how it can serve the overall mission of the University. As outlined above, there are signs that the negative trends nationally in law school applications and professional employment opportunities have halted and are in showing signs of a partial reversal. As the number of new law graduates declines over the next few years, employment opportunities may be substantially improved. This is good for all law students. In addition, when the ABA censure of the Law School is lifted, the Task Force believes that the additive negative impact that action has had on VULS's reputation and enrollment will erode.

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<sup>45</sup> A report published by the Legal Services Corporation in June 2017 concluded that 71% of low-income households experience a civil legal problem such as domestic violence, veteran's benefits, disability, housing or healthcare issues every year. Legal Services Corporation, 2017. The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-income Americans.

Even with those encouraging developments, however, there is no expectation that the Law School could or even should return to the pre-downturn levels, at least not in the near term. The adverse impact of the censure and the general shift in the legal market will continue to have an effect for an indefinite period of time. A realistic goal is for the Law School to return to an incoming class in the range last seen in the 1990s, approximately 110-120, with overall enrollment at or near 300. The hope is that this is a size that is or can be sustainable.

Taking all factors into consideration, however, merely setting a goal of returning to a sustainable enrollment size seemed too modest. The Task Force discussed and evaluated the basic questions of why the Law School should continue to exist, what it contributes to the overall Mission and Vision of the University and how it could and should distinguish itself from other law schools. The conclusion was that the Law School has demonstrated throughout its existence that its teaching blends theoretical and practical skills with humanitarian values to ready those who are called to the law. Like the University, the Law School is a community of learning dedicated to excellence that prepares students to lead and serve in both church and society. The graduates of both the University and the Law School are sought for their knowledge, character, integrity, and wisdom. The general sense of the Task Force, also supported by comments from alumni, is that the Law School enhances the reputation of the University and the University adds value to the Law School. A measure of that reputation enhancing effect can be seen from the many alumni who have made positive impressions in their local communities and beyond, whether through public service or otherwise.

To continue the traditions of the Law School, however, the University and the Law School need to take positive steps that will lead to financial sustainability as well. These steps should begin with an examination of the foundations of the University and continue with practical actions that will bring the University and the Law School in closer alignment. Specific suggestions have been made by the Joint Task Force on Integration and also in this report. These include changes in and expansion of programs that allow the University and Law School to take advantage of their respective competencies in, for example, joint degree programs. Careful consideration needs to be given to other programs where there is likely to be a demand for expertise in the workplace. And continued support must be given to developing leaders who will provide legal services to the vast numbers of people who have unmet legal needs.

The Task Force has made various specific recommendations throughout this report. Some of them are summarized below:

### **Alignment Issues**

1. Emphasize the importance of alignment between the University and the Law School. This should start with examination of what it means for these institutions to have a Lutheran heritage and ethos. It should also include taking specific and practical steps to align the University and the Law School as institutions through sharing of resources, both in the curriculum and extra-curricular ways. The Integration Task Force report outlines several potential ways to do this. The University and the Law School will both be stronger institutions if they work toward similar goals.

2. Reinforce the identity of VU and VULS as institutions that are distinctive from other universities and law schools. Emphasize the ideas behind the Mission Statement of law as a calling. Instill within students and alumni a sense of responsibility to the institutions and to the community.

### **Enrollment**

3. Further study the reasons behind past successes in enrollment, particularly in the early 2000s when both quality (when measured by LSAT scores and GPA) and number of students rose.
4. Refine and communicate a message to prospective students about what makes VULS distinctive—why Valpo Law? The branding study done by VULS several years ago is a good start at developing this message. It should be reviewed, updated, and made a consistent part of promotional efforts.
5. Determine whether students at Lutheran undergraduate schools (including VU) would respond favorably to this message. The Task Force assumes that these messages would resonate and that Lutheran and similar undergraduate schools are a potential source of additional law students. There are at least 40 colleges in the US that identify as Lutheran. Increase recruiting efforts at these and other undergraduate schools with a liberal religious heritage such as Calvin College, Trinity Christian College, Wheaton, and others.
6. Continue to position the Law School as a welcoming institution for under-represented minorities and others with diverse cultural and economic backgrounds.
7. Publicize the achievements of VULS students and alumni in order to raise awareness of the distinctive nature of the school.
8. Maintain admission standards that are high enough to meet ABA standards and to provide assurance that admitted students are reasonably likely to succeed in law school, in passing the bar and entering the profession. Exceptions to predetermined standards should be considered but allowed only after careful consideration on the merits.
9. Continue to focus recruitment efforts on non-traditional students, that is, students for whom law is a second career, students who wish to continue in their current careers but who believe gaining legal education in a particular area will help them advance, other students who are not following a typical undergraduate to law degree progression.
10. Promote the benefits of legal education in the local markets, highlighting the heritage of the Law School, proximity and convenience, and flexibility in designing a degree or non-degree program as appropriate.
11. Aim for a sustainable student population. The general consensus on the Task Force seemed to be that a population in the range that existed before the bubble in the 2000s (110-120 incoming students, total population of 300-350) would be attainable and might be ideal. Other laws schools have made deliberate decisions to limit their class sizes to preserve quality and to provide a better law school education. Further study of the economics of enrollments would need to be undertaken to reach a conclusion on the right size.

### **Bar Passage and Employment**

12. Maintain a curriculum that is sufficiently related to bar examination subjects so that, with sufficient diligence and focused bar preparation study, graduates are able to pass the bar

- at a rate at least equal to the average in the states where the majority of graduates choose to sit for the bar.
13. Continue efforts to place Law School graduates in professional positions, focusing attention in those geographic and professional areas where they are most likely to succeed. Among other areas, rural areas, public service and government need more lawyers.
  14. Call upon VULS alumni to support new graduates by hiring them preferentially, recommending them to other employers, providing advice and, when possible, mentoring them in the profession. VULS alumni should be asked to actively support Career Services and new graduates, responsibilities that are at least as important as making financial contributions to the Law School.

### **Curriculum**

15. Engage in continuous study about how the changes in the way legal services are delivered create opportunities for new lawyers, making sure that students are given information about both emerging opportunities and areas where demand is stagnating or contracting.
16. Explore and develop areas of concentration where demand is expected to increase, particularly those where the University has already developed expertise. Examples include concentrations in cybersecurity, health administration, health policy, business, accounting, social work.
17. Explore opening of Law School classes to non-JD track students seeking to gain expertise in specific areas such as legal compliance, human resources, privacy and information security.
18. Promote the dual degree programs that the Graduate School and Law School offer, including the JD/MBA, JD/MA in Psychology, the JD/MA in Mental Health Counseling, and the JD/MS in Sports Administration. Develop additional joint degree programs such as a JD/MSW and JD/MA in Public Health. Ensure that there is a focus on joint degree programs in areas where there is growing demand for graduates with these credentials.
19. Determine if the 3 + 3 program can be promoted more effectively as a way to attract additional students to the University and the Law School.
20. Continue to emphasize the importance of the highest quality of classroom instruction and practical (clinical) education. VULS graduates have reputations for being prepared to enter practice, as distinguished from theoretical learning, a quality attributable to these two strengths.
21. Consider development of on-line and hybrid on-line in-person courses for persons not interested in pursuing a JD degree.

### **Other Recommendations**

22. Consider development of a law firm incubator that could provide support to graduates as they seek to establish themselves in private practice. Other law schools have established incubators and should be studied to determine if they are successful at meeting new lawyer needs.
23. Continue to support and advance the clinical programs and other experiential learning opportunities (externships). VULS's clinical programs are highly regarded and provide practical benefits to the students as well as needed service to the community.

Respectfully submitted,

The Task Force on the Future Role and Mission of Legal Education at Valparaiso University

TAB A





# Valparaiso University

Office of the President

## VUSL Presidential Task Force

### Members

<i>Chair</i>	<i>Eugene A. Schoon, '80L</i>	<i>Partner, Sidley Austin (Chicago, IL)</i>
<i>University Liaison</i>	<i>Bruce Berner, '65, '67L</i>	<i>Emeritus Professor of Law, Valparaiso University</i>
	<i>John Bouman, '71, '75L</i>	<i>President Sargent Shriver Poverty Law Center</i>
	<i>N. Cornell Boggs, III, '82, '85L LUA Board of Directors, member</i>	<i>General Counsel &amp; Corporate Secretary Toys "R" Us, Inc.</i>
	<i>H. Jonathan "Jon" Costas, '89L</i>	<i>Mayor, City of Valparaiso</i>
	<i>Mark Duesenberg, '84 LUA Board of Directors, member</i>	<i>VP, General Counsel, &amp; Secretary, Ferro Corporation</i>
	<i>Jean Hanson</i>	<i>Of Counsel, Fried Frank (New York, NY)</i>
	<i>Jayme Matchinski, '92L</i>	<i>Officer, Greensfelder, Hemker &amp; Gale, PC (Chicago, IL)</i>
	<i>James W. Mueller, '72, '75L LUA Board of Directors, member</i>	<i>Teacher, Scottsdale Unified School District</i>
	<i>Hon. Christopher "Chris" Nuechterlein, '73, '76L</i>	<i>Retired U.S. Magistrate Judge, Federal District Court (South Bend, IN)</i>
	<i>Dana Rifai, '07L</i>	<i>Partner, Burke Costanza &amp; Carberry LLP (Merrillville, IN)</i>
	<i>Hon. Robert D. Rucker, '76L</i>	<i>Indiana Supreme Court Justice (Retired)</i>
	<i>Michael E. Tolbert, '00L</i>	<i>Partner, Tolbert &amp; Tolbert, LLC (Gary, IN)</i>

TAB B

# MISSION, VISION, CORE VALUES

## MISSION STATEMENT

Valparaiso University, a community of learning dedicated to excellence and grounded in the Lutheran tradition of scholarship, freedom, and faith, prepares students to lead and serve in both church and society.

## VISION STATEMENT

Valparaiso University will be renowned worldwide for preparing women and men who are highly sought for their knowledge, character, integrity, and wisdom.

## AREA VISION STATEMENTS

### **Academic Excellence**

Valparaiso University will provide an intellectually rigorous, innovative education that is grounded in the arts and sciences and that integrates liberal education and professional studies.

### **Lutheran Leadership**

Valparaiso University will be a distinguished Lutheran community of learning constituted by people of many and various beliefs and backgrounds in dialogue with one another in common pursuit of truth.

### **Student Experience**

Valparaiso University will be a vibrant community that integrates learning experiences both inside and outside of the classroom so its students build enduring friendships and capacities for lifelong learning, leadership, and service.

### **Diversity and Inclusion**

Valparaiso University will be a diverse community, which includes and purposefully supports diversity in all aspects of university life and beyond.

### **Internationalization**

Valparaiso University will be acclaimed for the vitality of its international programs, which empower both U.S. and international students to lead and thrive in a global community.

### **Faculty/Staff**

Valparaiso University will create a collegial environment that fosters the personal and professional development of its faculty and staff, supporting creativity, innovation, research, and scholarship.

### **Regional Engagement**

Valparaiso University will seize and create opportunities for service and leadership, engaging the regional community in activities and initiatives that enrich its social and cultural environment and that reflect the University's crucial role in economic development.

**Economic Vitality**

Valparaiso University will have a successful business model that consistently generates sufficient annual revenue to support a dynamic learning and social environment and provides opportunities for strategic investment and innovation in those programs that will have a vital impact on students and society.

**Engaged Alumni**

Valparaiso University will foster life-long engagement with its alumni that encourages communication and active involvement in a mutually beneficial and enduring relationship.

**CORE VALUES****Academic Values**

Excellence in teaching

Encouragement of a questioning spirit through freedom of thought and expression

Experiential and integrated teaching and learning

Close relationship among scholarship, research, teaching, and learning

Resourcefulness in seizing new curricular and learning opportunities

**Communal Values**

Integration of faith and reason

Importance of study within a living/learning community

Concurrent cultivation of intellectual, moral, and spiritual virtues

Close interaction among students, faculty, and staff

Education for people at all stages of their lives

Environmental stewardship

Widest possible economic accessibility for students to the university

Collaboration and transparency in university governance

TAB C

The Valpo Law Brand Statement:

**LAW AS A CALLING; ENDURING CORE COMPETENCIES; EXCEPTIONAL LEGAL RESEARCH AND WRITING; TRULY PERSONAL MANNER OF TEACHING AND LEARNING.**

The Valparaiso University School of Law is renowned for the following four traits.

**Law as a Calling:** We are a community dedicated to imparting not just skills and knowledge, but values, the sense of self, and the commitment to service. Our graduates are not just good lawyers, but good people. Not just successful men and women, but noble men and women. Not just influential lawyers and leaders, but ones who use their influence for the highest service and the profoundest good.

**Enduring Core Competencies:** No matter how much the world and laws change, no matter how often attorneys change their practice, there are certain constants: the ability to engage in critical, analytical, and creative thinking, and the ability to communicate clearly and cleanly. These core competencies comprise the cornerstone of your Valpo Law education.

**Exceptional Legal Research and Writing:** According to a survey by the American Bar Foundation, hiring partners at law firms ranked research and writing skills as the most important skill set a new lawyer can bring to the job. It is common for law schools to have one-year of legal writing. We have three years of both legal writing *and* legal research. This is a professional activity in which every Valpo Law alumnus/a excels.

**Truly Personal Manner of Teaching and Learning:** The teaching and learning style of Valpo Law is highly collaborative and integrated. We know who you are and strive to provide a legal education that is tailored to you and your aspirations. Every pedagogical component, including the intentionally smaller student body, is designed to help you, as an individual, succeed in your professional endeavors.

## WHAT IS THE VALPARAISO UNIVERSITY SCHOOL OF LAW?

### Introduction

The Valparaiso University School of Law is a small law school that offers students a personalized education. Like any law school, large or small, its human, financial and physical resources are finite. The school cannot be everything the members of the law school community might want the school to be. Choices are inevitable. Any statement of what a law school is or will be must be a statement about choices.

### Our Basic Character

The Valparaiso University School of Law is a service institution. Its core functions are service to students, service to the advancement of knowledge, service to legal education, service to alumni, and service to the public. For the school to thrive in the increasingly competitive world of legal education, the members of the law school community must determine which of the school's strengths and characteristics should be emphasized in fulfilling these core functions. Some of the emphases articulated today are ones that will always be articulated; others will change as needs, interests, and social conditions evolve.

**Service to Students—A Corps of Craftsmen:** The School of Law is distinguished by the high quality of legal education it provides to students, and by the personalized character of that education. The faculty are craftsmen who take great pride in their work. The school is known for its ability to take students from a wide range of backgrounds and help them become lawyers, officials, and businesspersons who are respected for their legal skills, acumen, research and writing ability, leadership qualities, and character. Valpo Law will strive to attract students of great promise (whether or not reflected in numerical measures); will continue to provide a personalized, high quality education conducive to success in law and law-related fields; and will promote the development of character in its students, through both education and example.

**Advancement of Knowledge—Law and Allied Fields:** The School of Law recognizes that law is both a theoretical and practical discipline, and the school is committed to being a center for the advancement of knowledge in law and allied fields. Thus, the school encourages faculty members to pursue research and writing in whatever area might be of interest to them, subject to the requirements that the work be of high quality and that it make a contribution to knowledge or to the betterment of society or the legal system.

**Legal Education—Innovation and Leadership:** The School of Law is and will continue to be an innovator in legal education. It is committed to adapting curriculum, pedagogic methods, and resources so as to meet the changing needs of students, employers, clients, and society at large. The faculty of the Valparaiso University School of Law is not afraid to experiment, and not afraid to serve as leader for others in legal education.

**Alumni and Friends—A Vehicle for Service:** The School of Law seeks to be a vehicle through which alumni (as well as members of the bar and other interested friends) can themselves work to provide service to students, the School, the advancement of knowledge, legal education, and the public. To this end, the School of Law seeks the participation of alumni in its life, activities, and growth. The participation may take many forms, among others: advising or mentoring students and graduates, recruiting new

students, providing financial support, serving on committees, making known the school's strengths and successes, and planning and promoting the advancement of the School.

**The Public—A Resource for Communities:** The School of Law is and will continue to be a resource for local, state and national communities. Faculty members have expertise on law-related issues confronting society today, and are encouraged to bring their expertise to bear on those issues. Students are taught that law practice is a form of public service; they provide legal service pro bono and are encouraged to participate in the school's legal clinics. In addition, the library and other physical resources will continue to be available for use by the interested public for research, education, and public programs.

### **Future Refinement**

The refinement of this vision, and the success of its continued implementation, is the responsibility of the entire law school community. The faculty, administration, staff, alumni, university, legal community and other friends each have their respective responsibilities for the advancement of the law school. But ultimately the future of the institution depends on there being an identifiable community with shared values, a common sense of mission, and a common investment in the enterprise. The Valparaiso University School of Law will continue to be a community; a community with a future and one committed to service.