

CONFERENCE OF CHIEF JUSTICES

Resolution 6

Urging Participation in and Acceptance of the ABA Accreditation Process to Establish Minimum Educational Requirements to Sit for the Bar Examination

WHEREAS, the Conference of Chief Justices recognizes that the authority over bar admissions is a matter for each jurisdiction to determine; and

WHEREAS, for many decades the American Bar Association, through its Section of Legal Education and Admissions to the Bar, has conducted the ABA law school accreditation process to assist jurisdictions in setting and enforcing appropriate *education* requirements for the bar admissions process; and

WHEREAS, for many decades the ABA has promulgated the ABA Standards for Approval of Law Schools, establishing appropriate minimum legal education standards that law schools must adopt and adhere to in order to be approved by the ABA and to be able to issue an ABA-approved JURIS DOCTOR degree to graduates; and

WHEREAS, the ABA law school accreditation process is open and inclusive, involving members of the judiciary, the profession, and the academy in the consideration, adoption, and enforcement of those standards; and

WHEREAS, for many decades all U.S. jurisdictions have accepted the JURIS DOCTOR degree from an ABA-approved law school as meeting their *education* requirements to qualify applicants to sit for the bar examination and to be admitted to practice; and

WHEREAS, the acceptance by all jurisdictions of this ABA law school accreditation process makes the bar admissions process more efficient and less costly for recent law graduates, and provides recent graduates with greater mobility and flexibility in seeking employment; and

WHEREAS, the acceptance by all jurisdictions of the ABA-approved JURIS DOCTOR degree is effective for each jurisdiction's high court and each jurisdiction's bar admissions offices, which do not have to establish processes and budgets to review law school programs in their jurisdictions and around the country; and

WHEREAS, the acceptance by all jurisdictions of the ABA-approved JURIS DOCTOR degree as a sufficient educational background to sit for the bar is effective and efficient for law schools, who otherwise will be required to track and implement the potentially differing requirements of multiple jurisdictions; and

WHEREAS, jurisdictions maintain local control over bar admissions including establishing character and fitness qualifications, the bar examination process, bar passage standards, local law and professionalism testing and training, and enforcing their own rules for admission, while accepting uniform requirements for the basic legal education that a law graduate should have completed prior to admission to practice; and

WHEREAS, all associated with the legal profession share an interest in ensuring that lawyers entering the profession have the skills and abilities necessary to be competent new lawyers, and in response to this interest, some states are considering measures to require competency training or experiential education that go beyond what the current ABA Standards require for graduation from an ABA-approved law school; and

WHEREAS, because, almost without exception, jurisdictions have accepted and continue to accept the ABA-approved JURIS DOCTOR degree as meeting the *education* requirements to sit for the bar examination and be admitted to practice, the erosion of a shared national set of standards would cause hardship to recent graduates, bar admissions processes, and law schools without benefiting the public interest; and

WHEREAS, adopting and following a national set of *education* requirements as a condition of licensure better aligns the legal profession with other professions, such as accounting and medicine; ensures a standard level of legal education for all lawyers across the United States; and better reflects the reality of the multijurisdictional practice of law today in the United States; and

WHEREAS, the Conference has recently adopted a resolution urging bar admissions authorities to consider implementation of the Uniform Bar Examination, which included as support for the resolution many of the same considerations that support this resolution;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices urges the bar admissions authorities in each state and territory to follow and participate in the ABA law school accreditation process to assure that the ABA Standards for Approval of Law Schools reflect the general attitudes and beliefs of the Conference and its member courts, and urges each jurisdiction to accept an ABA-Approved JURIS DOCTOR degree as sufficient to meet the educational requirements to sit for the bar examination.

Adopted as proposed by the CCJ Professionalism and Competence of the Bar Committee at the CCJ/COSCA Annual Meeting on July 27, 2016.