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## **American Law Deans Association Statement of Principles and Governance**

The American Law Deans Association (“ALDA”) was founded in 1994 by a group of 21 law school deans who were drawn together by their common concern about the accreditation process for law schools run by the American Bar Association’s Council on Legal Education and Admission to the Bar (the “ABA”). (See the Short History of ALDA ([www.americanlawdeans.org](http://www.americanlawdeans.org))). In addition, this group believed that none of the other existing organizations and associations in the law school world effectively represented the interests of the law deans and their law schools. ALDA is open to any dean of a law school that is accredited by the ABA.

The work of the Board of Directors of ALDA (the “ALDA Board”) has largely focused on effecting positive change in the ABA’s Standards for accreditation and in the procedures surrounding the accreditation process. From time to time, the ALDA Board has also undertaken activities with respect to other issues that the ALDA Board felt was warranted. For example, in the recent past, the ALDA Board submitted an amicus curiae brief in the *Grutter* case in support of the position of the University of Michigan Law School, held discussions with the leadership of the Association of American Law Schools about its membership review and other activities, and worked with federal judges on the clerkship process and the creation of the on-line clerkship application system. The Board has periodically undertaken lobbying activity on issues before Congress that directly affect the interests of law schools.

The ALDA Board has over the period of ALDA’s existence acted based upon its general understanding of the principles and philosophy of ALDA. In particular, it has consistently followed some general principles with respect to the accreditation process for law schools.

### *Guiding Principles*

ALDA supports the general goals and principles of a sound and appropriate system of accreditation set out in the Preamble to the Standards for Approval of Law Schools. According to the Preamble, the Standards for Approval of Law Schools “are minimum requirements designed, developed, and implemented for the purpose of advancing the basic goal of providing a sound program of legal education. . . in order to protect the interests of the public, law students, and the profession . . .” ALDA believes that the Standards themselves and the Interpretations and procedures applying those Standards should conform to

these goals. The Standards, Interpretations, and procedures should not seek to require or promote a range of other interests and purposes extraneous to these goals and principles.

ALDA sees the following principles as central to the accreditation Standards and processes:

- **Minimum requirements:** The Standards should require a law school to provide a sound legal education.
  - In doing so, the Standards should set only the minimum requirements necessary to provide a sound legal education so that a law school can comply with the Standards in a manner that is not unnecessarily wasteful of the law school's or its students' resources.
  - In evaluating whether a law school provides a sound legal education, the Standards should be based chiefly on an evaluation of the results that the legal education that a law school provides its students achieve and not on the specific inputs into the educational process.
- **Transparency:** The accreditation process should be transparent without compromising legitimate concerns of individual law schools for confidentiality. Access on the part of law schools to the actions of the Council, the Accreditation Committee, and other entities of the Council will ensure that the Standards are being consistently and appropriately applied and will disclose to law schools the "common law" of the accreditation process.
- **Consumer protection:** The Standards should protect the direct and indirect consumers of legal education, principally the public and applicants to law schools and law students.
- **Supporting innovation:** The Standards should permit a law school to pursue its own mission in any way that it deems appropriate so long as it meets the minimum requirements of providing a sound legal education. ALDA does not believe that the Standards should dictate that a law school have a particular mission or provide a legal education in a specified way as long as the legal education that the law school provides is a sound legal education

### *Governance*

ALDA is governed and represented by the ALDA Board. Consistent with its by-laws ([www.americanlawdeans.org](http://www.americanlawdeans.org)), the ALDA Board is self-replicating and replacements, additions, and removals are not subject to a vote of the

membership. The ALDA Board elects from its own members the officers of ALDA. In practice, the ALDA Board has been sensitive to include as its members and officers not only deans from the so-called "elite" schools, but also deans from public law schools, independent law schools, and other private law schools and deans from around the country. The current officers and members of the Board of ALDA reflect those considerations.

This governance structure exists to resolve the collective action problems that face any organization of this type. It is impossible to come up with positions that reflect precisely the views and interests of each and every member. The creation of ALDA was motivated in large part by the sense that the deans were an unorganized group of individuals with respect to influencing the accreditation process in a way that worked to our law schools' detriment particularly given the organization and focus of various interest groups in the ABA processes. That being said, the Board has a responsibility to engage in dialogue with its members on the critical issues that face law schools.

The Board urges each ALDA member and each prospective ALDA member to consider the above. It is important that each ALDA member agree as much as possible on the basic principles and operation of ALDA if the association is to have a real impact on the issues ALDA address.