

**CLINICAL LEGAL EDUCATION ASSOCIATION (CLEA)
COMMENT ON
BAR ADMISSION SKILLS COMPETENCY PROPOSAL
OF
NEW YORK COURT OF APPEALS
TASK FORCE ON EXPERIENTIAL LEARNING AND ADMISSION TO THE BAR**

November 9, 2015

The Clinical Legal Education Association (CLEA) appreciates the opportunity to comment on the skills competency proposal from the New York Court of Appeals Task Force on Experiential Learning and Admission to the Bar.

CLEA is the nation's largest association of law teachers with over 1,300 members. Many of our members teach law clinic and externship/field placement courses in New York's law schools. Almost all CLEA members teach at schools with graduates impacted by the proposed bar admission rule since over half of New York State's bar examinees are from out-of-state law schools. Founded in 1992, CLEA's mission is to establish clinical legal education as a fundamental component of the education of lawyers. For over 20 years, CLEA and its members have worked with the American Bar Association (ABA), state bars and committees, and individual law schools to reform law school curricula, accreditation standards, and bar admission rules in order to improve the professional abilities of law school graduates.

Although CLEA strongly supports efforts of state courts to adopt bar admission requirements that will require law students to be better prepared for the practice of law, the Task Force's Pathway 1 simply mirrors the experiential training requirement already required by the American Bar Association (ABA) and would not result in any enhanced competency to practice law. As set forth below, CLEA urges that Pathway 1 be deleted in favor of Pathway 2 and that a three-credit clinical training requirement be added for all J.D. applicants to the New York bar.

**Judges, Lawyers and Bar Committees Overwhelmingly Agree that Students
Need More Skills Training than ABA Accreditation Standards Require**

There is broad agreement that applicants for admission to the bar too often are not ready for the effective, ethical practice of law.

By an over 3 to 1 margin, federal and state judges agree that "more coursework on practice-oriented skills" would most benefit law schools, while "expansion of core curriculum" was a distant second.¹ State judges feel particularly strongly that more practice-based coursework is needed — state appellate judges favor more skills courses over more core doctrinal courses by an over 3 to 1 margin, and state trial judges by over 8 to 1.

In a survey of hiring partners and law firm associates, 95% believe recent graduates lack key practical skills.² "Most attorneys involved with hiring and management of new lawyers agree

¹ Richard A. Posner & Albert H. Yoon, *What Judges Think of the Quality of Legal Representation*, 63 *Stanford L. Rev.* 317 (2011), available at <http://www.stanfordlawreview.org/sites/default/files/articles/Posner-Yoon-63-Stan-L-Rev-317.pdf>.

² LexisNexis, *Hiring Partners Readiness for Real World Practice Survey* (2015), available at <https://www.lexisnexis.com/infopro/literature-reference/white-papers/b/whitepaper/archive/2015/06/02/hiring-partners-reveal-new-attorney-readiness-for-real-world-practice-white-paper.aspx>.

practical skills can be effectively honed through clinics, internships, clerkships, and experience in actual or simulated application to a case.”³ A survey of corporate counsel and private practice attorneys reported that 90% believe law schools fail to teach the practical skills needed to practice law in today’s economy.⁴ The ABA’s Young Lawyers Division unanimously resolved in 2013 that law schools should “require at least one academic grading period [15 credits] of practical legal skills clinical experiences or classes as a law school graduation requirement for all matriculating Juris Doctorate (or an equivalent degree) students.”⁵

In addition to the New York State Bar’s Legal Education and Admission to the Bar Committee, numerous other state bar committees have called for more clinical training in law school. An Ohio State Bar Association task force on legal education recommended that each student, prior to taking the bar exam, be required to complete a law clinic or faculty-supervised externship in law school or a practice experience through a bar association program that involves law school faculty and the practicing bar.⁶ An Illinois State Bar Association report concluded that “the training that law students receive in law school today is increasingly not worth its high cost.”⁷ It recommended law schools prioritize simulations, live-client clinics, and other courses that give students the opportunity to learn in the context of real life problems. Likewise, the California State Bar Board of Trustees unanimously recommended to its supreme court that all students seeking admission to the bar be required to have taken 15 units of coursework in practice-based experiential courses.⁸ The State Bar explained that it was motivated to act because there are fewer and fewer opportunities for new lawyers to gain structured competency training early in their careers leaving them “without the solid foundation necessary to represent clients in a competent manner and with nowhere to turn to build that foundation. From the standpoint of regulatory policy, this situation presents serious issues of public protection that cannot be ignored.”⁹

Law students recognize the inadequacy of the training they receive under ABA Accreditation Standards. Two-thirds believe that law school teaches students legal theory but not the skills needed to practice law.¹⁰ Forty percent of students report that their legal education has contributed only “some” or “very little” to their acquisition of job- or work-related knowledge and skills, in spite of the very significant amounts of tuition paid (and debt incurred in the process) for the education they need to prepare for practice.¹¹

Therefore, while some within the legal academy defend the ABA’s minimal requirements, there is a clear consensus among judges, practicing lawyers, bar committees, and

³ *Id.*

⁴ LexisNexis, *State of the Legal Industry Survey* (2009), available at http://www.lexisnexis.com/document/state_of_the_legal_industry_survey_findings.pdf.

⁵ ABA, Young Lawyers Division, Resolution 1YL (2013).

⁶ Ohio State Bar Ass’n, *Report of the Task Force on Legal Education Reform* (2009), available at https://www.ohioabar.org/General%20Resources/pubs/OSBA_Legal_Education_Task_Force_Report.pdf.

⁷ Ill. State Bar Ass’n, *Final Report, Findings & Recommendations on The Impact of Law School Debt on the Delivery of Legal Services* (2013), available at <http://www.isba.org/sites/default/files/committees/Law%20School%20Debt%20Report%20-%202013-8-13.pdf>.

⁸ State Bar of Cal., *Task Force on Admissions Regulation Reform: Phase II Final Report* (Sept. 25, 2014). Bar-approved or law school-approved clerkships or apprenticeships may substitute for up to 6 of the 15 units.

⁹ State Bar of Cal., *Task Force on Admissions Regulation Reform: Phase I Final Report 1* (June 24, 2013).

¹⁰ *State of the Legal Industry Survey*, *supra* n. 4.

¹¹ Law School Survey of Student Engagement (LSSSE), *Annual Results* (2011).

recent graduates that ABA Accreditation Standards do not sufficiently prepare students for the practice of law.

Pathway 1 Merely Duplicates ABA Accreditation Requirements and Would Fail to Increase the Competency of Any New Lawyer in New York

What is described at Pathway 1 adds nothing significant to the existing requirement that applicants hold a degree from an ABA-accredited law school and fails to contribute to the objectives of ensuring that bar applicants possess the requisite skills for practice.

Pathway 1 would require an applicant to submit a “certification” showing that his or her school “has developed a plan identifying and incorporating into its curriculum the skills and professional values that, in the school’s judgment, are required for its graduates’ basic competence and ethical participation in the legal profession . . . and has made this plan publicly available on its website,” and that the applicant has acquired sufficient competency in those skills and familiarity with those values.

Although expressed in different language, Pathway 1 mirrors current ABA Accreditation Standard 301(a) and (b) that schools “establish and publish learning outcomes” designed to achieve the objective of preparing students for admission to the bar and for “effective, ethical, and responsible participation as members of the legal profession.” Under the new ABA Standards, schools must establish learning outcomes that include, among other things, the school’s determination of “professional skills needed for competent and ethical participation as a member of the legal profession.” Standard 302(d).

The ABA’s Guidance Memo on implementing these new standards explains that every school must publish its learning outcomes “in those places on its website and in its publications where the law school describes its mission and its curriculum.”¹² Thus, Pathway 1’s requirement to “establish and publish learning outcomes” simply mirrors what schools must already do under ABA Standards.

ABA Standard 314 requires each school to use both summative and formative assessment to measure a student’s, not just the school’s, progress toward outcomes. As explained by the ABA’s Guidance Memo, each school shall “measure the level of attainment of these learning outcomes [including professional skills and values] being achieved by students. This requires schools to collect evidence that demonstrates the level of attainment.”¹³ In addition, the ABA requires every accreditation site team to “report how the law school assures that each student receives substantial instruction” in the learning outcomes required by Standard 303.¹⁴ As such, schools, subject to the ongoing oversight and enforcement of the ABA, are already required to measure and demonstrate a student’s attainment of competence in the skills chosen by the school as its learning outcomes.

¹² ABA, Section of Legal Education and Admissions to the Bar, *Managing Director’s Guidance Memo, Standards 301, 302, 314, and 315* 4 (June 2015), available at http://www.americanbar.org/groups/legal_education/accreditation/consultants_memos.html.

¹³ *Id.* (emphasis added).

¹⁴ ABA Section of Legal Education and Admissions to the Bar, *Site Evaluation Workshop for Law School Representatives & New Site Evaluators* 9 (2015) (emphasis added), available at http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/governance/documents/2015_site_evaluation_workshop_online_agenda_book.pdf.

Therefore, other than requiring a new piece of paper from each bar applicant's school saying that the student has successfully met the ABA's required learning outcomes for professional skills (i.e., completed 6-credits of skills coursework starting with J.D. students graduating in 2019), Pathway 1's certification requirement merely reiterates what is already mandated by the ABA. To the extent there is to be any monitoring at the level of individual progress towards professional skills of the over 7,000 applicants from potentially as many as 200 accredited law schools each year, Pathway 1 also would impose very burdensome new oversight and enforcement demands on the Board of Law Examiners and the Court without any corresponding benefit to the bar or residents of the state.

Because the bar application process for J.D. graduates already requires a degree from an ABA accredited law school, the additional requirement that schools produce a certification that they comply with ABA accreditation requirements will do nothing to ensure that applicants to the New York bar are any more prepared for the practice of law than any graduates of an ABA-accredited school seeking admission elsewhere. It is a paper exercise.

Indeed, because Pathway 1 duplicates the ABA learning outcome requirements, it actually undermines the objectives of the Task Force. Accordingly, it should be dropped as a means to meet a new practice skills competency requirement.

J.D. Bar Applicants Should Be Required to Have a Clinical Experience in School

A glaring absence in ABA Accreditation Standards and present bar admission rules is a requirement that a J.D. student have a clinical experience, either through a law clinic or faculty-supervised externship/field placement, while in law school. At a minimum, the Task Force should require a law clinic or faculty-supervised externship/field placement experience of at least three credits for every J.D. applicant under Pathways 1 and 2.

Two National Association for Law Placement (NALP) studies demonstrate the importance of requiring law clinic or externship experiences for all students and the superiority of such experiences over simulation courses. In a survey of new nonprofit and government lawyers, over 83% rated legal clinics as "very useful" (average rating of 3.8 out of 4) in preparing them for the practice of law, with externships/field placements rated "very useful" by 72% (3.6 out of 4) and skills courses by only 48% (3.3 out of 4).¹⁵ In a similar survey of new associates in private law firms, about two-thirds (63%) rated legal clinics as "very useful," followed closely by externships/field placements (60%) with skills courses lagging far behind (38.5%).¹⁶

In a survey of students preparing for the bar exam, 97% said they favor a law school model that incorporates clinical experience.¹⁷ Simulation courses can be useful training tools, but they are insufficient alone to fully prepare students for the profession. As the New York State Bar Association's Committee on Legal Education and Admission to the Bar determined in

¹⁵ NALP, 2011 *Survey of Law School Experiential Opportunities and Benefits: Responses from Government and Nonprofit Lawyers* (2012), available at <http://www.nalp.org/uploads/2011ExpLearningStudy.pdf>.

¹⁶ NALP, 2010 *Survey of Law School Experiential Opportunities and Benefits* (2011), available at <http://www.nalp.org/uploads/2010ExperientialLearningStudy.pdf>.

¹⁷ Kaplan, *Bar Review Survey* (2013), available at <http://press.kaptest.com/press-releases/kaplan-bar-review-survey-63-of-law-school-graduates-from-the-class-of-2013-believe-that-law-school-education-can-be-condensed-to-two-years>.

similarly recommending a four-credit clinical course requirement for all J.D. applicants,¹⁸ law clinics and faculty-supervised externships better prepare law students for the practice of law than simulation courses alone and should be required by any new admission rule.

Studies show the value of a clinical experience. The Law School Survey of Student Engagement (LSSSE) found that students with law clinic or externship experience report greater gains in: higher order thinking skills; speaking and writing proficiency; and competence and confidence in solving complex real world problems. Clinical participation was also found to correlate with a higher degree of preparation in: understanding the needs of future clients; working cooperatively with colleagues; serving the public good; and understanding professional values.¹⁹

Law schools, in New York or elsewhere in the United States, have no grounds to object to a clinical experience requirement. Such a requirement would impose no new burdens on any New York school nor any new costs to students. According to data submitted to the ABA in fall 2014 and certified by each school's dean as "true, accurate, complete and not misleading,"²⁰ every New York school has sufficient capacity in its existing law clinic and externship courses to provide every entering J.D. student with a clinical experience prior to graduation.²¹ Appendix 1 provides the reported capacity of the New York law schools to deliver a clinical experience for every entering student (in that table, a number over 100% represents more available positions in clinical courses than entering first-year students).

The same pattern holds nationally. Of the 37 schools with ten percent or more of its graduates taking the New York exam,²² 34 schools (92%) reported that they have sufficient capacity to provide a clinical experience to every J.D. student before graduation (Appendix 2). The three remaining schools report sufficient existing capacity to provide a clinical experience to over 90% of their graduates, yet at most only 18%, 31% or 65% of their students ended up sitting for the New York exam. All 205 ABA-accredited law schools, then, can easily guarantee a clinical experience to every J.D. student wishing to take the New York bar exam.

In the face of close analysis, costs also fade as an objection to requiring a clinical experience for all new J.D. educated applicants or for a school to guarantee such an experience. A comprehensive review of tuition, clinical course offerings, and enrollment data from all law schools found no effect on tuition from guaranteeing or requiring a clinical experience, and no difference in tuition between schools that already have sufficient capacity to provide a clinical

¹⁸ New York State Bar Ass'n, Comm. on Legal Educ. and Admission to the Bar, *Informational Report to the New York State Bar Association Executive Committee on a Skills Training Requirement for Admission to the New York Bar* (Dec. 2013), available at <http://www.nysba.org/workarea/DownloadAsset.aspx?id=46440>.

¹⁹ Law School Survey of Student Engagement, *Annual Results* (2006, 2010, 2012). The studies found no relationship between summer work experiences and higher order learning, only with law school clinical experiences.

²⁰ ABA, Dean's Signature Page, Annual Questionnaire (2014), available at http://qa.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/governancedocuments/2014_aq_dsp_authcheckdam.pdf.

²¹ Data on the number of positions offered and filled in law clinics and field placement courses are available in the Standard 509 Reports for 2014 at: <http://www.abarequireddisclosures.org/>. Percentages were determined by calculating the sum of "# of positions available in faculty supervised clinical courses" plus "# of field placement positions filed - full-time & part-time" divided by "JD Enrollment 1st-year Total."

²² Based on 2011, 2012, and 2013 bar exam data in ABA Required Disclosures, *Bar Passage Rates* (2014), at <http://www.abarequireddisclosures.org>.

experience to each student and those that do not.²³ In addition, there is no tuition growth associated with the increased availability of experiential or law clinic courses for students or the increased participation of students in law clinics. The study concluded that providing a clinical experience to every student was a question of a school's willingness to provide that educational experience, not of the costs associated with those courses.

Oversight and enforcement of a new clinical experience requirement would be minimal. The ABA's recently adopted Standard 304(b) sets out the requirements for a law clinic course; the ABA is in the process of providing similar guidance on field placements. Therefore, a new bar rule would only need to require certification of successful completion of a law clinic or faculty-supervised externship/field placement course of at least three credits.

Thus, there is no practical basis for not requiring a clinical experience before a student is licensed to represent clients. Furthermore, it is illogical for New York not to implement such a bar admission requirement. As Dean Erwin Chemerinsky stated, "there is no way to learn to be a lawyer except by doing it."²⁴ He pointed out the irrationality of not requiring all students to handle real cases with real clients by remarking that "it is unthinkable that medical schools could graduate doctors who had never seen patients or that they would declare that they just wanted to teach their students to think like doctors."

15 Credits of Practice-Based Experiential Coursework Should Be Required of All J.D. Applicants to the Bar, As Similarly Mandated by Other Professions

The ABA has done too little to address the need for more practice-based education. After decades of calls for reform, the ABA's new requirement in Accreditation Standard 303(a)(3) would allow a J.D. graduate to sit for the bar having only taken one or two courses (6 credits) in professional skills and no clinical experience through a law clinic or externship. Six credits represents only 1/14th of the 83 total credits required for a degree. By adopting the ABA's learning outcomes for professional skills, Pathway 1 would further enshrine this inadequate requirement.

A comparison of the 6-credit requirement adopted in Pathway 1 with the experiential requirements in other professions demonstrates the need to require Pathway 2's 15-credits for all J.D. graduates. Indeed, as detailed below, even if graduates were required to obtain 15-credits of practice-based coursework, new lawyers would still lag behind other professions in New York in the amount of pre-licensing professional skills education and training.

Medicine: Medical school education consists of two years of classes and then two years of professional experience (one-half of each student's medical education) in clinical rotations,²⁵ followed by a year of accredited post-graduate training in a hospital internship.²⁶

²³ Robert R. Kuehn, *Pricing Clinical Legal Education*, 92 *Denver L. Rev.* 1, 29-39 (2014), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2318042.

²⁴ Law School Survey of Student Engagement, *Annual Results* (2012) (foreword by Erwin Chemerinsky, Dean, University of California-Irvine School of Law).

²⁵ David M. Irby, Molly Cooke & Bridget C. O'Brien, *Calls for Reform of Medical Education by the Carnegie Foundation for the Advancement of Teaching: 1910 and 2010*, 85 *Academic Med.* 220, 224 (2010).

²⁶ 8 NYCRR Part 60.3.

Dentistry: Over half of dentistry school curriculum consists of actual patient care,²⁷ followed by at least one year of residency.²⁸

Veterinary: All veterinary students must have at least one academic year (or at least one-quarter of a student's veterinary medical education) in hands-on clinical education.²⁹

Pharmacy: Pharmacy students must spend at least 300 hours in the first three years and at least 1,440 hours (36 weeks) in the last year of school in clinical settings,³⁰ followed by six months in a pharmacy internship program.³¹

Architecture: Architecture students take at least 50 of their 160 total required semester credit hours (approximately one-third) in design studio courses,³² and must have eight total years of study and practice before they are eligible to apply for a license.³³

Social Work: Masters of Social Work students must accrue at least 900 hours, or 18 of their required 60 academic credit hours (approximately one-third), in field education courses, the "signature pedagogy" of social work professional education,³⁴ followed by three years of full-time, supervised clinical work experience to become a licensed clinical social worker.³⁵

Thus, for other professions, at least one quarter, and as much as one half, of a student's required education must be in professional skills or clinical courses, as compared to the ABA and Pathway 1's one-fourteenth. These requirements in other professions apply to every student regardless of the student's planned specialty area. Even Pathway 2's 15-credit requirement would only be one-sixth of a law student's total academic units, still far below that required by other professions.

Almost all other professions also require additional, post-graduate clinical or other practice experience prior to licensure. Therefore, Pathway 2's required 15 credits of practice-based experiential coursework is a modest, yet still critical, first step toward achieving in legal education the level of professional experience required in the education of other licensed professions in New York.

It would not be too difficult or expensive for all law schools to deliver the experience-based education that we urge. Indeed, many CLEA members teach in schools that have worked successfully to find cost-effective ways to meet, and exceed, the more ambitious goal of Pathway 2. For example:

CUNY: Students must take a 12-to-16-credit law clinic or field placement and a 4-credit lawyering skills seminar, for a total of at least 16-20 experiential credits.

²⁷ American Dentistry Ass'n, Accreditation Standards for Dental Education Programs Std. 2-4; Massachusetts Bar Ass'n, *Report of the Task Force on Law, the Economy, and Underemployment* 4 (2012).

²⁸ NY Education Law § 6604.

²⁹ Accreditation Policies and Procedures of the American Veterinary Medical Ass'n, Sec. 7.9, Std. 9.

³⁰ Accreditation Council for Pharmacy Education, Accreditation Standards and Guidelines for the Professional Program in Pharmacy Leading to the Doctor of Pharmacy Degree, Guidelines 14.4 & 14.6.

³¹ 8 NYCRR Part 63.2.

³² National Council of Architectural Registration Boards, NCARB Education Standard.

³³ NY Education Law § 7304.

³⁴ Council on Social Work Education, Educational Policy and Accreditation Standards, Educ. Policy 2.3., Accreditation Std. 2.1.3.

³⁵ 8 NYCRR Part 74.3.

University of District of Columbia: Students must enroll in a 7-credit law clinic in their second year and a second 7-credit law clinic in their third year, as well as a required 2-credit moot court course, for a total of at least 16 experiential credits.

Washington & Lee: Third-year students are required to take 20 credits in simulated or real-practice experiences that include one law clinic or externship, three problems-based electives, and two skills immersion courses.

Denver: Any student may opt in to the “Experiential Advantage Curriculum” in which students take 24 credits of experiential learning courses in their second and third years, including a law clinic or externship.

Pepperdine: Beginning with the 2017 entering class, all students are required to complete 15 credits of practice-based, experiential coursework.

Given the range of schools represented in the sample above, it is clear this can be done at public and private schools, schools in urban and rural areas, schools whose graduates work in the local region and those who work across the country, schools with part-time programs, and schools charging among the lowest tuition in the country. Of course some schools will need to reorient some of their curricular priorities. But deferring implementation of the 15-credit experiential requirement for three years provides the time necessary for schools to shift priorities without additional costs to students (as shown above with clinical courses). As Washington & Lee found when it implemented its new 20-credit requirement within three years, the costs of the new curriculum were “no more expensive to run than our first or second years.”³⁶

We note that in requiring all J.D. applicants to comply with Pathway 2, one aspect should be revised. In keeping with the discussion and data regarding the proposal set out in the previous section, Pathway 2 must also require a minimum three-credit practice experience through a law clinic or faculty-supervised externship/field placement.

While we have focused on the two pathways that would drive curricular decisions for J.D. students, we note the significant number of foreign educated lawyers who sit for the New York bar exam. About 1,500 foreign-educated lawyers passed the exam last year. Although many will practice abroad, data do not show how many will stay in New York or how many in this group had any focused preparation for the practice of law. This is a problem for New Yorkers and the New York Bar. Unfortunately, the pathways may not be as helpful with this problem as it could be. Rather than the current proposal to restrict application to sit for the exam according to rules that draw lines among the differing foreign regimes for the regulation of its lawyers, we suggest it might be useful to explore a curricular alternative pathway for foreign-educated lawyers that would encourage thoughtful and practical development of practice-based education for LL.M. students.

We also note a process oriented concern. This comment is based upon the Request for Public Comment issued on October 9, 2015, the only public document released. However, it would be helpful in providing meaningful comment to have the benefit of any other material the Task Force has developed or relied on. It also appears that, consistent with past practice regarding court admission rules, further guidance will be developed should the rule be passed. CLEA looks forward to timely disclosure of draft guidance material and the opportunity to participate in ongoing conversations as any rule and other material may develop.

36. James E. Moliterno, *A Way Forward for an Ailing Legal Education Model*, 17 Chap. L. Rev. 73, 78 (2013).

In conclusion, the legal profession and residents of New York cannot simply hope that individual law students will be able to, and will choose to, take the courses necessary to develop the professional skills they need for the competent, ethical practice of law. And given the widespread complaints about the inadequate preparation of students under the ABA Accreditation Standards, one cannot claim to have taken steps to improve the competency of new lawyers by merely adding a reporting mandate to the inadequate ABA accreditation requirements.

For the good of the profession and protection of the public, all J.D. applicants for the bar should be required to have a law clinic or faculty-supervised externship experience and Pathway 2's 15 credits of practice-based legal education.

Appendix 1

New York Law Schools	Law Clinic Positions Available plus Externship Positions Filled³⁷	Number Fall 2014 1st Year Students	Percentage Clinical Capacity vs. Number 1Ls
Albany	245	121	202%
Cardozo (Yeshiva University)	715	320	223%
Brooklyn	1042	399	261%
City University of New York (CUNY)	202	105	192%
Columbia	468	383	121%
Cornell	237	203	117%
Fordham	548	367	149%
Hofstra	355	288	123%
New York Law School	846	245	345%
New York University	528	452	117%
Pace	286	174	164%
St. John's	339	216	157%
SUNY-Buffalo	210	143	147%
Syracuse	304	169	180%
Touro	312	187	157%

³⁷ Annual Questionnaire instructions define law clinic and externship/field placement courses and direct schools not to count the related classroom component as a separate clinical course. *See* http://qa.americanbar.org/groups/legal_education/resources/questionnaire.html.

Appendix 2

Non-New York Law Schools (≥10% of First-Time Exam Takers Sitting for New York Bar in 2011, 2012 or 2013)	Number of Fall 2014 1st Year Students	Maximum Number Taking New York Bar Exam 2011-13	Law Clinic Positions Available plus Externship Positions Filled	Percentage Clinical Capacity vs. Number 1Ls
Northeastern University	128	79	860	672%
Yale	200	125	859	430%
New Hampshire	232	17	71	326%
Univ. of District of Columbia	90	11	229	254%
Northwestern University	242	79	584	241%
University of Minnesota	193	32	438	227%
Villanova University	155	36	340	219%
Washington and Lee University	101	24	212	210%
William & Mary	213	38	442	201%
Stanford University	179	46	371	201%
Emory University	223	67	446	200%
Indiana University-Bloomington	183	19	364	199%
Catholic University of America	140	27	249	178%
Wake Forest University	178	19	300	169%
Howard University	129	55	216	167%
American University	430	151	687	160%
Georgetown University	580	272	908	157%
Roger Williams University	143	20	213	149%
Boston University	208	54	297	143%
University of Chicago	190	47	270	142%
Notre Dame	200	35	280	140%
Tulane University	185	52	257	139%
Harvard	563	303	780	139%
Case Western Reserve University	153	31	208	136%
University of Michigan	318	130	424	133%
Washington University-St. Louis	270	63	360	133%
Boston College	230	62	296	129%
Vermont	143	36	177	124%
Duke University	221	78	272	123%
George Washington University	567	158	693	122%
Penn State University	191	32	226	183%
University of North Carolina	201	26	233	116%
Vanderbilt University	171	44	196	115%
Western New England University	120	26	135	113%
New England-Boston	266	47	257	97%
University of Pennsylvania	250	148	229	92%
University of Virginia	307	87	278	91%