Standard 505(b)

Prior to the comprehensive review, Standard 506(a) had permitted ABA-approved law schools to admit students with advanced standing and allow credits for studies at law schools not approved by the ABA if the unapproved law school had been granted the power to confer the J.D. degree by the appropriate governmental authority in the unapproved school’s jurisdiction, or if graduates of the unapproved school were permitted to sit for the bar examination in that jurisdiction. Following the comprehensive review, Standard 505 stated that credits could be transferred only if graduates of the unapproved law school were permitted to sit for the bar examination in that jurisdiction; the section regarding transfer of credits from unapproved law schools that had been granted the power to confer the J.D. degree by the appropriate governmental authority had been removed.

The change made to this section could be detrimental to students enrolled in some unapproved schools who seek to transfer to ABA-approved law schools. In some jurisdictions, the authority to start a law school is granted by an agency that has no authority to grant graduates of the school permission to sit for the bar examination in that jurisdiction. Indeed, some law schools have started with permission from a state agency so that they can obtain provisional accreditation and their graduates be permitted to sit for the bar examination in that jurisdiction. If ABA-approved law schools can accept credits only from those unapproved schools whose graduates have been granted permission to take the bar examination in their jurisdiction, students enrolled in unapproved law schools during that period between the granting of authority by a state agency and the granting of approval to take the bar examination, if separate operations, would be unable to transfer. The proposal to amend Standard 505 restores the ability of students to seek to transfer credit if they are enrolled in an unapproved law school that has been granted the power to confer the J.D. degree by the appropriate governmental authority in the unapproved school’s jurisdiction.

Standard 505. GRANTING OF J.D. DEGREE CREDIT FOR PRIOR LAW STUDY

(a) A law school may admit a student and grant credit for courses completed at another law school approved by the Council if the courses were undertaken as a J.D. degree student.

(b) A law school may admit a student and grant credit for courses completed at a law school in the United States that is not approved by the Council if the unapproved law school has been granted the power to confer the J.D. degree by the appropriate governmental authority in the unapproved law school’s jurisdiction, or if graduates of the unapproved law school are permitted to sit for the bar examination in the jurisdiction in which the unapproved law school is located, provided that:

(1) the courses were undertaken as a J.D. degree student; and

(2) the law school would have granted credit toward satisfaction of J.D. degree requirements if earned at the admitting school.
(c) A law school may admit a student and grant credit for courses completed at a law school outside the United States if the admitting law school would have granted credit towards satisfaction of J.D. degree requirements if earned at the admitting school.

(d) A law school may grant credit toward a J.D. degree to a graduate of a law school in a country outside the United States for credit hours earned in an LL.M. or other post-J.D. program it offers if:

   (1) that study led to successful completion of a J.D. degree course or courses while the student was enrolled in a post-J.D. degree law program; and

   (2) the law school has a grading system for LL.M. students in J.D. courses that is comparable to the grading system for J.D. degree students in the course.

(e) A law school that grants credit as provided in Standard 505(a) through (d) may award a J.D. degree to a student who successfully completes a course of study that satisfies the requirements of Standard 311 and that meets all of the school’s requirements for the awarding of the J.D. degree.

(f) Credit hours granted pursuant to subsection (b) through (d) shall not, individually or in combination, exceed one-third of the total required by the admitting school for its J.D. degree.