

The Law Deans of New York, New Jersey, and California

February 10, 2021

Mr. William E. Adams, Jr.
Managing Director, Accreditation and Legal Education

Ms. Stephanie Giggetts
Deputy Managing Director, Accreditation and Legal Education
ABA Section of Legal Education and Admissions to the Bar
321 N. Clark St.
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Dear Bill and Stephanie,

We hope you are well. We, the undersigned Law Deans from the States of New York, New Jersey, and California, appreciate all that you do for American legal education. We are committed to and fully support all efforts by the ABA to ensure transparency in the job placement reporting process. We write to provide suggestions for improving the quality of consumer information regarding the Class of 2020's placement statistics in light of the unique and profound disruptions caused by the COVID-19 pandemic.

Background

COVID-19 has radically impacted recent law school graduates' ability to uniformly access state licensing exams and the job market.

- First, many bar exams, particularly in the states with among the largest numbers of new law graduates, were rescheduled from late July to early October. Many of these states were among the hardest hit by COVID-19, and statewide operations were subject to severe limitations imposed by government. These [states include](#) New York, New Jersey, California, Georgia, Illinois, Massachusetts, Pennsylvania, the District of Columbia, among others. Graduates who took the October bar exam did not find out if they passed the exam until mid- or late-December, or even January (e.g., NY 12/16; NJ 12/23; CA 1/8; GA 12/14; MA 12/8; IL 12/1; DC 12/11; PA 12/11; and DC 12/11). These delays in bar results were more than two months later than when bar takers and law schools typically rely on receiving them: by mid-to-late October. This means, in normal years, law schools can typically expect to have at least a four-month window from the time their graduates receive bar results (discounting December and early January because of the holidays) to meaningfully assist them before filing an employment report, as of March 15, with the ABA.
- Second, states like New York, New Jersey, and California, experienced lengthy economic shut-downs and physical lockdowns - significantly reducing hiring, the

accessibility of the courts, and the overall provision of legal services, beginning in early spring 2020 when many 3Ls in these jurisdictions would have typically secured opportunities prior to graduation. New York announced lockdown on March 22, New Jersey on March 21, and California announced lockdown on March 19.

We acknowledge that the circumstances informing this year's reporting cycle are *sui generis*. These circumstances pose an array of threats and challenges to ensuring that the collection of uniform data is valid and reliable for public consumption. Presenting data that is not properly measured and contextualized can have an injurious effect on the consumer.

Our Request

In light of the delay in the administration of the bar exam, we request the ABA consider March 15 as an **interim** "as of" reporting date, and set a later date, such as "as of" June 15, for a final reporting date so as to capture those graduates employed during the period from March 15 to the final reporting date. This staggered approach leaves intact the March 15 data submission to the ABA, while also ensuring the reporting and publication of more complete and reliable statistics to the consumer. Until the final reports are published, consumers will be able to look at the interim data in relation to the three years of job placement data each law school currently makes available on their website. This data, which is "as of" March 15 has long served as a reliable indicator of how law schools fare generally, and comparatively to other schools, under more normal conditions.

We thank you for your consideration.

Respectfully,

The New York Law Deans¹

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¹ The CUNY and Syracuse Law Deans, Mary Lu Bilek and Craig Boise, recused themselves from participation in this submission because they are ABA Council Members.

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