ABA panel would require law schools to get specific about jobs data
By Karen Sloan
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If you want to know how much graduates of a specific law school earn, it's not hard to track down a figure. Most schools provide an average salary figure for recent graduates who have reported that information.

But in most cases, there's no way to know how many graduates factored in that average, or what the average salary was for a graduate working in a firm of 500 or more attorneys versus one in business or public service.

That may change soon. Following months of discussion, a committee reviewing the American Bar Association's law school accreditation standards has agreed upon changes in the way law schools report graduate employment and salaries.

If approved by the ABA's Council of the Section of Legal Education and Admissions to the Bar in March, the changes would represent the most dramatic step to date toward improving law school consumer information.

"My instinct is that they're really going to like our recommendations," said Jeffrey Lewis, a professor at Saint Louis University School of Law and chairman of the standards review committee. "They emphasize the importance of complete, accurate information."

The committee settled upon the changes to Standard 509 — pertaining to employment data — during a two-day meeting in Washington on Jan. 14 and 15.

The changes largely mimic modifications adopted in December by a separate committee that drafts the annual questionnaires schools fill out so the ABA can ensure they still meet accreditation standards, but would go further. Individual schools would have to report 25th, 50th and 75th percentile salary figures for graduates in jobs requiring a juris doctor degree; jobs in which a J.D. is preferred; jobs in other professions; and nonprofessional jobs. The salary breakdowns would have to be provided for 15 job categories, including solo practitioner, government attorney, public interest work and academic.

Law schools would post these data on their Web sites for at least three years. Thus, prospective law students would have much more detailed information about different types of jobs and the salaries they pay, and would have an apples-to-apples comparison between different schools.

"I'm delighted that we're recommending [school-specific salary data] be included," said David Yellen, dean of Loyola University Chicago School of Law and the standards review committee member who spearheaded the employment data proposal. "Up to now, students haven't had any way to compare School A and School B in a consistent way."
The questionnaire committee took a different approach last month, deciding to continue allowing schools to report employment figures and salary data separately, and not requiring schools to disclose their salary figures publicly. (It wants schools to report the three states in which the largest number of their graduates found jobs and plans and to make job and salary information available by state, not by individual school.)

The changes recommended by the standards review committee would provide a more comprehensive picture, but still far short of reforms advocated by Law School Transparency, an organization that has been lobbying for better law school consumer information since 2009. The group has called upon schools to release salary and job information for each graduate, although names would be withheld to protect privacy.

The standards review committee never seriously considered going that far, and reaching a consensus on the actual recommendation was not easy, Yellen said. The 14-member committee debated the inclusion of school-specific salary data for several hours. "The school-specific data that we are recommending is the right thing to do," he said. "But it's still not perfect data."

He noted that in general, only 41 percent of law graduates report their salaries, so the published numbers likely would still be based on a relatively small number of graduates.

The standards review committee recommended several additional changes to Standard 509:

• Law schools would have to report the number of graduates upon which their published salary figures are based.

• Law schools must stipulate whether graduates are in long-term or short-term positions, or in jobs funded by the school.

• Law schools must report on their Web sites the retention rates for conditional scholarships and provide that information when offering those scholarships.

The standards review committee took a stance — both symbolic and actual — against schools that might misrepresent their consumer information data, stipulating that consumer information "shall be complete, accurate and not misleading to a reasonable law school student or applicant." It would require schools to "use due diligence in obtaining and verifying consumer information."

The committee recommended adding the provision of "incomplete, inaccurate or misleading consumer information" to the offenses for which a law school could be sanctioned. The ABA already has the power to levy sanctions on those grounds — as it did against Villanova University School of Law last year, after administrators inflated the Law School Admission Test scores for several classes. But explicitly spelling out the consequences of fudging data "sends a very strong message," Lewis said.

Finally, the proposal would allow the ABA to put law schools on probation or revoke their accreditation even if they have ended objectionable behavior and begin to comply with the standards. That would better allow the ABA to punish schools that show a pattern of violations, even if they correct those violations at the last minute, Yellen said.
The Council of the Section of Legal Education and Admissions to the Bar likely will consider the recommendations during its next meeting on March 16 and 17 in Fort Lauderdale, Fla.

Contact Karen Sloan at ksloan@alm.com.