Application to the Maine State Board of Education
For authority to award the Degree of Juris Doctor
Husson College, Bangor, Maine

Dear Harry,

At the end of the meeting with representatives of Husson College, the members of our committee advised you and Husson that we had further questions and comments for Husson to consider and respond to prior to the committee's determination of the satisfaction of the standards set forth in the Maine State Board of Education.

Set forth below are the questions and comments that the committee requests Husson to consider and provide response.

A. Organization and Governance

It is unclear how the J.D. Program faculty retains authority over their degree program. In particular, as described in the application document (see proposal, pp.9-10): Major decisions will be made through consensus with the permanent faculty and the Faculty Forum or its committees. The Faculty Forum is made up of all full-time and part-time faculty of the College. Voting members include ranked full-time faculty, the College Librarian and academic deans.

- As presently planned, there will be few full-time faculty in the Law School. In addition, although some faculty may be full-time in the institution, few will be full-time in the Law School. It is unclear how their voting allocation is determined and the implications for the Law School faculty having appropriate authority over its degree program.

  Given the discussed concerns about faculty workload, curriculum organization and scheduling, effective pedagogy, assignment of courses and oversight of clerkships and internships, this matter of authority may be central to the ability of the Law School to implement and carry out its mission and program.

(E) Academic Programs

In the application document and in our discussions with the College team, procedures for the evaluation of the quality of programs of instruction (item #3) will be based on the ABA standards (see proposal, p.12) and the graduates passing the Maine Bar exam (see proposal, p.16). Concerns noted with respect to this standard include:

- Permission is needed from the Maine Supreme Court for its graduates to be allowed to take the bar exam.

- ABA standards may be incompatible with the mission and goals of the proposed J.D. Program. If so, appropriate standards for

quality assessment and control should be developed and procedures for evaluation put forward in writing.

- Evaluation of the quality of the program and specific courses relies on the performance of graduates on the Maine bar exam. Several problems with this approach were discussed further underscoring the need for the development of a more valid and reliable evaluation plan for the program, its faculty, courses and other educational experiences. In developing this plan, attention is called to how the results will be utilized, especially during this crucial start-up phase for the Law School.

The proposed program and its implementation (item #4) raised several questions including:

- The curriculum set forth in the planning document is focused on full-time students. However, the demographics presented on market need suggest the considerable likelihood of a part-time student body. How will the curriculum, including an appropriate sequencing of courses, be provided for part-time students?

- Can a schedule of each course being taught one day a week from 5 to 8 pm be sustained over time and meet the quality standards of teaching and learning set forth for this program?

F. Library and Learning resources

Central to an effective Law School, is the availability and quality of its library. To this end, the College reports plans to utilize existing resources developed for the Legal Studies Program supplemented by an annual $20,000 acquisitions budget and use of the Penobscot County Law Library with an additional annual budget of $15,000 for legal purchases (see proposal, p. 29). Several questions were raised:

- How will this new program change the mission, goals, objectives and work of the College's library? And, how will the library ensure that it is able to incorporate the needs of the proposed J.D. Program into its staff, space and material resources? For example, how will the roles and responsibilities of the current staff be adjusted to meet the added goals, objectives and tasks posed by the J.D. Program? Or, where and how will added student use be accommodated? In attending to the impact of the proposed J.D. Program, it is important to consider how such adjustments will impact library resources for already accredited programs at the College.

- What is the appropriate electronic to print composition needed to serve this program and how do the existing and planned resources meet this standard?

- The proposed annual increase in the library budget is unclear. Reference is made to an additional $20k for acquisitions and later, reference is made to an additional annual increase of $15k (see proposal, p. 29). Are these the same funds or is $35k being planned specifically for legal material?

- What role does the Penobscot County Law Library play in the overall library resources for this program? If it is a central role, have agreements been concluded to ensure availability that can be sustained?

G. Faculty

Existing faculty with appropriate educational backgrounds and credentials have been involved in planning the proposed program of study. However, issues remain and have been raised (see above text) concerning:

- What is the authority of this faculty over the proposed J.D. Program?

- Is the proportion of faculty time allocated to the program able to meet the requirements of a coherent J.D. Program and be sustained over a long term period?

- How will faculty responsibilities be adjusted so that they can be involved in the development of guidelines and procedures appropriate to the program's mission and goals and other areas of governance of the new program?

- How will adjustments to existing faculty roles and responsibilities impact already accredited programs at the College?

In addition to the questions set forth above, the following questions should also be considered.

1. More definition should be provided on the identity and qualifications of the faculty to teach the curriculum set forth in the proposal. As noted above, this includes concerns related to substantive knowledge of the subject matter and qualifications in teaching. A general concern about reliance on adjunct faculty was expressed and the heavy workload for full time faculty is also of concern.

2. With respect to the curriculum, more definition of electives should be considered.

3. The proposal suggests internships and clerkships that will be available to students. More definition on who will "employ" and supervise the students is requested.

4. Sylllabi, to the extent available, for courses should be delivered to the committee.

5. Admissions standards should be reviewed and discussed. Concern was raised with the standards for admission set forth in the proposal. How do these admissions standards predict success on the Maine State Bar Exam.

6. The committee requests further information on the relation to ABA standards to the law school. Will the law school be able in the near or medium term to satisfy ABA standards and does Husson continue to believe that these standards should be the aspired to by the law school.

As a suggestion, but not a requirement, members of the committee suggested that Husson might consider engaging a consultant who is experienced in legal education and understands Husson's mission and aims for its law school. Dean Velvel has provided to Harry Osgood the names of consultants that may be helpful to Husson .

The committee appreciates and respects the thought and diligence that Husson College has brought to this process and the aims of its law school proposal. We look forward to receipt of Husson's comments to these suggestions and comments. After we receive and review these comments the committee reserves the right to meet again with the representatives of Husson College before rendering its final determination on the matter.

Thank you very much,
Barry Mills, Chair