

NALP ANNUAL EDUCATION  
CONFERENCE 2025

# ABA UPDATE AND Q&A



AMERICANBARASSOCIATION



# Agenda

- Class of 2024:
  - Next steps
- Class of 2025
  - Reminders of updates and changes
- Introduction of New Managing Director
- Questions?

# CLASS OF 2024

## Next Steps: Standard 509 Website Compliance

- Class of 2024 Employment Summary Reports required to be posted by Wednesday, April 16
  - Class of 2023 and Class of 2022 Employment Summary Reports must remain posted
- Concerns directed to the main contact(s) for the law school's Employment Questionnaire and/or to the main contact(s) for the other Questionnaires



# CLASS OF 2024

## Next Steps: Standard 509 Website Compliance

- Concerns:
  - Failure to meet the deadline for posting the most recent Employment Summary Report
  - Appearance of publishing incomplete, inaccurate, or misleading data
  - Reporting a significant number of edits demonstrating the data in the initially-published Employment Summary Report was not complete and accurate



# CLASS OF 2024

## Next Steps: Standard 509 Website Compliance

- Council may be notified if concerns persist two years in a row or if any one instance appears to be egregious or intentional; may request information to determine compliance with the Standards



# CLASS OF 2024

## Next Steps: Random Graduate Review

- Selection of 4% or 5 files, whichever is greater using normal rounding; will be sent to the Dean and EQ main contact(s) on Monday, **April 28**
- Must upload the underlying documentation (“Graduate Employment File”) AND Records Validation Form for each selected ABA graduate ID number by Wednesday, **May 7**
- Anticipating any staffing transitions? Notify Molly



# CLASS OF 2024

## Next Steps: Random Graduate Review

- Discretion regarding how many selected files are reviewed:
  - Total number of law school graduates
  - National economic conditions
  - Prior Random Graduate Review audit results
  - Employment Questionnaire edit history
  - ABA site visit status for upcoming academic year
  - New staff involvement in collecting/reporting EQ data



# CLASS OF 2024

## Next Steps: Random Graduate Review

- Compliance Determination = At ABA's Discretion
  - How many and which ABA Key Items are not sufficiently documented in compliance with the Data Protocols
  - Whether it appears one or more ABA Key Items were inaccurately or intentionally misreported



# CLASS OF 2024

## Next Steps: Random Graduate Review

- Law school found in compliance
  - Main contact(s) and Dean receive email with feedback on reviewed files
- Law school found out of compliance due to documentation issues
  - Main contact(s) and Dean receive explanation of issues in reviewed files and Council is notified of the audit results and can, at their discretion, request information to determine compliance with the Standards



# CLASS OF 2024

## Next Steps: Random Graduate Review

- Law school found out of compliance due to misreporting concerns
  - Main contact(s) and Dean receive explanation of issues in reviewed files and elevation to an Additional Documentation Review



# CLASS OF 2024

## Next Steps: Additional Documentation Review

- ABA may review any other file selected for the Class of 2024 Random Graduate Review that was not initially reviewed
- May request files for any other ABA graduate ID numbers from the current and prior year reporting cycle if selected files do not give sufficient insight into the concerns



# CLASS OF 2024

## Next Steps: Additional Documentation Review

- If concerns are addressed, the main contact(s) and Dean receive a warning that being found out of compliance the following year will result in notification to the Council, who may, at their discretion, request information to determine compliance with the Standards
- If concerns persist, the main contact(s) and Dean will be notified. The Council may, at their discretion, request information to determine compliance with the Standards



# CLASS OF 2024

## Next Steps: Records Validation

- Was a Graduate Employment File and Records Validation Form uploaded for each selected ABA graduate ID number (if applicable)?
- Do the Key Items in the Records Validation Form match the Key Items reported in the Employment Questionnaire?



# CLASS OF 2024

## Next Steps: Records Validation

- Non-Compliance with Records Validation
  - Outreach to the main contact(s) for the EQ
  - Outreach to the Dean if main contact(s) do not timely respond or if response does not comply
  - Council is notified if communication does not result in full compliance
- Listserv email when Records Validation is complete for all law schools



# CLASS OF 2024

## Next Steps: The Edit Process

- Edit process closed until **April 23**
- Qualtrics form for submitting edit requests
- Friday, June 13 deadline



# CLASS OF 2025

## Reminders of Updates and Changes

- Persons graduating with a JD degree between **September 1, 2024 and August 31, 2025** (including joint degree or dual degree students who may not complete the non-JD degree at the same time)
- Employed – Start Date Deferred is now **Employed – Start Date After March 1X, 20XX** in the Employment Protocols
  - **March 16, 2026** for Class of 2025



# CLASS OF 2025

## Reminders of Updates and Changes

- Graduate Data Reporting Deadline definition updated to reflect recent practice of **typically** using the **first Wednesday in April** (formerly typically the first Friday in April)
  - **Tuesday, March 31, 2026 at 5pm Central Time\***
- **Increase in remuneration threshold** for the LSUF exemption: **\$47,250**



# CLASS OF 2025

## Reminders of Updates and Changes

- **Continued pause in the application of the remuneration threshold** introduced for Class of 2024: graduates in LSUF positions whose remuneration is inconsistent with applicable federal, state, and local compensation laws will be considered volunteers and may not be reported as employed
- **Employment Summary Report**
  - Enhanced accessibility to make the PDF more compliant with screen readers, etc.



# CLASS OF 2025

## Reminders of Updates and Changes

- **Employment Summary Report Continued**
  - Addition of “/U.S. Territory” language in the Employment Location section
  - Addition of an explanatory sentence at the bottom: **If there are ties in the Employment Location section, locations are prioritized and displayed alphabetically. As a result, some tied locations may not be included in the report.**



# NEW MANAGING DIRECTOR

## A Little Bit About Me

- First role as Legal Ed-Legal Writing instructor
- Professor
- Associate Dean for Student Affairs
- Dean (16 years, 3 law schools)
- Managing Director since June 2024



# SECTION MISSION, GOALS, OBJECTIVES

## Accreditation Project and Section Activities

**Mission:** “To be a creative national force in providing leadership and services to those responsible for and those who benefit from a sound program of legal education and bar admissions; to provide a fair, effective, and efficient accrediting system for American law schools; and to serve, through its Council, as the nationally recognized accrediting body for American law schools”

**Goal of Accreditation:** to ensure “a basic level of quality”

**Objectives of Program of Legal Education:** “A law school shall maintain a rigorous program of legal education that prepares its students, upon graduation, for admission to the bar and for effective, ethical and responsible participation as members of the legal profession.”



# COUNCIL 101

## What Is It?

- Membership of Council: 21 voting members
- Council is recognized by the US Department of Education as sole accreditor for US law schools [scheduled for renewal of recognition in July 2026]
- The Council is required to be “separate and independent” from the general American Bar Association
- Council’s role includes revising Standards, Interpretations and Rules; accrediting law schools; collecting and analyzing data



# DATA POLICY & COLLECTIONS

## An Ongoing Process

- Purpose
- Three major Questionnaires
  - Annual Questionnaire (AQ)
  - Bar Admission Questionnaire (BAQ)
  - Employment Questionnaire (EQ)
- Council decides to adopt significant changes to data collection and reporting, typically as recommended by the Data Policy & Collections Committee
- Informed by two advisory groups and other feedback processes:
  - Advisory Group on Data Collection: AQ and BAQ
  - ABA/NALP Employment Outcomes Advisory Group: EQ
  - Town halls
  - Roundtables



# STANDARDS REVIEW

## An Ongoing Process

- Agenda set for the year after putting out call for items (August)
- Standards Committee Reviews and Recommends Revisions to Council
- Council decides to adopt Standard/revisions
- Notice and Comment
- Back to Standards Committee/Council recommendation
- To ABA House of Delegates to concur or refer back with ultimate decision by the Council



# STANDARDS UPDATES

## Status of Review

- Standard 206
- Standard 205
- Standard 405
- Experiential Learning
- Fully on-line law schools



# ABA EMPLOYMENT OUTCOMES REPORTING

## Why?

- Promoting Confidence in Employment Outcome Reports
- Ensuring Consistency in Reporting Various Categories and Types of Employment Outcomes
- Ensuring Compliance with ABA Standards



# ABA EMPLOYMENT OUTCOMES REPORTING

## Standard 104

“A law school shall complete and submit all questionnaires, the self-study, and other information as required by the Council. This information must be complete, accurate, and not misleading, and must be submitted in the form, manner, and time frame specified by the Council.”



# ABA EMPLOYMENT OUTCOMES REPORTING

## Standard 509

“(a) All information that a law school reports, publicizes, or distributes shall be complete, accurate and not misleading to a reasonable law school student or applicant. A law school shall use due diligence in obtaining and verifying such information. Violations of these obligations may result in sanctions under Rule 15 of the Rules of Procedure for Approval of Law Schools.”

“(b) A law school shall publicly disclose on its website, in the form and manner and for the frame designated by the Council, the following information:”

“(7) employment outcomes”



# ACCREDITATION IN THE NEWS

## What does it mean?

- *DOJ Letter: "US Attorney General presses ABA to drop law school DEI rule or risk losing accreditor status". [Reuters]*
- *Dept of Education EO: **"Trump orders a plan to dismantle the Education Department while keeping some core functions"** [AP]*
- *Florida Order: "Florida weighs breaking with American Bar Association over DEI rule" [Reuters]*
- *Texas Order: "Texas high court considers dropping ABA accreditation as requirement to practice law" [Reuters]*



# “LISTEN AND LEARN” TOUR

[Not to be confused with the “Eras Tour”]

- Reached out to a number of organizations, stakeholders, constituencies over first 9 months in job
- Themes:
  - Communication
  - Transparency
  - Data/Support for Decisions
  - Input
  - Inform long-term goals



# QUESTIONS?

- Substantive: Molly @  
molly.nguyen@americanbar.org  
(molly.wilensky@americanbar.org still works)
- Technical: Molly, Ken, and Enna @  
EQtech@americanbar.org