

Law Schools in a Matrix of Markets, Culture, and Competition

Workshop on Technology,
Legal Information, and Legal
Knowledge – 3/15/02

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Exploring the questions:

Will digital technology be deployed in ways that transform US legal education?

If so: By whom? How? When?

The short-term future

- Rewiring traditional institutional architecture
 - Course Web pages
 - Video conference classroom linkages
 - Layering of electronic distribution on top of current print journals
- Lots of institutional inertia leaving unoccupied space for others to move into

Long-term: Some realities I assume

- The certifying, sorting, and grading functions US (ABA accredited) law schools perform will endure
- Brand will only increase in importance
 - Schools with a strong brand will not take initiatives likely to dilute it
- Competition among US law schools will continue to grow

Some additional assumed realities

- The interest coalition that operates through the ABA standards will continue to oppose dramatic changes in JD delivery
- Law school stratification will intensify

Potential forms of major change

Looking at other disciplines and sectors of higher education, one can imagine law schools deploying technology so as to:

- involve academics, lawyers, and judges situated anywhere in the world in their educational program
- offer students both less costly and more flexible educational arrangements
- provide access to students currently excluded by cost and distance
- share courses and students
- distribute faculty scholarship more widely, at less cost
- extend their reach to regions and educational audiences previously closed

Corresponding downside risks

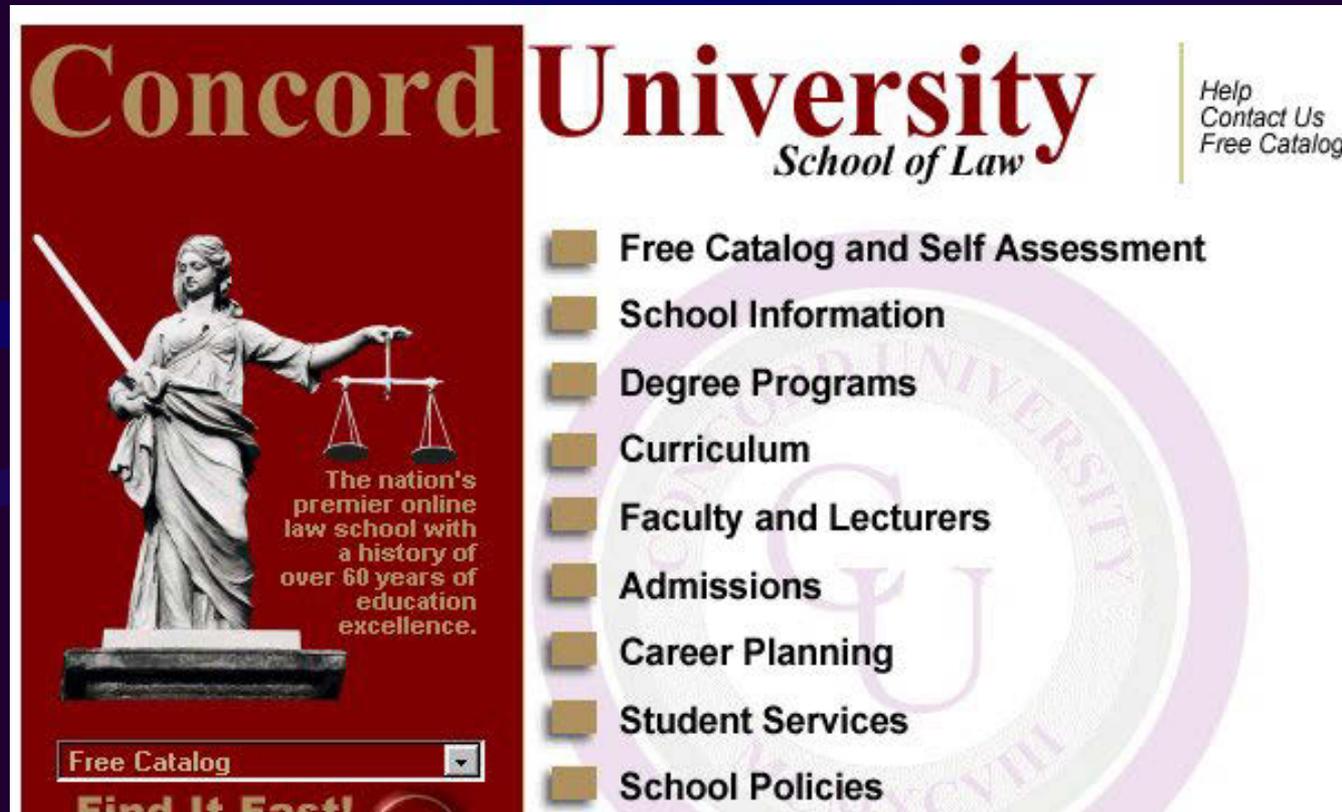
US law schools are exposed, individually and collectively, to severe challenges or threats :

- the emergence of a few dominant programs, at least for some segments of the already stratified legal education marketplace
- law schools retaining credentialing authority while more and more of the preceding education is delivered by commercial entities
- failure for law schools that cannot deliver clear value for the added costs entailed in residential instruction
- erosion of the symbiosis between faculty teaching and scholarship

ABA accredited, LSAC member schools are not the only players

- www.concord.kaplan.edu
- Commercial purveyors of information products and teaching materials (> \$2,000 per law student per year)
- CALI – the law school consortium

Outside the ABA defensive perimeter



Concord University
School of Law

Help
Contact Us
Free Catalog

- Free Catalog and Self Assessment
- School Information
- Degree Programs
- Curriculum
- Faculty and Lecturers
- Admissions
- Career Planning
- Student Services
- School Policies

The nation's premier online law school with a history of over 60 years of education excellence.

Free Catalog

Find It Fast!

The “Concord Model”

Untroubled by the ABA defensive perimeter or law school institutional boundaries

The screenshot shows a login interface for the West Education Network. At the top left, it says "Sign On to the West Education Network". To the right is the West Group logo, which includes a stylized building icon and the text "WEST GROUP A THOMSON COMPANY". Below the header, there are two main login options. The first is "Enter Your Westlaw Password" with a text input field and a "GO" button. Below this is the word "or" and a link "Create a Username and Password". The second option is "Enter Your Username" and "and your password", each with its own text input field and a "GO" button. At the bottom of the login area, there are three links: "Forgot Password?", "Change Username and Password", and "Need Help signing on?". To the right of the login area is a "Spotlight" section with the text "If you previous password on the enter your name again." and a bullet point that starts with "By entering".

Commercially produced coursebooks,
research products, and on-line course
spaces

Untroubled by the ABA defensive perimeter or law school institutional boundaries



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Teaching the Law

[Learning the Law](#) | [Teaching the Law](#) | [Technology in Law Schools](#)

Using CALI Lessons in your Courses

CALI publishes over 150 computer-based [tutorials](#) in over 20 different legal subject areas. The lessons use a variety of formats and methods for teaching doctrine, analysis and critical thinking skills.

There are all sorts of ways to integrate CALI Lessons into your courses. Some faculty assign them as a refresher after they have covered material in class, some faculty assign them to cover material that they specifically do not cover in class. CALI Lessons can even be used *in* class with a projector using the questions and responses as jumping off points for discussion.

CALI course componentry

Untroubled by the ABA or law school institutional boundaries

Gilbert's Casebriefs (\$28/course):

With Casebriefs you simply click on the name of the case you're looking for, and you instantly have an expert brief of it at your fingertips!

BuckABrief:

10,000 briefs you can buy and instantly view online, and print and take to class. \$1 each. Every major case from every major casebook—just a click away.

Handicaps shared by ABA accredited law schools

- ABA accreditation standards
- Faculty governance
- Little experience with or capacity for program investment, team or collaborative approaches

The faculty as the problem

“[L]aw faculties are in a position effectively to block any but an aggressive and sustained movement of reform, and probably could dilute or suppress even a movement of great strength.”

Geoffrey Hazard, “Curriculum Structure and Faculty Structure” (1985)

Not all US law schools are the same – distinct markets

- Law School A – elite national
- Law School B – strong regional
- Law School C – vulnerable local

Important dimensions of difference

- Academic qualifications of the student body
- Tuition (both alone and as a proxy for other revenues)
- Employment prospects for graduates
- Career paths open to, expectations of faculty
- Financial resources and all they make possible

School A

- LSAT scores (25th-75th percentile): 160-170
- Acceptance rate: 11-25%
- Tuition (2000-2001, undiscounted) – \$29,000
- Employment:
 - Law firm or clerkship – 90%
 - Median firm salary (1999) – \$95,000
 - In-state – 40%

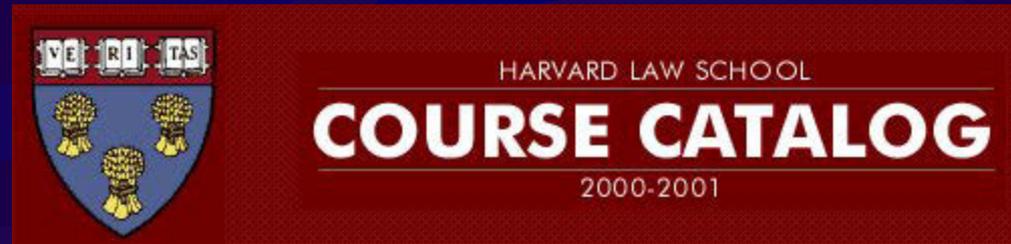
School B

- LSAT scores (25th-75th percentile): 155-162
- Acceptance rate: 33-39%
- Tuition (2000-2001, undiscounted):
 - Resident – \$8,500
 - Non-resident – \$19,000
- Employment:
 - Law firm or clerkship – 65%
 - Median firm salary (1999) – \$60,000
 - In-state – 70%

School C

- LSAT scores (25th-75th percentile): 145-155
- Acceptance rate: 55-60%
- Tuition (2000-2001, undiscounted, full-time) - \$21,000
- Employment:
 - Law firm or clerkship – 50%
 - Median firm salary (1999) – \$47,000
 - In-state – 80%

Law School A possibilities



One or more top brand schools moves into
courseware production

Law School A possibilities (cont'd)

The Center for Sports Law & Policy *Duke University School of Law*



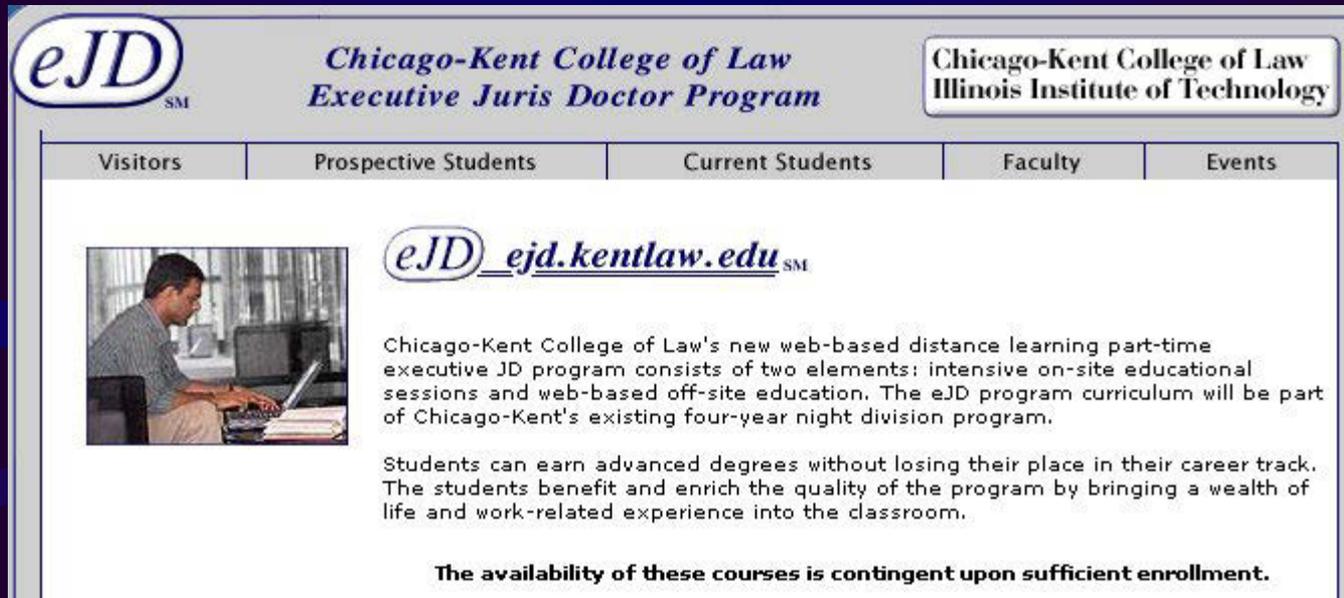
- Description of the Center
- [Faculty](#)
- [Related](#)
- [Confere](#)

NYU's Programs in Taxation



Schools of sufficiently strong brand develop
national specialty recognition

Law School B possibilities



The screenshot shows the website for the Chicago-Kent College of Law Executive Juris Doctor Program. At the top left is the eJD logo. To its right is the text "Chicago-Kent College of Law Executive Juris Doctor Program". On the top right, it says "Chicago-Kent College of Law Illinois Institute of Technology". Below this is a navigation menu with five tabs: "Visitors", "Prospective Students", "Current Students", "Faculty", and "Events". The main content area features a small photo of a man working at a computer. To the right of the photo is the eJD logo and the URL "ejd.kentlaw.edu". Below the URL is a paragraph of text describing the program as a web-based distance learning part-time executive JD program. A second paragraph explains that students can earn advanced degrees without losing their place in their career track. At the bottom, a bolded line states that course availability is contingent upon sufficient enrollment.

eJDSM Chicago-Kent College of Law Executive Juris Doctor Program Chicago-Kent College of Law Illinois Institute of Technology

Visitors Prospective Students Current Students Faculty Events

eJD ejd.kentlaw.eduSM

Chicago-Kent College of Law's new web-based distance learning part-time executive JD program consists of two elements: intensive on-site educational sessions and web-based off-site education. The eJD program curriculum will be part of Chicago-Kent's existing four-year night division program.

Students can earn advanced degrees without losing their place in their career track. The students benefit and enrich the quality of the program by bringing a wealth of life and work-related experience into the classroom.

The availability of these courses is contingent upon sufficient enrollment.

The Chicago-Kent “Executive JD Model”

Law School B possibilities



Cross-institution collaborations develop courses (or course components) that are more widely adopted

Law School B possibilities



DORSEY & WHITNEY LLP

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Careers at Dorsey

>home >careers at dorsey

summer associates program

lateral associates

new associates

Careers at Dorsey

It's All About Opportunity

Working at Dorsey & Whitney is all about opportunity. The opportunity for a challenging and successful career, the opportunity to work with clients ranging from high-tech start-ups to Fortune 100 industry leaders; simply put, an unparalleled opportunity for professional growth in the field of law.

Partnerships with law firm professional development programs and CLE providers

Law School C possibilities

JURIST
The Legal Education Network
jurist.law.pitt.edu

SEARCH
Go!

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LESSONS FROM THE WEB

[Lessons](#) | [Talkback](#) | [Archive](#)

In this monthly column, law professors comment on the many academic opportunities and challenges presented by Web technology.

As with all JURIST columns, you're invited to [Talkback](#). This month...

Dead Professors Walking

[Dan Hunter](#), Wharton School, University of Pennsylvania

A little over a year ago I experienced an epiphany at a conference on the Internet and distance education. It was a troubling vision of what teaching law might be like in years to come. Imagine an Online Law School that combines the best that we have in the physical realm, with the benefits of vast opportunities that cyberspace can deliver. A world-famous professor presents a class on Civil Procedure via the web, giving the students the benefit of his vast knowledge and charisma. Students virtually “attend” these classes, as well as undertaking structured writing and learning exercises, and

Numerous variants on “Dead Professors Walking”

Law School C possibilities

Partnership:

“Los Angeles, CA/St. Paul, MN, August 21, 2001 -- Concord University School of Law, the nation's only entirely online law school, and a division of Kaplan, Inc., announces a new Trial Advocacy Program in conjunction with William Mitchell College of Law. “

Law School C possibilities

REGENT UNIVERSITY SCHOOL OF LAW GRADUATE TAX PROGRAM

Whether practicing international taxation, global or offshore tax planning...as an attorney, accountant, or financial advisor, chances are you've already recognized the growing need for a high level of professional expertise.

The Regent University School of Law LL.M. and master's degree in international taxation is America's first online program designed for the practitioner who wishes to satisfy this need rapidly, and through a state-of-the-art, user-friendly curriculum.

Expanding into complementary markets –
International LLM programs

Law School C possibilities

The screenshot shows the website for the Master's in Health Law program at Nova Southeastern University. The navigation bar at the top includes links for NSU Home, NSU Law Home, NSU Distance Education, Contact Us, and Apply Now. The main header features the NSU logo, the university name, and the Shepard Broad Law Center. The program title, "Master's in Health Law", is prominently displayed. A sidebar on the left lists navigation options: Program Overview, Program Academics, Program Admissions, The MHL Online Experience, and Program Faculty & Staff. Three small images are included: an ambulance, a library of law books, and a medical bill.

NSU Home NSU Law Home NSU Distance Education Contact Us Apply Now

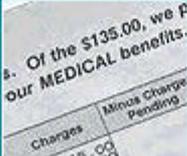


Nova Southeastern University
Shepard Broad Law Center

Master's in Health Law

Program Overview
Program Academics
Program Admissions
The MHL Online Experience
Program Faculty & Staff





Emergency

Of the \$135.00, we pay your MEDICAL benefits.

Charges	Minors Charge Pending
\$5.00	



Expanding into complementary markets –
Masters programs for non-lawyers

Law School C possibilities



Human Resources and the Law

Course ID: ILRHR01

This course covers the various types of laws and regulations that deal with human resources issues, how they interact, how to recognize legal issues, and the appropriate actions to take when legal issues are involved.

Expanding into complementary markets –
Non-degree courses and programs for non-
lawyer adult learners

Law School C possibilities



LII's Social Security Library

Expanding into complementary markets –
Courses and course components for high
school and college students

Law School C possibilities

Expanding into complementary markets –

But others who know these niches better, are already experienced in the technology-pedagogy combination, have a deeper catalog, stronger brand, and capital are moving rapidly

Phoenix and Capella

Apollo Group, which provides higher education to working adults, breaks out numbers for its online group separately, and lists revenues as growing from \$28.6 million in 1997 to \$185.5 million in 2001. Capella (Apollo's chief competitor which announced early this month that it has raised a fresh \$16.7 million in venture capital) claims 95% compounded annual growth since 1996.

Not to forget Concord

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CONCORD UNIVERSITY
CONCORD LAW CENTER

school information | degree programs | specially programs | law center forum | jd programs

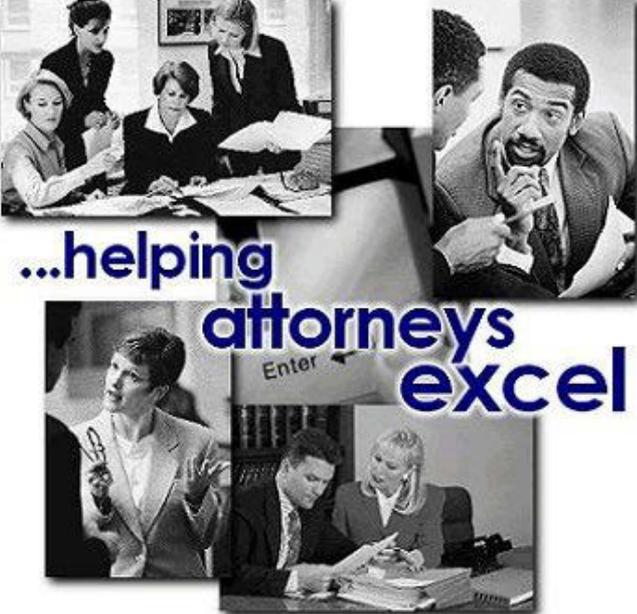
March 13, 2002

Master of Laws
in Health Law

Master of Laws
in Taxation

Concord Online
Research Training

...helping
attorneys
excel



Near certainties

- Concord has immense running room
- So do other commercial entities and CALI
- Some ABA accredited law schools may improve their position in the JD market by effective adoption of DL approaches
- Some will find synergy in adjacent markets
- There will be institutional casualties



What do you think?