



Responsibilities of a Consultant on Readiness

The Association of American Law Schools (AALS) requires that a law school planning to apply for membership in the Association engage a consultant on readiness to advise on whether its program is in compliance with AALS membership criteria. The consultant must meet with the Executive Director at the time of his or her selection by the applicant to review the Association's membership requirements. These requirements serve the interests of potential applicants by avoiding the frustrations that might flow from premature application for membership.

Consultant's Determination that the School Is Ready as a Prerequisite. To assist the school in deciding whether to submit a notice that it intends to apply for membership (at least 21 months (early April) before the Annual Meeting at which it will be considered), it should receive from you, at least one month before the deadline, a written report addressing all areas of the school in relation to the AALS membership requirements. This report should be sent to the school and to the AALS. The preparation of this report will assist you in determining whether, in your opinion, the school currently qualifies for membership or whether you expect that it will be qualified for membership by December of that year. If you determine that the school will not fully qualify for membership by December, the school should not submit an intention to apply.

In addition, at least 13 months before the Annual Meeting (early December) at which the school's application will be acted upon, the school should send a Notice of Readiness communicating to the Executive Director that based on the consultant's evaluation the school is in full compliance with the requirements of membership and is ready at that time to apply for membership. In November you should update your report and send it to the school and to AALS. If the school or the consultant believe that the school is not completely ready at this time, the AALS will not go forward with the planned site visit. The consultant's determination is not binding to the AALS.

Procedures for Processing an Application for Membership. Attached is a copy of a memorandum describing the procedures that are to be followed by an applicant school, the Membership Review Committee, the Executive Committee, and the House of Representatives. The school that has employed you has received a copy of this memorandum, and you may find it useful to review it.

Requirements for Membership. The requirements for membership are set forth in the Association's Bylaws and in the Executive Committee Regulations. A school must have offered five years of instruction and graduated its third class before applying for membership [Executive Committee Regulation 7.1(b)]. Although this regulation is stated quantitatively, its purpose is to assure that the applicant school and its program have reached an acceptable level of maturity and development.

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The bylaws include some specific quantitative requirements. For example, “in each division of its program, a member school’s full-time faculty shall offer at least two-thirds of the instruction leading to the J.D. degree.” [Bylaw 6-4(d) and ECR 6-4.1] An example of a non-quantitative AALS requirement is that the school recognize that its "faculty members have an important responsibility to advance as well as transmit ordered knowledge" [Bylaw 6-6(c)]. Member schools must be committed not only to teaching but also to research, and they are expected to support this research function.

The Consultant's Approach. While you should be supportive of the school and its program, you have an obligation to assist the school by identifying those areas of its program that need strengthening. Where circumstances require, you must be prepared to bring the dean, faculty, and president the unpleasant news that the school is not in compliance with the requirements of membership and must take certain specified steps if it wishes to bring its program into compliance.

Information Supplied the Consultant. To permit you to make an adequate evaluation of the school's readiness, the school should provide you with all the information the Association will request in connection with the application. Generally this information consists of the AALS Membership Application Questionnaire, a copy of the most recent ABA inspection report, copies of the last two completed ABA Law School Questionnaires, copies of the Self-Study Report, copies of the last several budgets and budget submissions, copies of the last two reports of the dean, the law school catalog, the minutes of faculty meetings for the last two years, and copies of the more significant faculty committee reports.

The Consultant's Visit. To carry out your responsibilities, you need to be fully informed about the school and its program. This means you should not only obtain the kinds of information described above but also should spend at least several days at the school conferring with the dean, president, and members of the faculty.

The Consultant's Report. The consultant's reports, of course, are not expected to be comparable to the report that results from a site visit by a team of evaluators. However, as noted above, you should submit to the school written evaluations of the school’s compliance with AALS membership requirements, addressing all aspects of the school, including those areas about which you may have questions or doubts. The reports should express your concerns and suggest steps that might be taken by the school to strengthen those areas in question. The report should be unequivocal as to whether you believe that the school is or is not ready to make application for membership. Your reports written in preparation for the Notice of Intention to Apply and Notice of Readiness should be sent to the AALS Executive Director as well as to the school. To preserve the candor of the consultant’s interaction with the applicant school, these reports will not be shared with the AALS Membership Review or Executive Committees.

Attachment:

Memorandum, *Procedures for Obtaining Membership in the Association*
AALS Membership Requirements

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