



Association of American Law Schools

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University of California,
Irvine School of Law

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Penn State Dickinson Law

The Critical Continuing Importance of National Accreditation of Law Schools

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University School of Law

Over the past few weeks, we have seen announcements from Texas and Florida that the Supreme Courts of those states are considering the elimination of national law school accreditation as a condition for law licensure. The Supreme Court of Texas has invited comments on [whether “to reduce or end . . . reliance on the ABA,”](#) and is considering whether to [“end its requirement](#) that lawyers admitted in the state must graduate from an American Bar Association-accredited law school.” Florida’s Supreme Court [has appointed a working group](#) “to study the current ABA accreditation requirement in the Bar admission rules and to propose possible alternatives.” We write to correct a misunderstanding around ABA accreditation and to briefly explain why national accreditation of our nation’s law schools has served the legal profession and the American public well for more than a hundred years.

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First, the American Bar Association itself does not accredit law schools. Rather, 'ABA accreditation and approval' refers to the Council of the ABA Section of Legal Education and Admission to the Bar—a national accrediting entity that is separate and independent from the bar association. The Supreme Court of Florida's mention of the “ABA's active political engagement” [as a reason for its working group](#), thus, may lead to misunderstanding. The bar association is not related to the Council’s work or the ABA Section on Legal Education.¹ The Council’s position as the national accrediting body is not new. An ABA Committee on Legal Education and Admissions to the Bar was established in 1879, and the Section on Legal Education has been [setting professional standards for law schools](#) since the early 1920s, with the first accreditation standards adopted in 1921. Formal accreditation of law schools [began in 1952](#).

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Second, having a national accreditor is critical. National accreditation ensures a minimum baseline of quality in legal education and practice that protects the public against inadequately prepared lawyers. For this reason, the highest courts of all states recognize the JD degree from an ABA-approved law school as meeting the educational eligibility requirements for bar admission. National accreditation also provides some flexibility for students so that they may attend law school anywhere in the U.S., knowing they can return home and practice law upon graduation. Many talented lawyers in Texas and Florida did not graduate from law schools within those states, and many lawyers practicing in other states earned their degrees from law schools in Texas and Florida.

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Third, weakening national ABA-accreditation would be harmful to clients and those who need lawyers. Most states do not have the resources to sufficiently investigate and evaluate educational quality, while piece-meal, fragmented, or overlapping regulation would increase costs on law schools, their students, and the profession. Law schools in

*Executive Director
& Chief Executive Officer*
Kellye Y. Testy

¹ An older, but helpful overview of the Council’s work from the late Dianne Bosse, the former chair of the New York State Board of Law Examiners, may aid those wanting to learn more about ABA accreditation. Dianne F. Bosse, *ABA Accreditation: A Symbol of Quality*, The Bar Examiner (Vol. 82:2), June 2013, at pp. 28-33. For a recent overview of the ABA-accreditation process, see [New to Bar Admissions? What You Might Like to Know About: The ABA’s Connection to Bar Admissions](#), The Bar Examiner (Vol. 90:1), Spring 2021, at pp. 86-88.

Texas and Florida draw students from all over the United States. These schools would be negatively impacted if they were required to comply with separate state-accreditation requirements, while also meeting ABA standards for students wishing to practice in other states. Both Texas and Florida have greatly benefited from this mobility. For instance, the Attorneys General and Solicitors General of both Florida and Texas graduated from schools outside the states, as did a majority of the members of the Supreme Courts of both states.

Creating different barriers to entry to the legal profession based on geography would also make it more challenging for states to attract the best and brightest to both private practice and public service in the state. Because [lawyer mobility is common](#) and lawyers now often practice in multiple states over a career,² a retreat from national accreditation standards would limit lawyer mobility, adding to legal deserts. It would also unnecessarily force students, often in their early 20s, to make critical geographic decisions on where to practice prior to starting law school.

Fourth, experiments with non-ABA accredited law schools have largely been unsuccessful. Currently around thirty-three [non-ABA accredited law schools](#) exist in the United States, with most of them in California. While those schools are often less expensive than their ABA-accredited counterparts, most have [extremely low bar exam pass rates, poor job outcomes](#), and [high attrition](#) rates. The quality of education in non-ABA accredited schools is a concern, those schools often lack experiential learning and clinical education, and some unaccredited schools have been described as [predatory](#). The results of [California's July 2024 bar exam](#) showed that while the all-takers pass rate from ABA-accredited law schools in California was 72.9 percent, the pass rate from California (non-ABA) accredited schools was 24 percent and the pass rate from unaccredited schools was 13 percent. The California experiment with non-ABA accredited law schools has also not solved [access to justice gaps](#). Notably, states with non-ABA accredited schools have not ended reliance on ABA-accreditation—the more extreme path that Texas and Florida are purportedly considering—as unaccredited law schools only provide an alternative path to licensure.

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The Association of American Law Schools encourages state supreme courts to continue to look for ways to work collaboratively with law schools within their states. To the extent that concerns exist with specific accreditation standards, those concerns can be addressed directly with the Council through existing processes. Ending or eliminating reliance on national accreditation, however, and returning to the parochial approaches the legal profession took in the 1800s would harm our nation's law schools and the broader legal profession and reverse the national trend over decades to facilitate lawyer mobility. No reason exists to undermine a national accreditation system that has served to protect the public well for over 100 years.

On behalf of the Executive Committee of the Association of American Law Schools



Austen Parrish, President



Kellye Y. Testy, Executive Director and CEO

² The National Conference of Bar Examiners maintains statistics on bar admission [by score transfers and admission by motion](#), underscoring the importance of lawyer mobility.