

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: August 2018 – O-402

DATE: August 8, 2018

TO: The Committee of Bar Examiners

FROM: Natalie Leonard, Program Manager, Educational Standards

SUBJECT: **California Desert Trial Academy College of Law –
5-Year Periodic Inspection Report**

BACKGROUND

California Desert Trial Academy (CDTA) underwent its first regular five-year Periodic Inspection on February 13-14, 2018 (Report). (Attachment A). George Leal, former Program Manager of Educational Standards conducted the inspection. Dean John Patrick Dolan confirmed that the law school accepted the report and each of its recommendations without revision. (Attachment B).

CDTA is a private, for-profit law school located in Indio. It was registered as an unaccredited, fixed-facility law school in 2012 by the Committee of Bar Examiners (Committee). CDTA's most recent prior inspection was a provisional inspection in November 2014, and at that time was found to be operating compliantly.

The faculty is comprised of 14 part-time professors, each of whom holds a Juris Doctor degree and is currently (or was) licensed to practice law in California.

The school offers a J.D. degree through a fixed-facility program and a new hybrid J.D. program in which students attend online classes during three weekdays and live classes on Saturdays. The school's campus was recently renovated and each classroom is styled to look like a different type of courtroom. For the 2017-2018 academic year, CDTA had a total student enrollment of 25 students.

With the exception of three issues of technical noncompliance discussed in the Report, CDTA was found operating compliantly with the accreditation standards found in the Accredited Law School Rules (Rules) and the operational requirements found in the Guidelines for Accredited Law School Rules (Guidelines).

It is recommended that each of the mandatory and suggested actions listed below be adopted; that the law school be required to report to the Committee as part of its Annual report all efforts to address each such recommendation; that the registration of CDTA be

continued; and that its next periodic inspection be scheduled for the Fall of 2022, unless an earlier visitation is deemed necessary by the Committee.

Recommended, Mandatory Actions:

Through its inspection, it was found CDTA non-compliant as to three minor issues. To address each, it is recommended that the Committee direct that the school carry out the following mandatory actions:

1. Guideline 9.1(O)(2)(B): The law school must revise its Admission Certification Form so that it reports all information required by this Guideline.
2. Rule 4.241: The disclosure statement should be updated and reviewed for accuracy.
3. Guideline 4.8 and 4.9: CDTA should develop and adopt written procedures for the regular, in-class evaluation of each instructor's teaching competence through the use of evaluators in addition to students.

Recommended, Suggested Actions:

The following suggested action is recommended to further increase the school's level of compliance:

1. Guideline 10.1: The law school should continue its efforts to recruit and retain new faculty, as openings arise, who reflect the diverse nature of the law school's enrollment.

DISCUSSION

In his letter to the Committee dated June 16, 2018, Dean John Patrick Dolan accepted the Report and its mandatory and suggested compliance actions.

RECOMMENDATION:

It is recommended that the Periodic Inspection Report be received and filed; that the mandatory compliance recommendations discussed in the Report be adopted; that, the law school be required to report to the Committee as part of the school's Annual Compliance Report, all efforts to address each such recommendation; that accreditation of CDTA be continued; and that the law school's next periodic inspection be scheduled for the Fall of 2022 unless an earlier visit is found to be needed by the Committee.

PROPOSED MOTION:

Should the Committee of Bar Examiners agree with this recommendation, the following motion is suggested:

Move that the Periodic Inspection Report of California Desert Trial Academy (CDTA) conducted February 13-14, 2018 by George Leal, former Program Manager of Educational Standards, be received and filed; that the response submitted by Dean John Patrick Dolan, dated June 16, 2018 and submitted on behalf of the law school be received and filed; that the mandatory compliance recommendations made in the Report be adopted; that the law school be required to report to the Committee in its next Annual Compliance Report all efforts to address each such recommendation; that the registration of CDTA be continued; and that its next periodic inspection be scheduled for the Fall of 2022, unless an earlier visitation is deemed necessary by the Committee.

**CALIFORNIA DESERT TRIAL ACADEMY
COLLEGE OF LAW**

Periodic Inspection Report

Inspection conducted on February 13-14, 2018
Pursuant to Rule 4.244(A) of the
Unaccredited Law School Rules

George C. Leal, Program Manager, Educational Standards
Office of Admissions
The State Bar of California

Rule 4.244(A) Periodic Inspection Report of

CALIFORNIA DESERT TRIAL ACADEMY COLLEGE OF LAW
Indio, California

A registered, unaccredited fixed-facility law school.

Introduction

The California Desert Trial Academy College of Law (CDTA) is a fixed-facility law school located in the Mojave Desert community of Indio. It was registered in 2012 by the Committee of Bar Examiners (Committee), opened that fall and its first class graduated in June of 2016. Its initial, five-year periodic inspection took place on February 13-14, 2018 and was conducted by George Leal, Program Manager for Educational Standards.

The inspection took place at CDTA's new facility which houses its classrooms, library and administrative offices. Meetings were held with its founder, Dean John Patrick Dolan, all of its administrators and faculty, and a confidential group of currently-enrolled students. A review was made of the law school's student and faculty files, all of its informational materials (catalog, website, Student Handbook and Faculty Handbook) and a sample of final examinations given in various classes.

In its first five years, the law school has grown and developed significantly. As discussed below, CDTA's Juris Doctor Degree curriculum is taught using a unique, two-instructor per class approach and, with Committee approval, its weekday classes are now simultaneously offered to students studying remotely using distance learning technology. Its new building contains three mock courtrooms, each of which is also used as a classroom. This is sufficient space for its current enrollment of 25 students for the 2017-2018 academic year.

CDTA operates with integrity and is well-governed by Dean Dolan; it offers a curriculum taught by an adjunct faculty comprised of practicing attorneys and sitting judges. Registrar Irene Dolan is diligent in maintaining all files and transcripts. The school operates with compliant policies governing its admissions and scholastic standards. The law school is operating compliantly with all applicable Registration Standards and applicable Guideline requirements.

Recommendation

It is recommended that this Periodic Inspection Report (Report) be received and filed; that each of the recommended, mandatory actions set out below be adopted by the Committee and that the law school's registration be continued; and that its next periodic inspection be scheduled for the fall of 2022 unless an earlier inspection is deemed necessary by the Committee.

Recommended, mandatory actions:

1. To comply with Guideline 9.1(O)(2)(B): the law school must revise its Admission Certification Form so that it reports all information required by this Guideline;
2. The Rule 2.241 Disclosure statement should be updated and reviewed for accuracy;
3. As required by Guidelines 4.8 and 4.9, CDTA should develop and adopt written procedures for the regular, in-class evaluation of each instructor's teaching competence through the use of evaluators in addition to students.

Recommended, suggested actions:

1. To comply more fully with Guideline 10.1, the law school should continue its efforts to recruit and retain new faculty, when needed, who would better reflect the diverse nature of the law school's student enrollment.

Report of Self-Study

The CDTA Self-Study was found to be comprehensive, well organized and properly supported by all necessary and relevant documentation. As a result, it offered significant assistance during the on-site inspection and in the drafting of this Report.

Report of Inspection

The inspection took place over the course of two days, during which meetings were held with Dean Dolan, Dean of Academics Sue Steding, Dean of Students Andrea Dolan Bouchard and Registrar Irene Dolan. Dean Phillip Drucker was unavailable due to a leave of absence, since concluded. A confidential meeting with students was held which offered a candid discussion about their experience at CDTA. Without exception, all spoke highly of the law school, the faculty and the Dean.

The facility and library were toured; classes being taught the evening of the inspection were observed. A sample review was conducted of current student files, faculty files, final examinations, student answers and other operational records. In response to requests for information made during the inspection, Registrar Irene Dolan responded promptly and provided all additional information as requested.

The inspection concluded with a working lunch and exit interview with Deans Dolan and Steding and Registrar Dolan, during which of the preliminary findings and anticipated recommendations of this Report were discussed. Throughout the visit, everyone associated with the law school was found to be candid and cooperative and clearly committed to the long-term success of the law school and to each of its students.

Compliance with the *Guidelines for Unaccredited Law School Rules (Guidelines)*

Guidelines 2.1–2.12: Honesty and Integrity: A registered law school must operate in a lawful, honest and forthright manner as to its financial affairs, its operations, in all print and electronic communications and as to its academic standards and policies relating to student assessment and discipline.

CDTA operates with integrity and in a lawful, honest and forthright manner. The law school operates as a duly-organized, for-profit California corporation under the name of LawTalk M.C.L.E., Inc. As such, in addition to operating the law school, the corporation is also an approved provider of continuing legal education classes to licensed attorneys. The law school operates under a current Fictitious Name Statement issued by Riverside County and a business license issued by the City of Indio. It is governed by a Board of Directors, with Irene Dolan acting Board President.

The law school operates in accordance with all applicable laws and regulations including:

American with Disabilities Act (ADA); Family Educational Rights and Privacy Act (FERPA); and the Health Insurance Portability and Accountability Act (HIPAA). CDTA also maintains a policy intended to prevent all forms of unlawful discrimination.

The CDTA website and each of its hardcopy materials offer applicants, enrolled students and the general public accurate and current information. The CDTA website, Student Handbook and Course Catalog, the online application, and the enrollment agreement all contain the mandatory notice requirements of Guideline 2.3(D).

As posted on its website, CDTA is compliant with the relatively new disclosure requirements of California *Business and Professions Code* §6061.7. Since January 1, 2017, all non-ABA-approved California law schools must post on their websites an Information Report Form which provides numerous disclosures regarding the law school's admissions, current enrollment, tuition, financial aid, a survey of employment outcomes for past graduates and its current, cumulative pass rate on the California Bar Examination.

The Rule 2.241 Disclosure Statement needs to be updated and reviewed for accuracy. Its Student Handbook confirms that CDTA grants reasonable testing accommodations to qualified students with disabilities covered under the Americans with Disabilities Act (ADA).

The academic policies and standards used by CDTA to assess students and its policy of student discipline are fair, reasonable and provide students with proper notice. As such, each is compliant with Guidelines 2.8 through 2.10. Students are informed that their final examination grade counts for 70% toward their final grade in each course,

with midterm examinations worth 20% and class preparation and participation the final 10%. Students are informed that each is given an examination identification number and that grades are issued to “blind” examinations.

As required by Guideline 2.9(B)(6), CDTA has adopted policies that set out the circumstances under which students are placed on academic probation and, in the absence of improvement, subject to academic disqualification. Students are also provided notice as to the process by which they may have a final grade reviewed. The school also provides its students with clear notice that they both have the right to inspect their examination questions and individual answers and, if they wish to challenge the final decision as to a final grade given, that any such appeal will be submitted to a grade review committee that includes a member of the faculty and, possibly, one or more students.

The law school has a policy to take adequate precautions to protect student privacy and the confidentiality of student communications under Guideline 2.10.

Guidelines 3.1-3.2: Governance: A registered law school must be governed, organized and administered to maintain a sound program of legal education.

As permitted by Guideline 4.1, because the current enrollment is fewer than 100 students, Dean Dolan carries out his duties on a part-time basis. He also maintains a criminal defense practice. His law office is located within the same building as the law school, so he is regularly available to attend to law school matters as needed. Dean Dolan is a graduate of Western State University College of Law and he has been a licensed attorney since 1977; he is also a certified specialist in Criminal Law, certified by the California Board of Legal Specialization.

Dean Steding earned her J.D. degree at the University of San Diego School of Law. She has been a licensed attorney for over 40 years. She recently retired from the Riverside County District Attorney’s Office. In addition to being an experienced trial attorney, Dean Steding gained extensive managerial experience as a senior manager of the District Attorney’s Office.

Assistant Dean Bouchard is a graduate of Trinity Law School, a California-accredited law school, and has been a licensed attorney since 2012. She practices criminal defense law and is also on the CDTA faculty.

Registrar Irene Dolan is responsible for maintaining the records, files and transcripts of all students enrolled in the law school; she also acts as the law school’s Admissions Director and is the primary contact for applicants and enrolled students.

Guidelines 4.1-4.10: Dean, Administrator and Faculty: A registered law school must have a competent dean, qualified administrator and a competent faculty that devotes adequate time to administration, instruction and student counseling.

Dean Dolan has over forty years of experience as a trial attorney. He also has many years of teaching experience as an approved provider of continuing legal education taught to licensed California attorneys. As noted, Dean Steding has many years of professional experience as a trial attorney as well as a manager and supervisor of trial attorneys. Both Deans are also members of the faculty.

The faculty is comprised of 14 part-time professors, each of whom holds a Juris Doctor degree and is currently (or was) licensed to practice law in California. The majority of the faculty consists of graduates of ABA-approved law schools (Western State, U.C.L.A., Pepperdine, Southwestern, University of San Diego), with two members having earned their J.D. degree at California-accredited law schools.

Each member of the faculty brings their experience and expertise as a practicing attorney into the classroom. The faculty also includes a sitting judge, a Commissioner of the Riverside County Superior Court, and a Justice of the California Court of Appeal.

As to faculty's involvement and participation in the formulation, implementation and administration of the law school's academic policies, as suggested by Guideline 4.3, members of the faculty meet regularly with the Deans to discuss such policies and how they are to be applied. As the law school's enrollment and curriculum continues to grow, additional faculty involvement in the formulation of academic policies is expected.

Student/faculty ratios are because that each course is "team taught" by two professors simultaneously. Given that first-year classes (including those attended remotely) have averaged between 10 and 12 students over the last three academic years, students at CDTA benefit from classes that average five or six students per professor.

As practicing attorneys or sitting judges, each member of the CDTA faculty, as required by Guideline 4.7, continually strives to improve their teaching skills and their expertise in the areas of law that they teach. The CDTA faculty is regularly encouraged to offer academic counseling to students upon request and, as confirmed by several students, such counseling has been made available.

As to faculty evaluations, the law school relies primarily upon student feedback provided through evaluation forms handed out at the end of each class. As provided in the Faculty Handbook, the Dean of Students reviews the student feedback received with each individual instructor. However, as required by Guidelines 4.8 and 4.9, CDTA should develop and adopt written procedures for the regular, in-class evaluation of each instructor's teaching competence through the use of evaluators in addition to students.

Guidelines 5.1-5.8: Educational Program: A registered law school must maintain a qualitatively and quantitatively sound program of legal education.

The law school offers its students a four-year curriculum leading to the award of a Juris Doctor degree. Its curriculum exceeds the minimum quantitative academic requirements set out in Guideline 5.3 by requiring four years of part-time study and the completion of at least 84 units in both required and elective courses. Classes are taught over two 15-week semesters on three nights per week (Tuesday, Wednesday and Thursday from 6:00 p.m. to 9:30 p.m.), and on Saturdays from 8:30 a.m. to 3:00 p.m.

CDTA's first-year curriculum includes Torts, Contracts, Criminal Law and Saturday Enrichment classes. Classes use nationally-recognized legal texts. The curriculum taught in the first through fourth years, as required by Guideline 5.10, includes classes that cover all subjects tested by the California Bar Examination. The law school also offers a few elective classes, including bankruptcy, immigration and tribal law.

As required by Guideline 5.3(A), CDTA informs students that they must attend no less than 80% of all class sessions to receive credit for each course, in addition to meeting the other class requirements.

Attendance need not be in person, as the school started to offer a hybrid J.D. curriculum taught using both in-class and remote teaching options. The school completed its first year with this offering in May 2018, and a progress report will be provided to the Committee in August 2018.

During the inspection, classes were observed. The quality of instruction in each of the classes observed was very good with students appearing both well-prepared and participating actively.

Based upon the foregoing information, CDTA's curriculum is compliant and meets each of the quantitative and qualitative requirements for a sound program of legal education.

Rule 4.240(F) Scholastic Standards: A registered law school must adopt sound scholastic standards must as soon as possible identify and then disqualify those students who have demonstrated they are not qualified to continue.

Pursuant to Guidelines 5.17-5.25, CDTA has adopted compliant academic standards to assess its students accurately. The law school uses a numeric system that is scaled as follows: 85+ is excellent; 80 is superior; 75 is very good; 70 is good; 65 is satisfactory; 60 is seriously deficient, barely passing; and below 60 is failing.

Academic good standing appears to require that students achieve and maintain a cumulative grade point average of 70. However, on page 15 of the Student Handbook, students are informed that a "cumulative grade average of not less than 65 is required for graduation." To better comply with Guideline 5.19 and eliminate any confusion or ambiguity in what constitutes academic good standing, the law school should adopt a

single, clear definition that will, presumably, increase the minimum to graduate above 65 since a GPA at that level is “deficient” under the grading scale as defined above.

The Student Handbook also advises when a student will be subject to academic probation or disqualification. First-year students may be dismissed if they score below a 60 in two or more classes or have an overall GPA of less than 60. Those with a GPA of between 60 and 65 may, at the discretion of the Dean, register for second-year classes but are considered on probation and must take the First Year Law Students’ Examination (FYLSX) as soon as possible. Thereafter, students who finish their second year of study with a GPA of less than 65 are placed on probation. Students who end their third year with a GPA below 65 may be academically dismissed.

The Student Handbook also provides students with an explanation of how their final grades in each class are computed. As described, final grades are based upon anonymously graded final examinations and at least one mid-term examination.

As required by Guidelines 5.21 and 5.22, students are advised that their continued enrollment and advancement is dependent upon passing the FYLSX by the third administration after becoming eligible to take the examination, otherwise they are dismissed. CDTA also has a written policy regarding course repetition (mandatory if a grade below 60 is received) and when students may repeat a course in which they received a grade of between 60 and 70 to achieve a higher GPA.

As reported in its 2017 Annual Report, the grading summary for the law school’s current enrollment confirmed that grade inflation is clearly not present, with less than 9% of all grades at 80 or above, while 69.5% of all grades in the 2016-2017 academic year were between 60 and 75.

CDTA students began taking the CBA in 2016. So far, in four administrations total, seven students have passed the Bar in a total of 38 attempts. Note that a student is counted more than once in that total if they took the examination more than once.

CDTA students have been taking the FYLSX since June 2013. So far, 29 students have passed the FYSLX in 87 total attempts. Note that a student is counted more than once in the attempts figure if they took the examination more than once.

Guidelines 5.26-5.28: Admissions: A registered law school must adopt a sound written admissions policy and must not admit any student obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program.

Consistent with Guideline 5.26, CDTA has adopted and applies sound and compliant admissions standards. Before it admits a student, the law school assesses the applicant’s academic qualifications and aptitude. The school admits only those found to be educationally qualified and who appear to have a reasonable chance to graduate.

As required by Guideline 5.30, official undergraduate transcripts for each enrolled student are placed in student files within 45 days of the start of classes. Those students who start classes before their transcripts are received are sent a notice reminding them to send in those transcripts promptly to avoid being dismissed. Pursuant to Guideline 5.31, the CDTA application asks applicants whether they have ever attended another law school, and if so, whether they remained in good academic standing at the school.

As required by the State Bar's *Admissions Rules* and Guidelines 5.32, CDTA admits only those with the minimum pre-legal education of at least 60 units of acceptable college credit or a Bachelor's degree from an accredited college or university. It will also consider the admission of transfer students from other law schools and, consistent with Guideline 5.34, it may admit those who were previously been disqualified from the prior study of law if their applications are supported by the required factual circumstances to support their compliant admission. In doing so, the law school also grants any allowable transfer credit as provided by Guideline 5.35. It also reserves the right to admit special students, those without the 60-unit minimum of acceptable college credit but with acceptable CLEP scores, but, to date, has never admitted any such students.

The law school maintains two admission requirements that are rare for registered law schools; it requires that applicants both take and report a score on the Law School Admission Test and complete a personal interview with one or more of the Deans.

Since 2012, at least 75% of those enrolled have possessed a Bachelor's degree, with the remaining 25% earning sufficient college credit. For the class that enrolled in the 2016-2017 academic year, 90% of those admitted (9 out of 10) held a Bachelor's degree. The college and universities from which CDTA students received their degrees, or earned their college credit, include: U.C. Berkeley; U.C. Irvine; Chapman University; University of Redlands; California State University; Northern Arizona University; University of Las Vegas; and the College of the Desert.

Guidelines 6.1-6.6: Library Requirements: A registered law school must maintain a library consistent with the minimum requirements of the Committee.

CDTA provides its students with compliant access to all required hardcopy and electronic legal authorities required by Guideline 6.2. Access to all mandatory hardcopy materials is offered in two ways. First, when all shelving is completed, updated reports of all California Appellate Court decisions and a partial set of annotated California Codes are located within the CDTA facility. The hardcopy law library is located in a separate room within the facility; it is sufficiently spacious and offers a quiet study area. The library also contains the hardcopy text books used in each of the classes.

As permitted by Guideline 6.4, all other mandatory, hardcopy legal authorities are available to students through access to the nearby Riverside County Law Library, located one half mile from the CDTA facility. The law school has an agreement with the

library to provide access to CDTA students during times when it is closed to the public and to use the library as a classroom when needed. Students can access all required, hardcopy legal texts and resources, as well as wide array of resources used by practicing attorneys. The library is generally open from 8:30 a.m. until 5:00 p.m. and 8:00 a.m. until 3:00 p.m. on Saturdays.

In addition to the hardcopy authorities required by Guideline 6.2, CDTA students are given 24/7 access to the electronic law library offered by Lexis Nexis. CDTA students also receive instruction in online legal research required as required by Guideline 6.3. Starting in the 2017-2018 academic year, students are now required to complete two classes that include instruction in legal research using both hard copy and electronic legal authorities: Legal Research and Writing and Legal Memorandum and Brief Drafting.

Guidelines 7.1-7.2: Physical Resources: A registered law school must have physical resources and infrastructure adequate for its programs and operations.

The law school is now housed in its permanent home located in the center of Indio. The CDTA facility operates within a commercial structure that was extensively remodeled to provide students with a state-of-the-art fixed-facility law school. The building consists of approximately 10,000 square feet and contains classrooms, administrative offices, the library and offices for a newly-formed legal clinic. Dean Dolan's law offices are also located within the structure, separate from, but easily accessible to, the law school.

Each classroom has been built to resemble a mock courtroom; one is a fully-functioning California trial courtroom, another resembles a federal trial courtroom and the third is built out as a California appellate courtroom. Each has a 70" video screen in the front of each classroom and a 55" video screen in the rear to assist the instruction to those students attending classes remotely. All such students participate in classroom activities using the Zoom internet platform.

The law school also has two private conference rooms which students and faculty can use for private meetings. The school is also in the process of creating a legal clinic that will use the conference rooms to meet with clients.

The Dolan Family Trust owns the CDTA building and leases its use to the corporate entity that controls the law school.

Guidelines 8.1-8.3 Financial Resources: A registered law school must have adequate present and anticipated financial resources to support its programs and operations.

Since CDTA is owned and operated by a corporate entity that earns income from both the law school and from providing continuing education to attorneys, it has the benefit of

two revenue streams. The profit and loss statement submitted with the school's Self-Study confirmed that the corporation operates debt-free and earns a net profit.

Student tuition now covers the majority of ongoing operational expenses, such as faculty and administrative salaries, utilities and licensing fees. As required, the law school compliantly reports its financial information annually to the Committee.

Based upon its currently reported financial status, CDTA appears compliant with all of the financial criteria enumerated in Guideline 8.1, *i.e.*, that it has sufficient resources to: a) provide all of the educational services in its program of legal education; b) ensure that its students have a reasonable opportunity to complete CDTA's four-year program and obtain their degrees; and, c) that it is able to pay all requested tuition refunds promptly.

Guideline 9.1: Records and Reports: A registered law school must maintain adequate records of its programs and operations.

All of the law school's student and faculty files were found complete and well-maintained. A sample review of student files, transcripts, faculty files, class rosters and the minutes of faculty meeting confirmed that all are compliant. Registrar Dolan has developed and uses proper filing procedures (such as a checklist maintained in each file) to see that all such files remain complete, updated and compliant. All such files are also inspected regularly to confirm that they are current and accurate.

The law school submits compliant Annual Reports and maintains required records such as correspondence with the Committee as required by Guideline 9.1(M).

There is one minor issue with one of the mandatory records, the law school's Admission Certificate, which is technically non-compliant the school is, however, directed to revise its Admission Certificate report template to comply with Guideline 9.1(O)(2). This Guideline requires that such Certificates must provide information regarding all students that the school admits. The current Certificate needs to be revised to identify the undergraduate institution attended by each enrolled student, any scores from the LSAT, if taken, and, for students admitted with any prior law school attendance, information about such attendance.

The law school maintains its records in both electronic and hard-copy format. It uses a secure software system to generate and store student grades and transcripts. All electronic records are stored on a secure server and are backed up to ensure that all operational and academic data is stored securely as required by Guideline 2.11. Similarly, all hardcopy records are stored in appropriate, fire-proof file cabinets.

Guideline 10.1: Equal Opportunity and Non-Discrimination: Consistent with sound educational policy and the *Unaccredited Law School Rules*, a law school should demonstrate a commitment to providing equal opportunity to study law

and in the hiring, retention, and promotion of faculty without regard to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status.

Guideline 10.1 requires that all California's registered law schools operate in a manner that does not constitute unlawful discrimination and that provides "equal opportunity to study law and in the hiring, retention and promotion of faculty members."

CDTA has adopted an express, compliant policy confirming that it is committed to offering equal opportunity in both its student admissions and faculty hiring and retention. The law school also maintains a policy to see that it operates in a manner that is free of any form of unlawful discrimination or harassment.

As confirmed by its 2017 Annual Report, CDTA's enrollment is diverse and mirrors the greater Indio community it serves. As reported therein, 60% of its current students self-identified as being non-White. As to gender, 56% of its students are female.

Its faculty is considerably less diverse with only 10.5% (2/19) of the faculty reported as being non-White. As to gender, 42% (8/19) of the faculty are women.

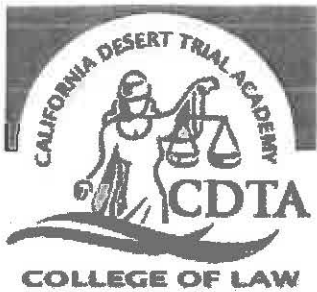
Given the current makeup of the faculty, it is recommended that the law school continue its efforts to recruit and retain new faculty, when needed, who would better reflect the diverse nature of the students enrolled at CDTA.

Rule 4.240(M): Compliance with Committee Requirements: A registered law school must demonstrate its compliance with *Unaccredited Law School Rules* by submitting the required annual reports and otherwise complying with the rules.

CDTA has consistently filed timely, complete reports and responded promptly to all Committee requests since its inception.

Conclusion and Recommendation

It is recommended that the Report of the Inspection of California Desert Trial Academy College of Law be received and filed; that each of the recommended/suggested actions noted above be adopted; and that the law school's periodic inspection be scheduled for the fall of 2022, unless an earlier inspection is deemed necessary by the Committee.



**California Desert Trial Academy
College of Law**

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June 16, 2018

Natalie Leonard
Program Manager for Educational Standards
The Committee of Bar Examiners of
The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639


Re: CDTA College of Law 2018 Periodic Inspection Report

Dear Ms. Leonard:

We are committed to accepting and implementing all recommended mandatory and suggested actions in the 2018 Periodic Inspection Report.

We find no objection or need for corrections to the report.

Sincerely,


John Patrick Dolan, Dean
California Desert Trial Academy
College of Law

JPD:igd

ATTACHMENT B